



RESPONSES TO COMMENTS ON THE EIR

RTC

San Francisco Gateway Project 749 Toland Street and 2000 McKinnon Avenue

San Francisco Planning
Case No. **2015-012491ENV**
State Clearinghouse No. 2022030286



San Francisco
Planning

Draft EIR Publication Date:	August 2, 2023
Draft EIR Public Hearing Date:	September 7, 2023
Draft EIR Public Comment Period:	August 3, 2023 – October 16, 2023
Final EIR Certification Hearing Date	May 22, 2025

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MEMORANDUM

Date: May 7, 2025
Case No.: 2015-012491ENV
Project Title: San Francisco Gateway Project
Project Address: 749 Toland Street and 2000 McKinnon Avenue
To: Members of the Planning Commission and Interested Parties
From: Lisa Gibson, Environmental Review Officer
Re: Attached Responses to Comments on the Draft Environmental Impact Report for the San Francisco Gateway Project (Planning Department Case No. 2015-012491ENV)

Attached for your review, please find a copy of the Responses to Comments document for the San Francisco Gateway Project draft environmental impact report (EIR). The Responses to Comments document, along with the draft EIR, will be before the planning commission for final EIR certification on May 22, 2025. Please note that the public review period for the draft EIR ended on October 16, 2023. Comments received at the final EIR certification hearing will not be responded to in writing. The agenda for the May 22, 2025, planning commission hearing showing the start time and order of items at the hearing will be available at <https://sfplanning.org/hearings-cpc-grid> by close of business on Friday, May 16, 2025.

The planning commission does not conduct a hearing to receive comments on the Responses to Comments document, and no such hearing is required by the California Environmental Quality Act (CEQA). Interested parties, however, may write to the commission at commissions.secretary@sfgov.org (preferred) or 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103 to express an opinion on the Responses to Comments document or the commission's decision to certify the final EIR for this project.

This Responses to Comments document together with the draft EIR constitutes the final EIR. The draft EIR may be downloaded from <https://sfplanning.org/environmental-review-documents>. If you have any questions concerning the Responses to Comments document or the environmental review process, please contact Elizabeth White, EIR coordinator, at cpc.sfgatewayproject@sfgov.org or 628.652.7557.

Thank you for your interest in this project and your consideration of this matter.

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San Francisco Gateway Project

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San Francisco Planning
Case No. **2015-012491ENV**
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ATTACHMENTS

Attachment 1 – Draft EIR Public Hearing Transcript

Attachment 2 – Draft EIR Comment Letters and Emails

CHAPTER 7

INTRODUCTION TO RESPONSES TO COMMENTS

7.A Purpose of the Responses to Comments Document

The purpose of this responses to comments (RTC) document is to present public comments received on the draft environmental impact report (draft EIR) for the San Francisco Gateway Project (proposed project) at 749 Toland Street and 2000 McKinnon Avenue, to respond in writing to comments on environmental issues, and to revise the draft EIR as necessary to provide additional clarity. Pursuant to the California Environmental Quality Act (CEQA) section 21091(d)(2)(A) and (B), the San Francisco Planning Department (planning department) has considered the comments received on the draft EIR, evaluated the issues raised, and is providing written responses that address each substantive environmental issue that has been raised by the commenters. In accordance with CEQA, the RTC focus on addressing physical environmental effects associated with the proposed project. Such effects include physical impacts or changes attributable to the proposed project.

None of the comments received provide new information that warrants recirculation of the draft EIR. The comments do not identify new significant impacts or a substantial increase in the severity of previously identified impacts. Furthermore, they do not identify any feasible project alternatives or mitigation measures that are considerably different from those analyzed in the draft EIR and/or that the project sponsor has not agreed to implement.

The draft EIR and this RTC document together constitute the final EIR for the proposed project, in fulfillment of CEQA requirements and consistent with CEQA guidelines section 15132. The final EIR has been prepared in compliance with CEQA, including the CEQA guidelines and San Francisco Administrative Code chapter 31. It is an informational document for use by (1) governmental agencies (such as the City and County of San Francisco) and the public to aid in the planning and decision-making process by disclosing the physical environmental effects of the proposed project and identifying the possible ways of reducing or avoiding the potentially significant impacts; and (2) the San Francisco Planning Commission (planning commission) and other city entities (e.g., the San Francisco Board of Supervisors [board of supervisors]), where applicable, prior to their decision to approve, disapprove, or modify the proposed project. If the planning commission and other city entities approve the proposed project, they would be required to adopt CEQA findings and a mitigation monitoring and reporting program (MMRP) to ensure that mitigation measures identified in the EIR are implemented.

7.B Environmental Review Process

7.B.1 Notice of Preparation of an EIR and Initial Study

The planning department, as lead agency responsible for administering the environmental review of projects in the City and County of San Francisco under CEQA, published a notice of preparation (NOP) of an EIR and an initial study on March 9, 2022 (included in the draft EIR as Appendix A and Appendix B, respectively).

These documents were intended to inform agencies and the general public that the draft EIR would be prepared based on the criteria of CEQA guidelines sections 15064 (Determining Significant Effects) and 15065 (Mandatory Findings of Significance). The planning department sent a notice of availability of the NOP, the NOP, and the initial study to the State Clearinghouse. These documents were also sent to relevant state and regional agencies, organizations, and persons interested in the proposed project, including those listed on the planning department's standard distribution lists.

The planning department also mailed the notice of availability of the NOP and initial study to tenants and property owners within 300 feet of the project site and sent hard copies and/or email notifications to neighborhood groups and individuals who requested project notifications from the planning department. In addition to English, the planning department translated the notice of availability into Chinese, Spanish, Filipino, and Vietnamese. The planning department mailed hard copies of the notice of availability in all five languages to tenants and property owners within 300 feet of the project site, posted these notices on the planning department's environmental review webpage, and filed the English notice with the San Francisco County Clerk's office. The planning department also published a newspaper advertisement in the San Francisco Examiner on March 9, 2022, announcing the opportunity for public comment on the project and providing notification of the project's virtual public scoping meeting.

The department held a scoping meeting on March 30, 2022. The purpose of the scoping meeting was to inform the public about the proposed project, explain the environmental review process, and provide an opportunity for the public to make comments and express concerns related to the project's environmental issues.

7.B.2 Draft EIR

The planning department prepared the draft EIR for the proposed project in accordance with CEQA, the CEQA guidelines, and San Francisco Administrative Code chapter 31; and published the draft EIR on August 2, 2023. The previously published initial study was attached to the draft EIR (Appendix B). The draft EIR was circulated for a public review and comment period that started on August 2, 2023, and ended on October 16, 2023.¹

The planning department distributed paper copies of the notice of public hearing and availability of the draft EIR to relevant state and regional agencies, organizations, and persons interested in the proposed project, including those listed on the planning department's standard distribution lists. The planning department also distributed the notice via email to recipients who had provided email addresses; sent the notice of availability of the draft EIR to the State Clearinghouse; published notification of its availability in the San Francisco Examiner on August 2, 2023; and posted the Availability of a Draft Environmental Impact Report and Notice of Public Hearing at the County Clerk's office and on the project site. The draft EIR was available for public review at the San Francisco Permit Center, 49 South Van Ness Avenue, 2nd Floor, San Francisco, CA 94103; and electronic copies of the draft EIR were also made available for review or download on the planning department's "Environmental Review Documents" web page: sfplanning.org/sfceqadocs.

In addition, paper copies and electronic copies (on a flash drive) of the draft EIR were available upon request to the project planner.

¹ The conclusion of the San Francisco Gateway Project's public comment period was extended from September 18, 2023, to October 16, 2023, due to a typographical error included in a public notice email.

On September 7, 2023, during the public review period, the planning commission conducted a public hearing to receive verbal comments on the draft EIR. The public hearing was a hybrid meeting; comments were collected remotely by phone call and in person in Room 400 at city hall. A court reporter attended the public hearing to transcribe the comments verbatim and provide a written transcript (Attachment 1 of this RTC document).

During the draft EIR public review period, the department received written comments from three governmental agencies (including the planning commission at the draft EIR public hearing); 12 nongovernmental organizations; and 12 individuals (or groups of individuals). Attachment 2 of this RTC document includes copies of the comments submitted during the draft EIR public review period.

7.B.3 Responses to Comments Document and Final EIR

The comments received during the public review period are the subject of this RTC document, which addresses all substantive written and verbal comments on the draft EIR. CEQA guidelines section 15204(a) states that the focus of public review should be on “the sufficiency of the [draft EIR] in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.” In addition, “when responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.” CEQA guidelines section 15088 specifies that the lead agency is required to respond to comments that raise significant environmental issues during the public review period. Therefore, this RTC document is focused on the sufficiency and adequacy of the draft EIR with respect to disclosing the significance of the physical environmental impacts of the proposed project evaluated in the draft EIR.²

The planning department distributed this RTC document for review to the planning commission and the board of supervisors, as well as to persons who commented on the draft EIR and provided their contact information. The planning commission will consider the adequacy of the final EIR, consisting of the draft EIR and the RTC document, with respect to complying with the requirements of CEQA, the CEQA guidelines, and San Francisco Administrative Code chapter 31. If the planning commission finds that the final EIR is adequate, accurate, complete, and in compliance with CEQA requirements, it will certify the final EIR and then consider the associated MMRP as well as the requested approvals for the proposed project. Following the planning commission’s certification of the EIR and recommendations on the proposed project, the board of supervisors will consider the recommendations and take action on the proposed project.

Consistent with the CEQA guidelines section 15097, the MMRP is designed to ensure implementation of the mitigation measures identified in the final EIR and adopted by decision makers to mitigate or avoid the proposed project’s significant environmental effects. CEQA also requires the adoption of findings prior to approval of a project for which an EIR has been certified (CEQA sections 21002, 21002.1, and 21081 and CEQA guidelines sections 15091 and 15092). The initial study and the draft EIR identified significant adverse impact(s) related to wind, noise, air quality, and paleontological, tribal, and cultural resources, and included

² The draft EIR analyzed the environmental impacts of the proposed project and the expanded streetscape variant. Whenever responses to comments in this document refer to the “proposed project,” those references are intended also to include the expanded streetscape variant. None of the comments received on the draft EIR require a response that is tailored exclusively to the proposed project or the expanded streetscape variant.

mitigation measure(s) to ensure that these impacts are reduced to a less-than-significant level. The project sponsor is required to implement the MMRP as a condition of project approval.

7.C Document Organization

This RTC document is a continuation of the draft EIR (and therefore continues the chapter numbering from the draft EIR) and consists of the sections and attachments described in the following paragraphs:

Chapter 7, Introduction, discusses the purpose of the RTC document, the environmental review process for the EIR, and the organization of the RTC document.

Chapter 8, List of Persons Commenting, presents a list of the agencies, organizations, and individuals who submitted written comments during the draft EIR public review period or verbal comments at the public hearing regarding the draft EIR. The list identifies whether the persons submitted comments in writing (letter or email) or verbally at the EIR public hearing (transcript), or both.

Chapter 9, Comments and Responses, presents substantive comments, excerpted verbatim from a transcript of the planning commission public hearing and written correspondence. The complete transcript as well as the letters and emails with the comments are provided in Attachments 1 and 2 of this RTC document, respectively. The comments and responses in this section are organized by topic and, where appropriate, by subtopic, including the same environmental topics addressed in Chapter 3 of the draft EIR. Following each comment or group of comments on a topic are the department's responses. The responses generally clarify the text in the draft EIR. In some instances, the responses may result in revisions or additions to the draft EIR. Text changes are shown as indented text, with deleted material shown as ~~striketrough~~ and new text double underlined.

Chapter 10, Draft EIR Revisions, presents text changes to the draft EIR that were made by the department to update, correct, or clarify the text of the draft EIR. These changes do not result in significant new information with respect to the proposed project, including the level of significance of project impacts or any new significant impacts.

Attachments include two attachments to the RTC: Draft EIR Public Hearing Transcript (Attachment 1) and Draft EIR Comment Letters and Emails (Attachment 2).

CHAPTER 8

LIST OF COMMENTERS ON THE DRAFT EIR

This RTC document includes responses to all comments regarding significant environmental issues received on the draft environmental impact report (EIR) prior to the close of the draft EIR comment period on October 16, 2023. The comments addressed include written comments submitted by letter or email, as well as verbal comments from the draft EIR public hearing held at the San Francisco Planning Commission on September 7, 2023. This chapter provides a list of the agencies, organizations, and individuals who submitted comments on the draft EIR. RTC Table 8-1 lists the commenters' names, along with the corresponding commenter codes used in RTC Chapter 9, Comments and Responses, for each set of comments; the comment format (e.g., email); and the comment date.

This RTC document codes the comments in the following ways:

- “A-”: Comments from governmental agencies are designated by “A-” and an acronym for the agency’s name.
- “O-”: Comments from nongovernmental organizations are designated by “O-” and an acronym for the organization’s name.
- “I-”: Comments from individuals are designated by “I-” and the commenter’s last name.

Within each category, commenters are listed in alphabetical order. In cases where commenters provided verbal comments at the public hearing and submitted written comments, or submitted more than one letter or email, comment codes end with a sequential number. For example, comment codes I-Ealom-1 and I-Ealom-2 denote multiple comments submitted by the same commenter, verbal or written. Within each comment letter, individual comments on separate topics are bracketed and numbered sequentially; these numbers follow the commenter code described above, separated by a hyphen. For example, the first comment submitted by Planning Commissioner Imperial is designated as A-CPC-Imperial-1, the second comment as A-CPC-Imperial-2, and so on. In this way, the reader can locate a particular comment in a comment letter or the public hearing transcript by referring to the comment’s coded designation. Additionally, in the instances where commenters submitted more than one letter or email, discrete comments within each comment letter are separated by an underscore with the corresponding comment number. For example, the comments in I-Ealom-1 are coded as I-Ealom-1_1, I-Ealom-1_2, and so on. These comment codes are used in Chapter 9 to identify which responses apply to which comment.

Attachment 1 of this RTC document includes a transcript of the planning commission draft EIR public hearing, with individual verbal comments bracketed and coded as described above. Attachment 2 of this RTC document includes the comment letters submitted, with individual written comments bracketed and coded as described above.

RTC Table 8-1. Draft EIR Commenters

Commenter Code	Name of Person and Title (if applicable)	Agency/Organization (if applicable)	Comment Format ¹	Date
Federal, State, Regional, and Local Agencies, Boards, and Commissions				
A-BAAQMD	David Ralston	Bay Area Air Quality Management District	Letter	October 16, 2023
A-CARB	Richard Boyd	California Air Resources Board	Letter	October 13, 2023
A-CPC-Moore	Vice President Kathrin Moore	San Francisco Planning Commission	Transcript	September 7, 2023
A-CPC-Koppel	Commissioner Joel Koppel	San Francisco Planning Commission	Transcript	September 7, 2023
A-CPC-Imperial	Commissioner Theresa Imperial	San Francisco Planning Commission	Transcript	September 7, 2023
A-CPC-Tanner	President Rachael Tanner	San Francisco Planning Commission	Transcript	September 7, 2023
Organizations				
O-1000GMFG	Rosemary Jarrett	1000 Grandmothers for Future Generations	Letter	October 13, 2023
O-ATBV	Kamillah Ealom	All Things Bayview	Email	August 28, 2023
O-BVCCC	Wasimah Asa	Bayview Community Concerned Citizens	Email	August 28, 2023
O-BVHPCA	Karen Pierce	Bayview Hunters Point Community Advocates	Email	October 16, 2023
O-EJG	Sandra Dratler	Environmental Justice Group at Faith in Action at St. James Episcopal Church	Transcript	September 7, 2023
O-GA-1	Bradley Angel	Greenaction	Email	August 28, 2023
O-GA-2	Bradley Angel	Greenaction	Email	August 29, 2023
O-GA-3	Bradley Angel	Greenaction	Email	August 30, 2023
O-GA-4	Bradley Angel	Greenaction	Email	August 30, 2023
O-GA-BVHPMF	Brandon Turner	Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee	Letter	October 16, 2023
O-Goodman	Ward Mace	Goodman	Letter	October 11, 2023

Commenter Code	Name of Person and Title (if applicable)	Agency/Organization (if applicable)	Comment Format ¹	Date
O-Local 261	Jesus Villalobos	San Francisco Laborers Local 261	Email	September 7, 2023
O-SFGP	Ann Colichidas	San Francisco Gray Panthers	Transcript	September 7, 2023
O-SFMarket	Michael Janis	The SF Market	Letter	October 12, 2023
O-Sierra	Jacob Klein	Sierra Club	Letter	October 16, 2023
Individuals				
I-Ealom-1	Kamillah Ealom	Individual	Email	August 28, 2023
I-Ealom-2	Kamillah Ealom	Individual	Transcript	September 7, 2023
I-Ferrari	R.J. Ferrari	Individual	Transcript	September 7, 2023
I-Gonzalez	Rudy Gonzalez	Individual	Transcript	September 7, 2023
I-Hardeman	Greg Hardeman	Individual	Transcript	September 7, 2023
I-Hestor	Sue Hestor	Individual	Transcript	September 7, 2023
I-Lantsberg	Alex Lantsberg	Individual	Transcript	September 7, 2023
I-Martin	Leotis Martin	Individual	Transcript	September 7, 2023
I-Morgan	Armie Morgan	Individual	Transcript	September 7, 2023
I-Rohm	Ozzie Rohm	Individual	Transcript	September 7, 2023
I-Rosenfeld	Judy Rosenfeld	Individual	Email	October 5, 2023
I-Torres	Dan Torres	Individual	Transcript	September 7, 2023
I-Vallis	Josh Vallis	Individual	Transcript	September 7, 2023

Notes:

¹ Transcript refers to comments made during the planning commission draft EIR public hearing.

CHAPTER 9

COMMENTS AND RESPONSES

This chapter presents all substantive comments received during the draft EIR public review period, including both written comments and comments excerpted verbatim from a transcript of the public hearing regarding the draft EIR, and provides responses to those comments. For the full text of each comment in the context of the public hearing transcript, refer to Attachment 1, Draft EIR Public Hearing Transcript; for those comments within a comment letter or email, refer to Attachment 2, Draft EIR Comment Letters and Emails. This chapter begins with a description of the overall organization of the comments and responses, followed by the comments and responses.

9.A Organization of Comments and Responses

The comments are organized by environmental topic and, where appropriate, by subtopic. The comments are also generally presented in the same order as the environmental topics in the draft EIR. Comments related to general California Environmental Quality Act (CEQA) procedural requirements as well as comments not related to CEQA (e.g., general comments regarding the proposed project's merits) are addressed under Section 9.I, General Comments.

The order of the comments and responses in this section is shown below, along with the prefix assigned to each environmental topic used to group responses:

Chapter 9 Section	Topic	Topic Code
9.B	Project Description	PD
9.C	Environmental Setting	ES
9.D	Transportation	TR
9.E	Noise and Vibration	NO
9.F	Air Quality	AQ
9.G	Alternatives	ALT
9.H	Initial Study Topics	IS
9.I	General Comments	GC

Sections 9.B through 9.I present the individual comments verbatim from the letter, email, or transcript. This is followed by the commenter's name and/or the commenter's agency or organization affiliation, the comment date, and the comment code. Comments are coded as described in Chapter 8, List of Commenters on the Draft EIR, on p. 8-1 and shown in RTC Table 8-1, p. 8-2.

The San Francisco Planning Department's (planning department's) responses follow each comment or group of similar comments on a topic. The responses generally provide clarification of the draft EIR text. They may also include revisions or additions to the draft EIR. Such changes are shown as indented text, with new text double underlined and deleted text shown with ~~strike through~~. Corrections and/or clarifications to the draft EIR presented in the responses are repeated in RTC Chapter 10, EIR Revisions.

9.B Project Description

The comments and corresponding responses in this section cover topics in draft EIR Chapter 2, Project Description. The project description comments and responses in this section address topics related to:

- PD-1: Massing
- PD-2: Unidentified End User
- PD-3: Parking Supply and Electric Vehicle Charging
- PD-4: Project Approvals

9.B.1 Comment PD-1: Massing

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-CPC-Moore-3
- O-SFGP-3
- I-Hestor-1
- I-Rosenfeld-2

“I am interested to see a much stronger documentation of visual impacts. We have an area of a 65-foot height limit. The top of freeway lies at 55 feet, that is a 280 freeway which will be straddled on both sides by a 97- to 115-foot-high buildings sitting literally on top of the freeway. We have already many times commented on the impact of Mission Bay completely obscuring the long views to downtown. And while this is an area-specific project, this is also a citywide impacting project.” (*Commissioner Moore, SF Planning Commission, September 7, 2023, [A-CPC-Moore-3]*)

“This project is enormously out of scale. I mean the size of it alone on both sides of the freeway, I mean I've never seen such a thing. And it only portends badly for what will follow. Please engage the community experts and address all of their concerns.” (*Ann Colichidas, San Francisco Gray Panthers, September 7, 2023, [O-SFGP-3]*)

“This is a 2 million square foot building. That's huge.” (*Sue Hestor, September 7, 2023, [I-Hestor-1]*)

“The project is too large (2.1 million square feet, 94 feet high) to be within a residential community. The impacts on the physical environment are substantially adverse.” (*Judy Rosenfeld, October 5, 2023, [I-Rosenfeld-2]*)

9.B.1.1 Response PD-1

The commenters express concern regarding the size of the project (i.e., the height and square footage of the buildings). One commenter asks for additional documentation of visual impacts. The response is organized as follows:

- General Concerns Regarding Project Massing
- Visual Impacts

General Concerns Regarding Project Massing

As described in Chapter 2, Project Description (p. 2-1) of the draft EIR, the proposed buildings are in the 65-J height and bulk district, which permits buildings up to 65 feet tall. Approval of a height and bulk district map amendment would be required to construct the proposed buildings. As outlined in Section 2.F, Required Approvals, of the draft EIR, several discretionary approvals and permits are required to implement the proposed project, including the approval of an ordinance to allow proposed modifications to the existing height and bulk district and to establish a new special use district designation modifying the PDR-2 zoning. The EIR provides decision-makers with the appropriate level of information that enables them to make decisions that consider environmental consequences (CEQA guidelines section 15151) of implementing the proposed project. The decision-makers will consider these environmental consequences in their deliberations regarding project approval. General concerns expressed by the commenters regarding the size of the project pertain to project merits and are not related to the adequacy or accuracy of the analysis contained in the EIR. However, such concerns may be taken into account by decision-makers in their consideration of project approval.

With respect to the total size of the project, the draft EIR describes it as 2,160,000 square feet across two buildings. As explained in the EIR, this includes space on the active roof, which comprises approximately 514,000 square feet across the two buildings (Table 2.D-2, p. 2-26). The active roof space was included to fully disclose the proposed use of the new buildings, but unenclosed rooftop areas are not typically included in the definition of gross floor area per San Francisco Planning Code section 102. For purposes of the planning code, the project's gross floor area would be approximately 1,646,000 square feet. See Section 10.D in Chapter 10, Draft EIR Revisions, of this RTC document, clarifying the enclosed gross floor area and area dedicated to the active roof. The project's square footage is also well within the allowable floor area ratio of 5.0 to 1 (for the existing 65-foot height district) shown in planning code Table 210.3, which would allow a total of up to approximately 3.7 million square feet on a 743,800-square-foot site.

The draft EIR also includes analysis of a reduced size alternative project (Code-Compliant Alternative) and a No Project Alternative, both of which would propose buildings that would not exceed the 65-J height and bulk district requirements. See draft EIR Chapter 5, Alternatives.

These comments do not provide new information that is not already considered in the EIR, and no revisions to the EIR are required.

Visual Impacts

As discussed in Appendix B, Initial Study (p. 53), pursuant to California Public Resources Code section 21099(d), effective January 1, 2014, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be

considered significant impacts on the environment.” The proposed project meets these criteria because it (1) is within one-half mile of a major transit stop along the Third Street light-rail line and several Muni bus lines; (2) is on a developed site in an urban area and surrounded by urban development along the project site’s boundaries; and (3) meets the definition of an employment center because the project site is zoned for commercial use, with a floor area ratio of no less than 0.75, and in a transit priority area.³ For these reasons, the draft EIR does not include an aesthetic impact analysis of the proposed project, and no such analysis is required under CEQA. For informational purposes, the project description includes a three-dimensional rendering of the project in relation to its surroundings (Figure 6, p. 11), and elevations depicting the project (Figures 15 and 16, pp. 27 and 28). The following paragraphs provide additional discussion about the project’s aesthetics for informational purposes.

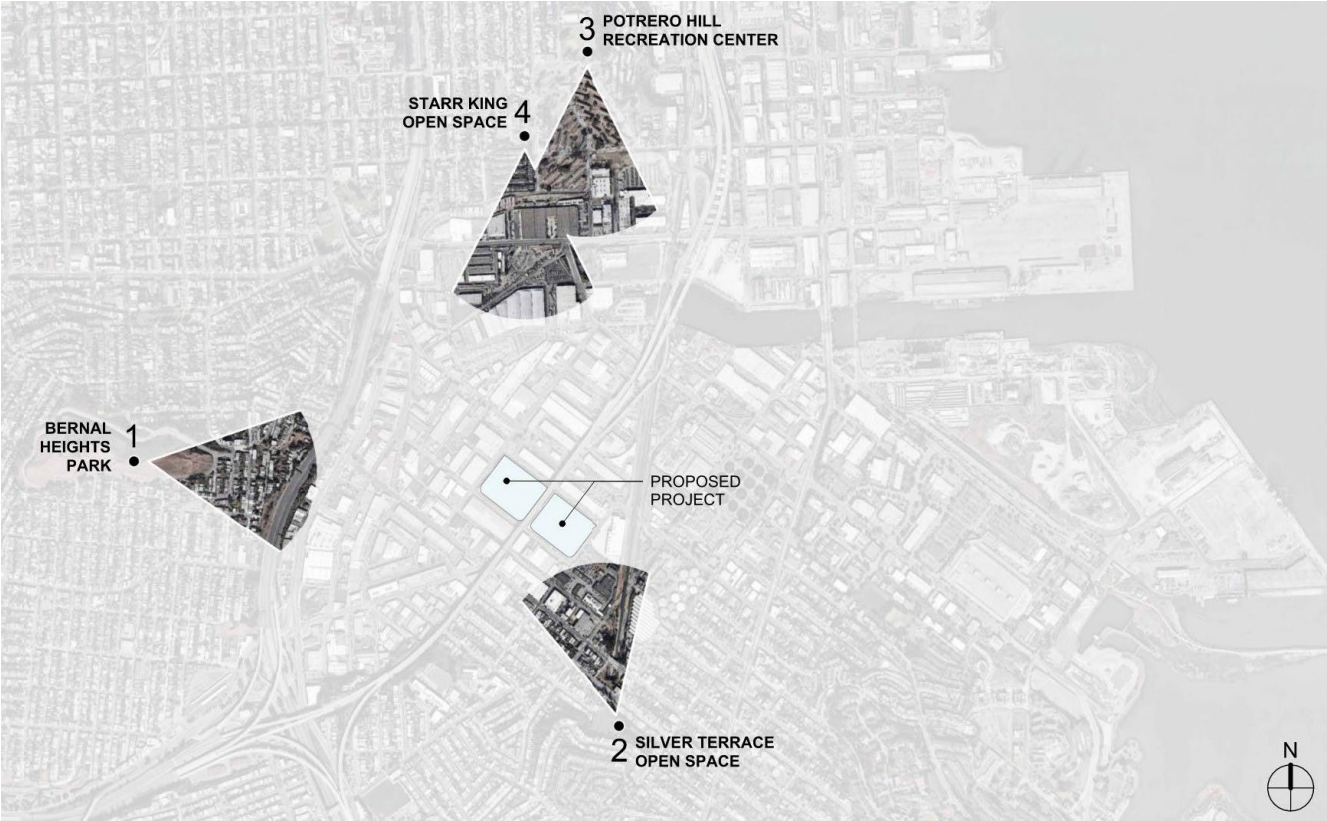
Although there are existing residential uses within approximately 440 feet of the project site, the project site and all surrounding properties are within the PDR-2 zoning district, which does not allow residential uses. The nearest zoning district that allows residential uses, RH-2, is more than 600 feet from the project site at its nearest point south of Oakdale Avenue. The project’s site coverage and use is in keeping with the predominant warehouse typology and uses of the surrounding buildings. As described in the initial study (p. 6), the surrounding uses in the project vicinity include predominantly PDR and light industrial uses. The SF Market is adjacent to the project site to the north along Kirkwood Avenue; there are wholesale flooring, art supply, and shipping services in the vicinity; and taxicab companies are northwest of the site along Toland Street. A warehouse space for crafts and art supplies, a door supplier, a pet supply store, a van storage company, and several fleet management uses are south of the project site along McKinnon Avenue. San Francisco Public Utilities Commission (SFPUC) offices and the SF Market are along Rankin Street east of the project site.

One commenter indicated that building heights would be up to 115 feet. As explained in Section 2.A of the draft EIR, the maximum building height to the highest point of the active roof would be 97 feet. The reference to 115 feet relates to the maximum height of roof projections (stair and elevator penthouse and structures for a rooftop solar array). The height of the building accommodates floor-to-floor heights that support a wide array of contemporary PDR operations. The project’s design recognizes its massing and proximity to the freeway and employs several strategies to address the buildings’ size. The buildings are set back from the freeway a similar distance to other contemporary developments recently constructed on either side of I-280. The building corners both step down and curve away from I-280, reducing the perceived height and length of the project’s façade adjacent to the elevated highway. Façade articulation, patterning, color, and fenestration are features of the building design that help to break up the buildings’ massing and address the variety of scales at which the project would be experienced, including at the pedestrian level.

To be responsive to the commenter requesting stronger visual impact documentation, additional visual simulations and photorealistic renderings of the proposed project site as it would be viewed from several nearby public view points, as well as from the street level surrounding the project, are included below (see RTC Figures 9-1 through 9-10). These figures are provided for informational purposes. As explained above, a visual impact analysis is not required for the project pursuant to California Public Resources Code section 21099(d).

³ San Francisco Planning Department, Eligibility Checklist: CEQA section 21099 – Modernization of Transportation Analysis, San Francisco Gateway Project, December 19, 2018.

RTC Figure 9-1 **Aerial Map of Viewsheds Surrounding the Project Site**



RTC Figure 9-2 **Bernal Heights Park Viewshed (Visual Simulation)**



RTC Figure 9-3 Silver Terrace Open-Space Viewshed (Visual Simulation)



KEY PLAN



RTC Figure 9-4 Potrero Hill Recreation Center Viewshed (Visual Simulation)



KEY PLAN



RTC Figure 9-5 Starr King Open-Space Viewshed (Visual Simulation)



KEY PLAN



RTC Figure 9-6 Aerial View of Project Facing North (Rendering)



RTC Figure 9-7 Rankin Street Entry (Rendering)



RTC Figure 9-8 Kirkwood Avenue Facing East (Rendering)



RTC Figure 9-9 **McKinnon Avenue Facing West (Rendering)**



RTC Figure 9-10 **McKinnon Avenue at Selby Street (Rendering)**



9.B.2 Comment PD-2: Unidentified End User

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-1000GMFG-2
- O-GA-BVHPMF-7
- O-GA-BVHPMF-8
- O-SFGP-1
- I-Ealom-1_3
- I-Ealom-2_9

“In fact, despite the fact that this project is expected to continue operating for a century under Prologis, the world’s largest industrial real estate corporation, the DEIR does not provide specifics of the intended users.”
(Rosemary Jarrett, *1000 Grandmothers for Future Generations*, October 13, 2023, [O-1000GMFG-2])

“The San Francisco Planning Department is the lead agency responsible for preparing the DEIR in compliance with CEQA.²⁶ The DEIR defines the demolition and construction of the PDR site as a “project,” so a project-level EIR was drafted that focused on changes in the environment that would result from the development of this specific project.²⁷ The scope of this DEIR, however, is too broad for a project-level EIR. It fails to contain the level of specificity that the Planning Department and the public require to make informed decisions on the impacts and mitigation measures needed. As such, the Planning Department must prepare a program EIR.

A program EIR is “an EIR which may be prepared on a series of actions that can be characterized as one large project.”²⁸ The advantage of using a program EIR is that the lead agency may consider “broad policy alternatives and program wide mitigation measures early when the agency has greater flexibility to deal with basic problems or cumulative impacts.”²⁹ A program EIR is distinct from a project EIR, which requires more specific details and considerations. A program EIR may be used in conjunction with tiering, which is “the coverage of general matters in broader EIRs with subsequent narrower EIRs.”³⁰ Tiering is proper “when it helps a public agency to focus upon the issues ripe for decision at each level of environmental review and in order to exclude duplicative analysis of environmental effects.”³¹ The DEIR does not list the tenants of the site, it bases its studies on similar projects, and it does not accurately consider the impacts that it will have for being in operation for 100 years. Therefore, a program level EIR is more appropriate.”

²⁶ DEIR at S-1.

²⁷ CEQA Guidelines § 15161.

²⁸ CEQA Guidelines § 15168.

²⁹ *Id.*

³⁰ CEQA Guidelines § 15385.

³¹ Cal. Pub. Res. Code § 21093(a).

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-7])

“The Planning Department failed to adequately list the tenants that would occupy the site. Instead, they attempted to analyze potential environmental impacts based on “an evolving mix of users or tenants.”³² Furthermore, the DEIR reports that “it is anticipated that the special use district would allow for the specific assortment of PDR tenants to change over time in response to economic and technological conditions.”³³ The Planning Department does not know who the tenants will be and what they will use the space for, and yet they created and circulated this DEIR with estimates and assumptions on what they believe is likely to happen. The DEIR merely “describes and analyzes a mix of PDR uses that are likely to occur based on the project sponsor’s familiarity with leasing trends.”³⁴ The proposed project would provide space for various PDR uses, which include “manufacturing and maker space; parcel delivery service, including last-mile delivery; wholesale and storage; and fleet management.”³⁵ There is a wide range of different tenants that might occupy the PDR site, including major corporations such as Amazon, FedEx, and BMW. Some of these uses, however, are incompatible with the intended functionality of the PDR site. Not only that, but the DEIR indicates that the PDR space will be in operation for at least 100 years.³⁶ The Planning Department, therefore, attempted to complete all environmental reviews for the next century through this one DEIR. It is impossible to accurately analyze the scope of a project for this long of a period due to changes in science and technology. The City also improperly defers all future assessment and mitigation to a Special Use District (“SUD”) that does not exist. There is no information about the power of the SUD, the governance structure, or the criteria the SUD will use to adjust the facility when impacts fall outside of the approved EIR. The City does not need to create an SUD. CEQA itself provides a mechanism for accounting for future impacts with less uncertainty for decision-makers and the public. Instead, the Planning Department should engage in tiering and continuously perform environmental reviews throughout the life of the project. The Planning Department should prepare a program EIR and clarify that the above concerns require further CEQA review. However, since it was presented as a project DEIR, the following explains how the project DEIR fails to adequately and accurately analyze cumulative impacts, mitigation measures, environmental and health impacts, and alternatives.”

³² DEIR at 2-1.

³³ DEIR at 2-20.

³⁴ DEIR at S-2.

³⁵ *Id.*

³⁶ DEIR at 2-1.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-8])

“We stand with the residents of the Bayview neighborhood as you take public comment on this purpose-built polluting facility. Not only is it a polluting facility, but it attracts polluters. And we don't even know exactly what because they're not really saying what it is because they don't know, I guess.” *(Ann Colichidas, San Francisco Gray Panthers, September 7, 2023, [O-SFGP-1])*

“Project description leaves out specific details, uses are undefined, allowing wide range of variations of unknown users for over a century.” *(Kamillah Ealom, August 28, 2023, [I-Ealom-1_3] and September 7, 2023, [I-Ealom-2_9])*

9.B.2.1 Response PD-2

The comments relate to the end user or users of the proposed project being unspecified. Most of the comments note that the project description does not define a specific end user or tenant for the facility in the draft EIR.

The response is organized as follows:

- Future Project Tenant Use Mix
- Proposed Special Use District
- Program-Level versus Project-Level CEQA Analyses
- Conclusion

Future Project Tenant Use Mix

As discussed in Section 2.D, Proposed Project, of the draft EIR, the project has been defined to provide a flexible production, distribution, and repair (PDR) space that can accommodate an evolving mix of users or tenants. The commenters are correct that the draft EIR does not identify the specific end users. This is because the project sponsor's underlying objective, as set forth in Section 2.B of the draft EIR, is to "develop a modern, flexible, and durable PDR facility for a diverse and evolving range of uses in a central urban environment." Given this purpose, it is not feasible to identify specific users for the project over its lifetime because those end users are currently unknown; however, as discussed below, any uses would be consistent with the land uses established through the special use district. Additionally, the project sponsor does not currently have a lease agreement with any specific tenant or tenants. Therefore, the impacts of a specific tenant mix cannot be precisely analyzed and would be expected to change over the facility's useful life.

The draft EIR does, however, describe specific use types that are anticipated to occupy the San Francisco Gateway facility (see Figure 2.D-9), to ensure that the potential impacts associated with those use types are fully analyzed and disclosed. As presented in Section 2.D.6, Analyzed Tenant Use Mix, of the draft EIR (see Table 2.D-2), a specific mix of PDR uses is identified that meets the project objectives and reflects leasing trends for PDR facilities in San Francisco and the Bay Area. For purposes of the environmental analysis, a specific mix of potential PDR use types was selected to present a reasonably conservative (i.e., higher environmental impact) assessment of the environmental effects of a possible use mix. By analyzing a reasonably conservative, or higher-impact, use mix in the draft EIR, it is anticipated that the physical environmental effects of the actualized tenant use mix would be less severe than those disclosed in the EIR. Reasonable assumptions and estimates, supported by substantial evidence, are a necessary component of every planning and CEQA analysis.

The special use district would allow for the specific assortment of PDR tenants to change over time in response to economic and technological conditions. See subheading "Proposed Special Use District" within this response (below), as well as Response PD-4, for more information about the proposed special use district and its requirements.

The commenter is incorrect in their assertions that the planning department 1) is attempting to complete all environmental reviews for the site for the next century, and 2) deferring all future assessment and mitigation to a special use district. The commenter is correct, however, that the special use district need not specify a proposed consistency review of future tenants with the analysis in the EIR, because the planning department would be required to assess whether further environmental review is required when there is a further

discretionary approval. As stated in CEQA guidelines section 15162(c), “Once a project has been approved, the lead agency’s role in project approval is completed, unless further discretionary approval on that project is required.” Thus, when a change in use or tenant improvement, for example, requires discretionary approval, then additional analysis may be required. The special use district clarifies that “all site and/or building permit applications for construction of new building or alteration of or additions to existing buildings, or for permits of occupancy that authorize a new use or a change of use, including changes within subcategories (“Applications”), submitted to the Department of Building Inspection shall be forwarded to the Planning Department for consistency review within 15 days of submittal.” In that case, the changes to a project would be evaluated under CEQA guidelines section 15162, which states the following:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

It is anticipated that, to the extent that the actual tenant use mix falls within the EIR’s analyzed tenant use mix (see draft EIR p. 2-25), no additional environmental analysis would be required. However, a change to the project that falls outside of the EIR’s analyzed tenant use mix would be evaluated based on the criteria listed above. If none of the criteria are met, the change to the project would be documented in an addendum to the EIR, pursuant to CEQA guidelines section 15164. If a change to the project meets the criteria listed above, a supplemental EIR may be required. Any discussion of a consistency review process in the project’s

proposed special use district does not relieve the city from complying with the requirements of state law under CEQA, and the planning department makes no attempt to modify those existing requirements for future CEQA review for the project. Furthermore, in certifying the EIR and approving the proposed project, CEQA requires the planning department to adopt a MMRP that ensures that all feasible mitigation measures identified in the EIR are implemented. The MMRP is included in the motions approving the proposed project, and thus is not deferred.

Proposed Special Use District

The draft special use district will be available for decision-makers to consider at the time of the project's approval. The city makes the staff report, describing and recommending items for the board of supervisors to consider in their deliberations, available for public review in advance of the meeting.^{4, 5} As described in Section 2.D, Proposed Project, of the draft EIR, the project sponsor has proposed a special use district that would (1) retain all the primary uses discussed in Section 2.D.2 as principally permitted uses, as well as other principally permitted uses in the PDR-2 zoning district; (2) increase the maximum size of nonaccessory retail uses from 2,500 square feet per lot (5,000 square feet total across two lots) to 8,500 square feet of retail space district-wide; (3) clarify and modify the maximum allowable ratios for vehicle parking; (4) provide building height exceptions for certain project components; and (5) clarify the requirements for streetscape and pedestrian improvements, Transportation Demand Management, and demolition and replacement of industrial buildings in the district. As described on p. 2-25 of the draft EIR, the special use district establishes a consistency review process to ensure that permits are consistent with the project's development agreement; the planning code; the project's conditions of approval, including the mitigation measures adopted as part of the project's approval; and this EIR. Most, if not all, development agreements contain some provision for the planning department to review future permits for consistency with the development agreement, special use district, or design guidelines. Thus, this consistency review process provision in the special use district is not entirely unique to the San Francisco Gateway Project.

See also Response PD-4 for additional information about the proposed special use district.

Program-Level versus Project-Level CEQA Analyses

Two commenters suggest the EIR should have been a program-level EIR, pursuant to which future tenants or use mixes would be analyzed through tiering and other subsequent CEQA reviews. CEQA allows for the preparation of multiple EIR types. Project-level EIRs generally focus on the environmental changes caused by a specific proposed project. As a result, project-level EIRs are more site-specific and detailed than a program-level EIR. A program EIR is generally used to analyze planning documents (e.g., general plans, specific plans, and regional transportation plans) or long-term, large-scale, multi-phased projects (e.g., water, power, and transportation capital improvements or programs) where project- and site-specific details are not yet well defined but the various improvements or project phases are 1) related geographically, 2) parts in a chain of

⁴ San Francisco Board of Supervisors, Planning Code, Zoning Map – San Francisco Gateway Special Use District, file no. 250426, <https://sfgov.legistar.com/LegislationDetail.aspx?ID=7353451&GUID=A2B164CB-7B89-4D1A-A9DB-F2E6D063A40D&Options=ID%7CText%7C&Search=250426>, accessed April 29, 2025.

⁵ San Francisco Board of Supervisors, Development Agreement – Prologis, L.P. – San Francisco Gateway Project – Toland Street at Kirkwood Avenue, file no. 250427, <https://sfgov.legistar.com/LegislationDetail.aspx?ID=7353452&GUID=1DE567B3-B28A-43A8-A161-99002EEE6B9E>, accessed April 29, 2025.

contemplated actions, or 3) individual activities implemented under the same authorizing statutory or regulatory authority and having generally similar environmental effects.

Regardless of whether a project-level or program-level EIR is prepared to analyze the effects of a project, the project itself, not the title of the EIR, is what determines the level of specificity required in the EIR. All EIRs must include the same general content—that is, in terms of the topics to be analyzed, the significance conclusions for impacts, the identification of feasible mitigation measures, and the identification and assessment of project alternatives (*Citizens for a Sustainable Treasure Island v. City and County of San Francisco*). As discussed in *Citizens for a Sustainable Treasure Island v. City and County of San Francisco*, “The level of specificity of an EIR is determined by the nature of the project and the ‘rule of reason,’ rather than any semantic label accorded to the EIR.” Therefore, whether the analysis is called a “program EIR” or a “project EIR,” the EIR can be relied on so long as the analysis provides a meaningful and appropriately detailed analysis that allows decision-makers to consider the environmental consequences of approving the project’s design standards and guidelines, the development agreement, the creation of a special use district, and the issuance of a conditional use authorization. The commenters do not identify any specific information that they believe was omitted from the project-level EIR. As discussed above, future building permits would be required to undergo a consistency review process to ensure that permits are consistent with the project’s development agreement; the planning code; the project’s conditions of approval, including the mitigation measures adopted as part of the project’s approval; and this EIR. Any changes to a project would be reviewed pursuant to CEQA guidelines section 15162 (criteria described above on pages 9-15 and 9-16).

As discussed in Section 3.A.1, CEQA Standards of Adequacy, of the draft EIR, and in accordance with CEQA guidelines section 15151, “an EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.” As discussed in the response above, the draft EIR provides a description of the specific use types that could occupy the San Francisco Gateway facility (see Figure 2.D-9) and identifies a tenant use mix (see Table 2.D-2) that is considered representative of possible types of PDR uses and their environmental impacts, using reasonably conservative assumptions. Moreover, further discretionary approvals, including site and building permit applications as specified in the special use district, would be reviewed considering CEQA requirements described above for changes to a project. If specific uses proposed in the future are not consistent with those assumptions, further environmental review may be required, as discussed above.

Conclusion

The draft EIR evaluates the physical environmental impacts of implementing the proposed project to the degree possible given that the specific tenants who would occupy the facility are currently unknown. In undertaking this analysis, the EIR analyzed a reasonably conservative PDR use mix that would result in greater anticipated physical environmental impacts. The project’s proposed special use district establishes a consistency review process to ensure that future permits (e.g., use permits and tenant improvement permits) are consistent with the project’s development agreement; the San Francisco Planning Code; the project’s conditions of approval, including the mitigation measures adopted as part of the project’s approval; and this EIR.

Flexibility for tenant selection and assortment provided by the project design does not preclude decision-makers from understanding the range of environmental consequences that may result from the operations of future tenants. The draft EIR provides a meaningful and appropriately detailed analysis that has considered reasonably conservative assumptions for possible tenants' environmental impacts, and no revisions to the EIR are required.

9.B.3 Comment PD-3: Parking Supply and Electric Vehicle Charging

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-SFMarket-8
- O-Sierra-11

“With regard to parking supply, we understand that parking is no longer in and of itself a checklist question under CEQA, it remains important to the SF Market that any employees of the project do not reduce the available supply of street parking, which is already constrained. Please confirm that the project will supply off-street parking within the project itself that will be adequate to meet demand from project employees.” *(Michael Janis, San Francisco Wholesale Produce Market, October 13, 2023, [O-SFMarket-8])*

“Additionally, the electric vehicle charging infrastructure seems largely omitted in lieu of reference to CALGreen Tier 2 checklist. More information is required in the EIR for the number of parking spots and subsequently the number that will be electric charging equipped and electric charging capable. Electric charging infrastructure is a crucial mitigation measure to support alternatives to highly polluting heavy-duty diesel trucks.” *(Jacob Klein, Sierra Club, October 16, 2023, [O-Sierra-11])*

9.B.3.1 Response PD-3

The comments relate to the amount of parking and whether existing street parking would be reduced. In addition, commenters seek clarification on how many parking spaces would have electric vehicle charge ports.

The response is organized as follows:

- Parking Supply
- Electric Vehicle Charge Points

Parking Supply

As discussed in Appendix B, Initial Study (p. 53), and again in Response PD-1, the project site meets the criteria of California Public Resources Code section 21099; therefore, parking impacts of the proposed project are not to be considered significant impacts on the environment. For these reasons, the draft EIR does not include an analysis of the adequacy of the amount of parking to accommodate project employees. However, the San Francisco Planning Department considers the change in parking supply and demand in the

context of the transportation analysis under the criterion of whether the project would “conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities.”

As described in the draft EIR (see Section 3.B.1), the planning department’s transportation impact analysis guidelines include screening criteria for projects that would result in a substantial parking deficit.⁶ The proposed project site is in the planning department’s map-based screening area and, pursuant to the planning department’s parking analysis screening criteria checklist, the proposed project would not result in a substantial parking deficit.

The preceding notwithstanding, the draft EIR does provide information on parking conditions at and around the project site. As described in Section 2.C.3, Existing Parking, Circulation, and Loading, the streets adjacent to the project site do not have signed parking areas and are not currently striped as defined parking spaces. In Section 2.D.8, Proposed Parking, Loading, and Circulation, the draft EIR explains that the proposed project would include 217 vehicle parking spaces on streets adjacent to the project site, as well as on-street commercial vehicle and passenger loading zones adjacent to the project site. By striping a portion of these spaces to be 45-degree back-in spaces, the project would increase the overall amount of street parking.⁷ Additionally, the proposed project would include approximately 1,166 off-street vehicle parking spaces (sized for standard automobiles), as well as off-street vehicle loading zones within the project footprint. As described in the draft EIR, an average of up to approximately 1,980 employees would be on site on a typical day, although different types of uses would have varying vehicle types, worker shifts, operating hours, and peak periods. Given the variability in the number of employees on site at any given time, the total number of employees on site over the course of a day does not determine the number of vehicle parking spaces needed to accommodate employee parking.

Electric Vehicle Charge Points

The draft EIR identifies Mitigation Measure M-AQ-3g: Compliance with CalGreen Tier 2 Green Building Standards to reduce the project’s air quality impact. This mitigation measure requires that the project meet these building standards related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.

For improved clarity, Mitigation Measure M-AQ-3g in EIR Section 3.D., Air Quality (p. 3.D-47 of the draft EIR), has been revised as follows:

~~The project shall meet~~ Prior to the issuance of building permits for any project building, the project sponsor shall demonstrate compliance with the Tier 2 voluntary green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking in the 2022 California Green Building Standards (CalGreen) with July 2024 Supplement, or the mandatory requirements of the most recently adopted version of the City building code, whichever are more stringent. The installation of all electric vehicle charging equipment shall be included on the project drawings submitted for the site permit(s) and construction addenda, as appropriate, or on other documentation submitted to the city.

⁶ San Francisco Planning Department, Transportation Impact Analysis Guidelines, October 2019, <https://sfplanning.org/project/transportation-impact-analysis-guidelines-environmental-review-update>, accessed June 30, 2022. The project site is in transportation analysis zones 485 and 488, which are in the planning department’s map-based screening area. See Appendix D.6.

⁷ The initial study, on p. 7, states that the total on-street parking capacity along the project perimeter is estimated to be approximately 250 to 310 standard vehicles (approximately 50,000 square feet). However, on further review, this estimate includes the off-street parking between the existing buildings. The total linear feet along the project perimeter is approximately 2,600 (Toland = 400 [two 200-foot sections]; Rankin = 400 [two 200-foot sections]; Kirkwood = 1,200 [two 600-foot sections]; McKinnon = 600 [one 600-foot section]); assuming 20 linear feet per parallel parking space and not accounting for no-parking areas near curbs, the total parking along the project perimeter would be approximately 130 spaces.

Provisions dictating designated parking for clean air vehicles and specific numbers of electric vehicle charging stations are based on project details (e.g., the total number of parking spaces). As discussed in the draft EIR (see Section 2.D, Proposed Project), the project would provide flexible PDR space that can accommodate an evolving mix of users or tenants over the life of the project. To confirm that the appropriate level of mitigation is implemented at the time the project is constructed, Mitigation Measure M-AQ-3g requires that the project meet established standards that would be scaled appropriately to the project depending on the number of parking spaces included in the final design, which may be less than the total studied in the EIR. For electric vehicle charging, the current 2022 CalGreen Tier 2 Green Building Standards (with July 2024 Supplement) require that nonresidential new construction projects must design 45 percent of the total parking spaces to be electric vehicle-capable spaces (raceway installed and panel capacity to enable space to be equipped with charging equipment). These standards further require that 33 percent of those electric vehicle-capable spaces be equipped with electric vehicle service equipment (charging stations).⁸ The project would meet or exceed these electric vehicle charging Tier 2 measures. For illustrative purposes, if the project is built with all 1,166 parking spaces identified in the draft EIR, the current Tier 2 measures would require a total of 525 electric vehicle-capable spaces, and 174 of those would be equipped with charging stations. The project would also comply with the California Green Building Code's electric vehicle charging readiness requirements for warehouses with planned off-street loading spaces (section 5.106.5.5.1), which requires that the project's electrical service and equipment accommodate additional dedicated capacity for future charging equipment for medium and heavy-duty vehicles.⁹

9.B.4 Comment PD-4: Project Approvals

This response addresses the comments from the commenters listed below; the comments on this topic are quoted in full below this list:

- A-CPC-Koppel-3
- A-CPC-Koppel-4
- A-CPC-Moore-5
- O-BVCCC-2
- O-1000GMFG-7
- I-Ealom-2_6

“Let me speak to some of Kamillah's concerns around local hire and as far as the construction portion of the project's concerned, I don't have real purview on who might be employed after the construction's done. But just to put some context into things, I am an electrician, and I used to work on the jobsites. I started working in the office, and one of my first projects that I came here speaking in favor of was the original phase one of Bayview-Hunters Point.

⁸ CHAPTER 5, NONRESIDENTIAL MANDATORY MEASURES, Table 5.106.5.3.1., 2022 California Green Building Standards Code, Title 24, Part 11 (CALGreen) | ICC Digital Codes (iccsafe.org), accessed February 1, 2024.

⁹ CHAPTER 5, NONRESIDENTIAL MANDATORY MEASURES, Table 5.106.5.3.1., 2022 California Green Building Standards Code, Title 24, Part 11 (CALGreen) | ICC Digital Codes (iccsafe.org), accessed February 1, 2024.

And there was a lot of neighborhood participation. A lot of neighborhood commentary. And the neighborhood let me know, like, hey, you're not from here. Like I live in the Sunset and, yeah, I'm not from the Bayview-Hunters Point. And I took those words seriously. And I said, well, I'm going to do what I can.

And so since then, it's been my professional passion to make sure that women and brown people have been access to jobs and have careers that are -- especially that grew up here in this city so they can stay here living in this city. So that's a big deal for me. So hear me, I'm with you on this one. Okay?

And I've taken it ever farther than that. There is a building down on Evans in the city college campus called CityBuild that is put on in conjunction with the Office of Economic Workforce Development and the building trades. And so when you hear these trades people speaking in favor of this project, know that people from the 94124, that have signed up for CityBuild, and have showed up and gotten a B average, they've gained access into our trades. And they've gotten into our apprenticeship programs.

A lot of our apprenticeship programs are here in the city. A lot of our contracting businesses are all up and down the 3rd Street corridor. A lot of our material and tools supplier warehouses are all up and down the 3rd Street corridor. And a lot of our -- I think I have 34 of our residents in our union live in the 94124.

And I go to every semester at CityBuild and speak to the class, and it's almost all brown people, a lot of single moms. And they're just -- they just want a chance, right? They just want a chance to go to work, stay here in the city and not have to travel far, and be able to put food on the table for their families.

And so I have gone there every semester for the past, what, 15 years and talked to those kids and said keep trying. If you don't make it in this first time, sign up again and go back and try again. We can't just let anybody in. But those who actually show a little wherewithal, sign up for the program, show up and graduate, they get accepted into a trade and they get to have a career.

It's not just they're going to go work on this one job. They're going to be accepted into a program, whether it's Local 3 with Commissioner Armie Morgan, or Local 6, or Local 38, or 104. They're adopted in and they have a career now. So it's not just a one job deal. It's a lifetime deal. Once you're in, you're in."

(Commissioner Koppel, San Francisco Planning Commission, September 7, 2023, [A-CPC-Koppel-3])

"And so I want you to know that I'm up here really advocating for you guys, too. And as far as we're concerned, this is a huge project. So, yeah, you should be taking it very seriously. It's a really, really big project. So you guys, I'm glad you showed up today and told us what you were thinking. But that's where I'm at and that's what I'm thinking. So I think we're on the same page.

You know, this is just the starting of this process, so we'll be here to talk throughout it. But I just want to make you guys know that you're on our radar and we're trying to get you guys in on as much of this possible. And a lot of those residents that live in the 94124, they're going to be working on these jobs close to home, and they're going to be spending their money close to home. And it's keeping those businesses in business.

So, you know, you haven't seen the last of us. We'll see you again here next time, and that, you know, it's just the start of the process. But I wanted to let you guys know that we do care about what's going on down there. Okay?" *(Commissioner Koppel, San Francisco Planning Commissioner, September 7, 2023, [A-CPC-Koppel-4])*

“I would like to get better insight, and that is going beyond an EIR perhaps, why we need a special use district for a single use project. And I would like to know why we need a development agreement. In my own experience, there are particular multi-use projects that require SUDs. SUD and special development agreements in this particular project, I like to see a significant amount of larger accountability.”
(Commissioner Moore, San Francisco Planning Commission, September 7, 2023, [I-CPC-Moore-5])

“EIR lacks adequate and accurate implementation of local hire and advancement provisions.” (Wasimah Asad, Bayview Community Concerned Citizens, August 28, 2023, [O-BVCCC-2])

“Also, an implementation procedure for local hires, and community oversight for the life of the project, still need to be addressed.” (Rosemary Jarrett, 1000 Grandmothers for Future Generations, October 13, 2023, [O-1000GMFG-7])

“The environmental review lacks adequate and accurate implementation of local hire and advancements provisions.” (Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_6])

9.B.4.1 Response PD-4

One commenter asks why a special use district and development agreement are required for a single-use project. As discussed in the draft EIR (see Section 2.F, Required Approvals), as part of the project approval process, the planning commission must recommend that the board of supervisors adopt a new special use district and development agreement, and the board of supervisors must then approve the adoption of a new special use district and development agreement. The proposed project includes a variety of PDR uses, retail uses, and other permitted uses in the PDR-2 zoning district. The project sponsor is seeking a Conditional Use Authorization/Planned Unit Development (CU/PUD) that would allow for modifications from certain development standards. However, in consultation with the planning department, it was determined that certain proposed changes could not be processed through the CU/PUD process—namely, to retain all the primary PDR uses permitted in the PDR-2 zoning district at the time the project application was filed, as well as other principally permitted uses in the PDR-2 zoning district; increase the maximum size of nonaccessory retail uses from 2,500 square feet per lot (5,000 total across two lots) to 8,500 square feet of retail space district-wide; clarify and modify the maximum allowable vehicle parking ratios; and include additional height controls related to solar power infrastructure, vertical screening controls, and street design requirements. Accordingly, the project sponsor has proposed a special use district to authorize these modifications to the planning code.

Additionally, the special use district would allow for the tenant use mix to change over time in response to economic and technological conditions. Specifically, the special use district would establish a consistency review process to ensure that future permits are consistent with the San Francisco Gateway project’s development agreement; the planning code; the project’s conditions of approval, including the mitigation measures adopted as part of the project’s approval; and this EIR.

It is not uncommon for special use districts to be adopted in San Francisco for projects comprising one or two buildings or lots. A nonexclusive list includes the special use districts adopted in planning code sections 249.12 (1500 Mission Street SUD); 249.15 (Mission and 9th Street SUD); 249.24 (Haight Street Senior Affordable Housing SUD); 249.41 (901 Bush Street SUD); 249.69 (Chinese Hospital SUD); 249.82 (430 29th Avenue SUD); and 249.91 (2500-2530 18th Street Affordable Housing SUD). Development agreements may be used in San Francisco for any “large multi-phase and/or mixed-use development,” which means “a proposed development project which: (1) is on a site which exceeds five acres in area, (2) includes two or more buildings to be constructed sequentially on the site, and (3) includes a proposal for constructing or participating in providing, either off-site or on-site, public improvements, facilities, or services beyond those achievable through existing ordinances and regulations.” The proposed project, which is on a 17.1-acre site, consists of two buildings to be constructed sequentially, includes onsite and offsite public improvements, and therefore meets the criteria to negotiate for a development agreement. In considering whether to approve a development agreement, the board of supervisors will also consider the overall level of investment made by the project in direct expenditures and community benefits, not just the physical size of the project.

Other comments are related to the implementation of local hiring provisions and community oversight. The local hiring provisions in San Francisco are a set of rules that require contractors to hire a certain percentage of local residents for projects meeting certain criteria. The local hiring policy was adopted by the board of supervisors in 2010 and is administered by the Office of Economic and Workforce Development. Chapters 23 and 82 of the San Francisco Administrative Code regulate local hire provisions. The planning department and Office of Economic and Workforce Development participated in regular meetings with the project sponsor to prepare the project’s draft development agreement, which describes the required local hire provisions for the project.

As described in Section 2.B, Project Sponsor Objectives, of the draft EIR, the following project objectives relate to the hiring of local businesses and individuals:

- Provide a positive fiscal impact by creating jobs at a variety of experience levels, including career-building and advancement opportunities, enhancing property values, generating property taxes, and introducing workers who will support direct and indirect local business growth in the Bayview.
- Site PDR uses in a dense infill setting to create employment near housing and reduce vehicle miles traveled for potential distribution uses by locating such uses in San Francisco close to multiple freeways, rather than traditional suburban locations.

As described in Section 2.F, Required Approvals, project approval would require recommendation by the planning commission to the board of supervisors to approve a development agreement. Similar to the draft special use district, the draft development agreement will be available for decision-makers to consider at the time of the project’s approval^{10, 11}. The city makes the staff report, describing and recommending items for the board of supervisors to consider in their deliberations, available for public review in advance of the meeting. These comments do not pertain to the adequacy, accuracy, or completeness of the draft EIR’s analysis of the project’s physical environmental impacts. Therefore, no revisions to the draft EIR are required.

¹⁰ San Francisco Board of Supervisors, Planning Code, Zoning Map – San Francisco Gateway Special Use District, file no. 250426, <https://sfgov.legistar.com/LegislationDetail.aspx?ID=7353451&GUID=A2B164CB-7B89-4D1A-A9DB-F2E6D063A40D&Options=ID%7CText%7C&Search=250426>, accessed April 29, 2025.

¹¹ San Francisco Board of Supervisors, Development Agreement – Prologis, L.P. – San Francisco Gateway Project – Toland Street at Kirkwood Avenue, file no. 250427, <https://sfgov.legistar.com/LegislationDetail.aspx?ID=7353452&GUID=1DE567B3-B28A-43A8-A161-99002EEE6B9E>, accessed April 29, 2025.

9.C Environmental Setting

The comments and corresponding responses in this section cover topics in draft EIR Chapter 3A, Environmental Setting. These include topics related to:

- ES-1: Environmental Setting – Existing Setting
- ES-2: Environmental Setting – Lived Experience/Community Knowledge
- ES-3: Environmental Setting – Cumulative Projects/Cumulative Analysis

9.C.1 Comment ES-1: Environmental Setting – Existing Setting

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- | | | |
|-----------------|-----------------|-----------------|
| • A-CARB-4 | • O-EJG-3 | • I-Hestor-3 |
| • A-CPC-Moore-7 | • O-GA-BVHPMF-2 | • I-Rohm-1 |
| • O-1000GMFG-8 | • O-GA-BVHPMF-9 | • I-Rosenfeld-1 |
| • O-BVHPCA-1 | • O-SFGP-2 | |
| • O-EJG-1 | • O-Sierra-13 | |

“The Project will increase air pollution exposure on the people living and working in the Bayview-Hunters Point/Southeast San Francisco (BVHP) Community who are already affected by a high cumulative exposure burden. The BVHP Community includes the neighborhoods of Bayview-Hunters Point and portions of adjacent areas – Potrero Hill, the site of the former Terrace Housing project and Visitacion Valley, known for the Sunnydale Housing projects. The BVHP Community has a high density of sensitive populations including children and the elderly; these populations are at schools, hospitals, and daycare centers located near mobile and stationary emissions sources of concern, including roadways. These sensitive receptors have been burdened with disproportionate health impacts from chronic and acute pollution. Health impacts from existent air pollution include increased illness, premature death from asthma, bronchitis, emphysema, pneumonia, coronary heart disease, abnormal heart rhythms, congestive heart failure, cancer, and stroke. The BVHP community experiences some of the highest rates of asthma, poverty, and unemployment in the region. The BVHP Community air pollution sources include legacy pollution from the Naval Shipyard, dust and asbestos from on-going large-scale redevelopment, odors and emissions from a wastewater treatment facility, diesel truck idling, industrial rendering plants, freight operations, local industrial facilities such as metal recyclers, welding shops, auto body repair and paint shops, and rail traffic along local rail lines. Two busy freeways (Interstate-280 and Interstate-101) also bring significant freight trucks and high-volume commuter traffic adding to the mobile source pollution burdens. Residents of BVHP have lower life expectancies and higher mortality rates from lung diseases, which can be partially attributed to constant exposure to air pollution. To protect the people living and working near the Project, the City should implement all feasible mitigation measures into the Project’s final design.” (*Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-4]*)

“I wanted to acknowledge the community having spoken eloquently, and I do believe that the comments made by other people who called in have to remind us of our racial and social equity obligations.

And I was shocked, and I'm now referring to this document, which is in front of us, on Page -- one second -- on this page, there is a comment that tries to actually tell me that social and economic impacts and changes aren't really under my purview.

I'm not sure why that's in this document. I found that comment threatening, and unfortunately, I cannot at this very second find it, although, I have many stickers on my book. Oh, it's actually under -- on Page 3.A-6, one, two, three, four, fifth paragraph, I would like everybody to read that and I find that comment somewhat inappropriate because I have not seen any EIR that reminds me of that. And in this particular circumstance to remind us of our obligations, I find it a questionable comment in the context of this book. Thank you.”

(Commissioner Kathrin Moore, San Francisco Planning Commission, September 7, 2023, [A-CPC-Moore-7])

“It is startling that despite the inclusion of the maps and charts indicating the Bayview Hunters Point is ground zero for historic and continuing pollution and poor air quality, and the DEIR’s recounted history of displacement and discrimination endured by the African-American community from the Fillmore and Western Addition, there is so little consideration given to the concerns of the Bayview Hunters Point residents.” *(Rosemary Jarrett, 1000 Grandmothers for Future Generations, October 13, 2023, [O-1000GMFG-8])*

“The surrounding area is home to hundreds of families and individuals who live in their vehicles. Many of these people have been in the area for years. Both construction activity and final usage will create potential negative health outcomes and use conflicts for some of our most vulnerable residents. While there may not be universal support for vehicular habitation, it is a fact of life and the City must make accommodation for these residents as they are displaced from existing “safe” locations.” *(Karen Pierce, Bayview Hunters Point Community Advocates, October 16, 2023, [O-BVHPCA-1])*

“Haven’t we subjected the Bayview to enough environmental injustice? Last year, a civil grand jury called out the lack of transparency leading to untold harm in the supposed cleanup of the Hunters Point shipyard as the state’s – and we continue to have rising water levels due to climate change that are going to move us further into disaster.” *(Sandra Dratler, Environmental Justice Group at Faith in Action at St. James Episcopal Church, September 7, 2023, [O-EJG-1])*

“This is in a neighborhood that the EIR freely admits has an alarmingly high incidence of asthma and other diseases that are linked to car and truck exhaust. Bayview-Hunters Point with 93 ER visits per 100,000 population for asthma is over twice the rate of San Francisco as a whole. And I spent my career in public health, and I’ve seen these impacts exacerbating already vulnerable populations.” *(Sandra Dratler, Environmental Justice Group at Faith in Action at St. James Episcopal Church, September 7, 2023, [O-EJG-3])*

“Prologis, the world’s largest warehouse developer of PDR projects, is determined to redevelop two parcels of land that will take up 2,160,000 square feet in the historically Black Bayview Hunters Point neighborhood.⁶ Since the 1940s, Bayview Hunters Point has been subjected to pollution produced from industrial intensification.⁷ World War II only exacerbated the problem, as the U.S. Navy purchased the dry dock in 1940 and converted the area into a naval shipyard where nuclear research was conducted.⁸ The environmental impact was so extensive that the naval shipyard was designated as a federal Superfund Site and placed on the National Priorities List in 1989.⁹ Because of the naval shipyard’s significant impact on the environment, Bayview Hunters Point now suffers an increased contamination risk.¹⁰ This contamination risk can lead to health problems such as asthma, heart disease, and even some types of cancer.¹¹ In Bayview Hunters Point, 79.7% of the population are people of color.¹² Additionally, about 41.3% of the population falls below 200% of the poverty rate.¹³ Moreover, Bayview Hunters Point has been subject to redlining policies which, in turn, has attracted industrial businesses that continue to overburden the community.¹⁴ San Francisco’s current land use zoning places all PDR projects in Bayview Hunters Point because of these past practices of consolidating industry in predominately Black and Brown Communities.¹⁵ These areas are considered infill for future industrial projects and cementing this legacy of discrimination will impact the future of Bayview Hunters Point.”

⁶ DEIR at S-1.

⁷ DEIR 3.A-7.

⁸ *Id.*

⁹ United States Nuclear Regulatory Commission, <https://www.nrc.gov/infofinder/decommissioning/complex/hunters-point-naval-shipyard.html#>

¹⁰ San Francisco Climate and Health Program, <https://sfclimatehealth.org/neighborhoods/bayview-hunters-point-2/>

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ San Francisco Public Press <https://www.sfpublicpress.org/state-report-links-redlining-and-pollution-threats/>

¹⁵ DEIR at 2.C.2

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-2])

“Bayview Hunter's Point has a long history of pollution since the U.S. Navy’s purchase of the San Francisco Dry Dock in 1940.³⁷ The negative effects of the nuclear research conducted at the dock continue to persist today, including negative health impacts among the community in the forms of cancer, asthma, and more.³⁸ Bayview Hunter’s Point is considered a community that is disproportionately burdened by pollution from multiple sources under the CalEnvrioScreen.³⁹ In addition to the significant radioactive and hazardous waste contamination at the Shipyard Superfund Site, the health and environment of Bayview Hunters Point residents are impacted by other contamination sites including Yosemite Slough, large-scale freight transport and diesel truck traffic, two freeways, unpermitted concrete plants and an animal rendering plant at the Port of San Francisco, Circosta Iron and Steel recycling, and many small unregulated businesses that emit harmful pollution. Furthermore, the City approved the pending India Basin Mixed-Use Development Project, and the City’s own EIR concluded that the project could cause significant, harmful, unavoidable, localized air pollution forever, not just during construction. Residents must not be exposed to yet another large-scale, 100-year polluting project. In consideration of this complex history, adequate and accurate analysis of the

cumulative impacts faced by the community is essential. The analysis of the cumulative impacts in the DEIR is not adequate and fails to look at several considerations that will increase the impacts.”

³⁷ DEIR at 3.A-7.

³⁸ DEIR at 3.A-12.

³⁹ DEIR at 3.A-6.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-9])

“And this is in an already burdened neighborhood, as you’ve heard testimony, in an area with incidents of asthma related to emissions.” *(Ann Colichidas, San Francisco Gray Panthers, September 7, 2023, [O-SFGP-2])*

“The DEIR also fails to evaluate the environmental impacts of the Project in context.¹¹ The proposed Project is located in an area designated as a “Disadvantaged Community.” Disadvantaged communities are defined as the top 25% scoring areas from CalEnviroScreen along with other areas with high amounts of pollution and low populations. The Project area ranks in the 99th percentile for relative pollution burden. Therefore, residents living in the vicinity are already subjected to higher pollution burdens and thus are more sensitive to even seemingly small incremental increases in that burden”¹²

¹¹ Cal. Code Regs., tit. 14, § 15064, subd. (b)

¹² See, e.g., *Los Angeles Unified School Dist. V. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025; *Kings County Farm Bur.*, supra, 221 Cal.App.3d 692, 718.

(Jacob Klein, Sierra Club, October 16, 2023, [O-Sierra-13])

“But I appreciate the people from Hunters Point raised questions. There is a lot of issues around Hunters Point being not taken care of by the city for the past, I want to say 50 years more than 50 years. Thank you very much.” *(Sue Hestor, September 7, 2023, [I-Hestor-3])*

“I cannot agree more with the previous speaker. All I have to say is one thing, Bayview-Hunters Point deserves better. The history of this neighborhood is replete with all kinds of shoving it under the carpet when it comes to toxicity, when it comes to environmental cleanup. Lenore Project, wasn’t, you know, like – although maybe it was in the past century, but we’re not talking about 50 years ago – hasn’t been cleaned up yet.” *(Ozzie Rohm, September 7, 2023, [I-Rohm-1])*

“I attended a BayView Hunters Point Environmental Task Force meeting at which the project was presented. At first I thought, “this looks great.” But then I heard the deep upset the presentation caused among the community. It was presented as a done deal, asking for any minor changes. Residents were furious that this large project would add to the already dust filled, polluted air and dirt. They are actively trying to decrease the number of trucks and the pollution they produce. This project, though electric trucks are proposed,

would surely increase traffic and pollutants in the form of particulates. I have been a School District Nurse for nearly 20 years before retiring. I cared for dozens and dozens of BayView children with asthma. I did not see this level of disease in other neighborhoods. The community has a long history of environmental injustice from the Naval Shipyards, dating back to the 40's, the systemic racism by red-lining of the Fillmore in the 50's, and transportation, circulation, noise and vibration as well as air quality issues from current warehouse and industry facilities. Air filters inside homes are black with particulate matter within a month. The addition of the Gateway Project is adding further to the above issues listed. The cumulative impact must be considered in the Environmental Report.” (*Judy Rosenfeld, October 5, 2023, [I-Rosenfeld-1]*)

9.C.1.1 Response ES-1

The comments relate to the existing physical environmental conditions that the Bayview Hunters Point neighborhood experiences and describe the history of pollution from past industrial activities, the health consequences, and the added effects on the community from the proposed project.

This response is organized as follows:

- Existing Conditions of San Francisco’s Bayview Hunters Point Neighborhood
- Impacts on the Bayview Hunters Point Neighborhood
- Zoning and Alternative Sites
- Conclusion

In general, many of these comments relate to aspects of existing air pollution and health risks for the Bayview Hunters Point community. Therefore, this response should be reviewed in conjunction with other responses for a fuller discussion of the approaches to evaluating the proposed project’s effects and to reducing those effects determined to be significant and requiring mitigation:

- Response AQ-1 for a discussion of the Air Quality Existing Setting (Air Pollutant Exposure Zone)
- Response AQ-6 for a discussion of the Air Quality Construction and Operational Impacts (Health Risks)
- Responses AQ-8 through AQ-12 for discussions related to Air Quality Mitigation Measures
- Responses ALT-3 and ALT-4 for a discussion about the Alternatives considered in the EIR

Existing Conditions of San Francisco’s Bayview Hunters Point Neighborhood

The draft EIR describes and acknowledges the existing conditions of the Bayview Hunters Point neighborhood in Section 3.A.5 on pp. 3.A-6 through 3.A-15. The section presents key environmental and socioeconomic indicators, including the U.S. Census Bureau statistics on income, poverty levels, unemployment, and educational attainment; California Office of Environmental Health Hazard Assessment’s CalEnviroScreen 4.0; the California Air Resources Board’s (air board’s) Assembly Bill (AB) 617 community designation; and hospitalization rates for asthma and chronic obstructive pulmonary disease, to illustrate how past actions shaped and continue to shape the physical environmental conditions that affect the Bayview Hunters Point community. Some commenters restate or emphasize information from this section of the draft EIR; none of the commenters dispute or challenge the information provided in the environmental setting discussion.

The section also describes existing economic, social, and demographic conditions in the vicinity of the project site and Bayview Hunters Point neighborhood. The draft EIR contains this information as context for the existing conditions surrounding the proposed project—one that is summarized by the following statement from p. 3.A-12: “The socioeconomic stressors of the adjacent populations and these health conditions render populations in the project area more vulnerable to the impacts of pollution.”

The overview in the section is supplemented by the existing and cumulative environmental setting presented for each resource topic subsection. The existing conditions in Section 3.A.5 and in each resource topic helped inform the draft EIR analysis and discussion of the potential environmental impacts of the proposed project. For example, the draft EIR acknowledges on pp. 3.D-30 through 3.D-31 that the project site is in an air pollutant exposure zone (APEZ) and in a health vulnerable location. Health vulnerable locations are described on draft EIR p. 3.D-14 as those zip codes in the worst quintile of Bay Area health vulnerability scores as a result of air pollution related causes. These areas are afforded additional health protection when defining the APEZ. Furthermore, the health risk significance thresholds for receptor locations meeting the APEZ criteria are more health protective than areas that do not meet the APEZ criteria. In this way, the draft EIR affords additional health protection to receptors that are impacted by existing air pollution, while also accounting for health vulnerability factors.

Impacts on the Bayview Hunters Point Neighborhood

The discussion for each resource topic area in the draft EIR (Transportation and Circulation, Noise and Vibration, and Air Quality) includes an “Impacts and Mitigation Measures” section that details the approach to analysis, including the general approach and methodology used to apply the significance thresholds in evaluating each of the topic area impacts of the proposed project, pursuant to CEQA. Table S-1 on pp. S-5 through S-43 in the draft EIR summarizes the significance criteria, the proposed project’s impacts, and the recommended mitigation measures to reduce significant impacts. As discussed above, the draft EIR impact analysis acknowledges and considers the existing socioeconomic and physical environmental conditions of the Bayview Hunters Point neighborhood, which are defined by past land use and planning actions. In other words, these past actions are reflected in the existing conditions in the Bayview Hunters Point community that serve as the baseline for the planning department’s evaluation of whether the project’s effects are significant.

CEQA was enacted to identify impacts on the physical environment and to recommend mitigation measures to fulfill a fundamental objective of the legislation—namely, to “[p]revent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible” (CEQA guidelines, section 15002(a)(3)). The alternatives and the mitigation measures can only address impacts associated with the proposed project. Although other regulatory, policy, and community initiatives are designed to remedy or improve preexisting environmental conditions, CEQA is focused on avoiding or mitigating impacts *compared to* the existing conditions (also known as the “baseline”).

As described in the draft EIR, the proposed project would not result in any significant and unavoidable impacts on the environment, including the Bayview Hunters Point neighborhood, even taking into account existing and reasonably foreseeable cumulative conditions. For transportation and circulation (refer to pp. 3.B-1 through 3.B-64 of the draft EIR), all impacts would be less than significant, with no mitigation required. For noise and vibration (refer to pp. 3.C-1 through 3.C-50 of the draft EIR), all impacts would either

be less than significant, or less than significant with the implementation of mitigation measures. For air quality (refer to pp. 3.D-1 through 3.D-78 of the draft EIR), all impacts would either be less than significant, or less than significant with the implementation of mitigation measures.

Section 3.A.4 on pp. 3.A-5 of the draft EIR describes the approach for evaluating the proposed project's cumulative impacts (two or more individual effects that, when taken together, are "considerable" or that compound or increase other environmental impacts). The cumulative impacts for transportation and circulation and for noise and vibration were found to be less than significant, with no mitigation required. As it relates to air quality, regional air quality effects are inherently cumulative effects—the nonattainment status of regional pollutants (i.e., the region does not meet state and/or federal standards for certain air pollutants) results from past and present development in the air basin. That is, previous sources of pollution compound over time and contribute to existing regional air quality conditions. Impact AQ-2 (less than significant) and Impact AQ-3 (less than significant with implementation of mitigation measures) provide a cumulative criteria air pollutant analysis. Impact AQ-4 analyzes exposure of sensitive receptors to emissions of toxic air contaminants (TACs) and particulate matter greater than or equal to 2.5 microns in diameter (PM_{2.5}) from the proposed project in addition to existing TAC and PM_{2.5} exposures. Impact C-AQ-1 then addresses the additional TAC and PM_{2.5} exposures from emissions from reasonably foreseeable cumulative projects. Impacts related to exposure of sensitive receptors to local sources of TAC and PM_{2.5} emissions—and to other sources of emissions, such as those leading to odors—were analyzed and found to be less than significant.

One commenter discusses the approved India Basin Mixed-Use Project (700 and 900 Innes Avenue), which is also in the Bayview Hunters Point Community and the APEZ. As noted by the commenter, the India Basin Project EIR identified significant and unavoidable impacts with mitigation related to ROG and NO_x emissions during construction, operation, overlapping construction and operation, and cumulatively; as well as for PM_{2.5} concentrations during construction and operation. The India Basin Project's EIR also identified a significant and unavoidable 2040 cumulative health risk impact. The India Basin Mixed Use Project is approximately 6,000 feet (more than 1 mile) from the project site. Localized air quality impacts from that project would therefore be unlikely to combine with localized air quality impacts from the proposed project, given that health risks are reduced substantially from a source at a distance of 1,000 feet.

One commenter referred to language on p. 3.A-6 of the draft EIR, which states in part that "Socioeconomic effects are not, in themselves, considered physical environmental impacts under CEQA." This discussion refers to language in section 15382 of the CEQA guidelines, which states in part: "An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant." Section 15131 of the CEQA guidelines expands on the inclusion of economic or social information in an EIR, stating in part that "Economic or social effects of a project shall not be treated as significant effects on the environment," but that "Economic or social effects of a project may be used to determine the significance of physical changes caused by the project." The planning department has cited this section of the CEQA guidelines in various EIRs, such as the 469 Stevenson Street Project (p 3-3 of the recirculated draft EIR), the Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Sustainability District (p. 4-11 in the RTC), Balboa Reservoir Project (pp. 1-1 through 1-2 in the RTC), 3333 California Street Project (p. 1.2a and p. 1.12 in the final EIR), and the Eastern Neighborhoods Rezoning and Area Plans (pp. 237 and 238).

Zoning and Alternative Sites

One commenter states that San Francisco's current land use zoning places all PDR projects in Bayview Hunters Point because of past practices of consolidating industry in predominately Black and Brown Communities. As stated on p. 2-7 of the draft EIR, the project site is in the PDR-2 zoning district in the Bayview Hunters Point Area Plan.

It is not accurate that all PDR zoning or all PDR projects in San Francisco are in the Bayview Hunters Point neighborhood. For example, there are areas zoned PDR-1-D or PDR-1-G in the Showplace Square, Potrero Hill, and Dogpatch neighborhoods. However, as acknowledged on draft EIR p. 3.A-8, "Since the 1990s, the planning department has also established a series of area plans and land use regulations that limit core PDR zoning to the Bayview Hunters Point area of the city; additionally, the only areas of the city zoned for light or heavy manufacturing are either in the southeastern part of the city or along the waterfront and controlled by the Port of San Francisco." The EIR alternative sites analysis also references planning commission resolution 20738, which acknowledges how the city, its planning commission, and planning department, among others, have "intentionally advanced policies aligned with white supremacy goals to segregate, displace, dispossess, and extract wealth from Black communities, the American Indian community, and other communities of color." Draft EIR Section 5.E., Alternatives Considered but Rejected (p. 5-58) further notes:

In San Francisco, as in many other cities, low-income households and people of color are more likely to live in neighborhoods with environmental hazards, such as toxic groundwater, polluting industrial activities, congested freeways, and hazardous solid waste facilities. In large part, this is the direct result of racial covenants, redlining, urban renewal, and other discriminatory programs that have historically restricted where people of color may live. As a result, there is a substantial amount of land in the Bayview Hunters Point neighborhood that is zoned for intensive industrial and manufacturing activities that exclude residential uses, so that nearest residential uses are approximately 400 feet from the project site. In contrast, mixed use zoning allows residential development in most other parts of San Francisco. Alternative sites that could accommodate the proposed project without potentially affecting residential uses would be limited, except in other PDR-zoned areas.

As described in Section 5.E on pp. 5-57 through 5-61 of the draft EIR, several sites within and outside the Bayview Hunters Point neighborhood were considered, but ultimately rejected as unsuitable to meet the objectives of the project.

Conclusion

The draft EIR described the historic context of the Bayview Hunters Point neighborhood and its current socioeconomic and physical environmental conditions. The existing physical conditions are used in the draft EIR as the baseline to determine whether the project's effects are significant. As noted in CEQA guidelines sections 15131 and 15382, economic or social effects of a project, in themselves, shall not be treated as significant effects on the environment. Although CEQA is not intended to remedy past actions, or mitigate or improve on existing baseline conditions, CEQA does require the identification of significant physical environmental impacts as they relate to the proposed project, and requires avoidance or mitigation of those impacts, where feasible. The evaluation of significant effects is based on appropriate thresholds of

significance, which are presented in Appendix G of the state CEQA guidelines. No additional analysis or change to the EIR conclusions are required.

9.C.2 Comment ES-2: Environmental Setting – Lived Experience/Community Knowledge

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-BVCCC-1
- I-Ealom-2_3
- I-Ealom-2_10
- I-Martin-1
- I-Rosenfeld-3

“EIR lacks consideration of community knowledge. The environmental impacts should include the community’s experience before and after the project is constructed” (*Wasimah Asad, Bayview Community Concerned Citizens, August 28, 2023, [O-BVCCC-1]*)

“The environmental impacts should include the communities' experience before and after the project is constructed.” (*Kamillah Ealom, September 7, 2023, [I-Ealom-2_3]*)

“The environmental review lacks consideration of community knowledge.” (*Kamillah Ealom, September 7, 2023, [I-Ealom-2_10]*)

“Good afternoon. My name is Leotis Martin. I came to San Francisco in 1966, I was six years old. Moved across the street from the shipyard at the Hunters Point Boys Club right there. I lived there for many years. I was there even when they shut the shipyard down. We used to play over there in the shipyard. We used to climb the fence. We thought it was fun. We didn't know how much danger we was in.

But let me tell you about the impact of this. When they closed the shipyard down, it was closed for many years, then we had a fire. The fire had to burn out. Why it had to burn out? Because there's too many different toxic. They couldn't put it out.

Okay. All of this stuff going up in Bayview. Our lifetime expectancy is 15 to 10 year different than the people that live in Nob Hill. You want to talk about impact. I got a mother that's gone. I have a twin brother that died from enlarged heart. I have a nephew that's gone. And we all lived in Bayview. That's some impact right there.

You know, I have friends right now today that have cancer. I have a young lady that came up to me two days ago and said, Leotis, I got cancer, you know, and she's been living in Bayview. And the reason why they come to me, and they talk to me because they knew I do this environmental work with Green Action. And when I -- before I was able to do this, I didn't care about it.

Tessie and Marie Harrison -- Tessie Ester and Marie Harrison brought me into this one day and I've been doing this for 18 years now because this is the way I give back to my community because we are dying out there. I don't care if these people want to work. That's fine and dandy. But we don't work to kill ourself. We work to support our families and to have a righteous life. At the same time, we have to care about the community that we working in. Thank you.” (*Leotis Martin, September 7, 2023, [I-Martin-1]*)

“The planning thus far for the project has not been inclusive of the Bayview Hunters Point community.” (*Judy Rosenfeld, October 5, 2023, [I-Rosenfeld-3]*)

9.C.2.1 Response ES-2

The comments relate to the draft EIR not considering community knowledge or experiences and express concern that project planning has not been inclusive of the Bayview Hunters Point community.

Please see Response GC-1, for a comprehensive discussion of the planning department’s noticing for the project, initial study, and draft EIR. In addition to the planning department’s noticing, the project sponsor has engaged in a number of outreach efforts to share proposals for the project and seek community input in advance of publication of the initial study and draft EIR. In the months prior to the publication of the NOP and initial study in March 2022, the project sponsor made three presentations about the project to the Bayview Hunters Point Community Advisory Committee at publicly accessible meetings. The project sponsor also met one-on-one with representatives of community organizations and businesses, including the A. Philip Randolph Institute San Francisco (APRISF), the Bayview Opera House, SF Black Wall Street, the San Francisco African American Arts and Cultural District, the Market Zone Working Group, the SF Market, Young Community Developers, and the Potrero Boosters Neighborhood Association. Prior to publication of the draft EIR in August 2023, the project sponsor organized two community meetings, open to the public, which APRISF helped to organize and advertise, including by knocking on doors at apartment complexes in the Bayview Hunters Point neighborhood and distributing more than 200 flyers with meeting information. The project sponsor also presented at another meeting of the Bayview Community Advisory Committee and a meeting of the Bayview Hunters Point Environmental Justice Response Task Force and held one-on-one meetings with Bayview Hyperlocal Contractors as well as the Market Zone Working Group and SF Market. All of these meetings and discussions provided opportunities for community members to offer input on the project to the project sponsor.

Draft EIR Section 3.A.5, Historic and Existing Context of San Francisco’s Bayview Hunters Point Neighborhood, provides an historic context as well as key environmental and socioeconomic indicators to illustrate how past actions shaped and continue to shape the physical environmental conditions that people in Bayview Hunters Point may experience. This section acknowledges on p. 3.A-6 that:

In San Francisco, as in many other cities, low-income households and people of color are more likely to live in neighborhoods with environmental hazards, such as toxic groundwater, polluting industrial activities, congested freeways, and hazardous and solid waste facilities. In large part, this is the direct result of racial covenants, redlining, urban renewal, and other discriminatory programs that have historically restricted where people of color may live.

The difference between the existing conditions before a project is implemented and the subsequent conditions after project completion defines the impact that must be evaluated pursuant to CEQA. The initial study and EIR consider the physical environmental impacts that would result from the construction and operations of the project, notably including the effects on traffic, noise, air quality, health risk; and the initial study examined impacts related to public services, land use/displacement, and hazards and hazardous waste. The commenters do not identify specific information that they believe was omitted from the EIR.

Regarding the comments about the community's lived experiences, some individuals provided public testimony at the September 7, 2023, draft EIR hearing or submitted written comments about their experience with the physical environmental conditions in Bayview Hunters Point. Two of these testimonies have been incorporated as text edits in the draft EIR's environmental setting section to reflect individual's lived experiences with the historic disproportionate environmental burden affecting the neighborhood.

The following text has been added to the first paragraph on p. 3.A-8 of the draft EIR:

The U.S. Navy permanently closed the nearly 900-acre shipyard in 1994, leaving behind a number of health and environmental hazards associated with its industrial and research activities. As described by a Bayview Hunters Point resident at the San Francisco Gateway Project draft EIR hearing on September 7, 2023, "I came to San Francisco in 1966, I was six years old. Moved across the street from the shipyard at the Hunters Point Boys Club right there. I lived there for many years. I was there when they shut the shipyard down. We used to play over there in the shipyard. We used to climb the fence. We thought it was fun. We didn't know how much danger we was in. But let me tell you about the impact of this. When they closed the shipyard down, it was closed for many years, then we had a fire. The fire had to burn out. Why it had to burn out? Because there's too many different toxic. They couldn't put it out." To identify and monitor cleanup activities, the U.S. Navy divided the former naval shipyard into several areas.

The following text has been added to the second paragraph on p. 3.A-12:

Based on available data, the project site zip code has some of the highest rates of asthma and COPD-related emergency room visits and hospitalizations in the city. The asthma and COPD emergency room visitation rates have been categorized into high, medium, and low and are presented by zip code in Figure 3.A-2 and Figure 3.A-3 (p. 3.A-14), respectively, to illustrate the variation across the city. Testimony submitted as part of the San Francisco Gateway Project draft EIR's record further illustrates the longstanding impacts of air pollution in the Bayview Hunters Point neighborhood, "I have been a School District Nurse for nearly 20 years before retiring. I cared for dozens and dozens of Bayview children with asthma. I did not see this level of disease in other neighborhoods. The community has a long history of environmental injustice from the Naval Shipyards, dating back to the 40s, the systemic racism by red-lining of the Fillmore in the 50s, and transportation, circulation, noise and vibration as well as air quality issues from current warehouse and industry facilities. Air filters inside homes are black with particulate matter within a month." (written public comment on the San Francisco Gateway draft EIR). There are various federal, state, and local air quality regulations in place that seek to improve air quality conditions; these regulations are discussed in more detail in Section 3.D., Air Quality.

The planning department has made text revisions to the EIR to amplify individuals' lived experience and community knowledge, adding qualitative data that supplements the quantitative data presented in Draft EIR Section 3.A.5.

9.C.3 Comment ES-3: Environmental Setting – Cumulative Projects/Cumulative Analysis

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-ATBV-1
- O-ATBV-3
- O-SFMarket-2
- I-Ealom-2_2
- I-Ealom-2_11

“Cumulative impacts need to include past, present and future projects beyond ¼ of a mile from the proposed project site (*Kamillah Ealom, All Things Bayview, August 28, 2023, [O-ATBV-1]* and *Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_2]*)

“Cumulative impact range is not far enough for accurate and adequate impacted community considerations.” (*Kamillah Ealom, All Things Bayview, August 28, 2023, [O-ATBV-3]* and *Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_11]*)

“On page 3.A-19 of the DEIR, in the paragraph describing the ‘SF Market Project’ we request that the first sentence be modified to describe the project's purpose as ‘modernize and slightly expand,’ rather than ‘expand.’” (*Michael Janis, San Francisco Wholesale Produce Market, October 12, 2023, [O-SFMarket-2]*)

9.C.3.1 Response ES-3

One commenter requests a revision on p. 3.A-19 of the DEIR related to the description of the “SF Market Project,” which is a cumulative project that was considered in the EIR’s cumulative analysis. In response to the comment, the first sentence in the description of the SF Market Project (p. 3.A-19 of the draft EIR), has been revised as follows:

The proposed project is a phased development plan to modernize and slightly expand the existing SF Market on its current site and would reconfigure the roadways around the project site to improve site access and safety.

Other commenters indicate that the draft EIR cumulative impact analysis is inadequate because it does not analyze cumulative impacts from existing nearby projects and projects beyond a 0.25-mile radius from the proposed project site. The comments suggesting the EIR improperly limits its analysis only to projects within 0.25 mile of the project site are not accurate. As described under “Approach to Cumulative Analysis,” on

p. 3.A-5 through 3.A-6 in Chapter 3.A of the draft EIR, two approaches to analyzing cumulative impacts are identified by CEQA guidelines section 15130(b)(1): a list-based approach and a projections-based approach. The analyses in the draft EIR employed both a list-based approach and projections from the general plan or other related planning documents, as appropriate for the specific resource topic being analyzed. For topics that employ a list-based approach, projects within approximately 0.25 mile of the project site were identified and are described in Section 3.A.6 (p. 3.A-15) and shown on Figure 3.A-4 (p. 3.A-18) because impacts from these projects would have the greatest potential to combine with impacts from the proposed project. The cumulative analysis does not strictly consider only cumulative projects within an approximately 0.25-mile radius of the project site. As described on p. 3.A-16 of the draft EIR, additional projects were considered based on the cumulative analysis context for the environmental topic being analyzed.

- **Transportation and Circulation:** As described under “Cumulative Impacts,” on p. 3.B-59 in Chapter 3.B of the draft EIR, the cumulative transportation impact assessment included relevant nearby cumulative development, infrastructure, and transportation network projects. It also assumed cumulative growth through 2050, consistent with citywide land use projections developed for the San Francisco Housing Element 2022 Update.
- **Noise and Vibration:** As described under “Cumulative Impacts,” on p. 3.C-48 in Chapter 3.C of the draft EIR, the contributions of noise from other projects beyond 0.25 mile would be attenuated by both distance and intervening structures, and their contribution to noise levels would be minimal. Therefore, additional projects beyond 0.25 mile were not considered for the noise analysis. See also Response NO-1 regarding cumulative noise impacts.
- **Air Quality:** As described under “Cumulative Impact Assessment,” on p. 3.D-33 through D-34 in Chapter 3.D of the draft EIR, regional air quality effects are inherently cumulative effects—the nonattainment status of regional pollutants results from past and present development in the air basin. Impacts AQ-2 and AQ-3 analyzed cumulatively considerable contributions to nonattainment criteria pollutants. See also Response AQ-7 regarding cumulative contributions to air quality impacts. Furthermore, the cumulative health risk analysis is based on air district guidance, which specifies that cumulative health risks evaluate the contribution of emissions from nearby projects that are within 1,000 feet of the proposed project’s maximally exposed individual receptor. As explained in the air district’s Appendix A, Thresholds of Significance Justification, this 1,000-foot distance is based on a summary of research findings from the air board. These findings indicate that traffic-related pollutants are higher than regional levels within approximately 1,000 feet downwind of traffic, and that differences in health-related effects could be attributed in part to heavy vehicle and truck traffic within 300 to 1,000 feet of receptors. Other studies referenced by the air district indicate that particulate matter tends to be substantially reduced or can even be indistinguishable from upwind background concentrations at a distance of 1,000 feet downwind from sources such as freeways or large distribution centers.¹² As described in Section 3.D.1, Environmental Setting, air pollution sources that were evaluated in the 2020 Citywide Health Risk Assessment (HRA) and that contribute to emissions in and near the project site area are described and include existing permitted stationary sources and traffic emissions on major roadways, including I-280 and U.S. 101. Additionally, as described in Section 3.D.3, Impact Assessment Methodology, as part of the environmental review for the proposed project, the planning department conducted an HRA to provide quantitative estimates of PM_{2.5} concentration exposure and health risks

¹² Bay Area Air Quality Management District, California Environmental Quality Act Air Quality Guidelines, Appendix A: Thresholds of Significance Justification. April 20, 2023, accessed May 1, 2023.

from exposures to TACs. Impacts were evaluated for receptors within 1,000 feet of both the project site and likely routes project traffic would travel. Please see Responses AQ-3 and AQ-7. To account for the emissions generated by traffic volumes from the proposed project, additional receptors from the 2020 Citywide HRA geodatabase were included within 1,000 feet of proposed traffic routes between the project site and U.S. 101 and I-280, as well as along construction haul routes, which include an area that extends farther than the 0.25-mile radius of the project site.

The cumulative impact analysis also considered environmental, land use, and transportation plans and policies related to the growth and development of the nine-county San Francisco Bay Area, including the San Francisco Housing Element 2022 Update, Association of Bay Area Governments/Metropolitan Transportation Commission Plan Bay Area 2050, and the air district's 2017 Clean Air Plan.

Conclusion

The cumulative impact analysis presented in the EIR considers, as necessary, all cumulative projects which could combine with that of the proposed project to result in a significant cumulative impact, based on the cumulative analysis context for the environmental topic being analyzed. The analysis is not limited to cumulative projects within 0.25 mile of the project site. The cumulative impact analysis in the draft EIR is consistent with the requirements of the state CEQA guidelines sections 15130 and 15355, and no additional analysis or change to the EIR conclusions regarding this topic are required.

9.D Transportation and Circulation

The comments and corresponding responses in this section cover topics in Chapter 3B, Transportation and Circulation, in the draft EIR. These include topics related to:

- TR-1: Transportation and Circulation – Environmental Setting
- TR-2: Transportation and Circulation – Methodology – Transportation Study Area
- TR-3: Transportation and Circulation – Methodology – Analysis Periods
- TR-4: Transportation and Circulation – Methodology – Project Vehicle Trip Assignment
- TR-5: Transportation and Circulation – Methodology – Project Ways of Travel
- TR-6: Transportation and Circulation – Potentially Hazardous Conditions and Accessibility Impacts
- TR-7: Transportation and Circulation – Cumulative Impacts

9.D.1 Comment TR-1: Transportation and Circulation – Environmental Setting

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below.

- O-SFMarket-3

“On page 3.B-5 of the DEIR, in the paragraph describing the vacation of Jerrold Avenue, we request that the document note that Innes Avenue will be the primary carrier of east-west traffic, replacing Jerrold Avenue.”
(Michael Janis, San Francisco Market, October 13, 2023 [O-SFMarket-3])

9.D.1.1 Response TR-1

The commenter requests clarification to the description of Jerrold Avenue in the transportation environmental setting regarding planned changes to Jerrold Avenue that are part of the SF Market project (formerly known as “the San Francisco Wholesale Produce Market”).

In response to the comment, in the Environmental Setting, EIR Section 3.B.1, Jerrold Avenue (p. 3.B-5 of the draft EIR), has been revised as follows:

As part of planned changes to the ~~produce market~~SF Market, directly north of the project site,¹ Jerrold Avenue between Rankin and Toland streets will be vacated and closed to all traffic except authorized vehicles that require access to the ~~produce market~~SF Market. Vehicular traffic not related to the ~~produce market~~SF Market will be rerouted around the market site on improved segments of Innes Avenue and Innes Avenue Extension, which will become the primary route for traffic traveling through the area but not destined for SF Market. ~~directed to parallel streets to the north or south on improved segments of Innes and Kirkwood avenues.~~

Details regarding the planned improvements to the roadway network that will occur as part of the SF Market project are described under the cumulative impact assessment in Impact C-TR-2 and Impact C-TR-3

(pp. 3.B-60 through 3.B-62 of the draft EIR) and are consistent with the description of the SF Market project in the July 2022 addendum to the prior Mitigated Negative Declaration for the project.¹³

These revisions would not result in new significant impacts and would not change the conclusion of the analysis of environmental impacts of the San Francisco Gateway Project. CEQA Guidelines section 15088.5(b) states that recirculation is not required if “new information in the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” Therefore, recirculation of the draft EIR pursuant to CEQA Guidelines section 15088.5 is not required.

9.D.2 Comment TR-2: Transportation and Circulation – Methodology – Transportation Study Area

This response addresses the comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-CPC-Moore-4
- O-SFMarket-5
- I-Hestor-2

“And in the same breath, I would like to suggest that the parcel delivery services will be examined with their impact on downtown. The numbers of trips increase by building a facility of this incredible size right here. It’s going to be impacting every neighborhood in downtown. I believe that the current delivery services and their unruly behavior is already creating too many problems, and not just on particular times of the day, but day in, day out, weekday in, weekend out from morning to late at night where it becomes dangerous in our neighborhoods to safely maneuver around these battleship size buildings – of the battleship size delivery trucks and still find my way home and be safe. I’m not going to talk about any other vehicles that shouldn’t be there at that time. I’ll spare that for this EIR.” (*Commissioner Moore, San Francisco Planning Commission, September 7, 2023, [A-CPC-Moore-4]*)

“We note that the list of study intersections used in the DEIR to analyze project and cumulative impacts does not include any of the on or off ramps to Highways 101 and 280, which will be used by net new traffic generated by the Prologis project and other future projects to access the highway system. We are concerned that these ramps may turn out to be pinch points as volume grows in the future even though they are not immediately proximate to the Prologis project or the SF Market.” (*Michael Janis, San Francisco Market, October 13, 2023 [O-SFMarket-5]*)

“Second, the whole thing about parcel delivery services has a much greater impact on the area around it and throughout the city.

¹³ SF Market (formerly San Francisco Wholesale Produce Market), Addendum 2 to Mitigated Negative Declaration, Case No. 2009.1153ENV-03, July 21, 2022.

I live in Bernal Heights, and I go through this area a couple times a week. I'm very familiar with Toland Avenue. What we have right now in Bernal Heights and areas that have narrow streets is parcel delivery workers just stop in the middle of traffic and deliver packages.

We had a discussion on retail sector about an hour ago. The retail sector has been shifted to parcel delivery services because of COVID. And the delivery of these packages has a huge impact, the trucks buzzing around the neighborhoods are in traffic and throughout the area around, so that is one of the issues that need to be brought up on comment, and I will do this, so. (*Sue Hestor, Individual, September 7, 2023, [I-Hestor-2]*)

9.D.2.1 Response TR-2

The commenters raise general concerns about impacts of parcel delivery services in downtown, Bernal Heights, and throughout the city, and concerns that on- and off-ramps to highways U.S. 101 and I-280 were not included as transportation study area intersections.

The transportation study area for the project is consistent with the guidance in the SF transportation guidelines.¹⁴ As described on p. 3.B-1 of the draft EIR and shown on Figure 3.B-1 on p. 3.B-2 of the draft EIR, the transportation study area is the area near the project site where the project could substantially affect transportation and circulation. It is bounded by Evans Avenue and Cesar Chavez Street to the north, Third Street to the east, Oakdale Avenue and Industrial Street to the south, and Bayshore Boulevard to the west. As project-generated vehicles travel farther from the project site, the number of vehicle trips and their impact would be dispersed over a wider area, and the effects would be less than on the transportation network closer to the project site.

As described on p. 3.B-15 of the draft EIR, CEQA section 21099(b)(1) no longer considers level of service or similar measures of vehicular capacity or traffic congestion in determining significant impacts on the environment. Therefore, consistent with CEQA, the transportation analysis in the draft EIR does not consider congestion at on- and off-ramps to highways in determining project impacts. As shown on Figures 3.B-4 and 3.B-5 on draft EIR, pp. 3.B-30 through 3.B-31, project-generated vehicles would be distributed north and south of the project site and use multiple streets and on- and off-ramps for freeway access. The project's vehicle trips would not cause or substantially contribute to conflicts with transit, bicycle, or pedestrian facilities; hazards due to a geometric design feature or incompatible uses; or inadequate emergency access.

As explained in Response PD-2, parcel delivery and last-mile delivery uses are only one of the several types of PDR land uses that could be accommodated at the project site. The demand for parcel and last-mile delivery vehicle trips in downtown, Bernal Heights, and other areas of the city is generated by the residents and businesses at those locations, and not by the existence or location of e-commerce-related distribution centers, such as the proposed project. Therefore, relocating the portion of trips with San Francisco destinations from existing distribution locations outside of the city (such as in South San Francisco) to the project site would not change the number of deliveries or delivery vehicles throughout the city. For

¹⁴ San Francisco Planning Department, San Francisco Transportation Impact Analysis Guidelines, October 2019, p. 8.

additional information on existing e-commerce demand and future trends in San Francisco and the Greater Bay Area, see draft EIR Appendix C.¹⁵

Concerns regarding unruly behavior of various delivery services are noted. The proposed project has no control over how parcel deliveries by third parties are conducted at their destinations, and the proposed project would not change the existing procedures for enforcement of traffic laws in San Francisco, such as stopping in the travel lane on narrow streets. Enforcement in the city occurs consistent with current procedures for monitoring and citing moving violations, which includes impeding traffic, and is conducted by the San Francisco Police Department.

The San Francisco Municipal Transportation Agency (SFMTA), in response to changes in the ways city streets are being used (e.g., the shift toward online purchasing, online and app-based delivery services, and ridesharing; and changes in transit, bicycle, moped, and scooter ridership), and to address issues such as those noted in the comments, has developed a Curbside Management Strategy.¹⁶ The Curbside Management Strategy consists of recommendations for the SFMTA to manage and best allocate the city's limited curb space (including yellow commercial vehicle zones, general loading zones, and green short-term zones) in a way that is responsive to, among others, current and future commercial vehicle delivery demands. As part of this strategy, the SFMTA has been increasing the number of regular yellow zones available to commercial vehicles in congested areas and encouraging a greater turnover of vehicles by establishing a maximum length of stay or installing meters.

9.D.3 Comment TR-3: Transportation and Circulation – Methodology – Analysis Periods

This response addresses the comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-BAAQMD-4
- O-SFMarket-4
- O-SFMarket-7

“Further address operational truck trips and impacts

While recognizing that much of the operational truck types (box trucks, vans, and semi-trucks) and trips is unknowable at this time and dependent on specific tenants and fleet mixes, the Air District recommends the DEIR should further address, assess, and consider the impacts of projected truck movements at critical times and locations.

Morning peak conflicts with the SF Produce Market.

It is not clear in the DEIR if morning peak conflicts are analyzed (e.g., p. 3B-20-21). The Air District recommends that, to the extent feasible, peak time truck trips should be managed/coordinated with the

¹⁵ Prologis, Memorandum regarding E-commerce – Existing Demand and Future Trends in San Francisco and the Greater Bay Area, June 30, 2020. See draft EIR Appendix C.

¹⁶ SFMTA Curbside Management Strategy, February 2020, <https://www.sfmta.com/reports/curb-management-strategy>.

ongoing morning peak of truck deliveries at the adjacent SF Wholesale Produce Market (early morning from 3 a.m. – 9 a.m.).” (*David Ralston, Bay Area Air Quality Management District, October 16, 2023, [A-BAAQMD-4]*)

“Page 3.8-20 describes that the DEIR uses the p.m. peak period of 4-6 p.m. as the analysis period, except for commercial loading, which uses 11 a.m. – 2 p.m. We note that neither of these periods coincide with the peak activity and traffic period for the SF Market, which is midnight to 8 a.m. The SF Market is generally quiet during the periods of analysis used in the Transportation section of the EIR. In general, as respects the transportation analysis, we request that the EIR take this into account and ensure that potential impacts occurring during the SF Market’s busy times are not overlooked.” (*Michael Janis, San Francisco Market, October 13, 2023 [O-SFMarket-4]*)

“In our response to the project’s Notice of Preparation, we wrote: The Market’s peak hours for operations are midnight to 8:00 am, during which a large number of vehicles enter the Market’s marshaling yard through gates at Jerrold/Rankin and Jerrold/Toland. Please ensure the EIR adequately studies potential impacts on Market vehicle movements resulting from truck and other vehicle movements generated by a) activities associated with construction of the proposed project and b) activities associated with the operations of the proposed project. One of the SF Market’s chief concerns is potential delays or other impacts of the project on vehicles from private autos to large trucks moving to and from our campus during the SF Market’s busy hours of midnight to 8 a.m. The analysis does not appear to directly address this issue.” (*Michael Janis, SF Market, October 13, 2023, [O-SFMarket-7]*)

9.D.3.1 Response TR-3

The commenters raise concerns that potential project-generated traffic impacts outside the standard p.m. peak hour of analysis have not been considered, particularly during the SF Market’s busiest period of operation, which is between midnight and 8 a.m. In addition, a commenter raises concerns regarding analysis of proposed project construction trips on SF Market operations.

As described on p. 3.B-20 of the draft EIR, in addition to the standard weekday p.m. peak hour of analysis specified by the SF transportation guidelines, the transportation and circulation analysis also analyzes the weekday a.m. peak hour conditions. The a.m. peak hour of analysis is the 60-minute period with the highest traffic volume generated between the 7 a.m. and 9 a.m. period; the p.m. peak hour of analysis is the 60-minute period with the highest traffic generated between the 4 p.m. and 6 p.m. period. Thus, as described in subsequent sections of the approach to the methodology section, proposed project travel demand was estimated for both the a.m. and p.m. peak hours. The a.m. peak hour coincides with the ongoing morning activities of the SF Market, which as noted in the comment extend until about 8 a.m.

The project travel demand, presented on pp. 3.B-21 through 3.B-33 of the draft EIR, details project-generated trips for the proposed mix of uses for daily and a.m. and p.m. peak hour conditions. Table 3.B-11 on p. 3.B-33 of the draft EIR presents the number of vehicle trips generated by the proposed project, daily and for the a.m. and p.m. peak hours, disaggregated by vehicle type (i.e., automobiles/pickups, vans, single-unit trucks,

ongoing morning peak of truck deliveries at the adjacent SF Wholesale Produce Market (early morning from 3 a.m. – 9 a.m.).” (*David Ralston, Bay Area Air Quality Management District, October 16, 2023, [A-BAAQMD-4]*)

“Page 3.8-20 describes that the DEIR uses the p.m. peak period of 4-6 p.m. as the analysis period, except for commercial loading, which uses 11 a.m. – 2 p.m. We note that neither of these periods coincide with the peak activity and traffic period for the SF Market, which is midnight to 8 a.m. The SF Market is generally quiet during the periods of analysis used in the Transportation section of the EIR. In general, as respects the transportation analysis, we request that the EIR take this into account and ensure that potential impacts occurring during the SF Market’s busy times are not overlooked.” (*Michael Janis, San Francisco Market, October 13, 2023 [O-SFMarket-4]*)

“In our response to the project’s Notice of Preparation, we wrote: The Market’s peak hours for operations are midnight to 8:00 am, during which a large number of vehicles enter the Market’s marshaling yard through gates at Jerrold/Rankin and Jerrold/Toland. Please ensure the EIR adequately studies potential impacts on Market vehicle movements resulting from truck and other vehicle movements generated by a) activities associated with construction of the proposed project and b) activities associated with the operations of the proposed project. One of the SF Market’s chief concerns is potential delays or other impacts of the project on vehicles from private autos to large trucks moving to and from our campus during the SF Market’s busy hours of midnight to 8 a.m. The analysis does not appear to directly address this issue.” (*Michael Janis, SF Market, October 13, 2023, [O-SFMarket-7]*)

9.D.3.1 Response TR-3

The commenters raise concerns that potential project-generated traffic impacts outside the standard p.m. peak hour of analysis have not been considered, particularly during the SF Market’s busiest period of operation, which is between midnight and 8 a.m. In addition, a commenter raises concerns regarding analysis of proposed project construction trips on SF Market operations.

As described on p. 3.B-20 of the draft EIR, in addition to the standard weekday p.m. peak hour of analysis specified by the SF transportation guidelines, the transportation and circulation analysis also analyzes the weekday a.m. peak hour conditions. The a.m. peak hour of analysis is the 60-minute period with the highest traffic volume generated between the 7 a.m. and 9 a.m. period; the p.m. peak hour of analysis is the 60-minute period with the highest traffic generated between the 4 p.m. and 6 p.m. period. Thus, as described in subsequent sections of the approach to the methodology section, proposed project travel demand was estimated for both the a.m. and p.m. peak hours. The a.m. peak hour coincides with the ongoing morning activities of the SF Market, which as noted in the comment extend until about 8 a.m.

The project travel demand, presented on pp. 3.B-21 through 3.B-33 of the draft EIR, details project-generated trips for the proposed mix of uses for daily and a.m. and p.m. peak hour conditions. Table 3.B-11 on p. 3.B-33 of the draft EIR presents the number of vehicle trips generated by the proposed project, daily and for the a.m. and p.m. peak hours, disaggregated by vehicle type (i.e., automobiles/pickups, vans, single-unit trucks,

and tractor-trailer trucks). Travel demands for project alternatives with the same combined total building square footage as the project but with different mixes of PDR uses are included in Chapter 5 under the Fleet Management Use Mix Alternative and the Expanded Parcel Delivery Use Alternative, and in draft EIR Appendix D.7.

The impact assessment, including potentially hazardous conditions (Impacts TR-2 and C-TR-2), accessibility (Impacts TR-3 and C-TR-3), and transit delay (Impacts TR-4 and C-TR-4), considered both a.m. and p.m. peak hours as well as the existing and planned travel activity associated with the SF Market;¹⁷ impacts were determined to be less than significant. As described in Response TR-2, CEQA section 21099(b)(1) no longer considers level of service or similar measures of vehicular capacity or traffic congestion in determining significant impacts on the environment under CEQA. As described below, project-generated traffic would be lower during the midnight to 8 a.m. period than during the 7 a.m. to 9 a.m. peak period of analysis. In addition, as described in Response TR-6, 24-hour traffic volume counts on Jerrold Avenue east of Rankin Street and east of Toland Street show that traffic volumes on Jerrold Avenue are lower during the hours prior to the 7 a.m. to 9 a.m. peak period of analysis.¹⁸ No significant impacts related to potentially hazardous conditions between proposed project and SF Market truck travel have been identified; however, due to such factors as the differences in peak hours of operations and background traffic described below, the project sponsor has informed the planning department that they have engaged in ongoing coordination with both the SF Market and the Market Zone Working Group regarding traffic flow, roadway safety, streetscape design, building massing, and design and infrastructure needs. As a good neighbor, the project sponsor intends to continue coordination with the SF Market on these and similar topics.

Regarding potential parcel delivery uses, total parcel delivery traffic peaks during the 4 p.m. to 6 p.m. period, and mid-size truck and van traffic peaks approximately during the 7 a.m. to 9 a.m. peak period; larger (tractor-trailer) truck traffic, which represents 3 percent of the total demand, peaks between 3 a.m. and 4 a.m. Approximately 65 percent of trips associated with parcel delivery services such as Amazon or On-Trac occur during the 11-hour period between 7 a.m. and 6 p.m., with only 35 percent occurring during the 13-hour period between 6 p.m. to 7 a.m.¹⁹ The peak periods of activity of other proposed project land uses such as maker and manufacturing, general retail, and café also occur between 7 a.m. and 6 p.m. Wholesale and storage uses could have traffic peaks similar to those of the SF Market.

Analyses of additional peak hours during the SF Market's peak hours of operation of midnight to 8 a.m. were therefore determined to be not needed because both project-generated total traffic and background traffic on streets serving the SF Market would be lower during these hours than during the a.m. and p.m. peak hours of analysis.

Impact TR-1 on pp. 3.B-42 through 3.B-45 of the draft EIR assesses the proposed project's construction-related transportation impacts, which are less than significant. As noted on p. 3.B-1 of the draft EIR, the roadway segment of Jerrold Avenue between the Caltrain tracks and Phelps Street is currently temporarily

¹⁷ SF Market (formerly San Francisco Wholesale Produce Market), Addendum 2 to Mitigated Negative Declaration, Case No. 2009.1153ENV-03, July 21, 2022. The transportation and circulation analysis for the San Francisco Market project addendum was conducted solely for a.m. peak hour conditions.

¹⁸ San Francisco Wholesale Produce Market Retention and Expansion Project Transportation Study, Final Report, Case No. 2009.1153, March 2011, Table 2-1, Jerrold Avenue Vehicular Traffic Characteristics, p. 22 (24-hour traffic counts on Jerrold Avenue, 2010); and SFPUC Biosolids Digester Facilities Project EIR, Case No. 2015-000644ENV, March 2018, Appendix TR-Transportation Supporting Information pp. TR-5 to TR-7 (24-hour traffic counts on Jerrold Avenue, 2016).

¹⁹ Technical Memorandum – 749 Toland Street and 2000 McKinnon Avenue Project – Estimation of Project Travel Demand, December 2021, Appendix B-Data Collection Summaries, pp. A-24 through A-37. See draft EIR Appendix D.2.

closed for construction activities at the SFPUC Southeast Treatment Plant and is an existing condition for SF Market operations. There are no other planned street closures that would affect SF Market operations. Because, as described above, there would be minimal overlap between proposed project construction (between 7 a.m. and 8 p.m.) and SF Market peak hours for operation (between midnight and 8 a.m.), additional analysis beyond what is presented in Impact TR-1 is not required.

Please see Response AQ-4 for more information about the proposed project's construction impacts.

9.D.4 Comment TR-4: Transportation and Circulation – Methodology – Project Vehicle Trip Assignment

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below.

- A-BAAQMD-5

“Potential heavy-duty truck impacts nearby residential and sensitive uses.

It is not clear if Jerrold Avenue as a secondary truck route beyond Phelps Street to Third Street was evaluated as this roadway section is currently closed until 2028. While the DEIR states that truck traffic will be rerouted from Jerrold to Innes, the report does not discuss what will occur when Jerrold re-opens (see p. 3D-16). The Air District recommends that operational inbound/outbound heavy-duty truck traffic along Jerrold from Third Street after 2028 be restricted/eliminated as this area contains residential uses already impacted by emissions from the wastewater treatment facility. We also recommend the City require heavy-duty truck traffic be restricted or eliminated along Oakdale Avenue given the predominance of residential uses along this corridor.” (David Ralston, Bay Area Air Quality Management District, October 16, 2023, [A-BAAQMD-5])

9.D.4.1 Response TR-4

The commenter cites draft EIR p. 3.D-16 and requests clarification regarding the vehicle trip assignment assumptions for Jerrold Avenue to the east of the project site. (This page of the draft EIR includes a figure showing the location of sensitive receptors within 1,000 feet of the proposed project air emission sources, including transportation routes.) The commenter also recommends the city restrict heavy-duty truck traffic on Jerrold Avenue between Third Street and the project site, and along Oakdale Avenue.

Figures 3.B-4 and 3.B-5 on pp. 3.B-30 and 3.B-31 of the draft EIR and the discussion on p. 3.B-29 of the draft EIR present the assignment of project vehicles to the adjacent streets. The project impact analysis was conducted for conditions following the temporary closure of Jerrold Avenue between Phelps and Rankin streets that is necessary for the construction of the SFPUC Southeast Treatment Plant projects, as well as the planned permanent closure of Jerrold Avenue between Rankin and Toland streets by the SF Market

project.²⁰ The overlap between the closure of Jerrold Avenue between Rankin and Phelps streets during construction at the SFPUC Southeast Treatment Plant and San Francisco Gateway project operations would be of minimal duration. San Francisco Gateway project construction is anticipated to be 31 months, conservatively assumed in the EIR to start in 2025/2026 and complete in 2027/2028, and the reopening of Jerrold Avenue between Phelps and Rankin streets is expected in 2028.²¹ If construction of the San Francisco Gateway project begins later, the overlap of SFPUC Southeast Treatment Plant construction and project operations would be reduced. If construction of the proposed project is completed prior to the reopening of Jerrold Avenue between Phelps and Rankin streets, project-generated vehicles would follow the detour routes established for SFPUC Southeast Treatment Plant construction. The detour routes connecting the project site with Third Street include use of Evans Avenue and Toland Street or use of Palou Avenue, Rankin Street, Oakdale Avenue, and Toland Street.²²

Jerrold and Oakdale avenues are the only two east-west streets in the project vicinity that connect the project site with Third Street and with Bayshore Boulevard; all other nearby east-west streets are discontinuous. Evans Avenue, a continuous street that connects Third Street with Cesar Chavez Street, is approximately 0.5 mile to the north. See Figures 3.B-4 and 3.B-5 on pp. 3.B-30 and 3.B-31 of the draft EIR. Restricting and/or eliminating heavy-duty truck traffic from these streets would likely not be feasible, because such restrictions would impede truck access to and from the freeway and from businesses in the Bayview Hunters Point area; may result in out-of-way travel through the area; and could impede accessibility not just for the proposed project but for all businesses in the area that rely on tractor-trailers or other heavy-duty vehicles. Trucks affected by such restrictions would likely route to streets such as Industrial Street, Evans Avenue, Jerrold Avenue west of Toland Street, and other noncontinuous streets farther away, such as Cesar Chavez Street. Vehicle weight restrictions, including on heavy-duty vehicles, are currently in effect on streets in the project vicinity that contain residential uses (e.g., Palou Avenue both east and west of Third Street).²³

Table 3.B-11 on p. 3.B-33 of the draft EIR presents the daily and a.m. and p.m. peak hour vehicle trips by vehicle type and land use. The proposed project would generate 168 new daily trips (84 inbound and 84 outbound trips, or 84 trucks) by tractor-trailers that would be considered heavy-duty vehicles. Most of the tractor-trailer trips (about 60 percent, or 101 trips) would access the project site via Jerrold Avenue west of Toland Street. The proposed project would add about nine daily tractor-trailer trips (five inbound and four outbound trips) on Jerrold Avenue between Rankin and Third streets; seven daily tractor-trailer trips (four inbound and three outbound trips) on Oakdale Avenue between Selby and Third streets; and six daily tractor-trailer trips (three inbound and three outbound trips) on Oakdale Avenue between Bayshore Boulevard and Toland Street.

²⁰ In addition to the permanent closure of Jerrold Avenue between Rankin and Toland streets, the SF Market project also includes improvements to Innes Avenue and construction of an Innes Avenue Extension. These improvements will serve as a replacement to Jerrold Avenue between Rankin and Toland streets for east-west travel in the area. SF Market (formerly San Francisco Wholesale Produce Market), Addendum 2 to Mitigated Negative Declaration. Case No. 2009.1153ENV-03, July 2022, pp. 17 and 18.

²¹ Closure of Jerrold Avenue between Phelps and Rankin streets is part of SFPUC's Southeast Plant Biosolids Digester Facilities project. This project, which includes improvements along Jerrold Avenue between Phelps and Rankin streets is scheduled for completion in 2028. <https://sfpub.org/construction-contracts/construction-projects/biosolids-digesters-facilities>.

²² SFPUC Southeast Treatment Plant Construction, Jerrold Avenue Closure. https://sfpub.org/sites/default/files/documents/SEP_Jerrold_Detour%20Postcard_2020-11-20_v07_PB.PDF.

²³ SFMTA San Francisco Street Restrictions Effective December 2017, https://www.sfmta.com/sites/default/files/pdf_map/2017/12/streetrestrictions.pdf, and San Francisco Transportation Code, Section 501, Vehicle Weight Restrictions, https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_transportation/0-0-0-52499.

With respect to health risk impacts, the section of Jerrold Avenue east of Phelps Street to Third Street was not explicitly evaluated, because it was beyond the 1,000-foot radius of the project site, and health risk impacts would decrease as the distance between the project site's emissions sources and receptors increase. Figures 7 through 13 in Appendix F of the draft EIR, San Francisco Gateway Project Air Quality Supporting Information, illustrate this point. These figures include contour maps that show the cancer risk and annual PM_{2.5} impacts from proposed project operational sources decrease with distance from the proposed project site. Based on these figures, the highest cancer risk and annual PM_{2.5} concentrations at the receptors closest to the intersection of Jerrold Avenue and Phelps Street are three per one million and 0.01 microgram per cubic meter (µg/m³), respectively. Therefore, extrapolating these impacts farther east to Third Street would be equal to or less than these values near Phelps Street. These health risk results are substantially lower than the health risks at the project's maximally exposed individual receptor (MEIR), which is a resident along Oakdale Avenue; as explained on draft EIR p. 3.D-62, these maximum health risk results, without mitigation, are less than significant. Therefore, mitigation such as limiting trucks along certain roadways is not required. Furthermore, heavy-duty tractor-trailer trucks would be only a small percentage (approximately 3 percent) of the overall vehicle trips associated with project operations. The majority of project-related trips would serve parcel and last-mile delivery or wholesale and storage uses. Approximately 5 percent of the total vehicle trips to and from the site for parcel and last-mile delivery are estimated to be tractor-trailer trucks, and approximately 10 percent for wholesale and storage uses.

9.D.5 Comment TR-5: Transportation and Circulation – Methodology – Project Ways of Travel

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below.

- O-BVHPCA-2

“There is no public transportation supporting the area. All of the current bus stops are at least 4 long blocks away from worksites. In order to address air quality concerns, there needs to be a robust plan for bringing public transportation back into the heart of the Produce Market and surrounding area. This plan encourages use of individual vehicles and supports that with the level of parking proposed.” (*Karen Pierce, Bayview Hunters Point Community Advocates, October 16, 2023, [O-BVHPCA-2]*)

9.D.5.1 Response TR-5

The commenter raises concerns regarding the lack of transit service in the area, presumably due to SFMTA's past reroute of the 23 Monterey bus route from Jerrold Avenue; and a concern that the proposed project's parking supply would encourage the use of automobiles. The comment also recommends that to address air quality concerns, restoring public transportation service into the vicinity of the SF Market should be included as part of the proposed project.

The comment regarding limited public transit service in the vicinity of the project site, and the potential for this to result in automobile use becoming the predominant way of travel in the project vicinity, is noted. Although the area is relatively less transit-rich than some other parts of the city, it still meets the criteria for a transit priority area, as described in Response PD-1. The public transit services near the project site are

described on pp. 3.B-9 through 3.B-12 of the draft EIR and shown on Figure 3.B-3 on p. 3.B-10 of the draft EIR. The closest bus routes are the 23 Monterey bus route, approximately 0.15 to 0.20 mile south of the project site; and the 24 Divisadero bus route, approximately 0.20 mile south of the project site. As described on p. 3.B-9 of the draft EIR, the 23 Monterey bus route traveled through the SF Market along Jerrold Avenue and was permanently rerouted to Oakdale Avenue and Industrial Street with the objectives of reducing bus travel time, improving service reliability, and increasing ridership.²⁴ The reroute of the 23 Monterey bus route coincided with the start of the temporary multi-year closure of Jerrold Avenue between Phelps and Rankin streets during construction at the SFPUC Southeast Treatment Plant.

The SF Market project includes closure of Jerrold Avenue between Rankin and Toland streets to non-SF Market traffic; therefore, the 23 Monterey bus route cannot be rerouted back to Jerrold Avenue. However, the SF Market project will also include improvements to Innes Avenue and construction of an Innes Avenue Extension to serve as a replacement to Jerrold Avenue for east-west travel in the area. These SF Market improvements would be constructed in two steps: an interim condition by 2031 and a final condition by 2036.²⁵ The SFMTA is responsible for providing transit service in San Francisco and could consider rerouting the 23 Monterey bus route to the north if sufficient transit demand materializes, using the improved sections of Innes Avenue as an alignment. The proposed project would not preclude new public transportation to the project site area, including a rerouting of the 23 Monterey bus route from Oakdale and Palou avenues to Innes Avenue/Innes Avenue Extension.

As shown in Table 3.B-7 on p. 3.B-26 of the draft EIR, most nonretail trips to and from the project site would be by automobile (about 90 percent). Rather than reflecting the number of proposed onsite vehicle parking spaces, this high automobile use reflects the project site's location in an industrial area of San Francisco; the current discontinuous roadway and sidewalk network; the relatively limited transit service when compared to other locations in San Francisco; and the fact that employees at the existing and proposed mix of industrial and PDR uses at the site and surrounding area travel outside the traditional commuting periods. To reduce the number of single-occupant vehicle trips, the project would implement a transportation demand management plan under the project's development agreement that would meet and exceed the city's requirements for PDR projects. As part of the TDM program requirements in connection with the proposed San Francisco Gateway Project's development agreement, project TDM measures would include bicycle amenities (bicycle parking, showers, and lockers, and repair/maintenance), delivery supportive amenities, and enhanced information displays and signage to provide clear wayfinding and real-time transportation information to connect employees to alternative modes of transportation.

See draft EIR Section 3.D.4, Project Impacts and Mitigation Measures, regarding mitigation measures identified to address project-generated emissions. The transportation demand management program measures identified by the project sponsor above would reduce vehicle trips to and from the project site by standard-fuel-powered vehicles and help reduce project-generated vehicular emissions.

²⁴ SFMTA found that providing service along Jerrold Avenue added five minutes of bus travel time (25 percent of total) through the Bayview area, while serving only 10 percent of the Bayview transit customers. See <https://www.sfpublishworks.org/sites/default/files/Palou%20Avenue%20fact%20sheet.pdf>.

²⁵ SF Market (formerly San Francisco Wholesale Produce Market), Addendum 2 to Mitigated Negative Declaration. Case No. 2009.1153ENV-03, July 2022, p. 17.

9.D.6 Comment TR-6: Transportation and Circulation – Potentially Hazardous Conditions and Accessibility Impacts

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below.

- O-SFMarket-6

“In our response to the project's Notice of Preparation, we wrote: "During the Market's hours of operations, a large number of pedestrians move around the vicinity of our facility, both Market employees arriving and departing from their workplace, and customers arriving and departing from our merchants. These movements take place largely in the hours before sunrise when visibility is low. Please ensure that the EIR adequately studies pedestrian safety and potential pedestrian conflicts with traffic generated by the proposed project." [emphasis added]. On pages 3.B-6-7 of the DEIR, it is noted that sidewalks, crosswalks and other pedestrian safety features are largely lacking in the project area. It is further noted, in reference to table 3.B-2 that: "travel by walking is low during both the a.m. and p.m. peak hours." It is not clear that the DEIR studied or took into account potential conflicts between project-generated vehicle traffic and pedestrians parking in the area and walking to jobs at the SF Market in the hours before a.m. peak. Please clarify that available data shows no significant impact here or alternatively please collect data in the hours when the market is active before a.m. peak hour.” (*Michael Janis, SF Market, October 13, 2023, [O-SFMarket-6]*)

9.D.6.1 Response TR-6

The commenter repeats their comments related to pedestrian conflicts previously provided on the NOP and requests clarification of whether conflicts between project-generated vehicles and people walking to and from the SF Market before the a.m. peak hour were considered in the environmental analysis.

The draft EIR analyzed potentially hazardous conditions and accessibility impacts of the proposed project, and concluded that both project and cumulative impacts related to potentially hazardous conditions and accessibility would be less than significant (refer to Impact TR-2 and Impact TR-3 on pp. 3.B-46 through 3.B-50 of the draft EIR; and Impact C-TR-2 and Impact C-TR-3 on pp. 3.B-60 through 3.B-62 of the draft EIR).

The draft EIR analyzes the impacts of the proposed street network configuration (i.e., location of driveways, sidewalks, crosswalks, and travel lane modifications) and the projected travel demand; this is presented in Impact TR-2 and Impact TR-3. As described on p. 3.B-37 of the draft EIR, Impact TR-2 qualitatively addresses the potential for the project to exacerbate existing or create new potentially hazardous conditions to people walking, bicycling, or driving, or to public transit operations. Impact TR-3 qualitatively addresses the potential for the project to interfere with the accessibility of people walking or bicycling, or to result in inadequate emergency vehicle access. Both impact criteria account for the number, movement type (e.g., left turn or right turn), sightlines, speed of project vehicles, and project changes to the public right-of-way in relation to the presence of people walking, bicycling, or driving.

The a.m. peak hour of analysis is the 60-minute period with the highest traffic volume between the 7 a.m. and 9 a.m. period. Twenty-four-hour traffic volume counts on Jerrold Avenue east of Rankin Street and east

of Toland Street show that traffic volumes on Jerrold Avenue are lower during the hours prior to the 7 a.m. to 9 a.m. peak period of analysis;²⁶ traffic volumes on streets adjacent to the SF Market are anticipated to be similarly lower.²⁷

Project-generated traffic volumes would also be lower during the hours prior to the 7 a.m. to 9 a.m. peak period. As noted in Response TR-3, the peak periods of parcel delivery services, maker and manufacturing, general retail, and café occur between 7 a.m. and 6 p.m., and wholesale and storage uses could have traffic peaks similar to those of the SF Market. The additional project-generated traffic volumes could be accommodated within the existing travel lanes and would not create potentially hazardous conditions for people walking.

As described on p. 3.B-47 of the draft EIR, the street network changes that would be implemented by the proposed project on Toland and Rankin streets and Kirkwood and McKinnon avenues would enhance the environment and reduce conflicts for people walking and bicycling adjacent to the project site. Such enhancements include providing sidewalks where none exist today; designating proper locations for vehicle parking that do not block pedestrian travel or limit sight distances for drivers and people walking; new lighting; new street signs; Americans with Disabilities Act ramps; and painted continental crosswalks at the intersections of Toland Street/Kirkwood Avenue and Toland Street/McKinnon Avenue.

Thus, the proposed project would constitute an enhancement over existing conditions in regard to the infrastructure for people walking adjacent to the project site; no such infrastructure exists today, regardless of the hours when people are walking on the street.

Streets closer to the SF Market currently have sidewalks on one side of the street (e.g., Rankin Street between Jerrold and Kirkwood avenues, Jerrold Avenue east of Rankin Street) or both sides of the street (e.g., Jerrold Avenue west of Toland Street, Toland Street north of Jerrold Avenue, Toland Street between Jerrold and Kirkwood avenues) that could accommodate people walking to and from the SF Market during the early morning hours, without requiring people to walk within the travel lanes. Although the proposed project would increase the number of vehicles on streets in the vicinity of the SF Market (see EIR Table 3.B-10 on p. 3.B-29), the two projects' peak hours would not overlap; and this increase in and of itself would not create potentially hazardous conditions for people walking to and from the SF Market, or substantially worsen an existing hazard.

The cumulative conditions section under Impact C-TR-2 on pp. 3.B-60 and 3.B-61 of the draft EIR describes the street network changes that will be implemented by the SF Market project—such as sidewalks, curbs, and other streetscape features on existing and planned streets—that would also reduce conflicts and enhance accessibility for people walking to and from the SF Market. Although there would be an increase in the number of vehicles on the streets in the study area under cumulative conditions, primarily due to the SF Market project and the proposed project, the existing and planned transportation network changes included as part of both projects would accommodate vehicles and people walking, regardless of the hours

²⁶ San Francisco Wholesale Produce Market Retention and Expansion Project Transportation Study, Final Report, Case No. 2009.1153, March 2011, Table 2-1, Jerrold Avenue Vehicular Traffic Characteristics, p. 22 (24-hour traffic counts on Jerrold Avenue, 2010); and SFPUC Biosolids Digester Facilities Project EIR, Case No. 2015-000644ENV, March 2018, Appendix TR-Transportation Supporting Information pp. TR-5 to TR-7 (24-hour traffic counts on Jerrold Avenue, 2016).

²⁷ As presented on p. 3.B-1 of the draft EIR, traffic volumes during the a.m. peak hour from counts conducted in 2018 and 2021 at intersections near the SF Market and the proposed project were compared to determine whether there were substantial changes from 2018 conditions. Overall, a.m. peak-hour vehicle traffic volumes close to the project site and the SF Market in 2021 were generally lower than those observed in 2018.

when people are walking on the street. As noted above, cumulative impacts related to potentially hazardous conditions and accessibility would be less than significant.

No additional data collection or analysis is required to address project or cumulative impacts related to potentially hazardous conditions or accessibility for people walking to and from the SF Market.

9.D.7 Comment TR-7: Transportation and Circulation – Cumulative Impacts

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below.

- O-GA-BVHPMF-13

“The DEIR also fails to analyze cumulative impacts adequately and accurately regarding transportation and circulation. The same geographic scope as applied to noise and vibration impacts is applied here; relevant projects considered are within ¼ mile of the proposed project.⁴⁶ However, there is no justification or explanation for limiting the scope. The range set for these projects needs to be expanded to ensure accurate and adequate cumulative impacts and community considerations.

A project of this size will result in more cars on the road as no bus routes are operating to the location of the site.⁴⁷ Workers are likely to use their own vehicles to drive to the location because of this lack of transportation, which will inevitably result in more vehicular emissions. Furthermore, with tenants engaging in PDR, there will be trucks traveling to and from the site that will be operating beyond ¼ mile. The proposed project would generate a net new increase of 330 inbound and 101 outbound vehicle trips during the weekday a.m. peak hour (431 vehicle trips total), and 246 inbound and 325 outbound vehicle trips during the weekday p.m. peak hour (571 vehicle trips total).⁴⁸ These potential cumulative effects must be analyzed. To do so accurately and adequately, cumulative impacts must include past, present, and future projects beyond 1,000 feet from the proposed project site for the cumulative impact analysis to be adequate and accurate.”

⁴⁶ DEIR at 3.B-59.

⁴⁷ See generally 3.B-24-27.

⁴⁸ DEIR at 3.B-51.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-13])

9.D.7.1 Response TR-7

The commenter raises concerns that the cumulative impact analysis is not adequate and accurate because cumulative projects considered in the cumulative analysis were limited to projects within an approximately 0.25-mile or an approximately 1,000-foot radius of the project site.

The draft EIR analyzed potentially significant cumulative transportation and circulation impacts; it concluded that cumulative transportation and circulation impacts would be less than significant (refer to Impacts C-TR-1 through C-TR-6 on pp. 3.B-59 through 3.B-64 of the draft EIR).

The approach to the cumulative analysis for the proposed project is presented in Section 3.A.6, Overview of Existing and Cumulative Environmental Setting. As described on pp. 3.A-16 and 3.A-17 of the draft EIR, projects within 0.25-mile of the project site are most likely to be considered in the cumulative analysis, but additional projects may also be considered based on the cumulative analysis context for the environmental topic being analyzed. Each cumulative impact discussion describes the appropriate cumulative context for analysis. Accordingly, the draft EIR does not strictly consider only projects within 0.25-mile of the project site. In fact, Figure 3.A-4 on p. 3.A-18 of the draft EIR shows additional cumulative projects that were considered and are beyond 0.25 mile from the project site. As described in more detail on p. 3.B-42 of the draft EIR, the transportation and circulation analysis assumes two cumulative development projects (i.e., the 2270 McKinnon Avenue and the SF Market projects), the SFPUC infrastructure projects at the Southeast Treatment Plant, and two transportation network projects (i.e., the Quint-Jerrold Connector Road project and nearby projects within the Bayview Community-Based Transportation Plan). In addition to these specific projects, the cumulative transportation and circulation analysis assumes cumulative citywide growth through 2050, consistent with the San Francisco Housing 2022 Element Update. The commenter does not identify any specific cumulative projects beyond the 0.25-mile radius of the project site that could potentially contribute to a cumulative impact in combination with the proposed project or alter the cumulative transportation and circulation significance conclusions in the draft EIR.

In accordance with the SF transportation guidelines, the vehicle traffic generated by the proposed project and trips generated by other cumulative development projects were considered, as applicable, for the cumulative impact assessment in the transportation study area presented on Figure 3.B-1 (p. 3.B.2) of the draft EIR and summarized below.

The existing transportation setting is described on pp. 3.B-1 through 3.B-15 of the draft EIR; the actions and projects that have formed the existing conditions in the vicinity of the project site have been considered as part of the project's cumulative impact assessment. Cumulative construction-related transportation impacts (Impact C-TR-1)—and operational impacts related to potentially hazardous conditions (Impact C-TR-2), accessibility (Impact C-TR-3) and loading (Impact C-TR-6)—are localized close to the project site (e.g., the SF Market project, the 2270 McKinnon Avenue project, the Quint-Jerrold Connector project) and would not be affected by cumulative projects beyond the 0.25-mile radius of the project site. The cumulative transit delay impact analysis (Impact C-TR-4) assessed the cumulative effect of project-generated vehicles, along with traffic generated by the two cumulative development projects on transit routes in the transportation study area. The cumulative vehicle miles traveled (VMT) analysis (Impact C-TR-5) relies on the San Francisco County Transportation Authority's citywide travel forecasting model, which encompasses many reasonably foreseeable projects anticipated in and surrounding the project site, as well as elsewhere in San Francisco, and takes into account regional growth. No further cumulative transportation and circulation impact analysis is required.

Also see Response TR-5 regarding transit service to the vicinity of the project site.

9.E Noise and Vibration

The comment and corresponding response in this section cover topics in draft EIR Chapter 3C, Noise and Vibration. These include topics related to:

- NO-1: Noise and Vibration – Cumulative Impacts

9.E.1 Comment NO-1: Noise and Vibration – Cumulative Impacts

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below this list:

- O-GA-BVHPMF-12

“Noise and Vibration

The evaluation of noise and vibration impacts on the area surrounding the proposed project is insufficient, as the geographic scope for these impacts encompasses projects only within 1/4 of a mile of the proposed project.⁴³ The DEIR states that beyond this scope, the cumulative projects would be “attenuated through both distance and intervening structures, and their contributions would be minimal.”⁴⁴ Under CEQA guidelines, “an EIR shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable.”⁴⁵ Even if the project’s impact is minimal, there is still a possibility that, combined with other impacts in the surrounding area, it could be significant. The location proposed for this project is in an area that houses all other PDR uses in the city. It is extremely likely that any impact from the proposed project will cumulatively be a significant impact. Consequently, any potential impact requires proper and accurate analysis. It is crucial to analyze all cumulative impacts, including those that are considered “minimal.” Only considering projects within 1/4 of a mile of the proposed project ignores relevant data that needs to be considered for the cumulative analysis to be adequate and accurate.”

⁴³ DEIR at 3.C-48.

⁴⁴ *Id.*

⁴⁵ Cal. Code Regs., tit. 14 § 15130.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-12])

9.E.1.1 Response NO-1

The commenter expresses concern regarding the adequacy of the geographic scope of the cumulative noise and vibration impact analysis but does not identify further specifics (e.g., the cumulative construction analysis, cumulative vibration analysis, cumulative operational noise analysis, or specific noise sources that should have been included).

As described on EIR p. 3.C-48 and correctly noted by the commenter, the geographic scope of analysis for cumulative noise and vibration impacts encompasses projects within 0.25 mile of the project area. The EIR further identifies that noise contributions from projects beyond this distance would be attenuated through

distance and intervening structures, and noise contributions would be minimal. The commenter does not provide substantial evidence that the cumulative impact analysis is inadequate, nor does the commenter provide additional data or information that would alter the conclusions reached in the impact analysis. The following paragraphs summarize the San Francisco Gateway project's cumulative construction and operational noise and vibration impact analysis findings.

Cumulative noise and vibration impacts, related to both construction and operations, are analyzed in the draft EIR in Section 3.C.5, Cumulative Impacts. The EIR determined that cumulative effects from construction noise, construction vibration, operational noise, and operational vibration at receiving/sensitive land uses would be less than significant.

In terms of construction noise, as described under Impact NO-1 and in Table 3.C-8, project construction noise was predicted to reach up to 65 dBA at the nearest noise-sensitive land uses (p. 3.C-28), resulting in a temporary increase above existing noise levels of 1 decibel. As described in Impact C-NO-1, the cumulative construction noise impact of the proposed project would be less than significant. For this project to have a cumulative impact (i.e., generate a prolonged noise level increase of 10 dBA at a noise-sensitive land use), the noise level from cumulative project construction activities would need to be more than twice as loud as the project's contribution (79 dBA). As discussed in Impact C-NO-1, individual pieces of construction equipment from all cumulative projects are required to comply with the noise limits in sections 2907 and 2908 of the noise ordinance, thereby reducing the potential for cumulative construction noise impacts to occur. Even in the event that cumulative construction noise impacts are significant, the project's contribution, an increase of 1 decibel at noise sensitive receptors, would not be perceptible to the human ear (generally, a 3-decibel increase is perceptible) and would not be cumulatively considerable. Cumulative construction noise impacts from the proposed project would continue to be less than significant.

In terms of operational noise from fixed sources, all cumulative projects would be required to comply with section 2909 of the noise ordinance, which limits noise levels at the property plane for each cumulative project, using stringent sound level limits. As described under Impact NO-3 and in Table 3.C-19, project-generated noise levels at noise-sensitive land uses are estimated to only reach 37 dBA (with mitigation). Given the project's estimated fixed-source noise levels, the requirement to comply with limits in the noise ordinance, and the proposed project structures' substantial shielding of future SF Market project fixed-source noise from propagating southward toward noise-sensitive receptors, the EIR finds cumulative operational noise from fixed sources to be less than significant.

In terms of operational noise from onsite and offsite transportation activities, as discussed on draft EIR p. 3.C-49, the project's traffic would increase ambient noise levels by up to 1 dBA at some noise-sensitive land uses and up to 2 dBA at some non-noise-sensitive land uses (also see Table 3.C-15). For this project to have a cumulative impact (i.e., generate a traffic noise level increase of 3 dBA at a noise-sensitive land use), other cumulative projects would need to introduce a minimum of five times the volume of vehicles traveling along the same studied roadways. As described on draft EIR p. 3.C-49, other nearby cumulative projects, except the SF Market, are not projects that would inherently increase traffic volumes on local roadways to a magnitude that would be similar to the proposed project, because these proposed uses are not of a type that require regular car and truck vehicle trips to support their operations. The proposed project would generate two to three times the amount of traffic as the SF Market; therefore, cumulative projects would not produce five times the volume of the proposed project's vehicles that would be required to result in an increased

noise level of 3 dBA (which would be barely perceptible to the human ear). Therefore, cumulative traffic noise impacts would be less than significant.

As explained on draft EIR p. 3.C-48, operational vibration is typically considered a potential concern for projects featuring major vibratory noise sources, such as above and/or below-grade rail transportation. The proposed project and cumulative projects would not involve any such activities, and therefore cumulative operational vibration impacts would not be significant. In terms of cumulative construction vibration, vibration impacts related to potential damage at adjacent buildings are based on instantaneous maximum peak particle velocity (PPV) generated by individual pieces of equipment, rather than a sum of equipment at farther distances. In sum, vibration effects are highly localized. Therefore, as described in Impact C-NO-2, cumulative construction vibration impacts of the proposed project would be less than significant.

For the reasons listed above, the cumulative impact analysis in Section 3.C, Noise and Vibration, in the draft EIR is consistent with the requirements of the state CEQA Guidelines sections 15130 and 15355, and no additional analysis or change to the EIR conclusions regarding this topic is required.

9.F Air Quality

The comments and corresponding responses in this section cover topics in draft EIR Chapter 3D, Air Quality. These include topics related to:

- AQ-1: Air Quality – Existing Setting (Air Pollutant Exposure Zone)
- AQ-2: Air Quality – Regulatory Setting
- AQ-3: Air Quality – Approach to Analysis
- AQ-4: Air Quality – Construction Impacts
- AQ-5: Air Quality – Operational Impacts (Emissions)
- AQ-6: Air Quality – Construction and Operational Impacts (Health Risks)
- AQ-7: Air Quality – Cumulative Impacts
- AQ-8: Air Quality – Mitigation Measures (Operational Emissions Management Plan)
- AQ-9: Air Quality – Mitigation Measures (Enforceability/Feasibility)
- AQ-10: Air Quality – Mitigation Measures (Offsite Mitigation)
- AQ-11: Air Quality – Mitigation Measures (Zero Emissions/Clean Fuel as a Mitigation Measure)
- AQ-12: Air Quality – Mitigation Measures (Buffer from Sensitive Receptors)

9.F.1 Comment AQ-1: Air Quality – Existing Setting (Air Pollutant Exposure Zone)

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-1000GMFG-6
- O-GA-BVHPMF-16
- I-Ealom-1_1
- I-Ealom-2_15
- I-Rosenfeld-4

“Additionally, the draft EIR fails to consider existing and surrounding polluting businesses, and freeway traffic, in this air pollution zone and the cumulative impacts beyond the adjacent 1/4 mile considered.”
(Rosemary Jarrett, *1000 Grandmothers for Future Generations*, October 13, 2023, [O-1000GMFG-6])

“Furthermore, the proposed site is an area with poor air quality and a higher air pollution exposure zone (“APEZ”).⁵³ An APEZ community experiences an excess cancer risk greater than 100 per 1 million population from the contribution of emissions from all modeled sources.⁵⁴ Additionally, based on the air district’s evaluation of health vulnerability in the Bay Area, the project site is located within the worst quintile.⁵⁵ The DEIR explains that “within 1,000 feet of the project site, the existing modeled cancer risk ranges from 150 to 404 per 1 million.”⁵⁶ This is as far as the DEIR goes. There are no measures in place aimed at reducing the increased levels of adverse health impacts on the residents of Bayview Hunters Point, which the City and State have already found to be disproportionately overburdened. Thus, the cumulative impact analysis and mitigation measures are inadequate under CEQA.”

⁵³ DEIR at 3.D-13.

⁵⁴ Id.

⁵⁵ DEIR at 3.D-14.

⁵⁶ Id.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-16])

“EIR fails to adequately and accurately explain that the project site resides in an air pollution exposure zone.” *(Kamillah Ealom, Individual, August 28, 2023, [I-Ealom-1_1])*

“The environmental review needs to include existing surrounding polluters. And lastly, the environmental review fails to adequately and accurately explain that the project sites sits in an air pollution exposure zone.” *(Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_15])*

“Air quality data accumulated by air monitors throughout BVHP need to be considered in the report.” *(Judy Rosenfeld, Individual, October 5, 2023, [I-Rosenfeld-4])*

9.F.1.1 Response AQ-1

One commenter alleges that the air quality analysis does not consider existing pollution sources and asserts that cumulative impacts should be considered beyond the adjacent 0.25 mile. Another commenter states that there are no measures that address increased adverse health impacts for Bayview Hunters Point residents, and the project’s cumulative impact analysis and mitigation measures are therefore inadequate under CEQA. Various commenters allege that the environmental review does not explain that the project site is in the air pollutant exposure zone (APEZ). Another commenter states that air quality data collected by air monitors in the area need to be considered in the EIR.

Comments related to the cumulative air quality analysis are addressed in Responses ES-3, AQ-3, and AQ-7.

This response addresses the remaining comments and is organized as follows:

- Existing Air Quality Conditions
- Air Pollutant Exposure Zone
- Air Quality Monitoring Data
- Conclusion

Existing Air Quality Conditions

Section 3.A.5 of the draft EIR provides information to illustrate some of the environmental and health burdens that residents of the Bayview Hunters Point neighborhood experience. The commenter restates some of the facts provided in Section 3.A.5 of the draft EIR (see comment letter O-GA-BVHPMF-9, provided above in Section 9.C, Comment ES-1). The draft EIR also describes and acknowledges the existing conditions of the

Bayview Hunters Point neighborhood as being “one of the most environmentally burdened areas²⁸ in San Francisco” in Section 3.A.5, Historic and Existing Context of San Francisco’s Bayview Hunters Point Neighborhood (p. 3.A-6); and Section 3.D-2, Air Quality (p. 3D-2). Additionally, Section 3.D-2 of the draft EIR (pp. 3.D-12 and 3.D-13) describes the San Francisco Citywide Health Risk Assessment (HRA) efforts in which the city partnered with the air district to inventory and assess air pollution and exposure from all known mobile, stationary, and area sources throughout San Francisco, not just existing emissions sources within 1,000 feet of the project site. As acknowledged by certain commenters, the draft EIR explains that “within 1,000 feet of the project site, the existing modeled cancer risk ranges from 150 to 404 per 1 million” (p. 3.D-14 of the draft EIR), specifically identifying the existing modeled cancer risk in proximity of the project site. The draft EIR also provides a discussion of the major air pollution sources in the project vicinity that were considered in the Citywide HRA (p. 3.D-14 and 3.D-15). Furthermore, as detailed in the draft EIR (pp. 3.D-71 through 3.D-73), significant cumulative health risk currently exists and would continue to exist under cumulative conditions, even without the proposed project. Also see Responses ES-1 and AQ-3.

With regard to the commenters’ concern that there are no “measures in place aimed at reducing the increased levels of adverse health impacts on the residents of Bayview Hunters Point,” CEQA is not intended to remedy the past actions or mitigate or improve on existing baseline conditions. CEQA requires the identification of significant physical environmental impacts, as they relate to the proposed project, and requires avoidance or mitigation of those impacts, where feasible. CEQA is focused on avoiding or mitigating impacts *compared to* those existing conditions (also known as the “baseline”).

Other regulatory, policy, and community initiatives are designed to remedy or improve preexisting environmental conditions. As discussed on p. 3A-15 of the draft EIR, the air board established the Community Air Protection Program in response to AB 617 (C. Garcia, Chapter 136, Statutes of 2017) to reduce exposure in communities most impacted by air pollution. The air district established its Community Health Protection Program to implement AB 617 and, recognizing the disproportionate environmental pollution burdens that exist in the Bayview Hunters Point neighborhood, partnered with the Marie Harrison Community Foundation and the Bayview Hunters Point Community Advocates to develop a Community Emissions Reduction Plan.²⁹ This plan, which is currently in progress, is a direct response to the existing disproportionate air quality burden in the project region; it will identify specific actions to reduce air pollution and related health risks in the Bayview Hunters Point neighborhood.

Moreover, as explained in the draft EIR on p. 3.D-67, Project Health Risks in Years 2035 and 2050, the city evaluated future health risks as part of the San Francisco Housing Element 2022 Update EIR.³⁰ This analysis shows that, as a result of vehicle technological improvements, more stringent regulations, and the retirement of older vehicles, health risk impacts at the project site will decrease substantially by 2035; the estimated cancer risk for future baseline years is more than 60 percent lower than 2020 existing conditions, and the project site would no longer meet the excess cancer risk criterion for inclusion in the APEZ. Total PM_{2.5} concentrations are also projected to be reduced, although by a smaller percentage (less than 10 percent). The project’s contributions to these risks are conservatively assumed to be constant, rather than

²⁸ Environmental burden is defined as a measurement of cumulative environmental and socioeconomic vulnerability. For more information, see <https://sfplanning.org/project/environmental-justice-framework-and-general-plan-policies#ej-communities>.

²⁹ Bay Area Air Quality Management District, Bayview Hunters Point/Southeast San Francisco Community Emissions Reduction Plan, 2023, <https://www.baaqmd.gov/community-health/community-health-protection-program/bayview-hunters-point-community-emissions-reduction-plan>.

³⁰ San Francisco Planning Department. Housing Element 2022 Update Environmental Impact Report, Chapter 4.6. November 2022, https://sfplanning.org/environmental-review-documents?title=Housing+Element&field_environmental_review_categ_target_id=All&items_per_page=10.

decreasing over time; even with this assumption, the project would not have a cumulatively considerable contribution to a health risk impact.

Air Pollutant Exposure Zone (APEZ)

Comments state that the draft EIR does not adequately or accurately describe that project site as being within the APEZ, but do not identify the specific shortcomings of the draft EIR description. The following discussion restates and summarizes information provided in the draft EIR regarding the APEZ and the project's site location within its boundary, and also adds a new figure to help explain how the project site is located within the APEZ.

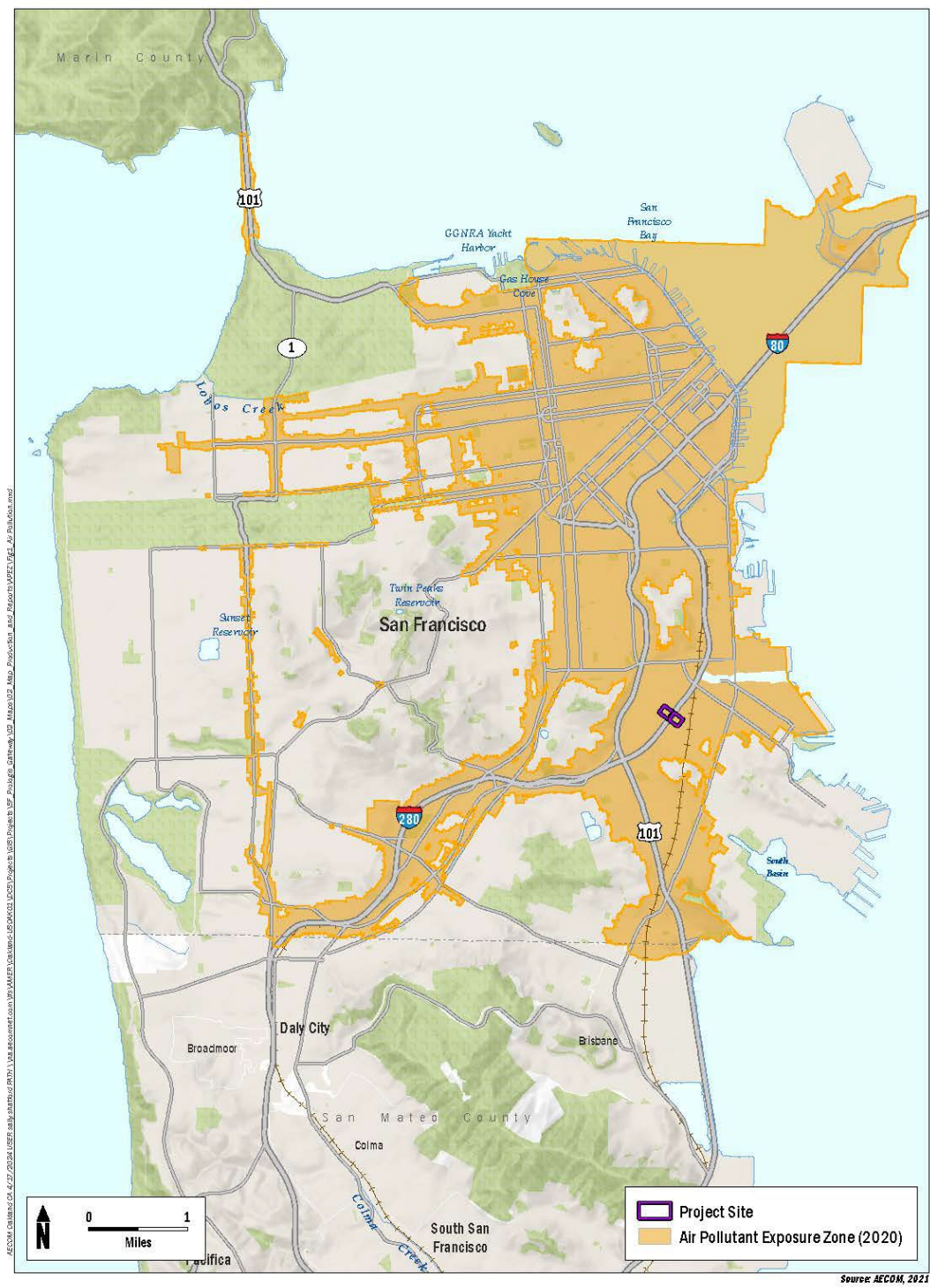
Areas that have greater concentrations of air pollutants and/or are close to freeways, identified by the city as part of a comprehensive public health planning process set forth in Article 38 of the San Francisco Health Code, are referred to as the APEZ. The project site and surrounding area is in the APEZ, as detailed on p. 3.D-13 through 3.D-15 of the draft EIR. Beginning on p. 3.D-12 of Chapter 3 (Air Quality), Section 3.D.1 (Environmental Setting) of the draft EIR describes the APEZ along with the health criteria that were used to establish the APEZ. In certain health-vulnerable areas of the city, including zip code 94124 where the project site is located, the criteria for defining the APEZ is 10 percent more health protective (i.e. excess cancer risk of 90 per 1 million). The city defined the boundaries of the APEZ by comprehensive dispersion modeling that quantified air pollution exposure from known mobile, stationary, and area sources in San Francisco. The emissions and modeling analyses were developed for a baseline year of 2020. Additional details, including inputs, model options, and assumptions, are presented in the 2020 San Francisco Citywide Health Risk Assessment: Technical Support Documentation (2020 Citywide HRA).³¹ This comprehensive modeling provides the baseline for existing health risk information cited in the draft EIR. As discussed in Section 10.H (p. 10-14) of the final EIR, article 38 of the City and County of San Francisco Health Code was updated to implement revised air pollutant exposure zone criteria, beginning on January 1, 2025, to align with an updated 2024 United States Environmental Protection Agency (EPA) PM_{2.5} standard of 9 µg/m³. To reflect these revisions, text of the draft EIR was revised (see Section 10.H, p. 10-14 of the final EIR); because the project is in a health vulnerable zip code that was already evaluated for PM_{2.5} health risk, based on the more stringent standard of 9 µg/m³, these revisions do not affect the evaluation of impacts presented in the draft EIR and associated technical appendices.

As discussed on pages 3.D-14 and 3.D-15 of the draft EIR, the inclusion of the project site in the APEZ is primarily due to the high-volume roadway sources traveling along I-280 and U.S. 101, but also accounts for nearby stationary and area sources. As discussed in the 2020 Citywide HRA, 1,492 individual sources at 822 unique facilities (including large industrial facilities) that release PM_{2.5} or TACs are included in the existing stationary source database used to define the extent of the APEZ.

To depict the extent of the APEZ in relation to the project site and vicinity, NEW Figure 3.D-0 has been added to the EIR following p. 3.D-14.

³¹ San Francisco Department of Public Health, San Francisco Planning Department, and Ramboll, San Francisco Citywide Health Risk Assessment: Technical Support Documentation, September 2020.

NEW Figure 3.D-0 Project Site Location within Air Pollutant Exposure Zone



As discussed in the draft EIR, beginning on p. 3.D-30, for receptor locations that meet the APEZ criteria, the thresholds of significance for new emissions sources are more restrictive than the thresholds of significance for new emissions sources at receptor locations that do not meet the APEZ criteria. A project would have a significant health risk impact if it results in an additional excess cancer risk of 7 per 1 million population above baseline conditions (compared with a threshold of 10 per 1 million above baseline conditions for locations that do not meet the APEZ criteria), or PM_{2.5} concentrations greater than 0.2 µg/m³ (compared with a threshold of 0.3 µg/m³ for locations that do not meet the APEZ criteria; refer to Table 3.D-6 of the draft EIR). As described on p. 3.D-30 of the draft EIR, these thresholds have been specifically established for the purpose of determining whether health risks associated with a project would make a *considerable contribution* to existing significant health risks at receptors. See also Response AQ-3 with regard to the approach to analysis and significance criteria in consideration of the existing air quality conditions.

Air Quality Monitoring Data

One commenter states that air quality data from monitors throughout Bayview Hunters Point need to be considered in the air quality analysis. The air board maintains a database of EPA-approved ambient air quality monitors across the state of California. The only EPA-approved ambient air quality monitor within the San Francisco city limits is at 16th and Arkansas streets, which is maintained and operated by the air district. Table 3.D-1 of the draft EIR presents a summary of the air quality monitoring data from 2017 through 2021 at the 16th and Arkansas streets site (referred to herein as the “Arkansas Street monitor”). The Arkansas Street monitor is approximately 6,000 feet north of the project site and is also in the APEZ. As with other air district-operated ambient air quality monitors, the Arkansas Street monitor produces reliable, quality-controlled data using approved methods and operations based on EPA monitoring requirements.³²

In the draft 2022 Air Monitoring Data report: Review of Air Monitoring Data for Bayview Hunters Point, the air district acknowledges that “due to the proximity and mix of sources located near and within Bayview Hunters Point, there are likely locations that at times experience higher concentrations than those measured at the San Francisco monitoring site [i.e., the Arkansas Street monitor].” The Bayview Hunters Point Environmental Justice Response Task Force, along with its partners, has established a network of community air monitors throughout the Bayview Hunters Point neighborhood, referred to as Identifying Violations Affecting Neighborhoods (IVAN). According to the IVAN air monitoring network website,³³ the instruments used have undergone validity checks, but the data are not verified or validated and therefore do not undergo the same level of quality control as an air district-operated monitor and are geared toward providing near-real-time information. Other disclaimers from the IVAN website note that the data do not come from regulatory monitors and cannot be used to infer violations of the law, and data on this website should be considered preliminary and used with discretion.

Furthermore, the data provided by the IVAN air monitoring network are instantaneous measurements of PM_{2.5} concentrations. This is in contrast to the annual average concentrations computed from the monitors operated by the air district, which collect data on an hourly basis and must meet minimum data collection requirements. On any given day, multiple IVAN monitors may be unavailable, and data capture may be low and inconsistent. Because a long-term archive of similar PM_{2.5} measurements from the Bayview Hunters Point monitors and the Arkansas Street monitor are not available to compare, it is not possible to assess how

³² EPA, Air Monitoring Methods, <https://www.epa.gov/amtic/air-monitoring-methods>.

³³ IVAN Air Monitoring, https://www.baaqmd.gov/-/media/files/ab617-community-health/bayview-hunters-point/documents/bvhp_monitoring_overview_force_20220818-pdf.pdf?rev=e291d02f7e4c42618d7361bf2b0ebfd1&sc_lang=en.

much the concentrations at the Bayview Hunters Point sites vary relative to the Arkansas Street monitor. Additionally, for the reasons discussed above, annual average concentrations from the IVAN monitoring data would not be of sufficient quality to incorporate into the draft EIR's existing conditions analysis or the 2020 Citywide HRA.³⁴

The 2020 Citywide HRA incorporated monitored PM_{2.5} concentrations, as described in more detail here. The 2020 Citywide HRA existing conditions included both local PM_{2.5} contributions based on dispersion modeling of permitted sources, vehicle exhaust, marine engines, and locomotives calculated at locations every 20 meters across the entire city; and a background PM_{2.5} concentration that was derived from measurements collected from ambient monitors in the city. As described in the 2020 Citywide HRA, the average difference between the air district's Arkansas Street monitor (2014 through 2016), along with five other monitors, were used to derive a representative annual background PM_{2.5} concentration. This value (7.8 µg/m³) was then added to the modeled concentration at every receptor in the 2020 Citywide HRA database. Refer to Section 5, Results and Findings, of the 2020 Citywide HRA for additional details on the background PM_{2.5} concentration.³⁵

Conclusion

The draft EIR comprehensively described the existing air quality setting. The draft EIR acknowledged the fact that the project site is in what is defined as the APEZ, a portion of the city that have greater concentrations of air pollutants and/or are close to freeways, and explained how this existing environmental setting and appropriate air monitoring data were used to inform the approach to analysis and determination of significance of potential air quality impacts, in accordance with local, regional, and state guidelines. Furthermore, the analysis considered existing emissions sources in the project vicinity. The draft EIR presentation and use of the existing environmental setting as it pertains to air quality is consistent with the requirements of the state CEQA guidelines section 15125, and no additional analysis or change to the EIR conclusions regarding this topic are required.

9.F.2 Comment AQ-2: Air Quality – Regulatory Setting

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-CARB-3
- A-CARB-5
- O-ATBV-6
- O-ATBV-7
- O-GA-BVHPMF-17
- I-Ealom-2_14

³⁴ Bay Area Air Quality Management District. 2022. Draft Air Monitoring Data: Review of Air Monitoring Data for Bayview Hunters Point, https://www.baaqmd.gov/~media/files/ab617-community-health/bayview-hunters-point/documents/bvhp_monitoring_overview_force_20220818-pdf.pdf?rev=e291d02f7e4c42618d7361bf2b0ebfd1&sc_lang=en, accessed April 10, 2024.

³⁵ San Francisco Department of Public Health, San Francisco Planning Department, and Ramboll, *San Francisco Citywide Health Risk Assessment: Technical Support Documentation*, September 2020.

“Industrial facilities, like the facilities described in the Project, can result in high volumes of heavy-duty diesel truck traffic, and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.² To better address regional air pollution and global climate change, Governor Gavin Newsom signed Executive Order N-79-20 on September 23, 2020. The Executive Order states: “It shall be a goal of the State that 100% of in-state sales of new passenger cars and trucks will be zero-emission by 2035. It shall be a further goal of the State that 100% of medium and heavy-duty vehicles in the State be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks. It shall be further a goal of the State to transition to 100% zero-emission off-road vehicles and equipment by 2035 where feasible.” The Executive Order further directs the development of regulations to help meet these goals. CARB also has regulations that require increasing use of zero-emission trucks, such as the Advanced Clean Trucks Regulation and Advanced Clean Fleets Regulation, which are describe in greater detail below. To ensure that lead agencies, like the Project, stay in step with evolving scientific knowledge to protect public health from adverse air quality and greenhouse gas impacts from the transportation sector, which serves as the basis of the Governor’s Executive Order N-79-20, CARB staff urges the City to plan for the use of zero-emission technologies within the Project area as recommended in this letter.”

² With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB’s guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB’s expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

(Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-3])

“The following three pieces of legislation need to be seriously considered when developing a project like this near a disadvantaged community:

Senate Bill 535 (De León, 2012); Disadvantaged Communities

Senate Bill 535 (De León, Chapter 830, 2012)³ recognizes the potential vulnerability of low-income and disadvantaged communities to poor air quality and requires funds to be spent to benefit disadvantaged communities. The California Environmental Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)).

In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25% of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 4.0 (CalEnviroScreen).⁴ The Project is located within the boundary of the BVHP Community which has a CalEnviroScreen 4.0 overall score of 94% and a diesel particulate matter score of 99%.⁵ The BVHP Community is located in census tracts within a maximum score in the top 10%, indicating that the area is home to some of the most vulnerable neighborhoods in the State. The air pollution levels in this community routinely exceed state and federal air quality standards.

The City must ensure the implementation of all feasible mitigation, including utilization of zero emission technologies, to limit the Project’s air quality and public health impact disadvantaged communities.

Senate Bill 1000 (Leyva, 2016); Environmental Justice Element for Land Use Planning

Senate Bill (SB) 1000 (Leyva, Chapter 587, Statutes of 2016)⁶ amended California’s Planning and Zoning Law. SB 1000 requires local governments that have identified disadvantaged communities to incorporate the addition of an environmental justice element into their general plans upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018. SB 1000 requires environmental justice elements to identify objectives and policies to reduce unique or compounded health risks in disadvantaged communities. Generally, environmental justice elements will include policies to reduce the community’s exposure to pollution through air quality improvement. SB 1000 affirms the need to integrate environmental justice principles into the planning process to prioritize improvements and programs that address the needs of disadvantaged communities, like BVHP.

Assembly Bill 617 (Garcia, 2017); Community Air Protection

The State of California has emphasized protecting local communities from the harmful effects of cumulative air pollution through the passage of Assembly Bill (AB) 617 (Garcia, Chapter 136, Statutes of 2017).⁷ To translate AB 617 into action, CARB established the Community Air Protection Program (Program). The Program is administered by CARB’s Office of Community Air Protection (OCAP) and implemented by CARB and air districts. The Program works with communities affected by a high cumulative exposure burden to develop actions to reduce air pollution exposure and emissions of toxic air contaminants and criteria air pollutants.⁸

As part of its role in implementing AB 617, CARB must annually consider the selection of communities for development and implementation of community air monitoring plans and/or community emission reduction programs. In February 2023, the Bayview-Hunters Point/Southeast San Francisco Community was supported by the Bay Area Air Quality Management District (BAAQMD) and selected by CARB to develop a community emissions reduction program (CERP).⁹ OCAP supports the BVHP Community that has expressed significant opposition to the Project. CARB is concerned the operation of the proposed Project would increase the levels of diesel PM emissions in the BVHP area and add to the cumulative high exposure burden already faced by this community.”

³ Senate Bill 535, De León, K., Chapter 800, Statutes of 2012, modified the California Health and Safety Code, adding § 39711, § 39713, § 39715, § 39721, and § 39723.

⁴ “CalEnviroScreen 4.0.” Oehha.ca.gov, California Office of Environmental Health Hazard Assessment, June 2018, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

⁵ Data retrieved from the CARB Fifth Annual Community Air Protection Program Recommendations Staff Report, January 2023. Accessed here: <https://ww2.arb.ca.gov/sites/default/files/2023-01/23%2001%2019%20Fifth%20Annual%20CAPP%20RECs%20Staff%20Report.pdf>

⁶ Senate Bill 1000, Leyva, S., Chapter 587, Statutes of 2016, amended the California Health and Safety Code, § 65302.

⁷ Assembly Bill 617, Garcia, C., Chapter 136, Statutes of 2017, modified the California Health and Safety Code, amending § 40920.6, § 42400, and § 42402, and adding § 39607.1, § 40920.8, § 42411, § 42705.5, and § 44391.2.

⁸ CARB, 2018. Community Air Protection Blueprint. Available at https://ww2.arb.ca.gov/sites/default/files/2020-03/final_community_air_protection_blueprint_october_2018_acc.pdf

⁹ CARB, 2023. AB 617 Community Air Protection Program Fifth Annual Community Recommendations. Available at https://ww2.arb.ca.gov/sites/default/files/2023-02/2023%2001%20ComRec%20Fact%20Sheet_ENG%20Final.pdf

(Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-5])

“EIR lacks adequate and accurate explanation regarding how all trucks will be electrified by 2050.” (Kamillah Ealom, *All Things Bayview*, August 28, 2023, [O-ATBV-6])

“EIR lacks adequate and accurate explanation of electrification impacts.” (*Kamillah Ealom, All Things Bayview, August 28, 2023, [O-ATBV-7]*)

“Not only is the analysis for cumulative impacts on air quality deficient due to the narrow geographic scope applied, but it is also inadequate due to it being based on a faulty assumption. It assumes that air emissions, along with surrounding cumulative emissions, will be less significant because all trucks are expected to be electrified by 2050.⁵⁷ While California is attempting to achieve this, whether it can do so depends on whether it will be feasible. Since the regulation is based on whether there will be enough market availability for electric vehicles, if there is not enough then this goal will not be feasible.⁵⁸ In that case, the EIR’s analysis of cumulative impacts on air quality would be completely inaccurate. There needs to be another analysis conducted on the assumption that California will not be able to meet its goal of electrifying all trucks in that timeframe. All different outcomes must be considered.”

⁵⁷ DEIR at 3.D-20.

⁵⁸ *Id.*

(*Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-17]*)

“The environmental review lacks adequate and accurate explanation regarding how trucks will be electrified by 2050 in Bayview-Hunters Point. The environmental review lacks adequate and accurate explanation of electrification impacts.” (*Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_14]*)

9.F.2.1 Response AQ-2

The comments relate to how existing regulations influence the approach to analysis of potential air quality impacts and whether such regulations also establish requirements for project operations. This response is organized as follows:

- Use of Zero-Emissions Technologies
- Legislation to Address Disadvantaged Communities
- Conclusion

Use of Zero-Emissions Technologies

One commenter recommends the city plan for zero-emission technologies in the project area and cites Governor Gavin Newsom’s Executive Order N-79-20 as well as CARB’s Advanced Clean Trucks Regulation and Advanced Clean Fleets Regulation. Executive Order N-7920 (September 23, 2020) includes zero-emissions goals and strategies targeted at mobile sources emissions, and the air board’s Advanced Clean Trucks Regulation and Advanced Clean Fleets Regulation helps to meet these goals. Section 3.D, Regulatory Framework, of the draft EIR air quality section summarizes both the Advanced Clean Trucks and Advanced

Clean Fleets³⁶ regulations, which identify phased requirements to be implemented over the next approximately 10 to 15 years and are targeted at truck sales and fleet operators of various sizes. Operations of future land uses under the proposed project would be required to comply with regulatory requirements, such as those of the Advanced Clean Trucks and Advanced Clean Fleets regulations, as applicable, further reducing mobile source emissions over time.

Regarding other zero-emissions technologies, as detailed in draft EIR Chapter 2, Project Description, and in alignment with overall state strategies toward achieving net-zero emissions, the proposed project is designed to include several zero-emissions design features. The project would include onsite renewable energy generation features in the form of rooftop solar arrays sized to meet the San Francisco Better Roof Ordinance (p. 2-35 of the draft EIR); would provide electric plug-in capabilities at all truck docking stations that serve transportation refrigeration units to reduce idling time during loading and unloading of trucks serving future land uses on site (p. 2-35 of the draft EIR); and would be designed to have no natural gas infrastructure (p. 3.D-25 of the draft EIR). Furthermore, Mitigation Measures M-AQ-3a, M-AQ-3b, and M-AQ-3i are all required to lessen potential operational NO_x emissions and reduce Impact AQ-1 and Impact AQ-2 to a less-than-significant level; these measures would also support the use of zero-emissions technologies. Mitigation Measure M-AQ-3a requires the project sponsor to stipulate in tenant leases that all yard equipment shall be electric; Mitigation Measure M-AQ-3b requires that all transportation refrigeration units operating on the project site be electric or alternative zero-emissions technology, that any electric or hybrid transportation refrigeration units shall be charged via grid power (i.e., not an idling truck or diesel engine), and that the project design include necessary infrastructure and electrical capacity for plug-in requirements of such units; and Mitigation Measure M-AQ-3i requires the development and implementation of an operational emissions management plan, which identifies possible additional emissions reduction measures, including electric vehicle and zero-emission vehicle standards to further reduce emissions, if needed, to meet the measure's identified performance standard. See also Response AQ-11 regarding zero emissions/clean fuel as a mitigation measure.

Several commenters assert that the draft EIR assumed complete electrification of trucks by 2050 or that information pertaining to electrification was lacking in the draft EIR. The draft EIR does not assume that all trucks—associated with the project or otherwise—would be electrified by 2050. Section 3.D.2, Regulatory Framework, of the air quality section of the draft EIR explains that the air board's Advanced Clean Trucks regulation is part of the air board's approach to achieving a large-scale transition to zero-emission medium- and heavy-duty vehicles for Class 2b to Class 8 trucks. This includes increasing zero-emission truck/chassis manufacturing and sales requirements for these vehicles. The air board's Advanced Clean Fleets regulation builds on this regulation by including requirements of various fleet owner and operator types regarding the percentage of newly purchased trucks that must be zero-emission vehicles. The regulation also identifies turnover timeline requirements of vehicles that have exceeded their useful life, collectively supporting the air board's target for a transition to zero-emission vehicle fleets as older trucks are retired and new trucks purchased.

The draft EIR (pp. 3.D42, 3.D45, and 3.D46) presented future year analyses for project operations in the years 2035 and 2050 to demonstrate how emissions are likely to reduce over time as a result of advances in emissions control technologies and increasing stringency of air pollutant regulations. The future year analyses applied mobile-source emissions factors for mobile sources and transportation refrigeration units

³⁶ As noted in the draft EIR (p. 3.D-19), the Advanced Clean Fleets regulation was still being developed at the time of analysis for the draft EIR. However, the regulation has since been finalized, and the summary in the draft EIR is still applicable and accurate.

from the air board's EMFAC (EMission FACtor) and OFFROAD emissions databases, respectively, for these future operational years. These emissions databases include baseline assumptions established by the air board regarding incremental emissions reductions from these sources over time as a result of fleet turnover from older to newer vehicles and incremental effects of implementation of certain regulations over time, including the Advanced Clean Trucks regulation (see Appendix F, Air Quality Supporting Information). These analyses do not include other assumptions about emissions reductions pertaining to electrification of trucks, including the effects of the Advanced Clean Fleets regulation discussed above. It is likely that future year emissions will be lower when accounting for additional regulations, such as the Advanced Clean Fleets regulation. Therefore, the future year analyses are conservative emissions estimates. Moreover, the conclusion that the project's impacts would be less than significant with mitigation does not depend on all trucks, or a fixed percentage of trucks, being electric or exceeding regulatory requirements. Rather, Mitigation Measures M-AQ-3a through M-AQ-3i are effective in reducing the impacts to less than significant without requiring full electrification.

Legislation to Address Disadvantaged Communities

The commenter says that three pieces of legislation need to be considered in the proposed project's development: Senate Bill (SB) 535, SB 1000, and AB 617. The planning department did consider the legislation cited by the commenter in the project's environmental review; these considerations are described below.

Senate Bill 535

Section 3.A.5 of the EIR acknowledges and describes key environmental indicators that illustrate some of the environmental burdens that residents of the Bayview Hunters Point experience. For example, this section informs decision-makers of the rates of hospitalizations and emergency room visits due to asthma and chronic obstructive pulmonary disease per 10,000 in the Bayview Hunters Point area (reported as zip code 94124) compared to the city. This section also includes a CalEnviroScreen figure of San Francisco illustrating that the project site is adjacent to census tracts that experience some of the highest pollution burden in the city, as well the state. In addition, p. 3.A-12 of the draft EIR uses the CalEnviroScreen data to state the following regarding the project area: "This area is burdened by high pollutant exposures and environmental effects, such as diesel particulate matter, lead-based materials (such as paint) used in housing, hazardous waste, and impaired waters. Census tract 6075023001, which is adjacent to the intersection of U.S. 101 and I-280, has a CalEnviroScreen diesel particulate matter percentile of 99, which is the highest possible in the state." By considering information such as this, along with other key indicators, the draft EIR takes into account the existing health burden of the community in the project vicinity.

As described in EIR section 3.D, Air Quality, and Responses AQ-8 through AQ-12, all feasible mitigation measures to reduce the project's air quality impact to a less-than-significant level pursuant to CEQA have been identified in this EIR. In addition, although not required to mitigate significant air quality impacts, the project sponsor has committed through its development agreement to enhanced TDM measures, streetscape improvements, and electric vehicle charging measures that would help further reduce the air emissions associated with project operations.

Senate Bill 1000

In accordance with SB 1000, the planning commission adopted the Environmental Justice Framework in 2023. Rather than a standalone Environmental Justice Element, the Environmental Justice Framework was adopted in the general plan introduction to ensure that environmental justice is integrated throughout the

general plan. The Environmental Justice Framework outlines key environmental justice priorities that city policymakers should work to address. The Environmental Justice Framework includes an Environmental Justice Communities Map, identifying areas of the city that face a disproportionate burden of environmental health challenges, informed by state and local data. The Environmental Justice Framework is a state-mandated component of the general plan, in accordance with SB 1000 and Government Code section 65302(h). The Environmental Justice Framework outlines a set of visions and priorities to be incorporated into the general plan, in strong alignment with citywide racial and social equity goals. Associated environmental justice policies will continue to be incorporated into the various general plan elements. The first set of policies can be found in the Safety and Resilience Element (adopted 2022) and Housing Element (adopted 2023). Collectively, the Environmental Justice Framework, Environmental Justice Communities Map, and associated policies in the general plan elements will provide guidance to city agencies and other stakeholders on how to advance environmental justice in their work.

Environmental justice and civil rights effects are addressed in the draft EIR to the extent that such effects are considered significant effects on the environment in accordance with CEQA guidelines sections 15064(e), 15126.2(a), and 15131(a). The corresponding discussions can be found in the draft EIR in Section 3.A.4, Approach to Analysis, particularly “Approach to Socioeconomic Effects” (p. 3.A-6); Section 3.A.5, Historic and Existing Context of San Francisco Bayview Hunters Point Neighborhood (p. 3.A-6); Section 3.B, Transportation and Circulation; Section 3.C, Noise and Vibration; Section 3.D, Air Quality; and Appendix B, Initial Study. As discussed in Appendix B, Initial Study p. 48, “The planning department, planning commission, board of supervisors, and other city decision-makers would evaluate the proposed project for conformance with the objectives and policies of the general plan and would consider potential inconsistencies as part of the decision-making process. The consideration of general plan objectives and policies is carried out independent of the environmental review process, as part of the decision to approve, modify, or disapprove a proposed project.”

Assembly Bill 617

The draft EIR acknowledges AB 617 on p. 3.A-15 and states the following:

Assembly Bill (AB) 617 was enacted in 2017 to reduce air pollution and preserve public health, with specific direction for local air districts to take measures to protect communities disproportionately impacted by air pollution. The Bayview Hunters Point/Southeast San Francisco Community was selected by the California Air Resources Board (air board) in February 2023 as an AB 617 community because of its air quality challenges, environmental justice grievances, and health inequities. In particular, this community is impaired by legacy pollution from the Naval Shipyard; dust and asbestos from ongoing large-scale redevelopment; odors and emissions from a wastewater treatment facility, diesel truck idling, and industrial rendering plants; and mobile source pollution burdens from the two busy freeways that traverse the community.³⁷ The air district has partnered with Bayview Hunters Point Community Advocates and the Marie Harrison Community Foundation to conduct a Community Emissions Reduction Plan process that will serve as a blueprint for improving air quality in Bayview Hunters Point and southeast San Francisco.³⁸

³⁷ Bayview Hunters Point Community Advocates and Marie Harrison Community Foundation, Letter to Bay Area Air Quality Management District re AB 617 Community Self-Nomination Submittal for Bayview Hunters Point, September 21, 2020, [https://www.baaqmd.gov/~media/files/ab617-community-health/bayview-hunters-point/documents/bvhp-colead-community-self-nomination-letter-to-baaqmd-ocr-pdf.pdf?la=en&rev=a16bd7025d364ff097889af509ac08f1](https://www.baaqmd.gov/~/media/files/ab617-community-health/bayview-hunters-point/documents/bvhp-colead-community-self-nomination-letter-to-baaqmd-ocr-pdf.pdf?la=en&rev=a16bd7025d364ff097889af509ac08f1).

³⁸ Bay Area Air Quality Management District website, <https://www.baaqmd.gov/community-health/community-health-protection-program/bayview-hunters-point-community-emissions-reduction-plan>.

Although this Community Emissions Reduction Plan is under development, should the plan identify or form the basis for regulatory measures that apply to the project, the project would be required to comply with them. The planning department considered the existing air pollution sources in the area, as discussed in Response AQ-1, and evaluated health risk impacts due to these existing conditions plus the emissions from the proposed project. The results of the existing plus proposed project health risk impacts are summarized in Table 3.D-16 (p. 3.D-63) and Table 3.D-17 (p. 3.D-64), respectively. As shown in Table 3.D-16 and Table 3.D-17, the health risk impacts associated with the proposed project do not exceed the project thresholds of significance established for receptor locations that meet the APEZ criteria.

In addition to the legislation listed by the commenters, the planning department acknowledges that the state of California added government code section 65098 et seq. via AB 98 in September 2024, subsequent to the publication of the draft EIR in August 2023. AB 98 prescribes statewide design and operational standards for proposed new or expanded developments that include “logistics uses,” as defined in Government Code section 65098(d), beginning on January 1, 2026. The proposed project includes logistics uses within the meaning of this legislation, however, Government Code section 65098.1.5 provides that a project including logistics uses that was “subject to a commenced local entitlement process” prior to September 30, 2024, is not subject to AB 98, unless no development activity occurs within five years of entitlement approvals. Therefore, AB 98 does not apply to the proposed project. However, as proposed, the project substantially satisfies all applicable design and operational criteria set forth in section 65098.1, including the criteria to qualify as a “Tier 1 21st century warehouse,” as defined in Government Code section 65098(g).

Conclusion

The draft EIR fully presents and considers the regulatory air quality framework applicable to the proposed project. The draft EIR accurately and thoroughly identifies the project site as being within an AB 617 community and provides information pertaining to the area’s air quality conditions and other key socioeconomic indicators, including those provided by CalEnviroScreen. The city’s general plan includes the recently adopted Environmental Justice Framework and updated elements to comply with requirements of SB 1000, and to guide city agencies and other stakeholders on how to advance environmental justice in their work. Although electrification of trucks and fleets is a state strategy to reduce mobile source emissions and the reliance on fossil fuels, and regulations have been developed by the air board to support this strategy, the draft EIR does not presume electrification of trucks for the purposes of analysis nor by a future horizon year, such as 2050; and it does not rely on electrification to reach a conclusion that impacts can be mitigated to a less-than-significant level. Building electrification is incorporated into project design, and mitigation measures identified in Section 3.D, Air Quality, require electrification of onsite equipment and transportation refrigeration units. The electrical requirements of the project site would be met by SFPUC and/or PG&E and project-related onsite renewable energy features that would not result in any additional environmental effects not already disclosed in the draft EIR. No additional analysis or change to the EIR conclusions regarding this topic are required.

9.F.3 Comment AQ-3: Air Quality – Approach to Analysis

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-BAAQMD-6
- A-CPC-Imperial-2

- O-GA-BVHPMF-10
- O-GA-BVHPMF-11
- O-GA-BVHPMF-14
- O-Sierra-4
- O-Sierra-15

“Further address potential down-washing wind and venting impacts

While the proposed Project plans appear to show vents on the roof, it should be called out that any specific or additional tenant venting or mechanical venting for enclosed storage areas are not directed in such a way to mingle into the confluence of the projected down-washing of air currents and/or otherwise unduly impact would-be street-level pedestrian, adjacent SF Produce Market vendors, or any adjacent perennial unhoused communities. We also recommend that the Project includes adding specific green “living wall” design features as wind baffling mitigations along appropriate building faces.” *(David Ralston, Bay Area Air Quality Management District, October 16, 2023, [A-BAAQMD-6])*

“And one thing that struck me that I think in the -- as part of the comment process is the statement around the project health risk in years 2035 to 2050 around cancer risk and the air pollutants, which I think also address in our housing element EIR.

But one sentence here it struck me that I think should be elaborated more is that the decreased cancer -- that the decrease in cancer rates and PM concentrations from 2020 to future 2035 is attributed to the assumption that vehicles will become lower emitting in future years. So I hope that the Department can address on the assumption on what is the basis of that assumption in terms of the -- especially in the areas of the delivery.

And I think the mitigation measures is trying to address that, you know, prohibiting older model year of trucks. But what are the basis for the assumptions that perhaps the delivery system will be also electrified or lower emitting? I think that would also -- although the EIR also addressed that it would be less than significant, even if there is 50 percent increase.

But I think we owe it to the public to make sure that the cancer and the air pollutants since this is actually identified in the map in the housing EIR before that this area is, you know, again, air pollutant receptive. So I would like to have that for the Department to put that in the comments as well. So thank you.”
(Commissioner Imperial, SF Planning Commission, September 7, 2023, [A-CPC-Imperial-2])

“The Bay Area Quality Management District (“BAAQMD”) submitted a comment letter to the Planning Department on the San Francisco Gateway Project on April 6, 2022. The letter recommends that the EIR use a very conservative threshold to evaluate impacts because Bayview Hunters Point is already impacted by air pollution. Additionally, BAAQMD suggests that the EIR evaluate potential cumulative health risk impacts of TAC and PM_{2.5} emissions on sensitive receptors near the Project area.” *(Brandon Turner, on behalf of*

Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-10])

“Among the factors weighed to determine the level of cumulative analysis in the DEIR include geographic scope and location.⁴⁰ The DEIR states that geographic scope varies and provides an example of a situation in which “health risk impacts from exposure to air pollutants are generally localized, the cumulative context for health risk analysis is the project site and vicinity within 1,000 feet of the project site.”⁴¹ The DEIR focuses on three major cumulative impacts: noise and vibration, transportation and circulation, and air quality.”⁴²

⁴⁰ *Id* (DEIR at 3.A-6).

⁴¹ *Id*.

⁴² DEIR at 1-7.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-11])

“The geographic scope under this cumulative impact for the health impacts analysis is oddly narrower than other impacts. A cumulative health risk analysis was conducted to evaluate health risks from existing emission sources, proposed project emissions, and emissions from nearby projects only within 1,000 feet of the offsite maximally exposed residential and worker receptors.⁴⁹ This range is not far enough to provide for accurate and adequate community impacts. A broadened geographic scope in analyzing all cumulative impacts is necessary. Furthermore, the cumulative impact of air emissions needs to be analyzed further. The DEIR states that this cumulative impact will be less than significant with the implementation of mitigation measures.⁵⁰ However, as discussed below, the proposed feasible mitigation measures are inadequate and unrealistic. Therefore, it is highly likely that air pollutant emissions will be significantly higher than expected and essential to be analyzed.”

⁴⁹ DEIR at 3.D-71.

⁵⁰ *Id*.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-14])

“While the end-user is not yet identified, the DEIR operates under the assumption that at least part of the development will be last-mile delivery services. With that in mind, the DEIR inadequately quantifies the impacts of last-mile delivery services. Such services will bring a high level of heavy-duty truck traffic leading to high levels of PM, including the especially harmful PM 2.5, along with ozone and nitrous oxide (NO_x), all emissions from diesel combustion. A study from People’s Collective for Environmental Justice and the University of Redlands, “Warehouse, Pollution, and Social Disparities” notes that “more than 50% of particulate emissions come from traffic. Specifically, diesel and gas truck emissions--the main source of pollution warehouses attract.”³ The strategies recommended in the DEIR for mitigation are insufficient, especially when taking into account that there is no safe level of PM 2.5 exposure.

The DEIR underestimates the Project's NO_x emissions especially when evaluating the Project as an indirect source, which BAAQMD has defined as "development projects that generate or attract motor vehicle trips and emissions and also include other sources of emissions...that indirectly cause air pollutant emissions that can adversely affect local and regional air quality."⁴ NO_x is a common criteria air pollutant of concern for warehouse projects due to the high volume of diesel truck trips generated by facility operations. Accurate modeling of NO_x emissions is critical to understanding environmental and health impacts because NO_x is "a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation."⁵

³ See: "Warehouses, Pollution and Social Disparities: An analytical view of the logistics industry's impacts on environmental justice communities across Southern California" https://earthjustice.org/wpcontent/uploads/warehouse_research_report_4.15.2021.pdf

⁴ See: BAAQMD Public Notice Initiation of the development of an Indirect Source Review Rule and proposed amendments to Regulation 3: Fees (https://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Rules%20and%20Regs/reg%2003/0300_reg_031809.ashx?la=en)

⁵ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective* (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted under varying scenarios; this document may be found on CARB's website and is entitled: "California Sustainable Freight Initiative: Concept Paper for the Freight Handbook" (December 2019).

(Jacob Klein, *Sierra Club San Francisco Bay Chapter*, October 16, 2023, [O-Sierra-4])

"As discussed above, the DEIR fails to fully analyze the Project's air quality impacts, which in turn skews the health risk assessment. In other words, the DEIR fails to analyze the health effects that would occur as a result of exposure to these pollutants. Thus, the DEIR's analysis of health risk does not comply with CEQA.

Under CEQA, an agency is not relieved from its obligation to provide environmental analysis simply because the task may be difficult. As explained by the California Supreme Court, "[w]e find no authority that exempts an agency from complying with the law, environmental or otherwise, merely because the agency's task may be difficult."¹³ Moreover, courts have made clear that EIR must not just identify that a project will result in health impacts from pollutants, but must, rather, analyze the impact of those emissions on the health of affected residents.¹⁴ Here, as explained above, health impacts to disadvantaged, pollution-burdened neighborhoods are likely to be even more severe than other areas in the vicinity.

Nor is it sufficient to simply assert that an impact is significant and then move on. This approach does not allow decision-makers and the public to understand the severity and extent of the Project's environmental impacts.¹⁵ The EIR must actually analyze the implications of increased pollutant emissions resulting from the Project.

An adequate impact analysis would necessarily begin with a thorough description of existing sensitive receptors (i.e., those segments of the population most susceptible to poor air quality like children, the elderly, and those with pre-existing serious health problems affected by air quality. These receptor locations include residential communities, schools, daycare centers, playgrounds, and medical facilities. It does not describe the existing health of nearby sensitive receptors. It is imperative that the EIR disclose this information because a Project's potential to result in significant environmental impacts varies by setting.¹⁶ Thus, individuals who already suffer from high rates of asthma and other respiratory disease may experience greater-than average sensitivity to Project-generated TAC emissions and other pollutants.

In sum, the DEIR must analyze the public health effects that will be experienced by sensitive receptors due to the project's air pollution and devise feasible, effective, enforceable mitigation for those impacts.

IV. Conclusion

As set forth above, the DEIR does not come close to satisfying CEQA's requirements. At a fundamental level, it fails to consider the Project setting when evaluating impacts to sensitive receptors and fails to provide a complete analysis of Project impacts and feasible mitigation measures.

For these reasons, Sierra Club respectfully requests that the City not approve the San Francisco Gateway Project as proposed. All of these impacts must be more fully addressed before the City may approve the Project.”

¹³ *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 399.

¹⁴ See *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1219-20.

¹⁵ See, e.g., *Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* (2001) 91 Cal.App.4th 1344, 1370-71; *Galante Vineyards v. Monterey Peninsula Water management Dist.* (1997) 60 Cal.App.4th 1109, 1123; *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decision makers information about how adverse the impacts would be).

¹⁶ CEQA Guidelines § 15064(b).

(Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-15])

9.F.3.1 Response AQ-3

The commenters seek clarification on the EIR's approach to analysis of potential air quality impacts. This response is organized as follows:

- Plume Downwash and Building Venting
- Air Quality Thresholds
- Quantification of Operational Emissions Estimates
- Future Year Air Quality Impact Analysis
- Approach to Cumulative Impact Analysis for Health Risk
- Conclusion

Plume Downwash and Building Venting

One commenter recommends additional tenant venting or mechanical venting to be directed in such a way as to not mingle with projected down-washing of air currents and/or not impact street-level pedestrians, adjacent SF Produce Market vendors, or any adjacent perennial unhoused communities. The commenter also recommends a green “living wall” along building façades to reduce wind.

The proposed project was modeled with tenant and mechanical venting on the roof of each proposed structure. In addition to manufacturing and maker space ventilation, the proposed project would also include ten ventilation fans per building, designed to remove vehicle exhaust from the onsite multi-level parking structures. The air emissions from these vents were modeled as point sources and accounted for in building downwash calculations, as referenced by the commenter.

As explained in Section 3.D.3, p. 3.D-30 of the draft EIR, the HRA evaluated approximately 30-year residential exposure scenarios and 25-year offsite worker exposure scenarios, consistent with 2015 OEHHA health risk guidance.³⁹ Passerby pedestrians are present for only intermittent and temporary durations while passing the project site. Similarly, unhoused persons may be transitory. For example, changes to setting (e.g., construction work or government action[s], including ongoing efforts to ensure that individuals have stable housing) may affect where homeless populations live and for how long, limiting the duration of exposure of any individual to emissions associated with the proposed project. Additionally, the air district does not provide exposure parameters (i.e., guidance on modeling assumptions to be used) for unhoused individuals. Thus, given the lack of available exposure parameter guidance and substantial evidence to support the development of appropriate exposure parameters, HRAs cannot reasonably account for the long-term health impacts on the homeless or unsheltered population that could result from a proposed project's emissions source.

As detailed in Impact AQ-4 of the draft EIR (pp. 3.D-62 through 6.D-64), health risk impacts due to existing conditions plus the proposed project, inclusive of the consideration of plume downwash and building venting as detailed above, were evaluated. Impacts of this evaluation were disclosed at the maximally exposed residential and offsite worker receptors for lifetime cancer risk and annual PM_{2.5} concentrations and determined to be less than significant. The maximum impacted offsite worker receptor to the proposed project is approximately 40 feet away; this receptor is at a similar distance from potential vendors at SF Market. The results for this worker receptor would represent a conservative estimate of health risks to the surrounding unhoused population, given the worker exposure duration of 25 years. Therefore, additional mitigation that is recommended by the commenter, such as directional venting, is not required.

The commenter also suggests that that project include green living wall design features as wind baffling mitigation. As described in the initial study (Section E.9, Wind, pp. 109 through 113), wind tunnel testing was performed to quantify the pedestrian-level wind microclimate at and around the project site, in accordance with the city's standard wind testing protocols. The results of this study indicated that the project would result in two wind hazard exceedances around the northern corner of the proposed project on either side of Kirkwood Avenue. Accordingly, the initial study noted that the planting of nine evergreen street trees along the eastern sidewalk of Toland Street (Figure 24 in the initial study) would reduce the project's significant wind impact. Therefore, inclusion of a green living wall mitigation would not be necessary to reduce significant wind hazard impacts, because the EIR has identified feasible mitigation to reduce the significant wind impact. Additionally, as discussed above, health risk impacts were found to be less than significant, and therefore a green living wall would not be necessary to reduce health risk impacts from the proposed project.

Air Quality Thresholds

Commenters seek clarification on the thresholds used for the project's air quality analysis. With regard to the recommendation that the EIR use a "very conservative threshold," the commenter is referring to the April 6, 2022, letter from the air district to the planning department, in which the air district provided comments on the NOP of an EIR for the proposed project (as provided in Appendix A to the draft EIR). In this letter, the air district recommends that "the EIR use a very conservative significance threshold to evaluate impacts and

³⁹ California Environmental Protection Agency, Office of Environmental Health Hazards Assessment, The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessment, February 2015, <https://oehha.ca.gov/media/downloads/crnrr/2015guidancemanual.pdf>.

mitigation requirements for this Project” because it is in a cumulatively impacted air pollution community. The planning department already adjusts its air quality health risk significance thresholds to more conservatively consider impacted communities, as discussed below. Another commenter also states that the strategies recommended in the draft EIR for mitigation are insufficient, especially because there is no safe level of PM_{2.5} exposure. Responses to these comments are provided in the following paragraphs.

The comment regarding there being no health protective PM_{2.5} level is noted. Nevertheless, the air district has adopted nonzero project-level PM_{2.5} significance thresholds for mass emissions of criteria air pollutants and health risk concentrations. Regarding criteria air pollutant PM_{2.5} emissions, the air district has adopted a significance threshold of 54 pounds per day and 10 tons per year. These criteria air pollutant mass emissions thresholds are used in the draft EIR. With respect to health risks, the air district has adopted a project-level increased PM_{2.5} concentration of 0.3 µg/m³ as the significance threshold. As stated on p. 3.D-27 of the draft EIR, the air district’s CEQA air quality guidelines—in Appendix A, Thresholds of Significance Justification—provides evidence to support their adopted thresholds.

The air quality thresholds used in the draft EIR are explained in detail on pp. 3.D-25 through 3.D-34. With respect to the health risk thresholds specifically, as explained in Response AQ-1 and discussed in the draft EIR, the proposed project site and surrounding areas are in the APEZ. In developing the APEZ, the city has considered the health vulnerability of its residents. The draft EIR states (on p. 3.D-13):

“Areas with poor air quality, referred to as the air pollutant exposure zone, or APEZ, were identified based on the following health-protective criteria: (1) excess cancer risk greater than 100 per 1 million population from the contribution of emissions from all modeled sources; or (2) cumulative PM_{2.5} concentrations greater than 10 µg/m³. The APEZ is expanded in certain geographic health vulnerable areas of the city, primarily the Bayview, Tenderloin, and much of the South of Market area, including the proposed project area, to be more protective, with the areas included in the APEZ based on a standard that is 10 percent more stringent than elsewhere in the city (i.e., areas where the excess cancer risk exceeds 90 per 1 million or the PM_{2.5} concentration exceeds 9 µg/m³). The proposed project site is in ZIP code 94124, which is an identified health vulnerable area. The APEZ also includes all parcels within 500 feet of a freeway.”

The project site and surrounding vicinity is in a health-vulnerable zip code and afforded additional health protection for the purpose of environmental analysis. Additionally, as shown on Table 3.D-6 on p. 3.D-31 of the draft EIR, the significance threshold for project health risk contributions to receptors meeting the APEZ criteria is 30 percent lower than the air district’s health risk thresholds. As explained in the draft EIR and again in Response AQ-1, a project would have a significant health risk impact if it results in an additional excess cancer risk of 7 per 1 million population above baseline conditions (compared with a threshold of 10 per 1 million), or PM_{2.5} concentrations greater than 0.2 µg/m³ (compared with a threshold of 0.3 µg/m³; refer to Table 3.D-6 of the draft EIR). Thus, the planning department’s health risk thresholds inherently consider communities that already experience higher levels of air pollution and require application of more health protective significance thresholds in these areas.

The maximum impacted sensitive receptors, identified through the quantitative health risk analysis presented in Chapter 3.D, Air Quality, of the draft EIR (pp. 3.D-6 through 3.D-66) are all demonstrated to be below these thresholds; as a result, the risks and hazards are less than significant. Furthermore, the draft EIR finding that health risk impacts would be less than significant is based on unmitigated construction and operational emissions. As discussed in draft EIR Impact AQ-3, operational criteria air pollutant NO_x emissions

were found to be significant, but all other criteria air pollutant emissions, including PM_{2.5} emissions, were found to be less than significant. As shown in Table 3.D-10 on p. 3.D-43 of the draft EIR, average daily operational PM_{2.5} emissions would be less than 13 pounds per day, which is substantially below the air district's threshold of 54 pounds per day. Furthermore, to address significant NO_x emissions, the draft EIR identifies nine mitigation measures, M-AQ-3a through M-AQ-3i. Implementation of these mitigation measures would have the added co-benefit of further reducing PM_{2.5} emissions and other toxic air contaminants. Thus, PM_{2.5} mass emissions and health risk impacts are anticipated to be even lower than the less-than-significant impact identified in the draft EIR.

Quantification of Operational Emissions Estimates

With respect to comments concerning the air quality impact analysis, the methodology for estimating mass emissions that could result from the project is provided in Section 3.D.3 of the draft EIR (pp. 3.D-23 through 3.D-25). As specifically described in this section, mobile source emissions were estimated using emissions factors from EMFAC 2021 and—as shown in Section 2.2.3 of Appendix F1, Air Quality and HRA Methodology, to the draft EIR—the EMFAC emissions factors used to estimate mobile source emissions associated with project operations were for the operational year 2025 (representing the earliest possible operational year at the time the analysis was conducted), and the aggregate model year for each of the specific vehicle categories identified for the project.

A commenter also asserts that the draft EIR underestimates the project's NO_x emissions as an indirect source (i.e., as a development project that would generate or attract motor vehicle trips and emissions and also include other sources of emissions) and inadequately quantifies the impacts of last-mile delivery service. The commenter also states that mitigation proposed in the draft EIR is insufficient, specifically noting that the proposed use for last-mile delivery service would “bring a high level of heavy-duty truck traffic” and related emissions associated with diesel combustion. The comment references a study that itself notes that “more than 50% of particulate emissions come from traffic. Specifically, diesel and gas truck emissions—the main source of pollution warehouses attract.” As explained in the approach to analysis section of Section 3.D, Air Quality, on pp. 3.D-23 through 3.D-25 of the draft EIR—and in Appendix F1, Air Quality and HRA Methodology, to the draft EIR—the draft EIR comprehensively considers all potential mobile source emissions that would result from proposed project operations, specifically considering a conservative scenario of potential onsite uses that would generate a high level of offsite (or indirect) mobile source emissions associated with truck traffic and other mobile sources.⁴⁰ The analysis of mobile source emissions was based on an estimate of all vehicle trips, vehicle fleet mix (i.e., heavy-duty freight, delivery, passenger, etc.), and trip patterns (i.e., distance, destination, etc.) to and from the site that would result from the analyzed tenant use mix (which includes parcel delivery uses); idling onsite; and travel within the buildings to docking bays and parking. The level of anticipated vehicle and truck traffic was informed by the detailed vehicle trip rate and vehicle fleet mix information developed as part of the transportation analysis prepared for the draft EIR (see Appendix D.2 for the estimation of project travel demand technical memorandum). The emissions estimates accounted for ozone precursor (i.e., ROG and NO_x) and PM emissions from vehicle exhaust. Although it is true that most statewide and regional emissions are from mobile sources and that the primary source of emissions from warehouse uses is typically mobile sources, as noted in the study cited by the commenter, the study does not specifically point to warehouse-related

⁴⁰ The air quality analysis conducted for project alternatives concluded that including a higher percentage of wholesale/storage uses at the project, as compared to last-mile delivery service uses, would potentially have higher emissions of criteria pollutants, particularly NO_x. For this reason, the alternative was rejected from further analysis (pp. 5-60 to 5-61 of the draft EIR).

mobile sources as being the primary or even majority source of statewide mobile source emissions. Furthermore, this comment does not specify how the commenter believes the draft EIR analysis and related emissions calculations were underestimated or why they were inadequate.

One commenter states that the draft EIR must “analyze the impacts of those emissions on the health of affected residents” and “implications of increased pollutant emissions resulting from the [p]roject.” As explained in Response AQ-1, the draft EIR provides a detailed description of the project site’s and region’s existing air quality conditions, including the existing air quality burden and sensitive receptors that may be more susceptible to poor air quality. The draft EIR (pp. 3.D-15 and 3.D-16) describes those land uses considered to be more sensitive to poor air quality, including schools, children’s daycare centers, hospitals, nursing and convalescent homes, residential areas, and offsite areas of employment that would have workers present; and identifies such uses within 1,000 feet of the proposed project emissions sources on site and along travel routes to and from the site. Pages 3.D-3 through 3.D-12 of the draft EIR describe the health effects of exposure to criteria air pollutants and TACs from various sources relevant to the project and project area. Pages 3.D-27 and 3.D-28 of the draft EIR explain how the air district’s thresholds, against which the project’s emissions are compared for the purposes of identifying significant impacts, provide a connection between a mass emission threshold and avoidance of health effects.

This detail of existing environmental setting, how pollutants can affect health in general, and basis of thresholds applied in the analysis to consider potential impacts provides the background information and context for understanding the project’s mass emissions in terms of potential health effects. Because estimated project operational emissions would exceed the air district’s threshold for NO_x, the draft EIR identifies a significant impact and then identifies all feasible mitigation that would effectively reduce these emissions to a less-than-significant level (pp. 3.D-38 through 3.D-57 of the draft EIR). In addition, the draft EIR includes a quantitative assessment of health risks to receptors from exposure to project-generated TACs and PM_{2.5} concentrations (pp. 3.D-60 to 3.D-70).

The commenter states that it is not “sufficient to simply assert that an impact is significant and then move on.” That is not what the draft EIR does. Rather, as explained above, Section 3.D, Air Quality, of the draft EIR provides a quantitative criteria air pollutant analysis and compares the results with significance thresholds that are based on avoidance of health effects (p. 3.D-27 of the draft EIR) and, in the case of the health risk analysis, are 30 percent more health-protective than the air district’s health risk thresholds (see Table 3.D-6 of the draft EIR). Furthermore, the proposed project’s health risk impact would be even lower should the analysis account for the co-benefits that would occur with implementation of the nine air quality mitigation measures identified to reduce NO_x emissions. The commenter has not identified any specific information or analysis that is omitted from the draft EIR. As discussed above, the air quality and health risk analyses in the draft EIR are thorough and conservative, adequately document potential impacts, and recommend feasible mitigation measures to reduce significant impacts to a less-than-significant level.

Future Year Air Quality Analysis Assumptions

One commenter seeks clarification on the assumptions that informed the future year air quality analyses in 2035 and 2050. As explained on p. 3.D-42 of the draft EIR, the draft EIR provides an analysis of the project’s criteria air pollutant emissions in years 2035 and 2050 “for informational purposes to clarify the project’s impacts given the assumptions that technologies are likely to improve, and regulations are anticipated to become more stringent.” Mobile source and transportation refrigeration unit emissions were updated for

these future operational years using emissions factors for the respective operational calendar years from EMFAC and OFFROAD. EMFAC is the air board's database of on-road vehicle activity data (e.g., emissions rates, vehicle population, and VMT) for different regions throughout California (e.g., at the air basin, air district, county, or statewide level) and is recommended by the air district for use in modeling mobile source emissions.⁴¹ Emission factors were developed using EMFAC 2021 to generate emissions rates (in grams per mile) for the vehicle categories applicable to the project. OFFROAD is the air board's emissions inventory database for off-road diesel engines, used to quantify the amount of pollutants from thousands of engines in equipment used in industrial applications, agriculture, construction, mining, oil drilling, power generation, and many other industries. OFFROAD is the most current available and approved source to be used to generate emission factors for the different types of equipment to be used for the project.

The future year criteria air pollutant emissions estimates reflect emissions from a vehicle fleet mix that would have a greater proportion of newer vehicles that emit less air pollutants because of more advanced technologies, including increased adoption of electric vehicles for both passenger and truck fleets, and compliance with more stringent exhaust regulations enacted over time. Specifically, Figure 3.D-3 on p. 3.D-58 of the draft EIR shows the impact of these regulations, assuming implementation of Mitigation Measures M-AQ-3a through M-AQ-3f (and does not include consideration of the further reduction with implementation of Mitigation Measures M-AQ-3g through M-AQ-3i). As shown in this figure, the project's significant NO_x emissions impact is projected to be below the air district's NO_x threshold by year 2035, and NO_x emissions are anticipated to be below 40 pounds per day by year 2050. Nevertheless, the draft EIR criteria air pollutant significance conclusion is based on project operations conservatively occurring by year 2025, recognizing that emissions from the project are likely to be lower in later years.

For informational purposes and to disclose future baseline plus project health risk impacts, the air quality analysis applies the lifetime cancer risk and annual PM_{2.5} concentration for 2035 and 2050 baseline years; these future baseline conditions account for anticipated growth but also lower-emitting vehicles becoming a more predominant portion of the average fleet mix over time.^{42, 43} The San Francisco Gateway Project's health risk impact, however, does not take into account the project's reduced health risk in future years—that is, reductions that may result from more stringent regulations or implementation of any air quality mitigation measures. For the future year analysis, the project's cancer risk and annual PM_{2.5} concentrations, which are reflective of unmitigated initial operating year conditions, were added to the future year baseline health risks for both 2035 and 2050 to show future baseline plus project health risks. This informational analysis is conservative (worst case) because, as noted above, the analysis uses the San Francisco Gateway project health risk impact without the expected emissions reductions in future years. These results show how baseline health risks will change in future years due to increasingly stringent regulations. However,

⁴¹ Bay Area Air Quality Management District, California Environmental Quality Act Air Quality Guidelines, Chapter 5, Project-Level Air Quality Impacts, 2022, https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa-guidelines-2022/ceqa-guidelines-chapter-5-project-air-quality-impacts_final-pdf.pdf?rev=de582fe349e545989239cbbc0d62c37a&sc_lang=en, accessed April 10, 2023.

⁴² San Francisco Planning Department, San Francisco Housing Element 2022 Update EIR, 2022, https://sfplanning.org/environmental-review-documents?title=HOusing+Element&field_environmental_review_categ_target_id=All&items_per_page=10.

⁴³ Projections for the 2035 and 2050 baseline years include assumptions about the buildout of the department's development pipeline as well as additional growth that may occur by 2035 and 2050 without implementation of the housing element 2022 update. At the time of preparation, the department's Q1 2019 development pipeline represented the most recent data available. San Francisco is projected to have 462,000 housing units under the 2035 baseline (approximately 56,000 units more than 2020 conditions) and 508,000 housing units under the 2050 baseline (approximately 102,000 units more than 2020 conditions). The San Francisco Gateway Project draft EIR's cumulative analysis accounts for the additional impact of the Housing Element Update.

these analyses are for informational purposes only; the health risk significance conclusions were based on the project construction starting in year 2022 and operations occurring by year 2025.

Approach to Cumulative Impact Analysis for Health Risk

One commenter questions the EIR's approach to cumulative impact analysis and states that the 1,000-foot geographic study area for health risk impacts is too narrow. As a point of clarification, the draft EIR's air quality approach to analysis states on p. 3.D-29, "Impacts were evaluated for receptors within 1,000 feet of the project site. To account for the large traffic volumes generated by the proposed project, *additional receptors from the 2020 Citywide HRA geodatabase were included within 1,000 feet of proposed traffic routes between the project site and U.S. 101 and I-280, as well as along construction haul routes.*" (emphasis added).

As described in Response ES-3, the cumulative health risk analysis is based on air district guidance that evaluates the health risk contribution of emissions from nearby projects that are within 1,000 feet of the proposed project's maximally exposed individual receptor. As explained in the air district's Appendix A, Thresholds of Significance Justification, this 1,000-foot distance is based on a summary of research findings from the air board. These findings indicate that traffic-related pollutants are higher than regional levels within approximately 1,000 feet downwind of traffic, and that differences in health-related effects could be attributed in part to heavy vehicle and truck traffic within 300 to 1,000 feet of receptors. Other studies referenced by the air district indicate that particulate matter tends to be substantially reduced or can even be indistinguishable from upwind background concentrations at a distance of 1,000 feet downwind from sources, such as freeways or large distribution centers.⁴⁴

Consistent with air district guidance (Section 2.2 of Appendix E, Recommended Methods for Screening and Modeling Local Risks and Hazards),⁴⁵ the cumulative analysis combined the risks and hazards from existing sources, project sources, and cumulative projects within 1,000 feet of the project's maximally exposed receptors, not the project site.⁴⁶ For example, as stated on p. 3.D-62 of the draft EIR, the maximally exposed residential receptor is approximately 440 feet south of the project site on Oakdale Avenue. The cumulative analysis thus considers the additional health risk impact from cumulative projects within 1,000 feet of that maximally exposed individual receptor (or 1,440 feet and roughly 0.25 mile from the project site), describing the additional health risk impact from the Bayview Community-Based Transportation Plan, the project at 2270 McKinnon Avenue, and the SF Market Project. The commenter does not provide substantial evidence that the cumulative impact analysis is inadequate. Cumulative impacts from the proposed project, in combination with existing conditions (baseline year of 2020) and cumulative projects, are discussed in Section 3.D.5 of Chapter 3 of the draft EIR. Additional details on the cumulative analysis are provided in Appendix F of the draft EIR, San Francisco Gateway Project Air Quality Supporting Information.

Furthermore, the potential for the proposed project to result in significant criteria air pollutant emissions, and therefore a cumulatively considerable contribution to nonattainment criteria pollutants, is addressed under Impact AQ-2 and Impact AQ-3. As stated on p. 3.D-26 through 3.D-28 of the draft EIR, regional air

⁴⁴ Bay Area Air Quality Management District, *California Environmental Quality Act Air Quality Guidelines*, Appendix A: Thresholds of Significance Justification, April 20, 2023, p. A-42, accessed May 1, 2023.

⁴⁵ Bay Area Air Quality Management District, 2022 California Environmental Quality Act Air Quality Guidelines, Appendix E, Recommended Methods for Screening and Modeling Local Risks and Hazards, https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-guidelines-2022/appendix-e-recommended-methods-for-screening-and-modeling-local-risks-and-hazards_final-pdf.pdf?la=en, accessed April 10, 2023.

⁴⁶ It should be noted that with low-level emission source releases, such as with development projects, the highest health risk impacts would be close to the origin of emissions (i.e., the sources). Therefore, without the presence of a tall source release, a distance of 1,000 feet would adequately capture impacts from nearby sources at the maximum affected receptor.

quality effects are inherently cumulative effects. The nonattainment status of regional pollutants results from past and present development in the air basin and projects that result in emissions below the air district's criteria air pollutant thresholds would not result in a cumulatively considerable net increase in nonattainment criteria air pollutants. Mitigation Measures M-AQ-3a through M-AQ-3i ensure that the proposed project, with implementation of these mitigation measures, would not exceed the air district thresholds, which were specifically developed to address regional air quality conditions and attainment of the state and national ambient air quality standards. With regard to the adequacy of proposed mitigation to reduce air quality impacts to a less-than-significant level, see Responses AQ-5, AQ-6, AQ-8, and AQ-9.

Conclusion

The draft EIR analysis of potential air quality impacts is based on a review of existing air quality conditions in the region, along with air quality regulations administered by EPA, the air board, and the air district. The analysis includes methodologies identified in the air district's CEQA air quality guidelines and the HRA methodology published by the OEHHA in 2015.^{47,48} The analysis evaluates the proposed project's emissions and pollutant concentrations in the surrounding community, bearing in mind the project site's location in the APEZ and using a conservative (health-protective) threshold for the purposes of evaluating potential health risks; evaluates all potential emissions sources, identifying those emissions that would occur locally as a result of the proposed project activities surrounding the project site, and from onsite activity and vehicle idling; and evaluates air quality impacts of the proposed project, considering existing conditions and future conditions, the latter for informational purposes only. As detailed above, the draft EIR contains the relevant information pertaining to the comments. The commenters do not provide substantial evidence that the impact analysis is inadequate, nor do the commenters provide any relevant or new data that would need to be considered. No additional analysis or change to the EIR conclusions regarding this topic are required.

9.F.4 Comment AQ-4: Air Quality – Construction Impacts

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-ATBV-5
- O-GA-BVHPMF-15
- O-GA-BVHPMF-20
- I-Ealom-2_13

⁴⁷ Bay Area Air Quality Management District, *California Environmental Quality Act Air Quality Guidelines*, May 2017, https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, accessed July 15, 2021. The air quality analysis for the San Francisco Gateway project was largely prepared based on guidance in the air district's 2017 CEQA air quality guidelines, which were the guidelines available at the time of publication of the Notice of Preparation of an Environmental Impact Report. However, the analysis presented herein is also generally consistent with the air district's April 20, 2023, release of their 2022 California Environmental Quality Act Air Quality Guidelines. Substantive clarifications provided in the 2022 CEQA air quality guidelines and applicable to the San Francisco Gateway Project have been incorporated into the air quality analysis presented in this section. The 2022 CEQA Air Quality Guidelines are available at <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines> and were accessed June 16, 2023.

⁴⁸ California Environmental Protection Agency, *The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessment*, February 2015, <http://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>, accessed July 15, 2021.

“EIR fails to adequately and accurately explain the demolition process including asbestos and air quality impacts.” (*Kamillah Ealom, All Things Bayview, August 28, 2023, [O-ATBV-5]*)

“The DEIR fails to adequately consider the proposed project’s impact on air quality and air pollution, specifically regarding the demolition process of the existing buildings at the site. While there are mentions of a few tools that will be used in this process, the DEIR fails to explain the process in detail and thus fails to consider the potential impacts of demolishing US Navy buildings from the 1940s.⁵¹ The DEIR does not analyze impacts such as the release of asbestos and other chemicals harmful to the health of the Bayview Hunter’s Point community. The community is already facing health problems from a long history of pollution, and the pollution from the demolition process will likely add to this existing pollution, further raising the risks to the community.⁵² As these impacts are threatening a community plagued by pollution, it is critical to provide details of all stages of the proposed project to obtain an accurate analysis. The demolition process must be described in detail, and the effects from it must be estimated concerning surrounding existing pollution to obtain an adequate and accurate cumulative analysis.”

⁵¹ DEIR at 3.C-23.

⁵² DEIR at 3.A-7.

(*Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-15]*)

“The Bayview Hunters Point community has long been subjected to dust and asbestos from ongoing large-scale development.⁸¹ To address health concerns from asbestos exposure, CARB enacted an asbestos Airborne Toxic Control Measure (“ATCM”) for construction, grading, quarrying, and surface mining operations.⁸² The asbestos ATCM became effective for projects in the San Francisco air basin in 2002.⁸³ Under the measure, the air district requires construction activities where naturally occurring asbestos is likely to be found to employ the best available dust control measures and obtain air district approval of an asbestos dust mitigation plan.⁸⁴ The asbestos mitigation plan must address and describe how the operator will mitigate potential emissions.⁸⁵

The DEIR failed to provide an asbestos mitigation plan. There is no information contained in the DEIR that says, specifically, what the project intends to do to lessen asbestos exposure. Instead, it briefly mentions some measures that are typically implemented to protect workers and the public.⁸⁶ None of the actions are specific enough, however, to comply with the requirements of a project-level EIR. There is also no data available for the level of asbestos present at the project site. This is especially problematic here because the Navy constructed the building to be demolished in the 1940s. The City did not provide an assessment of the building materials and hazards present in the existing buildings that will be released during demolition. An adequate DEIR needs to give projections for past, present, and future levels so that the community can be informed. Given the historic uses of the site by the Navy and the location being in an overburdened community of color, more information about how the buildings will be demolished and potential mitigation is necessary to comply with CEQA.”

⁸¹ DEIR at 3.D-15.

⁸² DEIR at 3.D-20.

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-20])

“The environmental review fails to adequately and accurately explain the demolition process, including asbestos and air quality impacts.” *(Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_13])*

9.F.4.1 Response AQ-4

The commenters seek clarification and additional information relating to the demolition of the existing buildings on the project site, the presence of naturally occurring asbestos and asbestos in the existing buildings, the requirement for the project to prepare an asbestos mitigation plan, and the associated air quality and health risk impacts to the surrounding community during demolition activities.

As with most built urban environments, the demolition of older buildings and structures that may contain asbestos or asbestos-containing materials is a relatively frequent and routine occurrence. The initial study identifies the comprehensive regulatory setting, which includes federal, state, and local regulations that govern the storage, use, generation, transportation, and disposal of hazardous materials (San Francisco Gateway Initial Study, pp. 183 through 188).

As described in the draft EIR in Section 2.D.13, Construction Schedule and Phasing, demolition and site preparation activities would last approximately 8 weeks. Section E.17, Hazards and Hazardous Materials, of the initial study notes that project demolition would involve the abatement and disposal of hazardous building materials, including the asbestos-containing building materials that are present on the project site. These assumptions regarding demolition and site preparation are also reflected in the technical analysis for transportation and circulation, noise and vibration, and air quality in the draft EIR.

Section E.17 of the initial study details the presence of asbestos in existing building materials, as well as natural occurring asbestos on the project site. One commenter incorrectly states that the city did not provide an assessment of the building materials and hazards present in the existing buildings. A phase I and phase II environmental site assessment was completed for the project site in January 2015, and its findings were detailed in Section E.17 of the initial study. Asbestos-containing building materials were confirmed to be present on the project site in the phase I environmental site assessment. The initial study states that the original construction of the warehouse buildings in the 1940s includes asbestos-containing building products such as Transite siding, asbestos-containing concrete, and pipe insulation. Asbestos-containing material was used for its fire-retardant properties during the building’s use as a Marine Corps Supply facility. In addition, the initial study notes that between 1998 and 2011 (prior to ownership by the project sponsor), asbestos-containing wastes were removed from the site on five occasions, totaling approximately 5 tons.

As detailed in the initial study, based on soil samples, the phase II environmental site assessment also determined that there were trace levels of asbestos at several locations. This is a typical occurrence in soils in San Francisco because bedrock containing naturally occurring asbestos is widespread in the vicinity. As

identified by one of the commenters, the air board enacted an asbestos airborne toxic control measure (ATCM) for construction, grading, quarrying, and surface mining operations. The air district has been delegated the authority to enforce the asbestos regulation. This process and its requirements are described in Section E.17 of the initial study. In addition, due to the trace amounts of naturally occurring asbestos found in the soil samples, and because the project would disturb more than 1 acre, the project would be required to prepare and obtain air district approval for an asbestos dust mitigation plan, as noted by the commenter. However, the commenter is incorrect that an asbestos mitigation plan must be provided as part of the EIR; preparation of the asbestos dust mitigation plan or notification to the air district about planned demolition activities are not required to be completed prior to the CEQA process. Rather, the air district is to be notified 10 business days in advance of any proposed demolition or asbestos abatement work; and an asbestos dust mitigation plan, which requires detailed construction information not typically available until post-entitlement permitting is well underway, is required to be approved prior to grading or construction work. The draft EIR appropriately identifies measures that may be implemented as part of the asbestos dust mitigation plan.

The initial study explains how compliance with the laws referenced in the initial study would ensure that construction activities that involve the handling and disposal of asbestos-containing materials reduce potential project impacts to a less-than-significant level. The initial study states that demolition and construction activities would be required to follow all applicable standards and regulations for hazardous building materials, including the California Health and Safety Code. Currently, section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification and, in some cases, abatement requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos.

One commenter states that the draft EIR does not explain the demolition process. Although the commenter does not specifically identify the types of information they seek, the following paragraphs provide additional information on the demolition permitting process at the department of building inspection. As outlined in the department of building inspection Information Sheet No. S-04,⁴⁹ contractors seeking approval for demolition shall provide the following as part of the permitting processing:

- 1) A Bay Area Air Quality Management District “J” number⁵⁰
- 2) An Asbestos/Regulating Asbestos-Containing Materials survey, supported by the preparer’s California Division of Occupational Safety and Health certification
- 3) A Form 3/8 application completed by a licensed asbestos-handling contractor (required when the survey indicates the presence of asbestos)
- 4) Two sets of mailing lists of persons and entities in proximity to the demolition activities, provided to the Central Permit Bureau in compliance with the notification requirements included in San Francisco Building Code section 103A3.2.2.1

⁴⁹ San Francisco Department of Building Inspection. Information Sheet No. S-04, Subject: Demolition Permits, June 22, 2015, <https://sfdbi.org/sites/default/files/IS-S-04.pdf>, [https://urldefense.com/v3/__https://www.sf.gov/sites/default/files/2022-08/IS*20S-04.pdf__;JQ!!ETWISUBM!3WKclPYue9UnadEvhlJUjFEYolygayEOEBzelbs0zxaQ7306Rso4fxKA2VK3bGGqyuHS89EDL9Koys469JwnPh5XI_R2vP8\\$](https://urldefense.com/v3/__https://www.sf.gov/sites/default/files/2022-08/IS*20S-04.pdf__;JQ!!ETWISUBM!3WKclPYue9UnadEvhlJUjFEYolygayEOEBzelbs0zxaQ7306Rso4fxKA2VK3bGGqyuHS89EDL9Koys469JwnPh5XI_R2vP8$), accessed March 26, 2024.

⁵⁰ A BAAQMD “J” number is the Asbestos Demolition/Renovation job number (J #) associated with the demolition and renovation of buildings and structure that may contain asbestos.

5) A Demolition Debris Recovery Plan approved by the San Francisco Department of Environment

These five requirements must be provided prior to the department of building inspection's issuance of a demolition permit. As explained in the initial study and expanded on further in this response, existing federal, state, and local regulations govern the handling and disposal of hazardous building materials and naturally occurring asbestos to ensure there would be no significant impacts related to these activities. Additionally, there is no mitigation that would achieve further asbestos risk reduction above what is already required by these regulations.

Air quality and health risk impacts during construction, including demolition, are discussed in Section 3.D, Impact AQ-2 and Impact AQ-4, of the draft EIR. As shown in Table 3.D-7, demolition would occur in the first year of construction, and emissions during this activity would not exceed the significance threshold for any criteria air pollutants. The draft EIR also notes that before the start of construction activities, the project sponsor would be required to submit the necessary documentation to the air district to ensure compliance with the asbestos ATCM. The project sponsor would be required to ensure that construction contractors comply with the asbestos ATCM requirements to prevent airborne (fugitive)-dust-containing asbestos from migrating beyond property boundaries during excavation and handling of excavated materials. As explained on p. 3.D-39 of the draft EIR, compliance with the regulations and procedures set forth by the city's Construction Dust Control Ordinance and the asbestos ATCM would reduce potential dust-related air quality impacts—including dust-related PM (a criteria air pollutant) and naturally occurring asbestos that may be a constituent of that particulate matter—and this impact would be less than significant.

As detailed in Impact AQ-4 of the draft EIR (pp. 3.D-62 through 3.D-64), health risk impacts due to existing conditions plus the proposed project, inclusive of demolition and construction activities, were evaluated at receptors for lifetime cancer risk and annual PM_{2.5} concentrations. Specifically, Section 3.D.3, Impact Assessment Methodology, Community Risk and Hazard Impacts (p. 3.D-29), notes that the residential and worker exposure scenarios included an evaluation of long-term cancer risk and annual PM_{2.5} concentrations during construction (inclusive of demolition activities) and operation of the proposed project. As further explained in Responses AQ-1 through AQ-3, the proposed project site and surrounding areas are identified as areas with poor air quality, referred to as the APEZ. Therefore, the proposed project is subject to more stringent health risk thresholds (7.0 cases in one million for cancer risk and 0.2 µg/m³ annual PM_{2.5} concentration) as part of the project's air quality analysis. As shown in Table 3.D-16, the project lifetime cancer risk at the maximally exposed offsite worker receptor was determined to be 5.10 in one million. The maximum project lifetime cancer risk exposure for the residential receptor was determined to be 4.68 in one million. The annual PM_{2.5} concentration for the maximally exposed residential and worker receptor was determined to be 0.08 and 0.17 µg/m³, respectively. Therefore, the project's health risk impacts would not exceed the city's significance thresholds set forth in the draft EIR. Additional details on the construction health risk analysis are provided in of Appendix F of the draft EIR, San Francisco Gateway Project Air Quality Supporting Information.

Conclusion

The draft EIR, inclusive of the initial study, accurately presents information related to the proposed construction activities; the presence of asbestos in existing building materials as well as naturally occurring asbestos on the project site; the regulatory setting that governs the demolition of existing buildings containing hazardous materials; and air quality and health risk impacts during project construction

activities. The draft EIR explains how compliance with existing state and local air district regulations that govern the handling and disposal of hazardous building materials and naturally occurring asbestos would ensure that impacts related to asbestos exposure are less than significant. In addition, the draft EIR contains a comprehensive analysis of potential air quality impacts during construction (inclusive of demolition activities) and operation of the project. No additional analysis or change to the EIR conclusions regarding this topic are required.

9.F.5 Comment AQ-5: Air Quality – Operational Impacts (Emissions)

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-CARB-6
- A-CARB-11
- O-ATBV-4
- O-EJG-2
- O-Sierra-5
- I-Ealom-2_12

“The City Incorrectly Concludes in the DEIR that the Project Would Result in a Less Than Significant Air Quality Impact After Mitigation

In Chapter 3.D (Air Quality) of the DEIR, the City concluded that the Project’s operational unmitigated NO_x emissions would exceed the BAAQMD significance threshold. Consequently, the City concluded that the operation of the Project would result in a potentially significant impact on air quality.

To mitigate the Project’s operational emissions, the City included nine mitigation measures (Mitigation Measure M-AQ-3a through M-AQ-3i). These mitigation measures included requiring the use of electric yard equipment, requiring electric transportation refrigeration units (TRU), limiting truck idling to two minutes, limiting the model year of trucks serving the proposed industrial/warehouse facilities to no more than nine years, requiring onsite diesel backup generators to meet or exceed Tier 4 final engine standards, developing a construction emissions minimization plan, and developing an operational emission management plan. After the implementation of these mitigation measures, the City concluded in the DEIR that the Project’s operational air quality emissions would be reduced to less than significant.

CARB applauds the City for including mitigation measures that promote the use of zero-emission on-site equipment, specifically Mitigation Measure M-AQ-3a and Mitigation Measure M-AQ-3b, which require the use of electric yard equipment and zero-emission TRUs to access the Project site. However, the City’s conclusion that the Project’s operational air quality impacts would be reduced to a less than significant level after mitigation remains unsupported by evidence, and therefore, the DEIR should be revised to reflect the potentially significant impact and recirculated in accordance CEQA Guidelines section 15088.5.

In determining whether mitigation reduces the severity of an effect to below significance, CEQA requires the following: “The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record” (Public Resources Code, section 21082.2(a)). Here, the City does not provide substantial evidence demonstrating that the mitigation measures (including

Measure M-AQ-3i) would reduce the Project's operational emissions of NO_x to below the BAAQMD's significance thresholds to support the less than significant after mitigation conclusion. On the contrary, the City includes a table showing the Project's operational NO_x emissions would remain significant after mitigation.¹⁰ Due to the lack of commitment to using zero-emission trucks in the DEIR and the lack of substantial evidence showing how the mitigation measure would reduce impacts to a less than significant level, the City should recirculate the EIR to properly reflect the conclusion that the proposed industrial/warehouse development would create NO_x emissions that would result in a significant impact. This impact conclusion will ensure that the public and decision-makers are fully aware of the Project's potential significant impact before approving the Project."

¹⁰ Table 3.D-12 (titled *Net Change in Daily Operational Emissions from Proposed Project in Year 2025 with Mitigation Measures M-AQ-3a through M-AQ-3f (pounds per day)*) shows the Project's operational NO_x emissions remain above the BAAQMD's significance thresholds.

(Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-6])

"CARB urges the City to either provide substantial evidence in the DEIR demonstrating that the Project's operational emissions of NO_x would not exceed the BAAQMD's significance threshold or to conclude in the DEIR that the Project would result in a significant and unavoidable impact on air quality." (Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-11])

"Impact AQ-3 needs to include the Cal-Enviro screening data." (Kamillah Ealom, *All Things Bayview*, August 28, 2023, [O-ATBV-4])

"I really don't – I can't say it as well as the residents. But from my perspective, today we have an instance where we need to dig deep into the EIR to find the impacts this proposed project will have, particularly on the air in the Bayview with the at the very least 5,000 additional person vehicle trips per day.

Granted, some of that will be people driving to work since the area's badly served by transit. But my guess would be that much of the traffic will be diesel trucks and gas-powered vans coming and going to bring in and bring out parcels. It's more than just the bulk of the building when we're looking at environmental impacts." (Sandra Dratler, *Environmental Justice Group at Faith in Action at St. James Episcopal Church*, September 7, 2023, [O-EJG-2])

"The DEIR finds that the project's long-term daily NO_x emissions are almost three times the threshold of significance. Under CEQA, a lead agency must adopt all feasible mitigation measures to reduce impacts to a less than significant level. However, the mitigation measures in the DEIR are insufficient. CEQA requires the lead agency to adopt the most effective and feasible measures to reduce the project's impacts, even where they do not make the impacts less than significant. See Pub. Res. Code § 21002 (CEQA mitigation includes measures that would "substantially lessen the significant environmental effects" of a project); *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 524-25 ("Even when a project's benefits outweigh its unmitigated effects, agencies are still required to implement all mitigation measures unless those measures are truly infeasible.") (emphasis added). The strategies identified are not ambitious enough to sufficiently reduce the potential emissions,

especially NO_x emissions. While on-site yard equipment is all required to be electric, there is insufficient calculation of the impacts of and mitigations for the on-road vehicles that enable last-mile delivery services, i.e. vans and trucks. Electrification of trucks would go a long way to reduce the DPM, NO_x, and other emissions from trucks, the requiring or incentivizing of which could happen in a myriad of ways.

Since the area is already in nonattainment for national particulate matter standards, as the DEIR notes, the ambient emissions should not be considered an allowable status quo. Rather, any source of emissions that increase or maintain that level needs to be better mitigated against, especially when considering cumulative impacts. In this area, within a 0.2-mile radius of a warehouse:

- 100% of warehouses are located in areas above the 90th percentile in diesel PM 2.5
- 62% of the population within the 0.2-mile radius are people of color
- 21% of people within the 0.2-mile radius are low income

This all points towards how the burden of warehouses and similar uses in San Francisco is being disproportionately borne by the populations of Southeast San Francisco.” (*Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-5]*)

“The impact AQ3 needs to include the Cal enviro screening data.” (*Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_12]*)

9.F.5.1 Response AQ-5

The commenters express concerns that the proposed mitigation measures would not reduce potential operational impacts to a less-than-significant level. Commenters also state that existing environmental conditions of the project region need to be considered in the impact analysis. This response is organized as follows:

- Substantiation of a Less-than-Significant with Mitigation Finding for Operational Emissions Impacts
- Air Quality Impacts in Consideration of Existing Conditions
- Conclusion

Substantiation of a Less-than-Significant with Mitigation Finding for Operational Emissions Impacts

The commenter is correct that Tables 3.D-12 and 3.D-13 of the draft EIR show that NO_x emissions would exceed the air district thresholds, even with implementation of Mitigation Measures M-AQ-3a through M-AQ-3f. However, the statement that “the city includes a table showing the project’s operational NO_x emissions would remain significant after mitigation” draws an incorrect conclusion, because, as explained on p. 3.D-54 of the draft EIR, the tables reflect only the mitigation measures whose effects can be readily quantified. As shown in Table 3.D-12 of the draft EIR, with Mitigation Measures M-AQ-3a through M-AQ-3f, NO_x emissions would be reduced by 56 percent (from 148.4 pounds per day to 64.1 pounds per day) but would still exceed the air district’s NO_x significance threshold of 54 pounds per day. It is for this reason the draft EIR identifies additional mitigation measures. As stated on p. 3.D-57 of the draft EIR, implementation of additional Mitigation Measures M-AQ-3g (compliance with CalGreen Tier 2 green building

standards) and M-AQ-3i (implementation of an operational emissions management plan) would further reduce operational emissions to a level that would not exceed thresholds,⁵¹ as defined and required by the performance standard established in Mitigation Measure M-AQ-3i. This performance standard, based on the air district's significance threshold for NO_x, would ensure that project operational emissions for this air pollutant would be less than significant.

The use of performance standards as a means of mitigating a project's significant impact has been a common and accepted practice to avoiding, minimizing, rectifying, and reducing significant impacts. CEQA guidelines section 15126.4 (a)(B) states, "The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed and potentially incorporated in the mitigation measure." Here, given that the specific tenants are unknown, it is impractical or infeasible to commit those future tenants to specific measures beyond those described in Mitigation Measures M-AQ-3a through M-AQ-3g. As detailed in Response AQ-8, this mitigation, would be enforced and actively monitored by the planning department's environmental monitoring team, according to the stipulations of the MMRP that would be adopted, should the planning commission and other decision-makers approve the project. The performance standard is measurable and specifically tied to the impact, and several feasible and effective actions are identified in Mitigation Measure M-AQ-3i, as detailed below. For example, should total project NO_x emissions be projected to exceed 54 pounds per day after accounting for the specific uses that would occupy the site and implementation of the eight other mitigation measures identified in the draft EIR, Mitigation Measure M-AQ-3i requires additional emissions reduction measures to meet that performance standard and lists the following potential additional measures on p. 3.D-51 of the draft EIR:

- modification of project operations, including through the use of different equipment, limitations on types of tenants/uses, or limitations on the size or intensity of specific uses;
- implementation of specific fleet performance metrics, including electric vehicle and zero-emission vehicle standards; minimum model year requirements that are more stringent than those required by Mitigation Measure M-AQ-3d; or achievement of regulatory requirements ahead of compliance schedules;
- reductions in onsite or offsite worker vehicle trips, including through implementation of additional TDM measures, such as providing contributions or incentives for sustainable transportation;
- funding or completing projects in coordination with community groups, as applicable, to directly reduce or eliminate sources of existing NO_x emissions not generated by the project, with emission reduction projects occurring in the following locations in order of priority to the extent available: (1) in the neighborhood surrounding the project site (i.e., Bayview Hunters Point); (2) in the city of San Francisco; and (3) in the air basin; and

⁵¹ Mitigation Measure M-AQ-3h (requirements for off-road construction equipment) would also reduce NO_x emissions, but during the construction period rather than during operations.

- other emission reduction measures that become feasible due to advances in technology, economic changes, or other factors during the lifetime of the project.

Zero-emissions trucks, as referenced by the commenter, could be a requirement for specific tenant(s) as part of the project's implementation of Mitigation Measure M-AQ-3i, or the project sponsor could decide to place limits on the types of tenants/uses occupying the buildings to meet the performance standard, as explained below.

Based on the anticipated emissions sources and the data presented in Table 3.D-12 and Table 3.D-13, there are a variety of emissions reduction scenarios that could achieve the required performance standard, depending on the applicability to future tenants. For example, based on the detailed mobile source emissions presented in Appendix F, early adoption of zero-emission fleet requirements for approximately 17 percent of vans and trucks serving the project site would achieve the emissions reductions necessary to achieve the performance standard.⁵² Similarly, prohibiting manufacturing and maker space activities from generating NO_x emissions would eliminate approximately 10 pounds per day or 1.3 tons per year, nearly achieving the performance standard without any other actions.

The proposed project use mix could include more PDR use types that have lower air pollutant emissions compared with the analyzed tenant use mix, remain consistent with the project objectives, and achieve the performance standard. Mitigation Measure M-AQ-3i, part C.5., specifically allows for this option, where project operational emissions reductions can be achieved through limitations on types of tenants/uses and on the size or intensity of specific uses. In this way, limiting uses that would otherwise incur high trip rates, or limiting the overall size of uses would also achieve trip rate reductions.

Furthermore, as explained in the draft EIR, certain emissions control technologies will advance over time, and air pollutant regulations will become more stringent. This will result in a reduction in long-term operational emissions, even with no change in operational activity from the proposed project. To show this, the draft EIR projects operational emissions in future years 2035 and 2050 with implementation of Mitigation Measures M-AQ-3a through M-AQ-3f and accounting for changes in vehicle emissions and fleet turnover projected by the air board. As shown on Figure 3.D-3 of the draft EIR, by year 2035, NO_x emissions would be below the air district's NO_x threshold without the need for additional mitigation that is required by Mitigation Measure M-AQ-3i.

For the reasons described above and throughout this RTC document, the draft EIR properly concluded that all impacts would be mitigated to a less-than-significant level. The commenters do not provide any evidence that there would be a new significant environmental impact or substantial increase in the severity of an environmental impact, and recirculation pursuant to CEQA guidelines section 15088.5 is not required.

Air Quality Impacts in Consideration of Existing Conditions

The commenters assert that Impact AQ-3 should include CalEnviroScreen data and that, due to existing conditions, a project should be required to mitigate any increase in emissions even if the emissions are

⁵² Based on the visitor-trip and onsite mobile source emissions presented in Attachment 2A to Appendix F of the draft EIR, total offsite and onsite NO_x emissions from vans, single-unit trucks, and tractor trailer trucks serving the project site would be approximately 60.77 pounds per day or 11.09 tons per year. The reduction in emissions of 10.1 pounds per day or 1.1 tons per year that is necessary to reduce project emissions to below the significance threshold after implementation of Mitigation Measures M-AQ-3a through M-AQ-3f would equate to approximately 17 percent of the daily emissions or 10 percent of the annual emissions generated by these vehicle categories. Therefore, replacing 17 percent of these vehicles with electric vehicles would result in an emissions reduction of 10.1 pounds per day or more than 1.1 tons per year.

below the significance threshold. Impact AQ-3 of the draft EIR evaluates the potential for the proposed project to result in a cumulatively considerable net increase in a criteria air pollutant for which the project region is in nonattainment status under an applicable federal, state, or regional ambient air quality standard. As detailed in Response AQ-1, the existing conditions of the project site and surrounding region, including the CalEnviroScreen data, are presented in the draft EIR in Section 3.A, Environmental Setting; and the existing air quality burden of the Bayview Hunters Point Neighborhood is presented and used to inform the approach to analysis in Section 3.D, Air Quality, of the draft EIR.

Conclusion

The draft EIR analysis of potential air quality impacts is based on a review of existing air quality conditions in the region; and on ensuring that the project would not exceed air district thresholds for criteria air pollutants, including ozone precursors and PM. The information presented in the draft EIR for Impact AQ-3 with regard to a cumulatively considerable net increase in nonattainment criteria air pollutants (pp. 3.D-41 through 3.D-60) provides the necessary information to demonstrate that Mitigation Measures M-AQ-3a through M-AQ-3i substantially reduce the project's emissions and ensure that the project's mitigated emissions would not exceed air district thresholds. Therefore, with mitigation, the project would not result in a cumulatively considerable net increase in criteria air pollutant emissions. As detailed above, the draft EIR contains the relevant substantial evidence to satisfy CEQA requirements (CEQA guidelines section 15384) and informed decision-making. No additional mitigation or change to the EIR conclusions regarding this topic are required.

9.F.6 Comment AQ-6: Air Quality – Construction and Operational Impacts (Health Risks)

This response addresses the comments from the commenters listed below; the comments on this topic are quoted in full below this list:

- A-CARB-1
- A-CARB-2
- A-CPC-Moore-6
- O-GA-BVHPMF-19

“CARB submitted a comment letter, which is attached to this letter, on the Notice of Preparation (NOP) for the DEIR released in March 2022. CARB's comments dated April 7, 2022, highlighted the need to prepare a health risk assessment (HRA) for the Project and encouraged the City and applicant to implement all existing and emerging zero-emission technologies to minimize exposure to diesel particulate matter (diesel PM) and nitrogen oxides (NO_x) emissions for all neighboring communities, and to minimize the greenhouse gases that contribute to climate change. Due to the Project's proximity to residences already disproportionately burdened by multiple sources of pollution, CARB's comments on the NOP expressed concerns with the potential cumulative health risks associated with the construction and operation of the Project.” (*Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-1]*)

“CARB staff are concerned that the Project will expose nearby communities in the Bayview-Hunters Point/Southeast San Francisco community to elevated levels of air pollution beyond the existing baseline

emissions at the Project site. Residences are located northeast, southeast, and south of the Project site, with the closest residence located approximately 1,310 feet southeast of the Project site. In addition to residences, Leonard R. Flynn Elementary, Bryant Elementary, and Starr King Elementary School are all located within a mile from the Project site. These communities are surrounded by existing toxic diesel PM emission sources, which include the many warehouse facilities surrounding the Project site, rail traffic along the Union Pacific rail line, and vehicular traffic along Interstate 280 and State Route 101. Due to the Project's proximity to residences and schools already burdened by multiple sources of air pollution, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project." (*Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-2]*)

"When this project comes on sites, it's basically one large building for all intents and purposes. And I do believe that there could be too many missed opportunities to properly track and observe the implementation of this project. This project is too consequential and more than what we perhaps even address in the EIR which gets me to the point about vulnerable community impact. I believe that the neighbors stated the impacts on Bayview-Hunters Point eloquently and convincingly and that will be part of the public record. What I am asking is we are already in an air pollution exposure zone, everything is already colored there. How could we possibly mitigate on top of an already existing unacceptable circumstance when this project is indeed causing major pollution and noise impact? This is a question that baffles me, and I find it actually somewhat ludicrous that we are even entertaining that there is mitigation possible. The people already described the health effect, and we already know that it's not working. I leave that for other people to also comment on." (*Commissioner Kathrin Moore, San Francisco Planning Commission, September 7, 2023, [A-CPC-Moore-6]*)

"Health Impacts

The socioeconomic stressors of the adjacent populations and these health conditions render populations in the project area especially vulnerable to the impacts of pollution. For example, the age-adjusted rate of emergency room visits due to asthma in Bayview Hunters Point is 93.40, while the San Francisco citywide average is only 34.86.⁶⁹ For chronic obstructive pulmonary disease ("COPD"), the emergency room visit rate in Bayview Hunters Point is 45.08, while the citywide average is 18.55.⁷⁰ Based on available data, the project is in a community with some of the highest rates of asthma and COPD-related emergency room visits and hospitalizations in the city.⁷¹ The DEIR acknowledges that "national and state air quality standards have been set at levels considered safe to public health, including the health of sensitive populations such as asthmatics..." This is as detailed as the report gets.⁷²

It is impossible to believe that the demolition and construction of an entirely new PDR site will not affect asthma and COPD rates in the area. Although CEQA does not require the project to mitigate these existing impacts, the project must mitigate its impacts moving into such a sensitive area. San Francisco has designated Bayview Hunters Point as a neighborhood overly burdened by environmental concerns such as air pollution and quality, so additional measures should be required as part of the City's policy.⁷³ In addition, the BAAQMD designated Southeast San Francisco as a "CARE" community through the Community Air Risk Evaluation program.⁷⁴ Meaning, these communities are generally near pollution sources (such as freeways,

busy distribution centers, and large industrial facilities) and negative impacts on public health in these areas are greater.⁷⁵

The DEIR provides a brief description of the health effects of exposure to criteria air pollutants that will result from the project.⁷⁶ In particular, the DEIR discusses the effects of ozone, carbon monoxide, suspended particulates, and nitrogen dioxide.⁷⁷ Again, the DEIR acknowledges that these air pollutants have adverse effects on human health, but fails to address how the project will affect these rates. The proposed project plans to demolish the existing site and construct an entirely new PDR facility that is over 2.1 million square feet in size and that will last for at least a century.⁷⁸ The Planning Department and Prologis cannot reasonably assume that the increase in air pollution will not detrimentally affect human health across the city.

In addition to criteria air pollutants, projects may directly or indirectly emit Toxic Air Contaminants (“TACs”). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic and acute adverse effects on human health, including cancer.⁷⁹ The DEIR includes a table depicting ambient concentrations of carcinogenic TACs compared to the risk of cancer at the nearest air district ambient TAC monitoring station but only mentions the cancer risk for the next 70 years.⁸⁰ This is inadequate because the project is expected to last over a century, so the risk of cancer needs to be evaluated for at least 100 years.”

⁶⁹ DEIR at 3.A-12.

⁷⁰ Id.

⁷¹ Id.

⁷² DEIR at 3.D-3.

⁷³ See generally DEIR 5.A.6.

⁷⁴ Bay Area Air Quality Management District <https://www.baaqmd.gov/community-health/community-health-protection-program/community-air-risk-evaluation/care-program>

⁷⁵ Id.

⁷⁶ See generally DEIR 3D.

⁷⁷ DEIR at 3.D-4.

⁷⁸ DEIR at 20-1.

⁷⁹ DEIR at 3.D-10.

⁸⁰ Id.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-19])

9.F.6.1 Response AQ-6

The commenters express concern regarding the proposed project’s impacts to human health and seek clarification on the draft EIR’s health risk analysis.

As described in Response ES-1, the draft EIR describes and acknowledges the existing conditions of the Bayview Hunters Point neighborhood in Section 3.A.5, on pp. 3.A-6 through 3.A-15. The section presents key environmental and socioeconomic indicators, including the U.S. Census Bureau’s statistics on income, poverty levels, unemployment, and educational attainment; OEHHA’s CalEnviroScreen 4.0; the air board’s AB 617 community designation; and hospitalization rates for asthma and chronic obstructive pulmonary disease, to illustrate how past actions shaped and continue to shape the physical environmental conditions that affect the Bayview Hunters Point community. The commenter reiterates the information provided in the

draft EIR but does not provide any additional data to further supplement the existing setting, nor does the commenter point to additional evidence to support any findings regarding operational impacts that would differ from those presented in the draft EIR. Also refer to Responses AQ-1 and AQ-2 for detailed information regarding the draft EIR's inclusion of information on the existing air quality conditions of the region; Response AQ-3 regarding quantification of the project's operational emissions and significance thresholds used in the EIR; and Response AQ-4 regarding the consideration of construction-related activities, including demolition, air pollutant emissions that such activities would generate, and the construction-related health risks.

As explained on p. 3.D-2 of the draft EIR, in accordance with the Clean Air Act amendments of 1970, the EPA established national ambient air quality standards for criteria air pollutants. The EPA sets the level of the primary (health-based) standards for criteria air pollutants to provide increased public health protection, consistent with the available health science. The state has also adopted California ambient air quality standards. The air board defines an air quality standard as the maximum amount of a pollutant averaged over a specific time that can be present in outdoor air without adversely impacting public health. Furthermore, the air district established mass emissions thresholds for projects (construction and operations) to address regional air quality conditions and attainment and maintenance of federal and state ambient air quality standards. Response AQ-3, on pp. 3.D-3 through 3.D-12 of the draft EIR, describes the health effects of exposure to criteria air pollutants and TACs from various sources relevant to the project and project area. Pages 3.D-27 and 3.D-28 of the draft EIR explain how the air district's thresholds provide a connection between a mass emission threshold and avoidance of health effects; the project's emissions are compared to these thresholds for the purposes of identifying the project's potentially significant impacts. As discussed in Response AQ-3, all air quality impacts would be either less than significant or less than significant with mitigation, and therefore there are no significant health impacts resulting from the proposed project's criteria air pollutant emissions.

In addition to evaluating the project's criteria air pollutant emissions in Impacts AQ-2 and AQ-3, the planning department completed an HRA to quantify exposure to toxic air pollutants that are most significant in terms of adverse health effects. These pollutants include PM_{2.5} because breathing unhealthy levels of these particulates can increase the risk of health problems such as heart disease, asthma, and low birth weight. Other air pollutants quantified in the HRA are TACs that may cause or contribute to an increase in mortality or serious illness or may pose a present or potential hazard to human health. The HRA used the methodology published by OEHHA in 2015, modeled exposure to TACs, and reported the results in terms of the potential increase in cancer risk (refer to pp. 3.D-1 and 3.D-29 of the draft EIR). Impacts were evaluated for receptors within 1,000 feet of the project site, as well as within 1,000 feet of haul routes for proposed project construction; and trip routes for proposed project operational vehicle travel between the site and where the on- and off-ramps merge onto or exit U.S. 101 or I-280. Based on air district CEQA guidelines, a 1,000-foot radius is recommended around the project property boundary for assessing community risks and hazards. Response AQ-3 describes the approach to cumulative impact analysis, and Response AQ-7 addresses the concerns mentioned by the commentors with regard to cumulative air quality and health risk impacts.

As summarized in Table 3.D-6 in Section 3.D.3, Impact Assessment Methodology, of the draft EIR, and as described in Response AQ-3, the health risk significance thresholds for construction and operations for projects affecting receptor locations that meet the APEZ criteria are 30 percent more stringent (more health-protective) than for receptor locations that do not meet the APEZ criteria. Given the project site and because the project's maximally exposed receptor locations meet the APEZ criteria, the analysis inherently accounted

for the existing air quality conditions in its approach to the impact evaluation and application of more stringent thresholds.

As discussed under Impact AQ-4 (refer to pp. 3.D-61 through 3.D-62 of the draft EIR), the health risk impacts associated with the proposed project do not exceed the project thresholds of significance for receptor locations that meet the APEZ criteria. In Section 3.D.1, Environmental Setting, the draft EIR evaluates the proposed project's emissions and pollutant concentrations on the surrounding community, bearing in mind the proposed project site's location in an APEZ. More specifically, the proposed project's maximum cancer risk impact is 4.68⁵³ and 5.10 per one million for residential and worker receptors, respectively. Both of these impacts are below the restrictive APEZ cancer risk significance threshold of 7 per one million. The proposed project's maximum annual PM_{2.5} concentrations are 0.08 and 0.17 µg/m³ for residential and worker receptors, respectively. These PM_{2.5} impacts are also below the more restrictive APEZ annual PM_{2.5} concentration significance threshold of 0.2 µg/m³. Based on these results, health risks associated with proposed project construction and operations were found to be less than significant. Please also refer to Response AQ-1 for additional information regarding the APEZ and the existing air quality conditions of the project site and surrounding Bayview Hunters Point neighborhood.

The commenter's reference to the project's cancer risk over 70 years is based on Table 3.D-4 in the draft EIR, where annual average ambient concentrations of TACs measured at the nearest monitoring station are summarized for calendar year 2019. These data are not representative of the analysis for the proposed project but are included in Section 3.D-1, Environmental Setting, to describe existing air quality conditions. The measured data are provided by the air district for ten TACs at the 10 Arkansas Street, San Francisco monitor. This table also provides existing estimated cancer risk, based on an assumption that a maximally exposed individual would be exposed to emissions over their assumed lifetime, a period of 70 years, that has been calculated by the air district based on previous OEHHA guidance. Because the project is expected to be in place for the long term, the commenter incorrectly asserts that the HRA should be based on a period of exposure of 100 years or more. The fact that the project could be in place for longer than 70 years is not relevant to the health risk analysis, because the HRA estimates the maximum exposure for an *individual*, and it is not reasonable to assume that a maximally exposed individual will reside in one place continuously for even 70 years, much less 100 years (the overall life expectancy in San Francisco is 83 years, and the overall life expectancy for residents in the Bayview Hunters Point neighborhood is 76.7 years⁵⁴). The HRA prepared for the proposed project was conducted based on the most recent air district and OEHHA guidance, which assumes that an individual resident would be exposed to the project's emissions for 30 years, and an individual worker would be exposed for 25 years. The 30-year exposure duration for residential receptors is based on a high-end estimate of how long people live at a single location, with nine years being the average duration a resident may live in one place.⁵⁵ The methodology for and evaluation of potential health effects is presented in the draft EIR in Section 3.D.3, Impact Assessment Methodology (pp. 3.D-29 and 3.D-30), and in

⁵³ The maximum impacted residential receptor was determined to occur under the scenario where a resident is exposed to operational emissions for 30 years in total, consistent with OEHHA guidance. A health risk scenario that considered exposure to all of the project's construction emissions during the 2.6-year construction period plus 28 years of operational emissions, for a total exposure period of approximately 30 years, was also analyzed. As discussed in Response AQ-4, that scenario would result in an excess cancer risk of 4.05, which is slightly lower than the cancer risk that was modeled to occur from exposure to 30 years of operational emissions.

⁵⁴ San Francisco Health Improvement Partnership, Mortality – Summary of Data Findings, 2018, <https://sfhip.org/chna/community-health-data/mortality/>, accessed March 27, 2024.

⁵⁵ California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Risk Assessment Guidelines: Technical Support Document for Exposure Assessment and Stochastic Analysis, 2012, <https://oehha.ca.gov/media/downloads/cnr/exposureassessment2012tsd.pdf>.

Impact AQ-4 (pp. 3.D-60 through 3.D-64). Impact AQ-4 in the draft EIR concludes that the proposed project would not result in a significant health risk impact.

One commenter also asserts that the project would cause a noise impact. As described in EIR Sections 3.C.4 and 3.C.5, noise impacts from the proposed project would be less than significant or less than significant with mitigation. The commenter does not provide details or evidence regarding why they believe a noise impact would occur. The commenter is also referred to Response NO-1.

The draft EIR adequately and accurately analyzed health risks and discloses this information to the public and decision-makers. No additional analysis or change to the EIR conclusions regarding this topic are required.

9.F.7 Comment AQ-7: Air Quality – Cumulative Impacts

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-BVHPCA-3
- O-Sierra-6

“The estimated impact of vehicle trips in the neighborhood completely ignores the fact that the established facility, The SF Wholesale Produce Market, is a 24-hour operation with heaviest activity after “normal” business hours. The Market has major traffic activity from 8pm to 6am consisting mainly of diesel powered vehicles. The impacts of the new project on top of existing impacts make it hard to believe that the particulate matter pollution will not increase to a point that is more significant and these findings.” (*Karen Pierce, Bayview Hunters Point Community Advocates, October 16, 2023, [O-BVHPCA-3]*)

“The DEIR notes existing impacts in the cumulative impact as a reason to not decrease impacts expeditiously, instead waiting 12 to 27 years (2025 and 2050). Any impacts that maintain current or increase the cumulative impacts must be understood as significant and requiring immediate action. Considering the higher rates of asthma and cancer risk this DEIR notes, cumulative impacts need to be brought down not added to—especially when young people growing up in these environments are at particular risk of negative health outcomes during their youth and for the rest of their lives.

This is especially concerning considering that Bayview/Hunters Point is now an AB 617 Community which will be identifying sources of pollution and developing plans to reduce those emissions. Now is not the time to add, but to proactively reduce.” (*Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-6]*)

9.F.7.1 Response AQ-7

These comments pertain to the project’s cumulative air quality impact. One commenter asserts that any impacts that continue or increase cumulative air quality conditions must be considered significant. Another commenter states that the combined impacts of the SF Market and the proposed project would result in more significant PM pollution than identified in the draft EIR.

The draft EIR analyzed potential cumulative air quality impacts in Section 3.D.5, pp. 3.D-71 through 3.D-78. As explained on these pages:

Regional air quality effects are inherently cumulative effects—the nonattainment status of regional pollutants results from past and present development in the air basin. No single project would be sufficient in size to result in nonattainment of regional air quality standards. The potential for the proposed project to result in significant criteria air pollutant emissions, and therefore a cumulatively considerable contribution to nonattainment criteria pollutants, is addressed under Impact AQ-2 and Impact AQ-3. Therefore, no separate cumulative criteria air pollutant analysis is required. The discussion of cumulative impacts here addresses cumulative impacts related to exposure to local sources of PM_{2.5} and TAC emissions and to other sources of emissions, such as those leading to odors.

Impact C-AQ-1 (p. 3.D-71) acknowledges that existing air quality conditions, combined with the proposed project and cumulative projects, would result in a significant cumulative health risk impact from PM_{2.5} and TAC emissions but states that the proposed project’s contribution would be less than cumulatively considerable. As explained in Impact C-AQ-1, the cumulative health risk analysis evaluates health risks from existing emissions sources, proposed project emissions, and emissions from nearby projects within 1,000 feet of the offsite maximally exposed residential and worker receptors to determine the cumulative health risks at the offsite maximally exposed resident and worker receptors. As discussed on p. 3.D-73 of the draft EIR, the cumulative air quality analysis acknowledged that “a cumulative health risk currently exists and would continue to exist under cumulative conditions, even without the proposed project or expanded streetscape variant.” Nevertheless, the cumulative health risk analysis describes how the cumulative projects would further increase health risks at the project’s maximally exposed receptors, with specific discussion of the added health risk contribution from the SF Market project’s July 2022 Addendum. On p. 3.D-72 of the draft EIR, it is stated that “[t]he contribution of truck trips from the proposed project or expanded streetscape variant on the maximally exposed individual residential and worker receptors is about 20 percent (cancer risk) and about 25 percent (annual PM_{2.5}). Therefore, conservatively assuming that all new vehicle trips from the SF Market pass by the maximally exposed individual receptors of the proposed project or expanded streetscape variant, the net increase in health risk impacts would be approximately 3 to 4 percent.”

With respect to the SF Market’s current health risk contribution, as discussed in Response AQ-1, the 2020 Citywide HRA informed existing health risk exposure levels in the project’s analysis. Sources discussed in the 2020 Citywide HRA included roadways (i.e., traffic), stationary sources, rail, and water vessels. Section 2.1 of the 2020 Citywide HRA discusses the methodology for roadway emissions, which uses traffic data to model 2020 emissions along each link of the roadway network. Annual average daily traffic volumes that were roadway-specific were used as input to the 2020 Citywide HRA modeling for total vehicles and heavy-duty trucks.⁵⁶ Accordingly, vehicle emissions associated with the existing SF Market project are captured in the existing conditions database, which is incorporated into the evaluation of cumulative impacts.

Page 3.D-30 of the draft EIR explains that the air district’s health risk thresholds are the levels below which the air district considers new sources not to make a considerable contribution to cumulative health risks. Furthermore, for areas that already meet the APEZ criteria, the draft EIR describes a lower significance threshold required to ensure that the proposed project’s contribution to existing health risks is not significant. This lower, more health-protective significance threshold is used to determine whether the

⁵⁶ San Francisco Department of Public Health, San Francisco Planning Department, and Ramboll, San Francisco Citywide Health Risk Assessment: Technical Support Documentation, September 2020.

project's health risk impact would be cumulatively considerable. See Response AQ-3 for additional discussion of the air quality thresholds used in the draft EIR. As discussed on p. 3.D-77 of the draft EIR, the proposed project would not exceed the significance threshold for cumulatively considerable contributions to health risks, and this impact was determined to be less than significant.

One commenter asserts that, given the existing conditions in the project vicinity, any project that maintains current impacts or increases the cumulative impacts should be considered significant. This is incorrect; as stated in Response AQ-1, CEQA is not intended to remedy past actions or mitigate or improve on existing baseline conditions. CEQA requires the identification of significant physical environmental impacts, as they relate to the proposed project, and requires avoidance or mitigation of those impacts, where feasible. CEQA is focused on avoiding or mitigating impacts *compared to* those existing conditions (also known as the "baseline"). The draft EIR accurately describes and acknowledges the existing air quality conditions around the project vicinity, analyzes the project's impacts compared to these existing conditions (or baseline conditions), and discloses these impacts in the draft EIR.

The commenter also incorrectly states that the draft EIR analysis relies on conditions improving in future years to reduce project impacts (note that commenter references year 2025, but it has been assumed that the intent was 2035, the future year scenario presented in the draft EIR, because 2025 would be the earliest possible year of construction). With respect to criteria air pollutant emissions, the draft EIR concludes that impacts would be mitigated to a less-than-significant level as of initial operations starting in year 2025, with no "waiting" period. As described in Response AQ-3, the draft EIR provides an analysis of the project's impacts in years 2035 and 2050 "for informational purposes to clarify the project's impacts given the assumptions that technologies are likely to improve, and regulations are anticipated to become more stringent." In conclusion, the draft EIR accurately identifies that criteria air pollutant emissions would be less than significant with the implementation of mitigation measures at the start of project operations in year 2025; project impacts are expected to further decrease in years 2035 and 2050.

Health risks from the proposed project, with 2035 and 2050 future baselines that assume growth anticipated in the housing element 2022 update, were also evaluated to show how health risks are anticipated to change. These results indicate that the 2035 and 2050 baseline health risks decrease from the 2020 baseline (2020 Citywide HRA), which is attributed to an increase in lower emission vehicles in future years, as discussed on p. 3.D-67 of the draft EIR.

Conclusion

The air quality cumulative analysis in the draft EIR takes into consideration the existing and cumulative air quality conditions in the project area, inclusive of the project site's location in the APEZ and of other truck travel activity in the vicinity associated with the nearby SF Market. For the reasons stated above, this analysis is consistent with the requirements of CEQA guidelines sections 15130 and 15355, and no additional analysis or change to the EIR conclusions regarding this topic are required.

9.F.8 Comment AQ-8: Air Quality – Mitigation Measures (Operational Emissions Management Plan)

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-BAAQMD-2

- A-CARB-7
- A-CARB-8
- A-CARB-12

“Propose proactive concrete mitigation measures for NO_x emissions beyond the OEMP that do not defer emission reductions.

The DEIR states that, even with mitigation measures 3a-3g (e.g., electrification of yard equipment and TRUs, limits to idling of tractor trailers, adopting cleaner fleet mixes and zero-emission infrastructure, including Tier 4 generators) the Project’s total NO_x emissions of 64.1 pounds per day would exceed the NO_x significance threshold. Additional mitigation measures to further reduce construction related emissions and implementation of a 10-year Operations Emissions Management Plan (OEMP) are proposed to ensure that the Project’s NO_x emissions will remain below the Air District significance thresholds until such time all feasible measures and changes to fleets are in place to ensure cumulative compliance.

The OEMP (mitigation 3i, p. 3D-49) is proposed to address operational emissions. While innovative and welcomed as a proactive emissions management bridge mitigation approach for prospective lessees, emission reductions are nevertheless too contingent to conclude that NO_x will be reduced to a less than significant level. Furthermore, any triggered new mitigations that would be required for projected exceedances (to be implemented by a yet to be determined tenant) are deferred mitigations that are not sufficiently concrete, measurable, or enforceable to ensure NO_x will remain below the significance thresholds for the life of the project.

The Air District recommends the mitigation measure explicitly state, for the various projected truck types and trips associated with the proposed tenant mix options, a numeric, quantified limit of truck types and operational trips based on NO_x emissions that will be allowed to ensure the overall Project remains below the threshold of significance. These identified truck types and trip parameters can then also help to inform and guide the OEMP.” (David Ralston, Bay Area Air Quality Management District, October 16, 2023, [A-BAAQMD-2])

“The Project’s Air Quality Mitigation Measures Improperly Defer Mitigation

As previously discussed, the City concluded in the DEIR that the Project’s operational NO_x emissions would exceed the BAAQMD’s significance threshold, but ultimately concluded that the Project would result in a less than significant impact after mitigation on air quality.

To mitigate the Project’s operational emissions of NO_x, the City included Mitigation Measure M-AQ-3i to the DEIR, which would require the City and future tenants of the proposed industrial/warehouse facility to develop an Operational Emissions Management Plan (OEMP). Specifically, the OEMP requires that the “project sponsor shall develop and implement an Operational Emissions Management Plan (OEMP) that shall demonstrate that the project’s net operational NO_x emissions do not exceed the performance standard of 54 pounds per day and 10 tons per year.”¹¹

CEQA only allows deferral of mitigation in certain circumstances and with important safeguards. Specifically, the CEQA Guidelines provide:

Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review, provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard that will be considered, analyzed, and potentially incorporated in the mitigation measure.

(Title 14 CCR § 15126.4(a)(1)(B).)

While Mitigation Measure M-AQ-3i specifies the air district's air pollutant thresholds as its performance standards, it nevertheless improperly defers mitigation for air quality impacts associated with the Project by failing to specify clear methodologies for determining the Project's emissions or for gauging the effectiveness of whatever mitigation measures are ultimately selected, ultimately delegating responsibility for establishing those methodologies to the City of San Francisco Planning Department's environmental review officer (ERO). (See *Communities for a Better Environment v. City of Richmond* (2010) 184 CA4th 70, 93-95). Mitigation Measure M-AQ-3i requires the future tenants to "submit an OEMP to the [environmental review officer] or designee for review and approval prior to one or more tenants in the project site occupying a combined total of 500,000 square feet of floor area."¹² The OEMP required under Mitigation Measure M-AQ-3i would be developed after project approval to determine the extent of air pollutant emissions, the associated air quality impacts, and mitigation. Furthermore, this plan would be subject to the discretion of a sole Planning Department employee (or their yet-unspecified designee), frequently based on discretionary standards such as substantial evidence as determined by the ERO/designee, or "to the satisfaction" of the ERO/designee. This type of deferred impact analysis and mitigation development, particularly when combined with subjective approval criteria, bypasses the public decision-making process and amounts to post-hoc rationalization of the City's actions. (See *Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296, 307.) Notably, Mitigation Measure M-AQ-3i does not cite to existing criteria air pollutant data and impacts that the City, the lead agency for CEQA, has identified in the DEIR for operational activities associated with the Project, but leaves it up to the applicant to determine the extent of air quality impacts from the Project."

¹¹ City of San Francisco. *San Francisco Gateway Project Draft Environmental Impact Report*. Page 3.D-49. Accessible at https://files.ceqanet.opr.ca.gov/277021-2/attachment/fYSuZMT6LYZDm6vu94ETIQepSGaJwT5JhVUbwY0s77FXthRmOm_0o1Efjg6PC4VJfArJKMsCb tGZd9u0

¹² City of San Francisco. *San Francisco Gateway Project Draft Environmental Impact Report*. Page 3.D-50. Accessible at https://files.ceqanet.opr.ca.gov/277021-2/attachment/fYSuZMT6LYZDm6vu94ETIQepSGaJwT5JhVUbwY0s77FXthRmOm_0o1Efjg6PC4VJfArJKMsCb tGZd9u0

(Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-7])

"Mitigation Measure M-AQ-3i, as written in the DEIR, is also not enforceable. (Title 14 CCR § 15126.4, subdivision (a)(1)(B) and (a)(2).) Although the applicant could potentially include measures that could reduce the Project's operational emissions in the OEMP required under Mitigation Measure M-AQ-3i, Mitigation Measure M-AQ-3i does not commit the agency to implement feasible mitigation for the Project's

air quality impacts. Mitigation Measure M-AQ-3i includes a list of briefly-described potential operational emission reduction measures such as modification of project operations, implementation of specific fleet performance metrics, and reductions in onsite or offsite work vehicle trips to reduce onsite emissions of NO_x. However, the lead agency (the San Francisco Planning Commission) is the entity that must identify potential actions that will feasibly achieve a performance standard to mitigate air quality impacts. Allowing the ERO to make feasibility determinations related to mitigation measures after project approval is improper, because the feasibility of the measures must be established prior to the time of project approval. (Title 14 CCR § 15126.4(a)(1)(B).)

Furthermore, the DEIR lacks any guarantee that any necessary obligations under Mitigation Measure M-AQ-3i will be incorporated into the leases with individual tenants. The measure simply provides: “To the extent that required emissions reduction and reporting measures are applicable to individual tenants, the OEMP shall provide that these measures be incorporated into lease terms for individual tenants of the project.” Absent a guarantee that such obligations will be incorporated into individual leases where necessary (for example, by delaying lease execution until obligations under the mitigation measure are fully understood and developed), the measure is not enforceable. This is because, without ensuring the City has full leverage to incorporate the mitigation into all individual leases whenever necessary, there is no evidence showing why tenants who have already executed lease agreements with the applicant would have any reason to agree to amending their leases to incorporate further mitigation requirements that may be later identified through the deferred elements of Mitigation Measure M-AQ-3i.

CARB urges the City to adequately identify the operational air quality impacts of the project and to prepare adequate, enforceable, and feasible mitigation measures in the Draft EIR to provide adequate disclosure to the public and the City’s decision-making body before the City approves the Project, as required under CEQA. Where several feasible measures are available to mitigate an impact, CEQA requires each measure to be discussed in the EIR (see Title 14 CCR § 15126.4(a)(1)(B).)” (*Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-8]*)

“Lastly, CARB urges the City to replace Mitigation Measure M-AQ-3i, which defers mitigation to a later date after the FEIR has been certified, and replace it with a measure that requires only zero-emission trucks to serve the Project.” (*Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-12]*)

9.F.8.1 Response AQ-8

The commenters express concern regarding the adequacy, feasibility, and enforceability of Mitigation Measure M-AQ-3i: Operational Emissions Management Plan. This response is organized as follows:

- Adequacy of Mitigation Measure M-AQ-3i
- Feasibility of Mitigation Measure M-AQ-3i
- Enforceability of Mitigation Measure M-AQ-3i
- Conclusion

Adequacy of Mitigation Measure M-AQ-3i

Mitigation Measure M-AQ-3i meets the standards identified in CEQA guidelines section 15126.4. As noted by the commenter, “[t]he specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project’s environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will [be] considered, analyzed, and potentially incorporated in the mitigation measure” (CEQA guidelines section 15126.4, subd. [a][1][B]). Consistent with CEQA guidelines, the use of performance standards as a means of mitigating a project’s significant impact has been a common and accepted practice for avoiding, minimizing, rectifying, and reducing significant impacts.

As a threshold matter, it is impractical or infeasible to impose more prescriptive limitations on operations for all potential future tenants, nor would this achieve the project sponsor’s objectives of developing a flexible PDR facility for a diverse and evolving range of uses in a central urban environment (detailed in Section 2.B of the draft EIR and in Response PD-2 of this document). For example, although a strict limitation on vehicle trips may be effective at limiting emissions associated with the project, it may also have the effect of preventing uses that would boost resiliency in the local supply chain, create a range of jobs near housing, and reduce vehicle miles traveled for distribution uses; and this type of limitation may not be necessary, given other options to use different vehicle types or stationary equipment, or to conduct specific emission reduction projects. Similarly, a requirement to use only zero-emission trucks may not be necessary if a particular tenant proposes a use with only minimal truck trips and total project emissions that would be well below the significance threshold.

Mitigation Measure M-AQ-3i fulfills the additional criteria of guideline 15126.4(a)(1)(B) as follows:

- (1) The agency⁵⁷ would commit to the requirements of Mitigation Measure M-AQ-3i in the same manner as it commits to all adopted mitigation measures for the project (and for all projects requiring mitigation under CEQA). If the planning commission certifies the final EIR and approves the project, the planning commission will adopt a MMRP for monitoring of and reporting on the revisions required of the project and mitigation measures to address significant environmental effects. Consistent with CEQA guidelines section 15097, the MMRP is designed to ensure implementation of the mitigation measures identified in the final EIR and adopted as part of approval of the proposed project. The measure identifies the city’s environmental review officer as the entity responsible for ensuring that implementation of Mitigation Measure M-AQ-3i adheres to the requirements of the measure and demonstrates attainment of the performance standard, thereby meeting requirements of item (1) of the referenced CEQA guideline. Pursuant to San Francisco Administrative Code Chapter 31, the environmental review officer shall be responsible for assuring that the city is carrying out its responsibilities set forth in CEQA. In addition, Chapter 31, section 31.05(k) allows the

⁵⁷ Measures identified in the project’s MMRP are adopted by the city as conditions of approval for the project (included as Exhibit C of the project’s Conditional Use Authorization Motion). The project sponsor commits to implement mitigation measures through an agreement with the city and, as explained on p. 9-101, the planning department’s environmental monitoring team actively coordinates with the planning department’s environmental review officer, project sponsor team, environmental consultants, and representatives from construction companies to ensure that mitigation measures are met and complied with as the project moves through the various stages of completion (e.g., preconstruction, construction, and postconstruction or operations).

environmental review officer to delegate his or her responsibilities to an employee of the Office of Environmental Review. (See additional discussion under subheading “Enforceability,” below).

- (2) Furthermore, Mitigation Measure M-AQ-3i clearly defines the performance standard that must be achieved through implementation of the measure—achievement of the air district’s quantitative threshold for operational NO_x emissions—and is therefore consistent with requirements of item (2) of the referenced CEQA guidelines section.
- (3) Finally, Mitigation Measure M-AQ-3i provides not only a list of feasible emissions reduction measures that could be implemented to achieve the defined performance standard, but also a detailed framework for the reporting of emissions and requirements that emissions reduction measures identified through the operational emissions management plan process be incorporated into lease terms for individual tenants of the project. The mitigation measure requires that emissions reduction measures be identified and implemented prior to occupancy (i.e., prior to the emissions occurring), to ensure that the project does not exceed the NO_x performance standard. (See additional discussion under subheading “Feasibility of Emissions Reduction Measures,” below).

With respect to the commenter’s statement that Mitigation Measure M-AQ-3i does not “specify clear methodologies for determining the Project’s emissions or for gauging the effectiveness of whatever mitigation measures are ultimately selected...,” draft EIR pp. 3.D-23 through 3.D-26 describe pertinent characteristics of the proposed project, air emissions assumptions, and estimation methodologies; and direct the reader to Appendix F for detailed assumptions and methodologies used to estimate emissions from the proposed project. The draft EIR also contains information about how implementation of mitigation would reduce project emissions (i.e., the efficacy of the mitigation measures). Additionally, Mitigation Measure M-AQ-3i, part B.2., as written in the draft EIR (p. 3.D-50), specifies that “The emissions assessment shall include: ... [e]stimates of expected NO_x emissions in annual tons and average pounds per day for all activities associated with the tenant’s use (inclusive of onsite and offsite mobile emission sources). Emission estimation methods shall generally follow the approach used in this EIR and in Appendix F, Air Quality Supporting Information, taking into account current air board- or air district-recommended emissions factors (vehicle types, model year, fleet mix, etc.), or another agreed-upon method (subject to approval by the environmental review officer or designee and provided that such method is supported by substantial evidence).”

As discussed above, Appendix F to the draft EIR provides a detailed methodology memorandum, including calculation attachments showing the data inputs and calculation methodology used to estimate emissions from the proposed project. As required by the above-cited excerpt from Mitigation Measure M-AQ-3i, use of Appendix F and the calculation attachments would inform the methodology for emissions estimates conducted to comply with this mitigation measure. The commenter did not state specific concerns about use of this methodology for the EIR itself, or any reason that a different particular methodology should apply to either the EIR or subsequent emissions assessments. Following the established methodology would ensure that all operational emissions sources are accounted for, and that appropriate air pollutant data are used to inform the emissions calculations.

For the reasons described above, Mitigation Measure M-AQ-3i does not constitute deferral of mitigation. The draft EIR provides extensive discussion of the emissions assessment methodology; and Mitigation Measure M-AQ-3i requires that each tenant’s emission assessment be consistent with the methodology used

in the draft EIR, and that any deviations to the methodology be supported by substantial evidence and subject to approval by the environmental review officer.

Feasibility of Mitigation Measure M-AQ-3i

Table 3.D-12 and Table 3.D-13 show that net project emissions (based on conservative or worst-case assumptions for the specific end users of the analyzed tenant use mix) with implementation of Mitigation Measures M-AQ-3a through M-AQ-3f exceed the average daily and annual thresholds by approximately 10.1 pounds per day and 1.1 tons per year, respectively. Based on the anticipated emissions sources and the data presented in Table 3.D-12 and Table 3.D-13, as well as Appendix F to the draft EIR, there are a variety of emissions reduction scenarios that could achieve the required performance standard, depending on the applicability to future tenants. Several scenarios demonstrating the feasibility of achieving the identified performance standard in Mitigation Measure M-AQ-3i are summarized in Response AQ-5. These include, but are not limited to, the increased adoption of electric vehicles for the project site or limiting the types of tenants/uses that occupy the project site.

As described above, modification of project operations—including through the use of different equipment, limitations on types of tenants/uses, or limitations on the size or intensity of specific uses—is entirely within the purview and ability of the project sponsor in the selection of tenants and/or limitation of operational capacity (i.e., not filling the building space to capacity if such an action would result in a level of total site operational emissions that could not otherwise be reduced to below the required performance standard).

Implementation of specific fleet performance metrics would be specified through tenant lease agreements, as applicable. For example, one option for a fleet performance metric would be to require tenant(s) to use a specified percentage of electric vans and/or trucks in lieu of gasoline- or diesel powered-vehicles. This option would employ existing technologies, or those coming to market and available at the time of operations. As noted in comments summarized in Response AQ-11, several state regulations have been adopted that will drive an increase in the production, sale, and market availability of zero-emission trucks. The air board released a report showing that sales of zero-emissions vehicles by truck manufacturers now exceeds regulatory targets and demonstrating the absorption of this technology in fleet operations.⁵⁸ Similarly, industry data points toward the increasing rate of adoption of zero-emission trucks, particularly in the sector of cargo vans. The report indicates that the total market share is still less than 1 percent for each individual truck category but is climbing at a rate that exceeds regulatory requirements.⁵⁹ This demonstrates the feasibility of incorporating such technology into a portion of future operations, if needed, to achieve the performance standard of Mitigation Measure M-AQ-3i.

The mitigation measure does not leave the determination of feasibility to the discretion of the city's environmental review officer. Rather, Mitigation Measure M-AQ-3i is the measure that would be adopted should decision-makers approve the project, and this measure identifies the performance standard that must and can be met, as detailed above. Mitigation Measure M-AQ-3i outlines a range of potential actions that can feasibly achieve that performance standard, as further detailed below. The project sponsor has agreed to implement this mitigation measure as shown in the MMRP and makes no attempt to reject this

⁵⁸ California Air Resources Board, *Advanced Clean Trucks Credit Summary Through the 2022 Model Year*, October 2023, <https://www2.arb.ca.gov/resources/fact-sheets/advanced-clean-trucks-credit-summary-through-2022-model-year>.

⁵⁹ CALSTART, *Zeroing in on Zero-Emission Trucks – The State of the U.S. Market*, January 2024, https://calstart.org/wp-content/uploads/2024/01/ZIO-ZET-2024_010924_Final.pdf.

mitigation measure as part of the project's approval for any reason, including any reason related to feasibility. In summary, for the reasons discussed above, Mitigation Measure M-AQ-3i would feasibly attain the NO_x performance standard required to ensure that NO_x emissions remain less than significant.

Enforceability of Mitigation Measure M-AQ-3i

San Francisco Administrative Code section 31.05 establishes the role and responsibility of the Office of Environmental Review for the purposes of administering those actions in Chapter 31, the city's CEQA procedures. The environmental review officer has the responsibility of ensuring that the city is carrying out its responsibilities set forth in CEQA, which would include implementation of mitigation adopted and detailed in the MMRP. Furthermore, as included in Mitigation Measure M-AQ-3i, part C.5., this mitigation measure requires that "[t]o the extent that required emissions reduction and reporting measures are applicable to individual tenants, the operational emissions management plan shall provide that these measures be incorporated into lease terms for individual tenants of the project." The commenter asserts that this does not provide the city the ability to incorporate the mitigation into individual leases whenever necessary. However, prior to occupancy for each PDR tenant, the project sponsor shall require the tenant to conduct an emissions assessment, which would inform whether emissions reductions are required and therefore provides for the appropriate timing to incorporate the applicable emissions reduction measures into that tenant's lease agreement (Mitigation Measure M-AQ-3i, part B). The MMRP, which would be made a condition of project approval, requires implementation of the measure and verification of implementation. As with any of the mitigation measures in the MMRP for this and other projects, violations of these conditions would be subject to penalties determined by the city. Enforceability rests with the owner overseeing the tenants to whom they have leased properties, but also with the city. The commenter does not raise concerns regarding the enforceability of CEQA mitigation measures generally, in accordance with Chapter 31 of the Administrative Code, and does not identify any considerations that make Mitigation Measure M-AQ-3i less enforceable than other mitigation measures for this or other projects.

Furthermore, the San Francisco Planning Department actively monitors and enforces mitigation measures associated with projects following the completion of the planning department's CEQA and entitlement review. The planning department's environmental monitoring team is responsible for monitoring mitigation measures associated with projects. The environmental monitoring team actively coordinates with the planning department's environmental review officer, project sponsor team, environmental consultants, and representatives from construction companies to ensure that mitigation measures are met and complied with as the project moves through the various stages of completion (e.g., preconstruction, construction, and postconstruction or operations).

As discussed above, with implementation of mitigation measures identified in the draft EIR, including measures that could be included in the project in compliance with Mitigation Measure M-AQ-3i, NO_x emissions would be less than significant. The commenter does not provide substantial evidence to the contrary.

Additional mitigation measures recommended by two commenters to require that only zero-emission trucks serve the project and require that a numeric limit to truck types and trip rates be included in the draft EIR, are therefore not necessary. Regarding numeric limits to trip types and trip rates, future tenants (project end users) have not been specified and likely would not be specified by the time of project approval. As explained in the draft EIR in Section 2.D.1, Proposed Project Characteristics and Site Plan, and specifically in

Table 2.D.2, the project description and the analysis in Chapter 3 are based on PDR use types within which different end users could be accommodated. The use types are identified, and specific types of businesses have been used to perform the draft EIR impact assessment; however, it would be speculative, and not necessary to comply with CEQA, to place defined restrictions on tenant fleet mix or trip rates in light of the diverse range of vehicles for the potential end users and the evolving regulations toward a zero-emissions truck fleet.

See also Response AQ-11 regarding the suggestion to require only zero-emission trucks to serve the project.

Conclusion

Mitigation Measure M-AQ-3i meets the requirements for mitigation pursuant to CEQA guidelines section 15126.4. As detailed above, the lead agency has the following responsibilities:

- (1) The agency⁶⁰ commits to the mitigation through the planning commission's adoption of the MMRP. Because the mitigation measures are conditions of project approval, the project sponsor is responsible for implementing the mitigation measures with enforcement overseen by the environmental review officer.
- (2) The lead agency adopts specific performance standards that the mitigation will achieve, as detailed in Mitigation Measure M-AQ-3i, part A.
- (3) The lead agency identifies the types of potential actions that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the operational emissions management plan to ensure that the project's operational emissions would not exceed the thresholds of significance. This includes the methodology and rationale for how potential measures will be analyzed to ensure that emissions are reduced to a less-than-significant level.

As detailed above, the mitigation is fully enforceable through the city's environmental review officer and implementation of the MMRP by the planning department's environmental monitoring team. Finally, the draft EIR and Appendix F to the draft EIR provide substantial evidence that the required performance standard can be met and that Mitigation Measure M-AQ-3i would ensure that the project's operational emissions would be less than significant with mitigation.

9.F.9 Comment AQ-9: Air Quality – Mitigation Measures (Enforceability/Feasibility)

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below this list:

- O-GA-BVHPMF-18

“The DEIR Fails to Adequately and Accurately Implement Feasible Mitigation Measures.

⁶⁰ Measures identified in the project's MMRP are adopted by the city as conditions of approval for the project (included as Exhibit C of the project's Conditional Use Authorization Motion). The project sponsor commits to implement mitigation measures through an agreement with the city and, as explained on p. 9-101, the planning department's environmental monitoring team actively coordinates with the planning department's environmental review officer, project sponsor team, environmental consultants, and representatives from construction companies to ensure that mitigation measures are met and complied with as the project moves through the various stages of completion (e.g., preconstruction, construction, and postconstruction or operations).

The mitigation measures proposed in the DEIR are painfully inadequate and extremely unreasonable. CEQA requires public lead agencies to impose feasible mitigation measures as part of the approval of a “project” to lessen or avoid significant adverse effects of the project on the physical environment.⁵⁹ Additionally, the mitigation measures have to be enforceable.⁶⁰ The City owes a duty to the community to incorporate all feasible mitigation measures to reduce significant impacts.

The DEIR has undoubtedly failed to meet this requirement. First, the DEIR explicitly states that this project would result in an increase in air pollution to the extent that it could conflict with or obstruct the implementation of the 2017 Clean Air Plan.⁶¹ Considering that, the DEIR provides mitigation measures M-AQ-3a, M-AQ-3b, and M-AQ-3c as feasible mitigation measures which will analyzed below.

A. Electrification of Yard Equipment (M-AQ-3a)

The project sponsor claims that the tenant lease agreement will ensure that all yard equipment will be electric. However, the project sponsor does not share specifications on how they will ensure they carry this mitigation measure through. How will this be monitored and enforced? What if such equipment is not on the market? While ideal, it is difficult for the community to support a mitigation measure that is so vague, leaving many no choice but to believe this mitigation measure is not feasible, and thus inadequate.

B. Electrification of Transportation Refrigeration Units (M-AQ-3b)

1. Operational Emissions

The project sponsor claims all transportation refrigeration units operating on the site will be electric or alternative zero-emissions technology. The DEIR does not specify when this will occur. How the project sponsor will ensure compliance, the DEIR also does not specify. The DEIR also does not describe the electrification infrastructure that will be available on-site and any indirect emissions from the increased demand for electricity at the site.

2. Construction Emissions

Considering that construction will last approximately 31 months if not more, the mitigation measure must be in effect throughout the entire construction of the project. It is important to note that there is no guarantee that the trucks that will provide the necessary equipment and resources for the construction of this project are presumably not electric. Therefore, pollution from those trucks will inevitably affect the environment and the community.

C. Truck and Van Idling for More Than Two Minutes (M-AQ-3c)

The project sponsor claims that onsite idling of all visiting gasoline- or diesel-powered vans and trucks will not exceed two minutes. They also claim that onsite workers and truck drivers will be provided with training to effectively implement this mitigation measure. However, it is entirely unrealistic and unreasonable to believe that this mitigation measure is going to be effective. It seems highly unlikely that onsite workers or visiting truck drivers will set a timer for two minutes and comply with this mitigation measure by proceeding to turn off the vehicle. This is especially unbelievable if there are no repercussions for failing to do so or no cameras in place to ensure compliance. It is also inconceivable that this mitigation measure will be effective and more reasonable to believe that a truck will idle for longer than it’s supposed to. For example, an onsite

worker or visiting truck driver could easily idle for two minutes and thirty seconds by unintentionally becoming distracted by their surroundings or other matters. Therefore, this mitigation measure is not feasible.

D. Additional Mitigation Measures Should Be Implemented

1. All TRUs That Enter the Site Should be Plug in Capable.

The California Air Resource Board (“CARB”) recommends that developers and government planners minimize public exposure to air pollution.⁶² One of the recommendations includes requiring all transportation refrigeration units (“TRUs”) that enter the project site to be plug-in capable without exception.⁶³ The DEIR only states that there will be charging infrastructure to accommodate necessary plug-ins for TRUs that happen to be electric on site.⁶⁴ To truly minimize exposure to air pollution in an area already categorized as an APEZ, the DEIR should adopt this mitigation measure. Because Bayview Hunters Point is already overburdened, the DEIR should implement as many mitigation measures as possible to ensure the health and safety of those in the community.

2. All Emergency Generators Should be Powered by Non-diesel Fuel.

Additionally, CARB recommends that all emergency generators should be powered by non-diesel fuel.⁶⁵ The DEIR states that Prologis will “ensure that the diesel backup generators meet or exceed the air board’s Tier 4 final off-road emission standards.”⁶⁶ However, the DEIR does not state how Prologis will “ensure” that they meet this standard. Not only does it make their proposed mitigation measure unenforceable, but Prologis wishes to redevelop land in an area that is already suffering from companies just like Prologis. Therefore, Prologis, who claims to be the world’s largest PDR developer, should be implementing mitigation measures that go beyond what is necessary for the approval of this project. The DEIR should not allow for diesel or fossil fuel backup generators on site as an additional mitigation measure.”

⁵⁹ CEQA Guidelines § 15370

⁶⁰ CEQA Guidelines § 15126.4(a)(2)

⁶¹ DEIR at S-10-11.

⁶² DEIR Appendix A at 1.

⁶³ *Id.* at 2.

⁶⁴ DEIR at 3.D-46.

⁶⁵ DEIR Appendix A at 2.

⁶⁶ DEIR at S-11.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-18])

9.F.9.1 Response AQ-9

The comment relates to the requirement under CEQA for a project to implement feasible mitigation measures to lessen or avoid significant adverse effects of a project on the physical environment. The commenter asserts that Mitigation Measures M-AQ-3a, M-AQ-3b, and M-AQ-3c are inadequate due to questions concerning their clarity, feasibility, enforceability, and/or specificity of timing. The commenter also asserts that additional mitigation measures are needed, including the requirement that all transportation

refrigeration units entering the site be plug-in capable, without exception, and that all backup generators be powered by nondiesel fuel. The response is organized as follows:

- Adequacy of Draft EIR Proposed Mitigation Measures
- Suggested Additional Mitigation Measures
- Conclusion

Adequacy of Draft EIR Proposed Mitigation Measures

With regard to Mitigation Measures M-AQ-3a, M-AQ-3b, and M-AQ-3c, the commenter asserts that the measures do not specify how compliance and enforceability will be ensured, thereby making the measures inadequate. Please see Response AQ-8 regarding enforceability of mitigation measures in general.

Mitigation Measure M-AQ-3a requires that all onsite yard equipment (e.g., hand trucks, forklifts, or pallet jacks) be electric. Typically, hand trucks are manually operated; pallet jacks are either manually operated or electric-powered; and forklifts are electric-powered. Current market conditions and equipment trends for forklifts, such as battery capacity and longevity—coupled with increasing air quality regulations, such as the air district’s Zero-Emission Forklift Regulation and other emphasis and initiatives for electrification—indicate that this equipment would be all or almost all electric, with only a fraction of the equipment being potentially propane.⁶¹ As stated in Section 2.D.4, Mechanical Equipment (p. 2-24 of the draft EIR), all tenant leases would require all yard equipment to be electric. Mitigation Measure M-AQ-3a is included to ensure additional monitoring as a formal measure within the MMRP that would be adopted by the city with project approval, should the proposed project be approved. Thus, Mitigation Measure M-AQ-3a is feasible and enforceable.

Mitigation Measure M-AQ-3b requires the electrification of transportation refrigeration units (p. 3.D-46 of the draft EIR). The commenter states that the mitigation measure does not specify timing. However, the mitigation states clearly that it is applicable to “all transportation refrigeration units operating on the project site,” which means compliance by all units from the initial moment of site operations. Therefore, further details on the timing of mitigation measure implementation are not needed and would not provide additional clarity to the measure as written. Furthermore, the air board is developing requirements to transition diesel-powered transport refrigeration units to zero-emission technology in two phases. Part 1 consists of amendments to the transportation refrigeration unit air toxic control measure, which the air board approved at its February 2022 meeting. The amendments include requirements for the transition of diesel-powered truck transportation refrigeration units to zero-emission, a particulate matter emission standard for newly manufactured non-truck transportation refrigeration units, lower global warming potential refrigerant requirements, facility registration and reporting, expanded transportation refrigeration unit reporting and labeling, and fees. As of publication of this RTC document, the air resources board staff are assessing zero-emission options for non-truck transportation refrigeration units and plan to take a second rulemaking (Part 2) to the board for consideration in 2025.⁶²

⁶¹ American Journal of Transportation, Electrification of Forklifts Continues to Show Rapid Growth, 2023, <https://www.ajot.com/insights/full/ai-electrification-of-forklifts-continues-to-show-rapid-growth>, accessed April 2024.

⁶² California Air Resources Board, 2022 Amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities where TRUs Operation, <https://ww2.arb.ca.gov/resources/fact-sheets/2022-amendments-tru-atcm>, accessed April 17, 2024.

The commenter also states that the draft EIR does not describe the electrification infrastructure that would be available onsite, or any indirect emissions from the increased demand for electricity at the site. Future onsite electrification would not result in any direct onsite emissions or other onsite physical impacts to the environment not already evaluated comprehensively throughout the draft EIR. The Utilities and Service Systems section of the initial study (included as Appendix B to the EIR; see pp. 121 and 122) explains that, although the project would install new connections to the surrounding PG&E electric grid to provide service to the proposed buildings, the activities required to install these facilities are accounted for in the project description as components required to construct the proposed project (e.g., excavation, trenching, and foundations), and physical impacts associated with this construction are included in the evaluation of the project's physical impacts described throughout the initial study and draft EIR. Accordingly, the project would not result in significant environmental effects from the construction or relocation of electric power infrastructure. Additionally, the Energy section of the initial study (pp. 198 through 200) explains that there would be a net increase in electricity consumption by the proposed project, which would be partially offset by onsite renewable energy generation; and a net decrease in natural gas energy due to the project's elimination of natural gas service at the project site. The project would not use energy resources in an inefficient, wasteful, or unnecessary manner and would not conflict with state or local plans for renewable energy or energy efficiency. The project's electrical demand would be met through the existing electrical grid and infrastructure provided by PG&E and/or SFPUC, which is subject to separate permitting and environmental analysis.

The commenter also asserts that Mitigation Measure M-AQ-3b must be in effect throughout the entire construction period for the project, and that trucks for the construction of the project will affect the environment. As noted above, Mitigation Measure M-AQ-3b pertains to transportation refrigeration units, which would be used during operations only. This measure has no applicability to project construction and is therefore not required for implementation during construction of the proposed project. With regard to construction trucks that could result in exhaust emissions of air pollutants, see Responses AQ-4 and AQ-6.

Mitigation Measure M-AQ-3c limits onsite idling of all visiting gasoline- or diesel-powered vans and trucks to not exceed two minutes and requires appropriate signage and training for effective implementation of this measure. The commenter asserts that without monitoring or penalties for failure to comply, this measure will not be effective, and idling will exceed the imposed restriction. Regulatory limits to idling are not new or unique. For example, in 2005, the air board approved a regulatory measure to reduce emissions of toxic and criteria air pollutants by limiting the idling of new heavy-duty diesel vehicles. The air board also adopted rules for in-use off-road diesel vehicles in 2007, most recently amended in November 2022; these rules required, among other actions, limitation of idling to five minutes. Furthermore, the California Attorney General's September 2022 Warehouse Best Practices⁶³ recommend, and the city's conditional use requirements for parcel delivery service uses (planning code section 303(cc)(2)(B)) limit idling to three minutes. The posting of multilingual idling limit signs onsite helps to ensure compliance with this measure. Both the state and local regulations are examples of feasible implementation of idling restrictions.

As with all mitigation measures for this project, the project sponsor is responsible for implementing this mitigation. That responsibility would be enforced by the planning department's environmental monitoring team, in accordance with the stipulations of the MMRP that would be adopted as part of project approval,

⁶³ California Department of Justice Office of the Attorney General, 2022 Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>.

should such an action be taken by the planning commission and other decision-makers. The MMRP requires implementation of the measure and verification of implementation by the project sponsor. The MMRP would be made a condition of project approval. As with any of the mitigation measures in the MMRP for this and other projects, violations of these conditions would be subject to penalties determined by the city. Enforcement rests with the owner overseeing the tenants to whom they have leased properties, but also with the city.

Suggested Additional Mitigation Measures

The commenter states that the draft EIR only provides charging infrastructure to accommodate plug-ins for those transportation refrigeration units “that happen to be electric,” and, with reference to air district guidance, suggests a mitigation measure requiring that all transportation refrigeration units entering the site be plug-in capable. Mitigation Measure M-AQ-3a provides the requirement that the commenter is requesting. Not only does this mitigation require accommodating electric infrastructure and capacity, but it also requires that all transportation refrigeration units entering the project site be zero-emission; by the nature of the technology, all electric units are also designed to be plug-in capable.

The commenter also states that the project should not include diesel backup generators onsite. As noted by the commenter, the draft EIR Mitigation Measure M-AQ-3e does require that any onsite backup generator meet or exceed Tier 4 final off-road emissions standards. With regard to the use of backup generators, the two 400-kilovolt-ampere generators, one for each of the two buildings, would support the buildings’ life safety systems (p. 2-24 of the EIR) by providing an alternate energy source if required by building and fire codes, depending on final design. According to the project sponsor’s building code consultant, ARS,⁶⁴ diesel generators are the method that the San Francisco Fire Department and Department of Building Inspection currently accept for providing this required alternate energy source for life safety purposes. Although it is possible that nondiesel generators will be available for these purposes in the future, the analysis conservatively assumed that only diesel generators would be available and accepted by the relevant city officials. The project’s operational air emissions would be mitigated to a less-than-significant level through implementation of mitigation measures, and further mitigation of generator emissions is not required. The project’s generator specifications will be reviewed by the planning department prior to installation to ensure conformance with the requirements of the MMRP. Additionally, the proposed project would not include diesel generators as a backup power source for tenant operations (as opposed to building life safety systems).⁶⁵

Conclusion

As discussed in the draft EIR (pp. 3.D-53 through 3.D-56), implementation of Mitigation Measures M-AQ-3a, M-AQ-3b, and M-AQ-3c would reduce emissions associated with various operational sources from the proposed project, including onsite goods movement equipment, transportation refrigeration units, and proposed diesel generators. These measures would reduce the project’s operational emissions of NO_x, the criteria air pollutant for which the project would exceed the air district’s significance threshold. Mitigation Measures M-AQ-3a, M-AQ-3b, and M-AQ-3c are feasible and enforceable. Furthermore, Mitigation Measure M-AQ-3b already incorporates requirements for electrification of transportation refrigeration units,

⁶⁴ A.R. Sanchez-Corea & Associates, Inc. (ARS), Letter from Tony Sanchez-Corea, April 10, 2024, provided to the planning department.

⁶⁵ The initial study, at p. 24, indicated that the project would include two additional 200-kilovolt-ampere generators per building to serve the needs of future tenants. However, the project was refined in connection with the draft EIR and no longer proposes tenant generators.

consistent with those suggested by the commenter. Finally, the proposed project's diesel generator specifications would be reviewed by the planning department to ensure conformance with the requirement of Mitigation Measure M-AQ-3c. Lastly, for the reasons discussed in Response AQ-3, with implementation of all nine mitigation measures identified in the draft EIR, the proposed project would not result in any significant air quality impacts; additional mitigation measures, beyond those identified in the EIR, are not required. Therefore, the draft EIR contains the relevant information pertaining to the comments. No additional mitigation or change to the EIR conclusions regarding this topic are required.

9.F.10 Comment AQ-10: Air Quality – Mitigation Measures (Offsite Mitigation)

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below this list:

- A-BAAQMD-3

“Prioritize all available on-site emissions reductions rather than relying on potential off-site mitigation.”

Proposed mitigation measure AQ-3i includes a proposed measure to achieve NO_x reductions through off-site offset projects that might be located anywhere in the Bay Area. Off-site mitigation should not be used in communities, such as Bayview Hunters Point, which already endure a disproportionate burden of pollution. While off-site mitigation is an alternative approach under CEQA, the Air District strongly supports the implementation of all available on-site emission reduction measures before relying on off-site mitigation. Further, any off-site mitigations must be demonstrated to be real, permanent, quantifiable, verifiable, and enforceable and should be implemented concurrently with Project emissions (rather than delayed or deferred).” (David Ralston, Bay Area Air Quality Management District, October 16, 2023, [A-BAAQMD-3])

9.F.10.1 Response AQ-10

The comment relates to the inclusion of offsite mitigation as an available option to reduce project emissions to a less-than-significant level and meet the performance standard specified in Mitigation Measure M-AQ-3i. The commenter acknowledges that offsite mitigation may be an acceptable approach under CEQA but expresses their preference for implementation of all available onsite emissions reduction measures prior to implementation of offsite mitigation. The commenter further states the requirement that all offsite mitigation be real, permanent, quantifiable, verifiable, and enforceable, and implemented concurrently with project emissions.

The inclusion of offsite mitigation as an additional emissions reduction option is not intended to omit consideration of onsite emissions reduction measures or prioritize offsite measures over onsite measures, but to recognize existing air quality conditions and the fact that there may be specific opportunities to improve such conditions. The city acknowledges the commenter's preference for onsite emissions reduction measures over any offsite mitigation and concurs with the requirements for offsite mitigation, as summarized by the commenter. Consistent with the comment, the measure, on p. 3.D-51 of the draft EIR, identifies the order of priority of geographic location for any offsite mitigation, should it be implemented. The measure states, “...with emissions reduction projects occurring in the following locations **in order of**

priority to the extent available: (1) in the neighborhood surrounding the project site (i.e., Bayview Hunters Point); (2) in the city of San Francisco; and (3) in the air basin;...” (**emphasis added**). Nevertheless, as explained on p. 3.D-3 of the draft EIR, NO_x is regulated, in part, because it contributes to formation of ozone. It is referred to as a regional pollutant because it, along with ROG, is transported and diffused by wind while concurrently resulting in the production of ozone through a photochemical reaction process that occurs in the presence of sunlight. In other words, emissions of NO_x at a particular site may not result in ozone formation at that same location. Accordingly, it is not strictly necessary for offsite mitigation to occur near the emissions source to be effective, so long as it occurs in the air basin. If offsite mitigation is proposed as part of an operational emissions management plan under Mitigation Measure M-AQ-3i, the project sponsor must demonstrate that the emission reduction measures are valid and effective to the satisfaction of the city’s environmental review officer or designee. See Response AQ-8 regarding the adequacy, feasibility, and enforceability of Mitigation Measure M-AQ-3i in general. The commenter does not identify any particular error or shortcoming in including offsite activities as one potential component of the mitigation. Furthermore, and as acknowledged by the commenter, offsite mitigation is an allowable approach to mitigating a project’s impacts, provided the specific mitigation is supported by substantial evidence. No additional mitigation or change to the EIR conclusions regarding this topic are required.

9.F.11 Comment AQ-11: Air Quality – Mitigation Measures (Zero Emissions/Clean Fuel as a Mitigation Measure)

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-CARB-9
- A-CARB-10
- O-1000GMFG-4

“The City Should Include a Mitigation Measure Requiring the use of Zero-Emission Trucks

To mitigate the Project operational NO_x emissions to a less than significant level after mitigation, CARB staff urges the City to remove Mitigation Measure M-AQ-3i and replace it with a mitigation measure or project design feature that requires all heavy-duty trucks to be zero-emission and to install on-site infrastructure to support those zero-emission trucks. As presented below, CARB has many regulations that promote and eventually require the use of zero-emission trucks at freight facilities, such as the proposed Project. Specifically, the Advanced Clean Fleets Regulation would require all drayage trucks in California to be zero-emission by 2035. To support trucks serving the Project that are already complying with the Advanced Clean Fleets regulation, CARB urges the City to modify Mitigation Measure to require the infrastructure to support on-site zero-emission trucks at the start of Project operations. A list of commercially-available zero-emission trucks can be obtained from the Hybrid and Zero-emission Truck and Bus Voucher Incentive Project (HVIP). The HVIP is a part of California Climate Investments to incentivize the purchase of zero-emission trucks.¹³ Based on CARB’s review of the zero-emission trucks listed in the HVIP, there are commercially available electric trucks that can meet the cargo transportation needs of individual industrial uses proposed in the City today. CARB has implemented or is developing regulations that will require the use of zero-emission trucks.

The list below details the CARB regulations that will result in the reduction of diesel PM and NO_x emissions from trucks within California:

- **Drayage Truck Regulation:** The existing Drayage Truck Regulation requires all drayage trucks to operate with an engine that is a 2007 model year or newer.
- **Truck and Bus Regulation:** The Truck and Bus Regulation requires all trucks, including drayage, to have 2010 or newer model year engines by January 1, 2023.
- **Heavy-Duty Low-NO_x Omnibus Rule:** The Heavy-Duty Low-NO_x Omnibus Rule that requires truck emission standards to be reduced from 0.20 to 0.05 grams per brake horsepower-hour (g/bhp-hr) from 2024 to 2026, and to 0.02 g/bhp-hr in 2027.
- **Advanced Clean Trucks Regulation:** The Advanced Clean Trucks Regulation, approved by CARB on June 25, 2020, requires manufacturers to start the transition from diesel trucks and vans to zero-emission trucks beginning in 2024. The rule is expected to result in about 100,000 zero-emission trucks in California by the end of 2030 and about 300,000 by 2035. The Advanced Clean Trucks regulation is part of CARB's overall approach to accelerate a large-scale transition to zero-emission medium- and heavy-duty vehicles. CARB approved amendments to the Advanced Clean Trucks regulation in March 2021; the amendments help ensure that more zero-emission vehicles are brought to market. CARB directed staff to ensure that fleets, businesses, and public entities that own or direct the operation of medium- and heavy-duty vehicles in California purchase and operate ZEVs to achieve a smooth transition to ZEV fleets by 2045 everywhere feasible, and specifically to reach:
 - 100% zero-emission drayage trucks, last-mile delivery, and government fleets by 2035
 - 100% zero-emission refuse trucks and local buses by 2040
 - 100% zero-emission capable utility fleets by 2040
- **Advanced Clean Fleets Regulation:** The Advanced Clean Fleets Regulation is part of CARB's overall strategy to accelerate a large-scale transition to zero-emission medium- and heavy-duty vehicles. This regulation works in conjunction with the Advanced Clean Trucks regulation. The regulation applies to trucks performing drayage operations at seaports and railyards, fleets owned by State, local, and federal government agencies, and high priority fleets. High priority fleets are those entities that own, operate, or direct at least one vehicle in California, and that have either \$50 million or more in gross annual revenue, or that own, operate, or have common ownership or control of a total of 50 or more vehicles. The regulation affects medium- and heavy-duty on-road vehicles with a gross vehicle weight rating greater than 8,500 pounds, off-road yard tractors, and light-duty mail and package delivery vehicles. All drayage trucks entering seaports and intermodal railyards would be required to be zero-emission by 2035.

With the implementation of the regulations listed above, specifically the Advanced Clean Trucks Regulation, tenants at the proposed industrial/warehouse development must begin the transition from diesel trucks and vans to zero-emission trucks. To protect the air quality the residences of the BVHP Community breath, CARB urges the City to include contractual language in tenant lease agreements that require future tenants to use zero-emission trucks during their operation in the Final Environmental Impact Report.”

¹³ *Zero-Emission Truck and Bus Voucher Incentive Project*. Accessible at: <https://californiahvip.org/>

(Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-9])

“Although CARB applauds the City for including mitigation measures that promote the use of electric yard equipment and electric or alternative fuel TRUs to access the Project site, CARB is concerned the operation of the Project may negatively impact the air quality in the surrounding BVHP Community. As previously discussed in this letter, the BVHP community is heavily impacted by air pollution from nearly existing facilities and roadways. The operation of the Project will undoubtedly contribute the existing air pollution in the community. With the construction of a new industrial/warehouse facility like the one proposed on the Project, the City has a unique opportunity to showcase a state-of-the-art zero-emission facility that limits its air quality impacts on the BVHP community.” (*Richard Boyd, California Air Resources Board, October 13, 2023, [A-CARB-10]*)

“...much more of the Bayview Hunters Point community will be affected, first by demolition and removal of asbestos and later by diesel traffic, resulting in heavy pollution. To suggest that these heavy duty trucks may be electrified by 2050 - 27 years from now - is inadequate and disrespectful of the air pollution now facing residents, especially those suffering from asthma at rates far greater than elsewhere in San Francisco. Appropriate mitigation must include requiring “clean fuel” (eg., a blend of diesel and biofuel as the SFMTA has planned for its Muni fleet, or propane) for all vehicles, with a scheduled phase-in to carbon-free electric transport.” (*Rosemary Jarrett, 1000 Grandmothers for Future Generations, October 13, 2023, [O-1000GMFG-4]*)

9.F.11.1 Response AQ-11

The commenters suggest that the draft EIR include mitigation to address the exhaust emissions through zero-emission, clean-fuel trucks. The commenters should also refer to Response AQ-2, which clarifies that the air quality analysis does not assume that all trucks will be electric by 2050; Response AQ-4, which discusses construction impacts related to asbestos exposure; and Response AQ-5, which discusses operational air quality impacts.

One commenter states that Mitigation Measure M-AQ-3i should be replaced with a measure to require all heavy-duty trucks to be zero-emission and to install onsite infrastructure to support such zero-emission trucks. Another commenter references both construction-related emissions and operational mobile source diesel emissions, stating that mitigation should be included in the draft EIR to require all vehicles be powered by clean fuel (“e.g., a blend of diesel and biofuel”), with a phased requirement for carbon-free electric-powered vehicles. With regard to Mitigation Measure M-AQ-3i and use of electric vehicles, this commenter should refer to Responses AQ-5 and AQ-8. With regard to requirements to use vehicles powered by diesel/biofuel blends, current state and local regulations target the transition to zero-emission vehicles, such as electric vehicles, rather than diesel/biofuel blends. The San Francisco Municipal Transportation Authority previously replaced its fleet with hybrid vehicles that run on electric power and renewable diesel, as well as with zero-emission vehicles. However, they have since (in 2018) adopted a resolution to phase out hybrid vehicles and replace them with exclusively battery-electric vehicles (which are zero-emission).⁶⁶ Furthermore, as reported by a recent study funded by the air board, average NO_x emissions were statistically

⁶⁶ San Francisco Municipal Transportation Agency, Resolution No. 231107-092, 2018, https://www.sfmta.com/sites/default/files/reports-and-documents/2023/11/11-7-23_mtab_item_12_zero_emission_vehicle_policy_update_resolution.docx_.pdf, accessed April 17, 2024.

higher with on-road new technology diesel engines powered by renewable diesel/biodiesel blends than with those powered by the air board reference fuel (a petroleum-based, ultra-low sulfur diesel meeting ASTM D975 standard specifications for diesel fuel). The study showed that, although the blended fuels were beneficial in reducing diesel particulate matter emissions, NO_x emissions increased relative to the reference fuel, demonstrating that such fuel options do not provide a NO_x emissions benefit for on-road mobile sources.⁶⁷

The comments also summarize existing air board regulations that have been adopted and will result in the reduction of exhaust emissions from trucks throughout the state. As noted by the commenter, these regulations will directly influence the fleet mix and related emissions of future tenants of the proposed project operations, as well as cumulative conditions. The air quality section of Section 3.D.2, Regulatory Framework, of the draft EIR, acknowledges that the air board's Advanced Clean Fleets regulation targets a transition to zero-emission vehicles fleets by 2040 everywhere feasible; and that the air board's Advanced Clean Trucks regulation similarly is part of the air board's approach to achieve a large-scale transition to zero-emission medium- and heavy-duty vehicles for Class 2b to Class 8 trucks, including increasing zero-emission truck/chassis sales requirements for manufacturers of these vehicles. See also Response AQ-2 with regard to the draft EIR's consideration of zero-emissions trucks and future year analyses to demonstrate emissions reductions over time that would result from state regulations, like the Advanced Clean Trucks regulation.

One comment above expresses the commenter's opinion that the city has an opportunity to showcase a state-of-the-art zero-emission facility. This comment does not raise specific environmental issues about the adequacy or accuracy of the draft EIR's analysis of physical environmental impacts. There are no relevant statutory regulations that would require this facility to be a zero-emission facility. As discussed in Section 2.D.11, Sustainability, the project would seek LEED Gold certification or higher. Although the project is not explicitly required to be a zero-emission facility, the project has incorporated sustainability features such as a rooftop solar array, water- and energy-efficient design features, and electric vehicle charging infrastructure (p. 2-35). Furthermore, as discussed in Response IS-1, the facility is required to be all-electric and, with the transition of the electric grid to renewable and zero-emissions energy sources in accordance with timelines required under the California Renewables Portfolio Standard, the project's indirect electricity emissions are expected to decrease over time. As discussed in Response AQ-3, all air quality impacts of the project would be either less than significant or less than significant with mitigation. No additional analysis or change to the EIR conclusions regarding this topic are required. These comments will be transmitted to city decision-makers for their consideration during the project's approval process.

With respect to the mitigation measures identified in the EIR, an EIR must include all feasible mitigation measures that could avoid or reduce significant impacts (CEQA guidelines, section 15126.4). As acknowledged by the commenter, future tenants (project end users) are currently unknown. As explained in the draft EIR in Section 2.D.1, Proposed Project Characteristics and Site Plan, and specifically in Table 2.D.2, the project description and the analysis in Chapter 3 are based on PDR use types within which different end users could be accommodated. Although the use types are identified, and specific types of businesses have been used to inform the draft EIR impact assessment, it would be potentially infeasible and speculative to

⁶⁷ University of California, Low Emission Diesel (LED) Study: Biodiesel and Renewable Diesel Emissions in Legacy and New Technology Diesel Engines, Prepared for California Air Resources Board, November 2021, https://ww2.arb.ca.gov/sites/default/files/2021-12/Low_Emission_Diesel_Study_Final_Report_12-29-21.pdf, accessed April 17, 2024.

place defined restrictions on fleet equipment that would capture the diverse range of vehicles for the potential occupants and adapt to the evolving regulations toward a zero-emissions truck fleet. In accordance with CEQA guidelines section 15126.4(a)(4)(B), “[t]he mitigation measure must be ‘roughly proportional’ to the impacts of the project.” Mitigation Measure M-AQ-3i requires the development and implementation of an operational emissions management plan, which identifies possible emissions reduction measures, including electric vehicle and zero-emission vehicle standards, to further reduce emissions if needed to meet the measure’s identified performance standard. As described in the draft EIR (pp. 3.D-53 through 3.D-57), implementation of Mitigation Measures M-AQ-3a through M-AQ-3i would reduce potential operational emissions from the project to a less-than-significant level. Therefore, additional mitigation measures are not required to further reduce the project’s emissions. See also Responses AQ-5 and AQ-8 with regard to the adequacy and enforceability of mitigation, including Mitigation Measure M-AQ-3i.

9.F.12 Comment AQ-12: Air Quality – Mitigation Measures (Buffer from Sensitive Receptors)

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below this list:

- O-Sierra-2

“In addition, the Project is inconsistent with California Air Resources Board (“CARB”) guidance, which calls for siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.¹ Furthermore, the DEIR fails to implement the “Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act” issued by the California Attorney General Office of Environmental Justice, a document that recommends “siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors” and “[r]equiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations”.² The Project would locate warehouse uses within 440 feet of residences, yet the DEIR fails to include conditions or mitigations requiring an adequate buffer from sensitive receptors.”

¹ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective* (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted under varying scenarios; this document may be found on CARB’s website and is entitled: “California Sustainable Freight Initiative: Concept Paper for the Freight Handbook” (December 2019).

² *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022): <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>

(Jacob Klein, *Sierra Club San Francisco Bay Chapter*, October 16, 2023, [O-Sierra-2])

9.F.12.1 Response AQ-12

The commenter states that the project is inconsistent with the air board’s and the California Attorney General’s guidance to site warehouse projects at least 1,000 feet from sensitive receptors, and the California Attorney General’s requirement for tenants to use zero-emission light- and medium-duty vehicles for business operations.

The commenter references the publication “Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act,” published by the California Department of Justice, and states that the draft EIR does not include conditions or mitigations requiring buffer space from sensitive receptors. As stated in the publication, this guidance “is meant to help lead agencies pursue CEQA compliance and promote environmentally just development as they confront warehouse project proposals.” The reference to a 1,000-foot buffer in this publication is specifically identified under the heading of “Warehouse Siting and Design Considerations,” and listed as an example of best practices when siting and designing warehouse facilities. Land use compatibility and proximity of sensitive land uses is an important consideration and guideline in land use planning and in identifying potential impacts of a project, particularly in the context of air quality.

In this instance, the project sponsor owns the project site, the project would be consistent with the allowable PDR use types permitted by zoning, and there are sensitive land uses less than 1,000 feet away from the project site. The draft EIR presents the effects of the proposed project’s proximity to these sensitive land uses, recognizing that it is not feasible to develop the project site with a physical separation of 1,000 feet from all sensitive receptors, although the number of sensitive receptors within this radius is limited due to the existing PDR land uses and prohibition of residential uses in the project’s PDR-2 zoning.⁶⁸

The project site is in the PDR-2 zoning district in the Bayview Hunters Point Area Plan. Planning code section 210.3 states that the intent of the PDR-2 zoning district is to “encourage the introduction, intensification, and protection of a wide range of light and contemporary industrial activities,” including industrial activities in enclosed structures, in partially enclosed structures, and in open areas that “may require trucking activities multiple times per day, including trucks with up to 18 wheels or more, and occurring at any time of the day or night.” Although the proposed project land uses would be consistent with the intent of this zoning, the proximity to surrounding sensitive receptors is nonetheless recognized and potential air quality and related health risk impacts on surrounding sensitive receptors are analyzed as part of the project’s environmental review.

It is worth noting that sensitive receptors are relatively distant from the project site when compared to other PDR-zoned sites. For example, as discussed on pp. 5-58 through 5-59 of the draft EIR, “there is a substantial amount of land in the Bayview Hunters Point neighborhood that is zoned for more intensive industrial and manufacturing activities and that excludes residential uses, so that nearest residential uses are approximately 400 feet from the project site. In contrast, mixed-use zoning allows residential development in most other parts of San Francisco. Alternative sites that could accommodate the proposed project without potentially adversely affecting residential uses would be limited, except in other PDR-zoned areas.” This discussion goes on to identify a site at 900 7th Street where a project with parcel delivery uses has been proposed (San Francisco Planning Department Case No. 2021-012250PRJ), although it is not large enough to accommodate the proposed San Francisco Gateway project. The discussion states that, because the 900 7th Street site is across the street from a senior care facility, siting the proposed project at that location would result in potentially greater health risk impacts than those for the proposed project site at 749 Toland Street and 2000 McKinnon Avenue.

On pp. 3.D-29 through 3.D-32 of the draft EIR, a quantitative HRA is provided to evaluate potential exposure of sensitive receptors to substantial pollutant concentrations. As explained on p. 3.D-30 of the draft EIR, the

⁶⁸ Note that the CalEnviroScreen 4.0 results for San Francisco identify the project site as falling within a census tract of “High Pollution, Low Population” (Figure 3.A-1 of draft EIR).

HRA evaluated approximately 30-year residential exposure scenarios and 25-year offsite worker exposure scenarios, consistent with 2015 OEHHA health risk guidance. Responses AQ-1 and AQ-3 detail the evaluation of potential impacts applied more stringent (health-protective) thresholds for the project's cancer risk and PM_{2.5} analysis to account for project site and affected receptors meeting the APEZ health risk criteria. In "Approach to Analysis" in Section 3.D.4 (pp. 3.D-29 through 3.D-32), it is explained that these thresholds have been specifically established for the purpose of determining whether health risks associated with a project would make a considerable contribution to existing significant health risks at receptors. The draft EIR evaluated the change in health risk impacts from existing conditions to existing plus project conditions at the maximally exposed residential and offsite worker receptors for lifetime cancer risk and annual PM_{2.5} concentrations. The results of the existing plus proposed project health risk impacts are summarized in Table 3.D-16 (p. 3.D-63) and in Table 3.D-17 (p. 3.D-64), respectively. As shown in Table 3.D-16 and Table 3.D-17, the health risk impacts associated with the proposed project do not exceed the project thresholds of significance established for receptors in the APEZ. Although not required to reduce health risks to below the applicable thresholds, Mitigation Measures M-AQ-3a through M-AQ-3i would reduce project-related emissions and associated health effects, including diesel PM that would otherwise be generated by construction equipment and by operational vehicles and equipment.

Based on the above-summarized approach and findings of the HRA conducted in support of the draft EIR, the project's siting would not result in a significant health effect on surrounding sensitive receptors, and defining a buffer to separate the nearest sensitive receptors more than 400 feet from the project site is not required or feasible. The mitigation proposed in the draft EIR incorporates relevant best practices and all applicable and feasible mitigation, as necessary, to reduce potentially significant impacts. See also Response IS-1 for additional detail regarding the review, consideration, and incorporation of best practices recommended by the California Attorney General's Office of Environmental Justice.

9.G Alternatives

The comments and corresponding responses in this section cover topics in draft EIR Chapter 5, Alternatives. These topics are:

- ALT-1: Code-Compliant Alternative
- ALT-2: Fleet Management Alternative
- ALT-3: Community Input on Alternatives Development
- ALT-4: Range of Alternatives Considered

9.G.1 Comment ALT-1: Code-Compliant Alternative

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-BAAQMD-1
- O-1000GMFG-5
- O-GA-BVHPMF-21

“Support for the Code Compliant Project Alternative

The BVHP neighborhood in southeast San Francisco is a known environmental justice community disproportionately impacted by air pollution from the mix of transportation, industrial, port-related, and utility uses concentrated in the area. The area is a designated air protection community pursuant to Assembly Bill (AB) 617. The Air District is working collaboratively with the BVHP community to improve air quality and reduce health risks through the development of an AB 617 Community Emissions Reduction Plan.

As BVHP is impacted by air pollution it is imperative that future development does not further increase the community’s cumulative air pollution emissions and exposure. By selecting the Code Compliant Project Alternative and reducing the height of the building to the 65-foot limit, Project operational NO_x emission impacts would be reduced to less than significant (PM and TAC emissions will also be less than significant as with the proposed Project). The Code Compliant Alternative also reduces air quality impacts from reduced building-induced wind hazards (down-washing), decreases employee parking demand, and adds fewer truck trips and less congestion during the a.m. peak period. In addition, as compared to the proposed Project, the Code Compliant Alternative also shortens the construction period by six months, thereby limiting worker and sensitive receptor exposure to asbestos and hazardous air borne fugitive dust.

The Air District also recommends that proposed Project Mitigation Measure AQ-3h - requiring a City approved and monitored construction plan for ensuring electric-powered construction equipment to the maximum extent feasible and that any diesel engines, whether for off-road or on-road, shall not be left idling for more than two minutes at any location - be included in the Code Compliant Project Alternative to achieve maximal cumulative air pollution protection.” (David Ralston, Bay Area Air Quality Management District, October 16, 2023, [A-BAAQMD-1])

“The Code Compliant Alternative (Ch 5, DEIR) must be closely considered. The alternative would reduce the project’s height to 65 feet (within the zoning requirement), the square footage from 2,160,000 sq. ft. to

1,363,000 sq. ft., and the total vehicle parking spaces from 1166 to 547. The analysis claims that in this alternative the air quality impacts would be “less than significant” though even with this reduced footprint it strains our credulity to believe this would be the case.” (*Rosemary Jarrett, 1000 Grandmothers for Future Generations, October 13, 2023, [O-1000GMFG-5]*)

“Code-Compliant Alternative

The Code Compliant Alternative proposes replacing the existing buildings on the land with modern facilities.⁸⁹ It is offered as an alternative because the proposed buildings do not meet height restrictions under district requirements.⁹⁰ Furthermore, the EIR claims it will “reduce impacts related to noise, air quality, and wind hazards.”⁹¹ However, this alternative would still be located in an area that is already overburdened by pollution, and not an area to relax standards.⁹² While there may be some emission reduction, it is still likely that the environmental effects produced, combined with other cumulative effects, will be significant. Alternatives that significantly reduce the significant effects of the project are required to be analyzed, and further alternatives need to be considered to fulfill this requirement.⁹³ Given the project is slated for an overburdened area, a code-compliant project should be the bare minimum. At the very least the City should adopt this alternative for the reduced impacts.”

⁸⁹ *DEIR at 5-54.*

⁹⁰ *DEIR at S-45.*

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Cal. Code Regs., tit 14, § 15126.6(a)*

(*Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-21]*)

9.G.1.1 Response ALT-1

Commenters express support for selection of the Code-Compliant Alternative. One commenter recommends that Mitigation Measure M-AQ-3h be applied to the Code-Compliant Alternative to further reduce air pollutant emissions. Three commenters offer opinions about the environmental impacts of the Code-Compliant Alternative. One commenter states that the Code-Compliant Alternative would still result in significant air quality impacts and that additional alternatives need to be considered that significantly reduce the air quality impacts of the proposed project.

To clarify, contrary to certain comments above, the draft EIR finds that the Code-Compliant Alternative would have significant air quality impacts that require implementation of mitigation measures. As discussed on draft EIR p. 5-23, the Code-Compliant Alternative would result in a net increase in NO_x emissions of 97.6 pounds per day and 16.1 tons per year, which would exceed the air district’s average daily annual NO_x threshold of 54 pounds per day and 10 tons per year, resulting in a significant impact. However, the Code-Compliant Alternative’s NO_x emissions would be substantially less than the proposed project’s NO_x emissions and could be mitigated to less than significant with implementation of Mitigation Measures M-AQ-3a through M-AQ-3g, which would be required. Additional mitigation measures that are required of the

proposed project, including Mitigation Measures M-AQ-3h and M-AQ-3i, would not be required if the Code-Compliant Alternative were approved.

As noted on draft EIR, p. 5-23, the application of Mitigation Measures M-AQ-3a through M-AQ-3g would result in the Code-Compliant Alternative having NO_x levels of approximately 48 pounds per day or 7.5 tons per year, which are below the air district's NO_x significance thresholds to achieve and maintain federal and state ambient air quality standards. Pursuant to CEQA guidelines 15126.4(a)(4), there must be "an essential nexus (i.e., connection) between the mitigation measure and a legitimate governmental interest," and mitigation measures must be "roughly proportional" to the impacts of the project. Given that Mitigation Measures M-AQ-3a through M-AQ-3g would sufficiently reduce the Code-Compliant Alternative's operational air quality impacts to a less-than-significant level, there is no nexus to require Mitigation Measures M-AQ-3h and M-AQ-3i; therefore, these mitigation measures do not apply to the Code-Compliant Alternative.

With respect to construction air emissions and health risks, the Code-Compliant Alternative would reduce impacts compared to the proposed project. Construction air emissions would be less than those under the proposed project due to a 37 percent reduction in building size and a construction schedule that would be approximately five months shorter. Compared to the proposed project, the Code-Compliant Alternative would result in a 12 to 20 percent reduction of cancer risk and a 19 percent reduction of annual PM_{2.5} concentrations at the residential and worker maximally exposed receptors. Project and cumulative health risk impacts associated with the Code-Compliant Alternative's construction and operation would be less than significant, similar to the proposed project.

One commenter cites the EIR's reduced noise and wind impact findings for the Code-Compliant Alternative. These lesser impacts are described in the draft EIR, as summarized in the following bullets:

- **Noise:** As described on pp. 5-19 through 5-24 of the draft EIR, the Code-Compliant Alternative would result in significant fixed-source noise impacts from the operation of the ventilation fans and rooftop air conditioning units. Similar to the proposed project, this impact would be reduced to a less-than-significant level with the implementation of Mitigation Measures M-NO-3a and M-NO-3b. Construction noise and vibration impacts and mobile source noise impacts due to increased traffic volumes would be less than significant, similar to the proposed project.
- **Wind:** Wind impacts under the Code-Compliant Alternative are anticipated to be less than those under the proposed project because the buildings in the Code-Compliant Alternative would be 32 feet shorter than those in the proposed project. However, because there would be a reasonably uniform reduction in the building's massing (i.e., the shape of the building and the distance between it and neighboring buildings would stay more or less the same), it is likely that the effects would be similar to, but less than, those under the proposed project, and still significant. Wind mitigation would still be required for the Code-Compliant Alternative to ensure that there is not an exceedance of the wind hazard criterion.⁶⁹

As discussed above, project-level impacts on noise, air quality, and wind hazards for the Code-Compliant Alternative would all be equal to or less than those under the proposed project. As a result, cumulative impacts associated with the Code-Compliant Alternative would be equal to or less than the cumulative impacts of the

⁶⁹ Hankin, David, NOVA Fluid Mechanics, email correspondence between NOVA Fluid Mechanics and AECOM, October 17, 2022.

proposed project. The commenters do not provide substantial evidence that the impact analysis is inadequate, nor do the commenters provide any relevant or new data that would need to be considered.

Comments expressing support for the Code-Compliant Alternative do not pertain to the adequacy, accuracy, or completeness of the draft EIR's analysis of the project's physical environmental impacts and alternatives. One commenter indicated this alternative was preferable to the proposed project, citing as justification the EIR determinations that this alternative would decrease employee parking demand, add fewer truck trips during the a.m. peak period, and limit worker and sensitive receptor exposure to asbestos and hazardous airborne fugitive dust due to the shorter construction period. These comments will be provided to city decision-makers for consideration in their deliberations on the EIR and the proposed project. No revisions to the EIR are required in response to comments received on this topic.

Regarding other alternatives considered that would further reduce air quality impacts, the commenter is directed to pages 5-30 through 5-32 of the draft EIR for the air quality analysis of the Fleet Management Use Mix Alternative. Under the Fleet Management Use Mix Alternative, all air quality impacts would be less than significant; no air quality mitigation measures would be required, should this alternative be approved. Regarding the comment that further alternatives need to be considered that significantly reduce the significant effects of the project, please see Response ALT-4.

9.G.2 Comment ALT-2: Fleet Management Alternative

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below this list:

- O-GA-BVHPMF-22

"Fleet Management Use Mix Alternative"

The Fleet Management Use Mix Alternative is considered the environmentally superior alternative.⁹⁴ This alternative would "offer a substantial reduction in air pollutant emissions, particularly of NO_x, and health risks compared to the proposed projects."⁹⁵ This alternative proposes including less space for parcel delivery and eliminating wholesale/storage space.⁹⁶ Furthermore, this alternative would not include maker or retail spaces and ground-floor manufacturing.⁹⁷ This alternative should be chosen over the proposed project since it is considered the environmentally superior alternative. It also provides more certainty about future uses of the project site.

However, it is questionable whether this alternative would be the environmentally superior alternative. As discussed above in the Air Quality section, the assumption that all trucks will be electrified by 2050 is faulty. By relying on this assumption, this alternative may very well turn out to be more harmful to the environment than other possible alternatives. The integrity of the analysis of alternatives depends on the data being accurate. With the potential for the data to be false and irrelevant in the future, the entire analysis is undermined. This alternative has not been accurately or adequately analyzed. Another analysis must be conducted using data based on the assumption that all trucks will not be electrified by 2050."

⁹⁴ DEIR at S-47.

⁹⁵ *Id.*

⁹⁶ DEIR at S-46.

⁹⁷ DEIR at S-47.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-22])

9.G.2.1 Response ALT-2

The commenter states that the Fleet Management Use Mix alternative should be selected over the proposed project because this is the environmentally superior alternative and provides certainty about future uses of the project site. However, the same commenter then incorrectly states that the Fleet Management Use Mix analysis assumed that all trucks will be electrified by 2050 and further asserts that the Fleet Management Use Mix Alternative analysis should assume that trucks will not be electrified by 2050.

This response is organized as follows:

- Environmentally Superior Alternative
- Truck Electrification Assumptions

Environmentally Superior Alternative

As discussed in Section 5.D.2, Environmentally Superior Alternative, the Fleet Management Use Mix Alternative would be the environmentally superior alternative (second to the No Project Alternative, also identified and discussed in this section); section 15126.6(e)(2) of the CEQA guidelines provides that if the no project alternative is the environmentally superior alternative, the EIR must also identify another environmentally superior alternative from among the other alternatives. The information in the EIR is intended to disclose the physical environmental effects of the proposed project and the alternatives to inform the public and the decision-makers so they may make an informed decision on the merits of the alternatives and environmental tradeoffs among them (CEQA guidelines section 15151). The selection and approval of any project or alternative weigh multiple considerations in addition to environmental factors (consistency with adopted plans and policies, community benefits unrelated to environmental matters, economic and fiscal outcomes, and public input, to name several). Ultimately, decision makers will decide whether to approve the proposed project or an alternative to the proposed project; it is not the role of an EIR to select a project or a particular alternative.

Truck Electrification Assumptions

As explained above in Response AQ-2, the draft EIR does not assume that all trucks would be electrified by 2050, and this assumption did not inform the analysis for the Fleet Management Use Mix Alternative, the proposed project, or any of the other project alternatives. The air quality emissions analysis for the Fleet Management Use Mix Alternative included appropriate vehicle fuel type-mix assumptions, which reflected the aggregate fleet mix from EMFAC⁷⁰ 2021 for each vehicle category and did not assume that all trucks or all vehicles would be electrified by 2050 or any other specific year (see Appendix F, San Francisco Gateway Project Air Quality Supporting Information). The assumptions used to inform the air quality analysis for the San Francisco Gateway Project are based on substantial evidence. The commenter does not provide any

⁷⁰ The EMFAC emissions model is developed and used by the California Air Resources Board to assess emissions from on-road vehicles, including cars, trucks, and buses in California, and to support CARB's regulatory and air quality planning effects. The United States Environmental Protection Agency approves EMFAC for use in State Implementation Plan and transportation conformity analyses.

evidence or new information as to why the analysis is inadequate; therefore, no revisions to the EIR are required.

9.G.3 Comment ALT-3: Community Input on Alternatives Development

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-1000GMFG-1
- I-Ealom-2_4

“Having studied the Draft Environmental Impact Report (DEIR) for the Gateway Project, we join with Green Action, The Marie Harrison Foundation, the Bayview Committee of Concerned Citizens, and the Mothers and Fathers of BVHP in opposing approval of an FEIR until it addresses the following issues:

Community groups were not included in the discussion of the alternatives (e.g, height, differing purposes) impact (eg., diesel trucks arriving and departing at the facility through neighborhood streets), or possible mitigation measures.” (*Rosemary Jarrett, 1000 Grandmothers for Future Generations, October 13, 2023, [O-1000GMFG-1]*)

“The Bayview-Hunters Point community groups need to be included when developing the range of alternatives for the project and mitigation measures.” (*Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_4]*)

9.G.3.1 Response ALT-3

The commenters express concern that community groups were not included in the development of alternatives and mitigation measures.

As discussed in draft EIR Section 1.C (pp. 1-1 through 1-7) and in Response GC-1, the planning department made a good-faith effort to advise individuals, agencies, and organizations of the opportunities for public comment during the various stages of the environmental review process. One of these opportunities included soliciting input on the scope of the EIR during the NOP scoping period in 2022. As stated in the project’s notice of availability of a notice of preparation of environmental impact report and notice of a public scoping meeting, “the purpose of the EIR is to provide information about potential significant physical environmental effects of the proposed project; to identify ways to minimize the significant effects, and to describe and analyze possible alternatives to the proposed project.” The notice encouraged members of the public, agencies, and organizations, “to provide comments on the scope of the EIR, or comment on the initial study.” The planning department did receive a scoping comment letter on April 21, 2022, from Greenaction for Health and Environmental Justice; Marie Harrison Community Foundation, Inc.; and Bayview Hunters Point Mothers and Fathers Committee. None of the comments received during the notice of preparation of an EIR or on the draft EIR identified particular alternatives that the commenters believed were required or recommended to be analyzed.

Please see Response GC-1 for more information and a summary of the outreach efforts conducted for the environmental review process.

Lastly, the purpose of circulating a draft EIR is to solicit comments from the public and other agencies; the lead agency then must respond to those comments in writing and make necessary changes to the draft EIR prior to preparing a final EIR (CEQA guidelines section 15088). As described in the “Notice of Availability of the Draft EIR and Notice of Public Hearing,” the planning department sought comments on the adequacy of the information contained in the draft EIR, including the adequacy of the identified project alternatives and mitigation measures. It is through the notice of preparation of an EIR and draft EIR public review process that community input is sought and provided. In conclusion, community groups were provided with opportunities to contribute input related to the project alternatives and mitigation considered in the EIR, consistent with the requirements of CEQA guidelines sections 15063, 15082, and 15088, and the city’s guidelines codified in the San Francisco Administrative Code, Chapter 31.

Please see Response ALT-4 for more information about the CEQA requirements for developing a range of project alternatives.

9.G.4 Comment ALT-4: Range of Alternatives

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below this list:

- O-GA-BVHPMF-23

“Alternative Site Outside of San Francisco

Prologis has used the promise of jobs in their attempt to garner community support. First, the number of jobs being promised is wishful thinking, as the project and businesses it will attract are undefined.⁹⁸ Secondly, the same number of jobs would be created wherever the project is located and can still be in proximity to Highway 101 without being in or near a residential neighborhood in Bayview Hunters Point or another city’s residential areas.

The DEIR claims that the project site being in San Francisco allows it to be readily accessible to workers via Muni, BART, and Caltrain.⁹⁹ The possibility of an alternative site within the Bay Area may be less accessible to workers and less likely to reduce miles traveled.¹⁰⁰ However, this is false. BART runs through the entire Bay Area, and there are buses throughout the Bay Area as well. In fact, the project location is not conveniently located to public transit within San Francisco and projects significant private vehicle traffic at the site during peak am and pm commute times.¹⁰¹

Furthermore, the DEIR states that while there are likely multiple sites in the Bay Area that could feasibly provide space for the proposed project, the ability to avoid significant impacts would be “speculative” and uncertain.¹⁰² These potential sites are mentioned but no specific sites are identified, and no explanation is provided for this uncertainty.¹⁰³ This alternative has not been adequately or accurately analyzed. Prospective sites need to be identified and analyzed to determine whether an alternative site would result in the reduction of significant impacts and be an appropriate alternative. Without analyzing specific sites, the Alternative Site outside of San Francisco, but within the Bay Area has not been adequately and accurately

analyzed. Analyzing all possible alternatives thoroughly is essential, and this alternative must be given the attention it deserves.”

⁹⁸ DEIR at 2-1.

⁹⁹ DEIR at 3.B-9.

¹⁰⁰ DEIR at 5-60.

¹⁰¹ DEIR at 3.B-62.

¹⁰² DEIR at 5-60.

¹⁰³ Id.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-23])

9.G.4.1 Response ALT-4

This comment relates to the adequacy and completeness of the alternatives analysis regarding a project location outside San Francisco, which was ultimately rejected and not further analyzed in the EIR.

The commenter questions the jobs that the project would provide and appears to base this opinion on the fact that the project’s end users are not defined. Please see Response PD-2 for a response to comments on the project’s end users. The commenter then further states that job opportunities described for the proposed location could result if this project were sited at any location in the Bay Area.

This response is organized as follows:

- CEQA Requirements for a Range of Alternatives
- Alternative Site Outside of San Francisco

CEQA Requirements for a Range of Alternatives

As discussed in Section 5.B, Alternatives Screening Selection, of the draft EIR (pp. 5-5 through 5-11), an EIR is required to describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. Specifically, alternatives described in an EIR must:

- feasibly accomplish most of the basic project objectives;
- reduce or eliminate one or more of the significant impacts of the proposed project (although the alternative could have greater impacts overall); and
- be potentially feasible (CEQA guidelines section 15126.6[a]).

In determining whether alternatives are potentially feasible, lead agencies are guided by the general definition of feasibility found in CEQA guidelines section 15364: “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” As described in Section 5.B of the draft EIR (pp. 5-5 through 5-6), the planning department’s alternatives selection process prioritized strategies that would avoid or lessen the project’s significant impacts, particularly through a reduction of the amount of development (i.e., reduction of the project size/massing) and/or changes to the mix of PDR uses (i.e., changes or restrictions to the

proportion of PDR uses [e.g., manufacturing and maker space; parcel delivery service, including last-mile delivery; wholesale and storage; and fleet management]). Additionally, project alternatives were screened for feasibility and their ability to meet most of the project objectives.

The following four alternatives were comprehensively analyzed in Chapter 5 of the draft EIR:

- No Project Alternative
- Code-Compliant Alternative
- Fleet Management Use Mix Alternative
- Expanded Parcel Delivery Use Alternative

Additionally, Section 5.E of the draft EIR described five additional alternatives that were considered as part of the alternatives screening process but rejected for the factors cited above or because they did not reduce the significant impacts identified for the proposed project:

- Alternative Site in San Francisco
- Alternative Site Outside of San Francisco, but within the Bay Area
- Expanded Maker Space Use Mix
- Expanded Wholesale/Storage Use Mix
- Phased Project Operations

CEQA guidelines section 15126.6 recognizes that an EIR need not consider every conceivable alternative to a proposed project. However, it must include a reasonable range of potentially feasible alternatives, based on the “rule of reason,” that will foster informed decision-making and public participation. To this end, the draft EIR evaluates four alternatives to the proposed project, including the No Project Alternative.

Alternative Site Outside of San Francisco

An alternative site outside of San Francisco, but within the Bay Area, was considered. For the reasons described on draft EIR pp. 5-59 through 5-60, it was rejected from detailed analysis. Not only was it determined to be speculative that such an alternative would substantially reduce air quality impacts and other significant impacts of the proposed project, but such an alternative would not meet most of the project sponsor objectives. Beginning on p. 2-2, the EIR identifies the project sponsor’s objectives and summarizes the underlying project objective as developing “a modern, flexible, and durable PDR facility for a diverse and evolving range of uses in a central urban environment.” The text goes on to list the project sponsor’s underlying objective and nine specific objectives, which identify San Francisco as the central urban environment for which the sponsor desires to site the proposed project. The objectives include, but are not limited to the following (emphasis added):

- advancing **the city’s long-standing goals** to preserve, upgrade, and expand PDR space;
- replacing functionally outdated PDR space on the project site with first- and best-in-class facilities and **replenish the supply of PDR space in the city that has been displaced by other development;**
- siting PDR uses in a dense infill setting to create employment near housing and reduce vehicle miles traveled for potential distribution uses **by locating such uses in San Francisco proximate to multiple freeways, rather than traditional suburban locations;** and

- providing a positive fiscal impact by creating jobs at a variety of experience levels, including career-building and advancement opportunities, enhancing property values, generating property taxes, and **introducing workers who will support direct and indirect local business growth in the Bayview.**

The commenter then addresses the EIR's characterization of transit accessibility from the project site, disagrees with the EIR's conclusion that transit service in another location may be less accessible, and states that BART runs through the entire Bay Area and there are buses throughout the Bay Area. The commenter further states that the EIR should identify and analyze whether a site outside San Francisco would reduce significant impacts associated with the proposed project and that "[a]nalyzing all possible alternatives thoroughly is essential..."

First, as discussed above and in the draft EIR (p. 5-59), the Alternative Site outside of San Francisco, but within the Bay Area would not meet most of the fundamental project objectives. Second, analyzing "all possible alternatives" is not the standard set forth by CEQA, as discussed above. Third, according to the CEQA guidelines section 15126.6(f), an EIR must examine in detail only those alternatives that the lead agency determines could feasibly attain most of the basic project objectives, taking into account economic, environmental, legal, social, and technological factors, which may include: site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and control or access to alternative sites. The CEQA guidelines further state that "the discussion of alternatives shall focus on alternatives to the project or its location [that] are capable of avoiding or substantially lessening any significant effects of the project" (CEQA guidelines section 15126.6(b)). CEQA guidelines section 15126.6(f)(3) also states that an EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative. The EIR states that, "Although there are likely multiple sites in Bay Area communities that could feasibly provide space for the proposed project, the ability to substantially reduce air pollutant emissions and also avoid other potentially significant impacts, including land use compatibility and VMT, would be speculative. Because of the uncertainty regarding substantial reductions of significant impacts identified for the proposed project, and because of the inability to meet most project objectives, this alternative is not carried forward for further evaluation." (p. 5-60).

As discussed above, the four alternatives that are presented and analyzed in the EIR represent a reasonable range of alternatives, as defined in the CEQA guidelines section 15126.6(a), allowing for meaningful public participation and informed decision-making. No revisions to the EIR are required in response to this comment.

9.H Initial Study Topics

The comments and corresponding responses in this section cover topics in the Initial Study for the San Francisco Gateway Project (included as Appendix B to the San Francisco Gateway Project EIR). These include topics related to:

- IS-1: Initial Study Topics

9.H.1 Comment IS-1: Initial Study Topics

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- O-GA-BVHPMF-5
- O-GA-BVHPMF-6
- O-Sierra-8
- O-Sierra-9
- O-Sierra-10
- O-Sierra-12

“The DEIR is also improperly focused. Under CEQA Guidelines 15063(c)(3), the City can narrow the environmental issues it focuses on based on the initial study. The DEIR should have included hazardous materials and greenhouse gases (“GHGs”). The fact that Prologis has been sued twice in Southern California for damage caused by their tenant’s improperly storing hazardous materials is relevant to whether the DEIR’s mitigation measures are sufficient, and the omission of Prologis’s track record is alarming.”²³

²³ *Real Estate News*, <https://therealdeal.com/la/2023/07/11/reckless-and-illegal-residents-sue-prologis-over-warehouse-fire/>

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-5])

“Additionally, there should have been more of a focus on GHGs because trucks are a significant source of GHGs which significantly contribute to climate change.²⁴ The letter submitted by the California Air Resource Board stated the City should consider GHGs, particularly because local mitigation strategies are key to achieving the state's GHG goals.²⁵ The City did not disclose, analyze, or mitigate the impacts of GHGs on the project. Because the City did not translate technical portions of the DEIR and improperly focused the DEIR by excluding potentially significant impacts from the DEIR analysis, the DEIR should not be approved. The deficiencies should be corrected, and the DEIR should be recirculated for public comment.”

²⁴ *United States Environmental Protection Agency*, <https://www.epa.gov/climatechange-science/basics-climatechange#:~:text=Carbon%20dioxide%20is%20the%20primary,reactants%2C%20such%20as%20cement%20manufacturing.>

²⁵ *DEIR Appendix A at 10-17.*

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-6])

“In addition, as discussed below, the DEIR’s myopic approach to estimating truck emissions implicates other analyses, including the GHG and Public Health Impacts analyses.

II. The DEIR’s Analysis of Project-Related Greenhouse Gas Emissions Is Flawed.

The DEIR’s analysis of greenhouse gas emissions is flawed for multiple reasons. While several guidelines are taken account, there is the glaring hole insofar as the California Attorney General’s Office of Environmental Justice Warehouse Best Practices are not accounted for at all, as noted above. These guidelines have been specifically developed in response to environmental justice concerns with the growing warehouse distribution buildout across the state. Over 60 organizations have urged the Governor to call for a state of emergency as “warehouse growth is one of the most critical environmental issues of our time.”⁶

Since 2010, it has become clear from a scientific perspective that any additional GHG emissions will contribute to a serious and growing climate crisis.⁷ Recognizing this reality, in 2018 Governor Brown signed Executive Order 55-18 calling for the state to achieve carbon neutrality as soon as possible and no later than 2045.⁸ Given these facts on the ground, the DEIR should establish a net zero threshold for new emissions.⁹ Additionally, the DEIR should rely on independent analysis of GHG emissions rather than the project sponsors. There are incidents of the industry not being forthcoming or accurately reporting last-mile delivery associated emissions.”¹⁰

⁶ See the letter to the Governor: <https://calmatters.org/wp-content/uploads/2022/06/State-of-Emergency-PublicHealth-Request.pdf>

⁷ See e.g. https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM.pdf.

⁸ <https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>.

⁹ See e.g., CARB 2017 Scoping Plan at 101 (“Achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development.”)

https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf?utm_medium=email&utm_source=govdelivery

¹⁰ The Center for Investigative Reporting analyzed reports to CDP which “highlights the pitfalls of relying on self disclosures and voluntary commitments from companies that have a vested interest in underestimating their own accountability.”

<https://revealnews.org/article/private-report-shows-how-amazon-drastically-undercounts-its-carbonfootprint/>

(Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-8])

“The claim that the DEIR makes that additional last-mile delivery trips would not be induced is myopic. San Francisco has last-mile delivery centers already—including at this site, currently—and building capacity at this scale doesn’t necessarily meet unmet demand but potentially creates a false sense of demand that will lead to increased VMT and GHGs. The DEIR already notes anticipated hundreds of truck trips per day. Siting alone will not reduce VMT.

Furthermore, as the DEIR notes, any last-mile delivery services will still require larger trucks to travel to the site from farther away. As/If demand increases, that will mean more larger trucks coming into San Francisco which will increase the VMT and associated emissions, harming the neighboring, already overburdened communities.” (Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-9])

“In terms of clean energy infrastructure, the DEIR provides little detail and instead relies on harder-to-parse references, which does not adequately meet community-informed needs. The DEIR mentions rooftop solar to fill rooftop to extent possible, but doesn’t adequately assess how much of the site’s energy demand will be met by on-site solar. It then goes on to describe how additional energy will be provided through utility, via a mix of CleanPowerSF and PG&E. This ever-moving benchmark provides little clarity on how much clean energy the site will actually use and how much will be powered by GHG-causing fuels. If the site’s energy needs cannot be fully powered by energy that can be fully traced as clean, the GHG emissions must be appropriately calculated and a project alternative should study how to develop a site that’s fully powered by clean energy.” (*Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-10]*)

“Additionally, the City and County of San Francisco already require all-electric new construction, a great model for cities everywhere to build electrification and decarbonization. However, since all-electric new construction is already required by City law, it should not be included in the GHG calculations as reduced GHGs since the emissions would never have been associated with this location.

In sum, the DEIR lacks the evidentiary support that the proposed mitigation measures would achieve emission reductions sufficient to reduce the Project’s GHG emissions to a less than-significant level. Thus, the DEIR relies on insufficient mitigation for the Project’s greenhouse gas emissions and fails to consider and adopt all feasible mitigation.” (*Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-12]*)

9.H.1.1 Response IS-1

The comments relate to the impact analyses of hazards and hazardous materials and GHG emissions. These topics were analyzed in the initial study and scoped out of focused analysis as part of the draft EIR. Commenters express concern regarding the methodology for analyzing impacts and the efficacy of the mitigation measures to reduce potentially significant impacts.

This response is organized as follows:

- Hazards and Hazardous Materials Analytical Approach
- GHG Analytical Approach
- GHG Emissions from Last-Mile Delivery Services VMT in San Francisco
- California Attorney General’s Office Warehouse Best Practices and Mitigation Measures
- Clean Energy Infrastructure and Sources
- Conclusion

Hazards and Hazardous Materials Analytical Approach

One commenter states that the EIR is improperly focused and should have included an analysis of the proposed project’s impacts related to hazards and hazardous materials. As discussed in the draft EIR (see Chapter 1, Introduction [p. 1-2]) and consistent with the requirements of CEQA guidelines sections 15063 and 15082, the planning department prepared an initial study (included as Appendix B to the EIR) for the proposed project. The initial study disclosed and analyzed the potential for impacts associated with hazards and hazardous materials. One purpose of an initial study is to assist the preparation of an EIR, if one is

required, by focusing the EIR on the effects determined to be significant; identifying the effects determined not to be significant; explaining the reasons for determining that potentially significant effects would not be significant; and identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.

The initial study provides substantial evidence that the proposed project's impacts related to hazards and hazardous materials would not be significant. As described on pp. 52 and 53 of the initial study, these types of impacts were determined to be less than significant. The regulatory setting presented in Section E.17 (pp. 183 through 188) describes the extensive set of local, state, and federal regulations governing the transport, use, storage, and disposal of hazardous materials. Each of these regulations is specifically designed to protect the public health, and compliance with these regulations is required by law. In San Francisco, the provisions of the Hazardous Materials Release Plan and Inventory Program (e.g., requirements for preparation of a Hazardous Materials Business Plan) and California Accidental Release Prevention Program (e.g., requirements for preparation of a Risk Management Plan) have also been incorporated into articles 21 and 21A of the San Francisco Health Code to enforce mandatory measures to minimize the risk of a hazardous materials release. In addition, article 22 of the San Francisco Health Code, entitled "Hazardous Waste Management," provides measures for safe handling of hazardous wastes in the city. It authorizes the San Francisco Department of Public Health to implement the state hazardous waste regulations, including authority to conduct inspections and document compliance. Therefore, impacts related to the creation of significant hazards to the public through routine transport, use, disposal, and risk of accident or upset would be less than significant, and no mitigation measures would be necessary. Additionally, during the comment period on the initial study, no public comments were received asserting that the proposed project would have significant hazardous materials impacts that would need to be addressed in an EIR.

Although the environmental analysis does not consider the project sponsor's leasing practices to reach the conclusion that impacts relating to hazardous materials would be less than significant, the following additional discussion is provided for informational purposes. Under its leases, Prologis requires its tenants/customers to comply with all applicable laws, including environmental laws. Prologis prohibits its customers from releasing hazardous materials within its properties in violation of law and requires notice from its customers if any such release occurs. Under its leases, Prologis requires its customers to pursue remediation in the event of a violation of such provisions. Where a customer fails to perform such remediation, Prologis would perform necessary remediation in compliance with laws.

GHG Analytical Approach

One commenter states that the EIR is improperly focused and should have included an analysis of the proposed project's impact on GHGs. As discussed in the preceding subsection of this response, the planning department prepared an initial study for the proposed project (included as Appendix B to the EIR) that analyzed and disclosed potential project impacts associated with GHG emissions.

The initial study (see "Approach to Analysis" on p. 95) cites CEQA guidelines section 15064.4, which allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. In accordance with section 15064.4, the discussion of GHG impacts should consider the extent to which the proposed action would increase or reduce GHG emissions, exceed a locally applicable threshold of significance, or comply with "regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions." CEQA guidelines section 15064 [h][3]

also states that a project may be found to have a less-than-significant impact if it complies with an adopted plan that includes specific measures to reduce GHG emissions. These provisions in the CEQA guidelines allow different methods to assess GHG emissions.

The initial study's qualitative approach to analysis of GHG emissions relies on pertinent CEQA guidelines; and on additional guidelines and methodologies prepared by the air district and the city's Greenhouse Gas Reduction Strategy. Both of these guidelines are consistent with the state's GHG goals of Executive Order S-3-05, Executive Order B-30-15, SB 32, the Bay Area 2017 Clean Air Plan, and Executive Order B-55-18. This qualitative approach is acceptable as explained in the above-referenced CEQA guidelines section and affirmed in court decisions locally in the city and elsewhere in the state (e.g., *Mission Bay Alliance v. Office of Community Investment & Infrastructure* and *Center for Biological Diversity, et al. v. California Department of Fish and Wildlife*). The initial study provides substantial evidence that the proposed project's GHG emissions would not be significant. Specifically, the city's Greenhouse Gas Analysis Compliance Checklist demonstrates project compliance with identified adopted regulations such as the Commuter Benefits Program, TDM program, Transportation Sustainability Program, bicycle parking requirements, low-emission car parking requirements, the city's Green Building Code, the Stormwater Management Ordinance, Water Efficient Irrigation Ordinance, and light pollution reduction requirements, among others. Projects that are compliant with the Greenhouse Gas Analysis Compliance Checklist demonstrate consistency with the city's comprehensive Greenhouse Gas Reduction Strategy. Because that strategy is consistent with local and state GHG reduction goals, these projects are also consistent with the state's GHG goals and would not conflict with an applicable plan or generate GHG emissions that would make a considerable contribution to global climate change. Therefore, because the proposed project would be subject to regulations adopted to reduce GHG emissions, the proposed project would be consistent with San Francisco's GHG reduction strategy and would not generate significant GHG emissions nor conflict with state, regional, and local GHG reduction plans and regulations.

One commenter challenges the city's determination of a less-than-significant impact, asserting that a net-zero threshold for new emissions should have been applied and that the planning department should not have used the project sponsor's analysis as the basis for the GHG emissions. The commenter is incorrect on both points. As described in the preceding paragraph, the planning department used appropriate significance thresholds in the initial study to make the significance determination for the project. In addition, the air district's final CEQA thresholds for climate protection issued in April 2022 (after publication of the initial study) do not set net-zero GHG emissions as the threshold. Instead, the threshold is whether the project is consistent with a local GHG reduction strategy that meets the criteria under CEQA guidelines section 15183.5, or whether the project fails to do its fair share to meet the goal of carbon neutrality by 2045, based on design elements of a proposed project's energy use, VMT, and compliance with off-street-street electric vehicle requirements.⁷¹ The air district threshold is consistent with the threshold used in the initial study (consistency with a local GHG reduction strategy) and takes into account recent goals and strategies to reduce GHG emissions, as well as court decisions on CEQA compliance with respect to greenhouse gas emissions analysis. Therefore, because the San Francisco Gateway Project's GHG checklist documents

⁷¹ Bay Area Air Quality Management District, Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans, April 2022, [https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en#:~:text=Thresholds%20for%20Plans%20\(Must%20Include,Guidelines%20Section%2015183.5\(b\).](https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en#:~:text=Thresholds%20for%20Plans%20(Must%20Include,Guidelines%20Section%2015183.5(b).)

compliance with the city's GHG reduction strategy, the project would have a less-than-significant GHG impact and need not be further analyzed in the EIR.

Second, the planning department did not rely on analysis completed by the project sponsor, because no quantitative GHG emissions analysis was completed by the project sponsor. As explained above, the planning department relied on the Greenhouse Gas Analysis Compliance Checklist to document compliance with the city's GHG reduction strategy, ensuring that the project would not result in significant impacts related to GHG emissions.

Finally, one commenter states that GHG calculations should not consider the effect of compliance with the all-electric new construction ordinance because the requirements are current city law. As explained in Section E.8, Greenhouse Gas Emissions, of the initial study, and in the responses above, GHG emissions were not quantified. Rather, the city's Greenhouse Gas Analysis Compliance Checklist was used to determine to whether the proposed project would comply with regulations in the city's GHG reduction strategy, and therefore would not result in significant impacts related to GHG emissions. The Greenhouse Gas Analysis Compliance Checklist prepared for the proposed project is informed by project design features, such as its commitment to all-electric infrastructure. The proposed project would prohibit natural gas and natural gas infrastructure in alignment with the state scoping plan and the city's GHG reduction strategy. No revisions to the initial study's GHG analysis are required.

GHG Emissions from Last-Mile Delivery Service VMT in San Francisco

One commenter states that the proposed project would induce additional last-mile delivery trips, including those by larger trucks, and states that project operations would increase VMT and GHG emissions.

The proposed project includes siting a building that facilitates parcel and last-mile delivery use closer to its customer base. This would improve VMT efficiency of parcel delivery vehicle trips over existing locations; and over most of the new last-mile delivery facilities, many of which are outside the city but serve the San Francisco market (as discussed on p. 98 of the initial study and p. 3.D-59 of the draft EIR). Additionally, reducing the length of parcel delivery service trips would reduce regional GHG emissions for the portion of the project that may include parcel and last-mile delivery tenants.

All delivery trips, including automobiles, vans, trucks, and tractor trailers, were accounted for in the VMT calculations for the proposed project, and in the subsequent transportation impacts analysis in the draft EIR (see Appendix D.2). As described in "Project Travel Demand Methodology and Results" in Section 3.B.3 of the EIR (p. 3.B-21), the proposed project's parcel delivery and last-mile delivery use would accommodate unmet customer demand for last-mile deliveries in the San Francisco service area, and therefore would result in shorter distances traveled for parcel deliveries, compared to deliveries by similar existing distribution facilities located outside San Francisco (e.g., those in South San Francisco). However, long-haul trucks (typically tractor trailer trucks) delivering goods to the facility would need to travel farther to the project site, compared to a facility in South San Francisco. Table 3.B-13 shows that, under the proposed project, there would be an increase in daily commuter VMT for the parcel delivery and last-mile delivery trips (32,400 daily VMT), as well as for the long-haul tractor trailer trucks (900 daily VMT). Table 6, Relative Comparison of Miles Per Delivery Route, of the initial study (included as Appendix B to the EIR), shows the proposed project site contributing to shorter travel distances to the customer base in San Francisco, with the greatest existing and projected e-commerce market growth and last-mile delivery demand. This is reflected in Table 3.B-13, which shows a reduction of approximately 17,300 daily vehicle miles for the for last-mile delivery vehicles

(automobiles, pickups, vans, and small trucks) in the San Francisco service area. As indicated in Table 3.B-13, after applying the above-mentioned credit (i.e., the reduced travel distance by last-mile delivery vehicles from the proposed project compared to an existing facility in South San Francisco), the proposed project's parcel delivery use would result in an overall net increase of approximately 16,000 daily VMT per capita over existing conditions. No credits of any type were applied to the other proposed project PDR uses, such as maker and manufacturing or wholesale and storage.

The proposed project's GHG impacts were analyzed using a qualitative approach, as discussed in the "GHG Analytical Approach" response above, which also summarizes the substantial evidence presented in the initial study for the less-than-significant impact determination. The evidence presented in the transportation analysis of vehicle types, trips, and distribution in Section 3.B and Appendix D of the EIR would not alter the GHG emissions impact determination for the proposed project.

California Attorney General's Office Warehouse Best Practices and Mitigation Measures

One commenter refers to the California Attorney General's Office of Environmental Justice Warehouse Best Practices and claims the GHG analysis was flawed for not considering this report. This assertion is incorrect. The referenced document, *"Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act"* (2022), provides information on recommended best practices and mitigation measures and helps lead agencies pursue and propose CEQA-compliant and environmentally just warehouse development projects. As acknowledged in the Warehouse Best Practices and discussed in the draft EIR, diesel trucks that emit NO_x and diesel PM contribute to localized health impacts, including noise and traffic congestion. The Warehouse Best Practices describes the concentration of environmental impacts to neighborhoods already suffering from disproportionate health impacts and systemic vulnerability. These concerns are directly addressed in the EIR through detailed impact analyses of air pollutant emissions, health risk, noise, travel demand, and hazardous materials.

In preparing the EIR, the planning department reviewed and evaluated each of the best practices identified in the Attorney General's report in terms of its applicability to the proposed project; the feasibility of implementation; and, for the air quality analysis, the ability to quantify the effects of its application. Some of the recommended measures substantially overlap with existing requirements in CalGreen, the San Francisco Green Building Code, planning code, health code, or Planning Director Bulletin No. 2, and therefore are already included in the project description. For example, the Warehouse Best Practices recommends requiring operators to establish and promote programs that discourage single-occupancy vehicle trips; the project would include TDM measures through its development agreement, which substantially overlap with the recommended measure. Other recommended measures are included as project features. For example, the Warehouse Best Practices recommend installing photovoltaic systems on the project site to meet or exceed the building's projected energy needs, including all electrical chargers; the project would include onsite renewable energy generation features in the form of rooftop solar arrays sized to meet the San Francisco Better Roof Ordinance (p. 2-35 of the draft EIR). Additionally, the facility is required to be all-electric, so it would not generate onsite energy-source emissions and, with the transition of the electric grid to renewable and zero-emissions energy sources, the project's indirect electricity emissions are expected to decrease over time. In addition, the Warehouse Best Practices recommend designing to a LEED green building certification standard; the project would exceed this recommendation by designing to a LEED Gold standard.

Additional recommended measures are incorporated as mitigation measures because they would be both effective at reducing the significant operational NO_x impact of the project and feasible to adopt as mitigation measures. Although no mitigation measures are required to reduce the project's health effects, other criteria air pollutants, or GHG emissions to a level of less than significant, many of the air quality mitigation measures would also have the co-benefits of reducing other criteria air pollutant emissions, DPM and PM_{2.5} associated with health effects, and GHG emissions. Examples of GHG and air emission mitigation measures in the EIR that are entirely or largely based on the Warehouse Best Practices are identified below (the bulleted items refer to the EIR mitigation measures and the dashed items refer to the associated Warehouse Best Practices) and illustrate the close review of warehouse best practices and their incorporation into the EIR.

- Mitigation Measure M-AQ-3a: Electrification of Yard Equipment requires that all operational yard equipment, such as forklifts, be electric.
 - The Warehouse Best Practices similarly recommend requiring all onsite motorized equipment, such as forklifts and yard trucks, to be zero-emission, with the necessary electrical charging or fueling stations provided.
- Mitigation Measure M-AQ-3b: Electrification of Transportation Refrigeration Units requires that all transportation refrigeration units operating on the project site be electric or alternative zero-emissions technology and charged via grid power (i.e., not an idling truck or diesel engine). The measure also requires project design features to accommodate the necessary charging infrastructure and electrical capacity for implementation of this measure.
 - The Warehouse Best Practices similarly recommends constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project; and, if the warehouse use could include refrigeration, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Mitigation Measure M-AQ-3c: Prohibition of Truck and Van Idling for More than Two Minutes limits idling time to two minutes and requires that signage and training for onsite workers and truck drivers be provided to support effective implementation of this limit.
 - The Warehouse Best Practices is similar but less stringent in that it recommends forbidding trucks from idling for more than three minutes, requiring operators to turn off engines when not in use, and posting interior- and exterior-facing signs identifying idling restrictions and contact information to report violations.
- Mitigation Measure M-AQ-3d: Limitation on Model Year of Visiting Trucks requires that any gasoline- or diesel-powered heavy-duty vehicle (i.e., has a gross vehicle weight rating greater than 14,000 pounds) that enters or operates on the project site have a model year dated no more than nine years upon the completion of project construction activities (e.g., should construction be completed in year 2026, visiting trucks must be model year 2017 or newer).
 - The Warehouse Best Practices focuses on zero-emission vehicles in future years as well as compliance with CARB regulations for exhaust emissions and incentivizing fleet turnover. This includes recommending that projects 1) require that all heavy-duty vehicles engaged in drayage (i.e.,

transporting of cargo to or from a seaport or intermodal railyard) at the project site be zero-emission beginning in 2030; 2) run conduit to designated locations for future electric truck charging stations; and 3) require that every tenant must ensure that staff who keep vehicle records are trained in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. The Warehouse Best Practices also identify examples of potential mitigation measures that include requiring facility operators to maintain on site records that demonstrate compliance, and to make these records available for inspection by the local jurisdiction, air district, and state upon request; requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program; requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers; and providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets. See also Mitigation Measure M-AQ-3g, below, regarding standards for parking for clean air vehicles and electric charging stations.

- Mitigation Measure M-AQ-3e: Diesel Backup Generator Specifications requires that the diesel backup generators meet or exceed the air board's Tier 4 final off-road emission standards.
 - The Warehouse Best Practices recommends that all stand-by emergency generators be powered by a nondiesel fuel. However, and as further described in Response AQ-9, the two 400-kilovolt-ampere generators anticipated to serve the project, one for each of the two buildings, would support the buildings life safety systems (p. 2-24 of the EIR) by providing an alternate energy source, if required by building and fire codes, and depending on final design. According to the project sponsor's building code consultant, diesel generators are the method that the San Francisco Fire Department and the Department of Building Inspection currently accept for providing this required alternate energy source for life safety purposes.⁷²
- Mitigation Measure M AQ-3g: Compliance with CalGreen Tier 2 Building Standards requires that the project meet CalGreen Tier 2 green building standards related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
 - The Warehouse Best Practices similarly recommends that a project meet CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric-vehicle charging, and bicycle parking.
- Mitigation Measure M-AQ-3h: Requirements for Off-Road Construction Equipment provides additional emissions reduction requirements for the project's construction phase, even though construction emissions would be less than significant. This measure requires the use of electric-powered construction equipment for all equipment that is readily available as plug-in or battery-electric equipment, to the maximum extent feasible during each construction phase and activity. Where access to alternative sources of power is available (i.e., grid power), portable diesel engines (e.g., generators) shall be prohibited. If grid power is not available, alternative power such as battery storage or hydrogen fuel cells shall be used, if available. If such alternative power is not available, portable diesel engines shall meet Tier 4 final off-road emissions standards. All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either the U.S. EPA's or the air board's Tier 4 final off-road emission

⁷² A.R. Sanchez-Corea & Associates, Inc. (ARS), Letter from Tony Sanchez-Corea, April 10, 2024, provided to the planning department.

standards. Diesel engines, whether for off-road or on-road equipment, shall not idle more than two minutes, and appropriate signage shall be posted to this effect. A construction emissions minimization plan and monitoring are also detailed requirements of this mitigation measure.

- The Warehouse Best Practices recommends that a project require off-road construction equipment to be hybrid electric-diesel or zero-emission where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier 4-compliant engines or better; prohibit off-road diesel equipment from being in the “on” position for more than 10 hours per day; use electrical hookups to the grid rather than diesel-fueled generators to supply power to electric-powered hand tools; forbid idling of heavy equipment for more than three minutes; keep onsite all equipment maintenance records and data sheets, including design specifications and emission control tier classifications, and furnish these to the lead agency or other regulators upon request.

The project—either through compliance with existing regulations, design features, or through identified air quality mitigation measures—would implement the majority of the warehouse best practices. Recommendations were reviewed for applicability to the project, feasibility of implementation, and enforceability. In summary, the planning department comprehensively reviewed and considered in detail the California Attorney General’s Office of Environmental Justice Warehouse Best Practices for the project design and development of mitigation.

Clean Energy Infrastructure and Sources

One commenter requested clarification of the use of clean energy infrastructure and sources. As discussed in the initial study (included as Appendix B to the EIR; see p. 198), clean and renewable energy features have been incorporated into the project design. The proposed project would be designed without natural gas infrastructure, as required by the city’s All Electric New Construction Ordinance; incorporate a solar array that would be sized to meet the San Francisco Better Roof Ordinance; and generate electricity that could be used to offset the electrical use of the building and equipment and/or the electric vehicles housed at and/or visiting the site. The net increase in energy consumption by the proposed project relative to existing site land uses would be approximately 19,979,000 kilowatt-hours per year in electricity, but a net decrease of approximately 5,138,000 thousand British thermal units per year due to the elimination of natural gas use onsite. During operation, the solar arrays on the project roofs would generate between approximately 1,600,000 and 1,900,000 kilowatt-hours annually from this renewable energy resource, which could power onsite uses or be sold back to the electricity grid (initial study, p. 199). Both the elimination of dependence on natural gas power and the inclusion of onsite solar generation would substantially increase the project site’s reliance on renewable and clean energy sources.

Furthermore, as discussed in the initial study (see p. 94), California has established standards for the energy sector over the past several years, including renewable portfolio standards. For the two electricity providers in San Francisco, the SFPUC and PG&E, this has resulted in SFPUC’s electricity portfolio being 100 percent net-zero GHG emissions and PG&E’s 2019 power mix was as follows: 2 percent natural gas and other, 45 percent nuclear, 25 percent eligible renewables, and 28 percent large hydroelectric.

Conclusion

As discussed in the draft EIR, Appendix B, the analytical approaches to the initial study topics, specifically hazards and hazardous materials and GHG, are appropriate. Existing statutes, regulations, and policies are

critical tools to reduce the impacts of hazards and climate change. The commenters on the initial study have not raised questions or offered comments that would alter the analyses in the initial study and require that these topics be further analyzed in the EIR.

Specifically with respect to GHG emissions, the initial study appropriately applied a qualitative approach to assessing GHG emissions and provided substantial evidence demonstrating that the proposed project would be consistent with the city's comprehensive Greenhouse Gas Reduction Strategy and compliant with the Greenhouse Gas Analysis Compliance Checklist. Based on this analysis, the proposed project would also be consistent with the state's GHG goals and would not conflict with an applicable plan or generate GHG emissions that would make a considerable contribution to global climate change.

Accordingly, no revisions to the EIR are required in response to comments received on initial study topics.

9.I General Comments

The comments and corresponding responses in this section cover general CEQA topics related to the draft EIR. These include topics related to:

- GC-1: CEQA Noticing and Review Period
- GC-2: Adequacy of EIR
- GC-3: Translation
- GC-4: Community Oversight
- GC-5: Project Merits
- GC-6: Document Formatting and Minor Text Revisions
- GC-7: Controls on Parcel Delivery Service Facilities in San Francisco

9.I.1 Comment GC-1: CEQA Noticing and Review Period

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- | | | |
|-----------------|------------|-----------------|
| • A-CPC-Moore-2 | • O-EJG-4 | • O-GA-BVHPMF-3 |
| • O-1000GMFG-3 | • O-GA-1_2 | • O-Sierra-14 |
| • O-ATBV-2 | • O-GA-2_1 | • I-Ealom-2_8 |

"I'm picking up on the comments made by the community, using a 300-foot radius in an area where the sizes are so large that we only touch on very few people.

The reason why I'm saying it, this area has construction companies and other large industrial purveyors who will be affected one way or the other given that it creates street changes and construction that will be in effect more than three years. I would suggest that the notification be expanded by -- far beyond the typical 300 feet that we use in residential neighborhoods. I think it is mandatory for more people to participate." *(Commissioner Moore, SF Planning Commissioner, September 7, 2023, [A-CPC-Moore-2])*

"With a project of this immensity — 97 feet in height, and in excess of 2 million square feet – it was inadequate to provide notice only to entities and individuals within 300 feet of the proposed project; much more of the Bayview Hunters Point community will be affected." *(Rosemary Jarrett, 1000 Grandmothers for Future Generations, October 10, 2023, [O-1000GMFG-3])*

"300 ft. is inadequate proximity of accurate notice to impacted Bayview Hunters Point residents." *(Kamillah Ealom, All Things Bayview, August 28, 2023, [O-ATBV-2])*

“Careful consideration and study need to be given to this project and its impacts. You have touted your commitment to racial and social equity. Here is your opportunity to put those values into action. A continuation would give us time to do this. Thank you for your consideration.” (*Sandra Dratler, Environmental Justic Group at Faith in Action at St. James Episcopal Church, September 7, 2023, [O-EJG-4]*)

“Also, thank you for providing the correct email address but this address was not in the public notice - and I sent the email about this issue to you and the other email provided in the notice which apparently was not a correct email address. Providing the wrong email address in a public notice (the one for Elizabeth White) renders the notice defective.” (*Bradley Angel, Greenaction, August 28, 2023, [O-GA-1_2]*)

“As you now acknowledge the fact that your original public notice of August 2nd provided an incorrect email address that comments were to be submitted to, it is clear that this notice was defective. On behalf of our members and constituents in Bayview Hunters Point, we call on the Planning Department to reschedule the public hearing and extend the public comment period for one month due to the defective public notice.

The correction you just emailed to us is directly a result of Greenaction informing you of the error in your original notice. We expect the Planning Department to conduct proper public notice that complies with all notice requirements and mandates for real and meaningful public participation.” (*Bradley Angel, Greenaction, August 29, 2023, [O-GA-2_1]*)

“CEQA Guidelines and San Francisco Administrative Code Chapter 31 encourage public participation in the planning and environmental review process.¹⁶ However, for the public to be able to participate they must have been made aware that the EIR exists. Under CEQA guidelines sections 15063 and 15082, the planning department has claimed they have made a good faith effort to provide notice to organizations and persons who may have an interest in the proposed project.¹⁷ Unless an individual or organization was already placed on the mandatory Planning Department list for notices, the Notice of Preparation (“NOP”) was only mailed to tenants and property owners within 300 feet of the project site.¹⁸ It is completely unacceptable for a project of this magnitude to have only provided notice of what can be compared to the size of an entire football field.”

¹⁶ DEIR at 1.C-2.

¹⁷ DEIR at 1.C-1.

¹⁸ *Id.*

(*Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-3]*)

“The DEIR notes that noticing only went out to any residents within 300 feet, rather than 1000 feet—the size of the buffer zone that the Attorney General’s guidance document recommends. Given the fact that the surrounding community is already disproportionately impacted by the number of industrial projects in the area, one would expect the DEIR to comprehensively describe each of the sensitive receptors that could be

potentially impacted by the Project. Unfortunately, this is not the case.” (*Jacob Klein, Sierra Club, October 16, 2023, [O-Sierra-14]*)

“Three hundred feet is inadequate proximity of accurate notice to impacted Bayview-Hunters Point residents.” (*Kamillah Ealom, September 7, 2023, [I-Ealom-2_8]*)

9.I.1.1 Response GC-1

Public Noticing

Two comments refer to a typographical error for the project email address included in a public notice email sent by the planning department on August 2, 2023. One commenter also requested that the draft EIR comment period be extended and the planning commission hearing be rescheduled due to the typographical error included in the public notice email. Several comments relate to the 300-foot radius used for the project’s physical public notice mailings.

Regarding the typographical error, the planning department sent a public notice email on August 2, 2023, announcing that the draft EIR for the project was published and providing a project email address, SFGatewayProject@sfgov.org, to receive comments from members of the public on the project’s environmental analysis. On August 28, 2023, a commenter informed the planning department that the provided email address was not working. Planning department staff issued a correction email on August 29, 2023, that contained the corrected email address to receive comments, CPC.SFGatewayProject@sfgov.org. Subsequently, the end of the public comment period was extended from September 18 to October 16, 2023, to ensure that the public had a full 45 days to submit comments following issuance of the corrected notice. The full time available for public review and comment on the draft EIR was 75 days after the original notice, and 48 days after the revised notice with the corrected email address. Regarding the request to reschedule the San Francisco Gateway draft EIR public hearing at the San Francisco Planning Commission, the planning department determined that the notification error did not affect the ability of the public to effectively participate in the public hearing and did not postpone the September 7, 2023, hearing. Among other reasons, the typographical error did not affect the public’s ability to view the draft EIR beginning on August 2, 2023, and it did not affect the public notice for the September 7, 2023, hearing.

Regarding the project’s noticing, the planning department has made a good faith effort to provide notice to organizations and persons who may have an interest in the proposed project, consistent with CEQA guidelines sections 15063, 15082, and 15087 and the city’s Administrative Code Chapter 31. Although the 300-foot mailing radius is a required noticing distance specified in Chapter 31 of the city’s Administrative Code, the initial study and/or draft EIR’s notification efforts were not solely limited to this 300-foot radius for physical mailings. The following paragraphs describe the extensive outreach conducted for the project’s environmental review process.

In March 2022, the planning department mailed the notice of availability of the NOP and initial study to tenants and property owners within 300 feet of the project site. In addition to English, the planning department translated the notice of availability into Chinese, Spanish, Filipino, and Vietnamese. The planning department mailed the notice of availability in all five languages to tenants and property owners

within 300 feet of the project site. The planning department also sent an email notification to neighborhood groups and individuals that requested project notifications from the planning department.⁷³ The planning department also published a newspaper advertisement in the San Francisco Examiner on March 9, 2022, announcing the opportunity for public comment on the project and providing notification of the project's virtual public scoping meeting. Any persons expressing interest in the project at that time were added to the project's mailing list.

In June 2023, planning department staff and the project sponsor team attended a Bayview Hunters Point Environmental Justice Response Task Force meeting in advance of the draft EIR publication. Representatives from the project sponsor team and planning department presented a project overview and identified key milestones and opportunities for public comment in the upcoming planning process. Attendees were invited to reach out to the planning department to be placed on the mailing list during this meeting.

In August 2023, the planning department announced publication of the draft EIR for public review and comment. The planning department posted the draft EIR and appropriate notices to the planning department's environmental review website. In addition to English, the planning department translated the notice of availability of the initial study and draft EIR into Chinese, Spanish, Filipino, and Vietnamese; mailed the notice of availability in all five languages to tenants and property owners within 300 feet of the project site; posted these notices on the planning department's environmental review webpage; and filed the notice with the San Francisco County Clerk's office. The planning department also sent an email notification on August 2, 2023, to neighborhood groups and individuals who requested project notifications from the planning department, individuals who commented on the project's notice of preparation, individuals who requested to be added to the San Francisco Gateway Project distribution list, and a list of individuals interested in the project provided by the project sponsor's community outreach team.

Finally, as described in a declaration submitted to the planning department by the project sponsor, the project sponsor posted 32 public notices around the perimeter of the project site from August 2, 2023, through October 16, 2023 (the full extended EIR public comment period); and inspected the posters on September 7, 2023, and October 11, 2023. One of the 32 posters was missing during the October 11 inspection, and a replacement was posted on October 16.

As a result of the above-described efforts, the city's outreach to solicit public input on the proposed project, the initial study, and the draft EIR extended and included more than the mailings to the property owners within 300 feet of the project site. The noticing conducted for the project exceeded the requirements CEQA guidelines sections 15087 and the city's Administrative Code Chapter 31.

Request for a Continuation of the Draft EIR Public Hearing

As the lead agency, the planning department has provided adequate time for public agencies and members of the public to review and comment on the draft EIR, as required by CEQA guidelines section 15203. The San Francisco Gateway draft EIR was published on August 2, 2023, for public review. On September 1, 2023, the planning department extended the 47-day public review period to 75 days. The planning commission hearing

⁷³ The department maintains a list it uses to distribute planning project notifications to individuals and neighborhood groups that have expressed interest in receiving such notices. Individuals and organizations can register and obtain a complete list of registered neighborhood groups, along with their contact details, at <https://sfplanning.org/resource/neighborhood-group-organizations>. The website contains a link to a neighborhood group notification form, which must be filled out and emailed to planningnews@sfgov.org. It takes approximately two to four weeks to start receiving notices.

was held on September 7, 2023, and the public had an opportunity to comment on the draft EIR at the planning commission hearing or in writing during the 75-day comment period. During the public review period, interested parties had the opportunity to provide comments, feedback, and input on the environmental impacts, mitigation measures, and alternatives in the draft EIR. Public participation is crucial for informed decision-making, and the comments received during the public review period and at the planning commission hearing will be provided to city decision-makers for consideration in their deliberations on the project.

9.I.2 Comment GC-2: Adequacy of EIR

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- | | | |
|--------------------|----------------|-----------------|
| • A-CPC-Imperial-1 | • O-Sierra-3 | • I-Hardeman-1 |
| • A-CPC-Koppel-2 | • O-Sierra-7 | • I-Lantsberg-1 |
| • A-CPC-Tanner-1 | • I-Ealom-2_1 | • I-Rohm-2 |
| • O-GA-BVHPMF-1 | • I-Ferrari-1 | • I-Torres-1 |
| • O-Sierra-1 | • I-Gonzalez-1 | • I-Vallis-1 |

“Thank you. My comment on the EIR, I do think that it is adequate. I do appreciate that the EIR also correlates or tries -- also tried to correlates on the housing element EIR as well.” (*Commissioner Imperial, SF Planning Commissioner, September 7, 2023, [A-CPC-Imperial-1]*)

“Other than that, I do think that the document is accurate and adequate. But I'm also thankful that the comment period's been lengthen for more input.” (*Commissioner Koppel, SF Planning Commissioner, September 7, 2023, [A-CPC-Koppel-2]*)

“You know, I think that the EIR as an environmental document is adequate and appropriate.” (*President Tanner, SF Planning President, September 7, 2023, [A-CPC-Tanner-1]*)

“The Environmental Law and Justice Clinic at Golden Gate University School of Law submits these comments on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee. Greenaction submits these comments on behalf of its frontline staff, community members, and constituents who are longtime residents of Bayview Hunters Point. The Draft Environmental Impact Report (“DEIR”) for the San Francisco Gateway Project (“project”) is inaccurate and inadequate, and it fails to comply with the California Environmental Quality Act (“CEQA”).¹

The purpose of CEQA is to assist agencies in identifying the significant environmental effects of proposed projects and adopting feasible alternatives or mitigation measures that would lessen or avoid these impacts.² An environmental impact report (“EIR”) must “identify the significant effects on the environment of a project, [] identify alternatives to the project, and [] indicate the manner in which those significant effects can be mitigated or avoided” before a project may be approved.³ Public agencies are responsible for

mitigating or avoiding the “significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.”⁴ An EIR further serves to provide “detailed information about the effect which a project is likely to have on the environment.”⁵

The DEIR circulated by the San Francisco Planning Department (“Planning Department” or “City”) is procedurally inadequate, fails to rise to the level of specificity required by CEQA, fails to adequately and accurately analyze cumulative impacts, fails to adequately and accurately analyze feasible mitigation measures, fails to adequately and accurately analyze environmental and health impacts, and fails to adequately and accurately analyze alternatives. Accordingly, the Planning Department must substantially revise the DEIR and recirculate it for public comment.”

¹ Cal. Pub. Res. Code § 21000 et seq.

² Id. at 1002.

³ Id. at 21002.1(a).

⁴ Id. at 21002.1(b).

⁵ CEQA Guidelines § 15201.

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-1])

“The San Francisco Bay Chapter of the Sierra Club has reviewed the Draft Environmental Impact Report (DEIR) prepared in connection with the proposed San Francisco Gateway project. The Sierra Club has serious concerns about the environmental impacts of the Project as currently proposed. As discussed in more detail below, the DEIR substantially understates, and fails to fully analyze, the severity and extent of significant project-related effects on air quality, greenhouse gas (GHG) emissions, and public health.” *(Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-1])*

“The proposed Project would implement the construction and operation of 2,160,000 square feet of production, distribution, and repair space. This is a noticeably large-scale development for its kind in the Bay Area, particularly for a dense urban part of the Bay. For the reasons set forth below, the DEIR does not comply with the requirements of CEQA. The DEIR’s failings will impact all residents in the City, but will most directly and significantly impact low-income, disadvantaged residents and communities, especially communities of color in the vicinity of the project. These communities are the most vulnerable to the impacts that the DEIR fails to adequately analyze or effectively mitigate.” *(Jacob Klein, Sierra Club, October 16, 2023, [O-Sierra-3])*

“There is no scenario in which the Project would not increase truck trips and associated diesel particulate matter pollution at sensitive receptors and neighborhoods. The City must do a more complete analysis and identify effective, enforceable measures that will minimize impacts to the community. The City therefore should not approve the Project unless it (1) analyzes other emission scenarios that are more likely and (2) analyzes and adopts Project alternatives or mitigation measures that ensure effective measures are adopted and are enforceable.” *(Jacob Klein, Sierra Club San Francisco Bay Chapter, October 16, 2023, [O-Sierra-7])*

“My name is Kamillah Ealom, Bayview-Hunters Point community organizer, community leader, long term impacted resident, and daily asthma survivor. You are looking at over 500 years of Bayview-Hunters Point living experience. It is gravely important that you, even though you're not making a decision today, but that you will oppose any approval to ensure that the environmental review for the SF Gateway Project is both accurate and adequate.” *(Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_1])*

“My name is R.J. Ferrari, business rep for Local 38 Plumbers and Pipefitters. My union has a training facility for the plumbers and pipefitters and HVRC techs and welders in District 10. We have received the EIR and support the mitigation factors outlined in the tables.

The project sponsors has identified feasible ways to deliver the project and reduce the impact of construction. We look forward to this project moving ahead in the future. Thank you very much. R.J. Ferrari, Local 38.” *(R.J. Ferrari, September 7, 2023, [I-Ferrari-1])*

“Good evening, Commissioners, members of the public. Appreciate the opportunity to comment. Rudy Gonzalez with the San Francisco Building and Construction Trades Council.

While we will have plenty of time to debate the merits of any proposed project, including a tenant, when the developer figures that out, I think it's important to look through -- I know it's long, it's like 407 pages. But many of our craft unions and policy folks have actually looked through it, and I think there is some important notes to make because there have been catastrophic failures on behalf of the community there that were imposed on them by the federal government, the state government, and with the complicity of the city. And we cannot allow those injustices to continue again.

So I echo brother Armie Morgan's comments, we want to have those conversations. Some of the issues around today's comments really have to do with whether or not there's adequacy and accuracy in this report. I think there is.

And there's a couple things I want to draw your attention to. One is a building and construction model that is going to be LEED Gold. So there's going to be a high level of mitigation inherently in the long-term lifespan of the building. But in the construction phase and in the operations phase, there are also substantial efforts being made here by the project sponsor to deal with dust, deal with noise.

I also want to quickly refer to the report as it relates to the vehicle traffic. I think that's a really legitimate issue as it relates to transit and just general wellbeing and health for people and their families. This is a fully electric operation with restrictions on those very types of trucks and the years, and restrictions on what kind of trucks can go in this facility. We're talking about massive opportunities to decarbonize our projects in our construction. Electronic vehicle charging infrastructure.

I think overall, the systems will include, you know, storm water management, four cisterns that will collect rainwater. I mean you name it, this report has covered it. In the initial -- if you don't have time for 407 pages, the S-20, 21, 22, all those pages pretty succinctly lay out the charts and the determinations of less than substantial I think really encompass most of the findings.” *(Rudy Gonzalez, Individual, September 7, 2023, [I-Gonzalez-1])*

“Hello. Good afternoon, Commissioners and staff. My name is Greg Hardeman. I'm with the Elevator Constructors Local 8. I live and work in San Francisco, and I'm an ADEM for District 19.

I'm calling to support -- I'm calling to voice my support for the draft environmental impact report. The draft EIR for the San Francisco Gateway is a comprehensive assessment to several key factors that we must consider under CEQA. The findings are solid.

I think we could all agree that with the climate change, storms are going to get worse each year and this project will address some of those concerns with storm water management. And we look forward for this project to move forward. Thank you very much.” *(Greg Hardeman, September 7, 2023, [I-Hardeman-1])*

“Commissioners, my name is Alex Lantsberg. I live and work in San Francisco. In fact, I live in Bayview-Hunters Point and have for nearly half of my life now. Just calling to express my support for the draft environmental impact report. We believe that it is a thorough assessment, that it really did take a look at a number of the factors that are going to be -- that are of great concern to Bayview-Hunters Point residents. Most people who agree as well as pretty much anyone who lives in the neighborhood, and we look forward to seeing this project move forward.

As Mr. Gonzalez said, there is still a lot of work to do to iron this project out, but this is an important first step that we need to take. Thank you very much.” *(Alex Lantsberg, September 7, 2023, [I-Lantsberg-1])*

“So when it comes to an EIR, I totally understand the community's sentiment, and the activist sentiment, people like myself, as to whether or not we should trust this. So I would like to propose to have a more thorough EIR in particular with respect to all the possible issues, noise, like pollution, environmental safety that was actually brought up. I was actually pleasantly surprised that it was brought up that these are the issues, and this is, you know, how we're going to mitigate it.

Now is the mitigation going to take care of these issues? That's what we need to focus on. And that's why I'm here to encourage to postpone any kind of affirmative action on this, any kind of approval of this. And have a more thorough look into that particular, this is the first thing after you have come back from your recess. I think the community, once they find out the impact, they are going to be just as pissed off as my fellow residents of San Francisco that you just saw here. Thank you.” *(Ozzie Rohm, September 7, 2023, [I-Rohm-2])*

“Hello, Planning Commission. My name is Dan Torres. I'm a San Francisco native, and a business agent with Sprinkler Fitters Local 43. I find the draft EIR adequate and accurate. I support having the staff continue to review the project. Thank you for your time.” *(Dan Torres, September 7, 2023, [I-Torres-1])*

“Hi. My name is Josh Vallis. I'm a business rep for Local 104 Sheet Metal Workers, and I primarily work in San Francisco. I'm calling in support of the draft of the EIR for the SF Gateway.

It is a thorough assessment of the various factors that we must consider under CEQA, the findings are sound, and I wish to record my support for the draft EIR. We look forward to the staff continuing to review this important project. And to see this built as a benefit to our city of San Francisco. Thank you.” (*Josh Vallis, September 7, 2023, [I-Vallis-1]*)

9.I.2.1 Response GC-2

Some commenters state that the draft EIR is adequate and accurate; other commenters state that the EIR is inadequate or suggest topics that need more analysis.

One commenter seeks clarification about truck trips and associated diesel PM pollution at sensitive receptors. In the draft EIR, Table 3.B-5 presents the net-new person trips generated by land use for the proposed project. Section 3.B.3, Impact Assessment Methodology, lists the thresholds that were used to conclude whether an impact would be significant and describes the methods used to determine the impacts that could occur with implementation of the proposed project. Section 3.D.3, Impact Assessment Methodology, notes that as part of the environmental review for the proposed project, the planning department conducted an HRA to provide quantitative estimates of PM_{2.5} concentration exposure and health risks from exposures to TACs (i.e., diesel PM). As described above, Section 3.D, Air Quality, accounts for the types and quantities of emissions that would be generated on a temporary basis due to construction activities, as well as those generated over the long term due to development that could occur as a result of the project. The analysis determines whether those emissions are significant in relation to applicable air quality standards and identifies feasible mitigation measures for significant adverse impacts. Additional information supporting this analysis of air quality impacts is included in Appendix F of the draft EIR. Please refer to Response AQ-9 for more information about why the air quality mitigation measures are enforceable and feasible.

One commenter questions the adequacy and accuracy of the draft EIR and requests recirculation of the document but does not provide substantial evidence that the analysis is inadequate, nor provide relevant data that could be considered for the impact analysis. As a result, there is no basis for recirculating the draft EIR.

Various commenters identify general concerns with different analyses in the draft EIR (e.g., air quality, noise, and alternatives) but do not provide substantial evidence that these analyses are inadequate or provide relevant data that should be considered in the impact analysis. Specific comments related to the adequacy of the information and analysis in the EIR are addressed in the responses under each topical subsection. The following list identifies sections of the draft EIR and comment responses that provide the information and analysis requested by the commenters listed above:

- CEQA Standards of Adequacy
 - Section 2.A.1, CEQA Standards of Adequacy, of the draft EIR summarizes the CEQA guidelines section 15151 standards for the preparation of an adequate EIR, to which the planning department adhered when preparing this EIR.

- Cumulative Impacts
 - Section 3.A.6, Overview of Existing and Cumulative Environmental Setting, provides an overview of the existing and cumulative environmental setting.
 - The overview is supplemented by the environmental and cumulative setting in each resource topic subsection. Cumulative impacts are addressed in Section 3.B.5 (transportation and circulation); Section 3.C.5 (noise and vibration); Section 3.D.4 (Impact AQ-2 and Impact AQ-3 related to cumulative criteria air pollutant emissions); Section 3.D.5 (health risks and odors); and Section 5.C, Alternatives Analysis, in which cumulative impacts for each alternative are discussed.
 - See also Responses ES-3, TR-7, NO-1, AQ-7 for additional information regarding the project's cumulative analysis for specific environmental topics related to existing setting, transportation, noise, and air quality.
- Noise
 - Section 3.C, Noise and Vibration, of the draft EIR analyzes the project's noise and vibration impacts.
 - See also Response NO-1, which provides additional information on the project's noise analysis.
- Air Quality Impacts (Emissions and Health Risks)
 - Section 3.D, Air Quality, of the draft EIR describes the setting and the approach to the impact assessment, and identifies feasible mitigation measures for significant impacts from criteria air pollutants and toxic air contaminants. Appendix F to the draft EIR contains detailed supporting information for these impacts.
 - Responses AQ-1 through AQ-3 and AQ-6 provide information on the project's HRA, and Response IS-1 provides additional information on the project's GHG analysis.
- Greenhouse Gas Emissions
 - Section E.8, Greenhouse Gas Emissions, of the initial study describes the regulatory setting framework for GHGs, describes the project's approach to GHG analysis, and discusses GHG regulations that are applicable to the project.
 - See also Response IS-1, which provides additional information on the project's GHG analysis.
- Alternatives
 - Chapter 5, Alternatives, of the draft EIR provides a detailed description of the selected alternatives, along with an analysis of their potential environmental impacts compared to the proposed project. The chapter also describes the alternatives that were considered but rejected.
 - See Responses ALT-1 through ALT-4, which address the range of alternatives evaluated, the impact assessment for the alternatives analyzed in the EIR, and the differences from the proposed project in response to comments on the draft EIR.
- Mitigation Measures
 - Impacts and required mitigation measures for the proposed project are detailed in Section 3.C (noise and vibration) and Section 3.D (related to criteria air pollutant emissions). Additionally, in

Section 5.C (alternatives analysis), impacts for each alternative are discussed and feasible mitigation measures are identified to reduce all potentially significant impacts to a less-than-significant level.

- See also Responses AQ-8 through AQ-12, which provide additional information on the project's Air Quality mitigation measures.

Specific comments related to the adequacy of the information and analysis in the EIR are addressed in the responses under each topical subsection above. Pursuant to CEQA guidelines section 15088(c), general comments that do not contain or specifically reference readily available information may receive a general response. These comments, in and of themselves, do not raise specific environmental issues about the adequacy or accuracy of the draft EIR's coverage of physical environmental impacts. Accordingly, these comments do not require more than a general response in this RTC document.

9.I.3 Comment GC-3: Translation

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- | | | |
|------------|-----------------|---------------|
| • O-GA-1_1 | • O-GA-3_1 | • I-Ealom-1_2 |
| • O-GA-1_3 | • O-GA-4_1 | • I-Ealom-2_7 |
| • O-GA-1_4 | • O-GA-BVHPMF-4 | |

"We see the Notices of Availability in different languages on your website, but we don't see the translated DEIR or even an Executive Summary of the DEIR.

Please confirm either that the documents don't exist or let us know where on the website those documents were posted along with the English DEIR." (*Bradley Angel, Greenaction, August 28, 2023, [O-GA-1_1]*)

"Hello, I am following up about our request for Chinese and Spanish DEIR documents for the proposed SF Gateway Project. Was the DEIR translated in full or even an Executive Summary? If so, where can we find these." (*Bradley Angel, Greenaction, August 28, 2023, [O-GA-1_3]*)

"Hello Planning Department, I am writing to inquire if the Draft EIR for the proposed SF Gateway Project is available in Chinese and Spanish, two languages spoken by many residents of Bayview Hunters Point who are either monolingual or Limited English Proficiency. Please let us know if the DEIR was translated into these (and other) languages and if so how we can get copies, We did not see any translated DEIR on the Planning Department website for this project. It is imperative that all residents are provided an opportunity to know what is being proposed in their community. We look forward to your response to this important inquiry." (*Bradley Angel, Greenaction, August 22, 2023, [O-GA-1_4]*)

"We are all truly puzzled and shocked by your statement in your email yesterday that stated "To date, the department has not received a request to translate additional materials for this project."

As is quite obvious and quite well documented, Greenaction has been requesting translated DEIR documents repeatedly in emails to the Planning Department - as the subject lines of our emails have made quite clear.

The Planning Department's failure and refusal to translate the DEIR document into languages spoken by many residents in the community violates state and federal civil rights laws, language access laws and policies, and environmental justice - and makes it impossible for non-English speaking residents and LEP (Limited English Proficiency) residents to participate meaningfully in the process.

We therefore demand the Planning Department translate the DEIR into Chinese, Spanish and other appropriate languages (or at a minimum provide extensive executive summary documents) and cancel the upcoming public hearing and extend the public comment period until the DEIR is available in all appropriate languages and the public is properly notified of their availability.

We assure you we will challenge any violations of proper notice, meaningful public participation, civil rights, language access and environmental justice through all available measures.” (*Bradley Angel, Greenaction, August 30, 2023, [O-GA-3_1]*)

“Your email sent to us this afternoon confirms what we suspected: The Planning Department failed once again to translate key permit process documents into the languages spoken by significant numbers of residents affected by a proposed project.

It is an enormous problem, quite troubling, and totally unacceptable that in the year 2023, despite countless years of Greenaction and community members raising this issue, the City and County of San Francisco still doesn't routinely translate key documents for our diverse and multilingual residents. It is now clear that language access has been denied for this project as it has been denied for years in other projects.

You cannot proceed with the current schedule which violates civil rights, language access, meaningful civic engagement and justice.” (*Bradley Angel, Greenaction, August 30, 2023, [O-GA-4_1]*)

“While the NOP was translated into Chinese, Spanish, Filipino, and Vietnamese, the draft EIR itself was never translated.¹⁹ Though San Francisco Administrative Code Chapter 91 does not require translation of technical documents, what good is a notice if you cannot read what the notice is referring to? In actuality, it would be no good. Environmental Impact Reports are informational documents that inform the public as well as decision-makers about the environmentally significant impacts of a proposed project.²⁰ CEQA stresses the importance of disclosing feasible mitigation measures and alternatives.²¹ However, the present DEIR is not translated into other languages which means people are being deprived of the opportunity to read for themselves what those measures are.

Greenaction has repeatedly called on the Planning Department to provide translations of DEIRs on prior projects, and this project was no exception. Language access is a fundamental right and is paramount to ensuring equal access to participation in the government's decisionmaking process that affects both community and well-being. The City's best practice should include translating substantive portions of the DEIR to fulfill CEQA's informational purpose. Considering that 155,765 people out of the total of 740,776 people who live in San Francisco speak a language other than English, shows how important it is that these technical documents be readily accessible to them.”²²

¹⁹ *Id.* [DEIR at 1.C-1]

²⁰ CEQA Guidelines § 15121(a)

²¹ CEQA Guidelines § 15126.4

²² San Francisco Language Diversity Data, <https://sf.gov/data/san-francisco-language-diversity-data>

(Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-4])

“Translations of the Environmental Review need to be adequately assessable for Bayview Hunters Point residents as the Notice of Preparation (NOP) and initial study.” (Kamillah Ealom, *Individual*, August 28, 2023, [I-Ealom-1_2] and September 7, 2023, [I-Ealom-2_7])

9.I.3.1 Response GC-3

Several English-language-speaking commenters request various language translations of the environmental review document, including translation of the entire draft EIR into “Chinese, Spanish and other appropriate languages.” One commenter suggests that the planning department’s failure to translate the draft EIR is a violation of state and federal civil rights laws, language access laws and policies, and environmental justice. Another commenter incorrectly states that the planning department translated the project’s NOP of an EIR into Chinese, Spanish, Filipino, and Vietnamese.

San Francisco's Language Access Ordinance requires all public-serving city departments to inform all Limited English Proficient persons who seek services, in their native language, of their right to:

- request interpretation or translation;
- translate written materials and signs that provide important information about the department's services or programs into the city's three most common non-English languages (Chinese, Filipino, and Spanish); and
- provide access to staff that speak these languages.

As correctly noted by one of the commenters, the city’s Language Access Ordinance, in Chapter 91 of the San Francisco Administrative Code, does not require translation of technical documents such as the San Francisco Gateway Project draft EIR.

Pursuant to the Language Access Ordinance, the policy of the San Francisco Planning Department is to provide free language assistance to Limited English Proficient individuals at their request.⁷⁴ This assistance may take the form of translation or interpretation services, depending on the specific request from the individual requiring assistance. For example, a Limited English Proficient individual could request a specific section of a draft EIR be translated, or they could request to speak with someone in their native language to discuss the project description or project impacts. All San Francisco Planning Department public notices, including those issued for the San Francisco Gateway Project’s environmental review documents, include a footer in Chinese, Spanish and Filipino that advises members of the public to call 628.652.7550 for information in these specific languages. Individuals who contact this number are directed to staff who can

⁷⁴ San Francisco Planning Department, Language Assistance, <https://sfplanning.org/policies/language-assistance>, accessed February 27, 2024.

provide language assistance and assist in addressing their specific request. As of publication of this RTC document, the planning department has not received a request for language assistance on the San Francisco Gateway Project from Limited English Proficient persons.

The following paragraphs summarize the multi-language translation efforts completed for the San Francisco Gateway Project CEQA process and correspondence with the commenter regarding translation services.

As described on p. 1-2 of the draft EIR, the planning department mailed the notice of availability of the San Francisco Gateway Project NOP and initial study in March 2022 to tenants and property owners within 300 feet of the project site, and sent email notifications to neighborhood groups and individuals who requested project notifications from the planning department. In addition to English, the planning department translated the notice of availability of the San Francisco Gateway Project NOP and Initial Study into Chinese, Spanish, Filipino, and Vietnamese. The planning department did not translate the project's longer and more detailed NOP of an EIR into Chinese, Spanish, Filipino, and Vietnamese, as stated incorrectly by one commenter. The planning department then mailed the notice of availability in all five languages to tenants and property owners within 300 feet of the project site, posted these notices on the planning department's environmental review webpage, and filed the notice with the San Francisco County Clerk's office.

The planning department held a virtual public scoping meeting on March 30, 2022, at 6 p.m., with options for joining by phone (toll-free) or computer. The purpose of the scoping meeting was to inform the public about the proposed project, explain the environmental review process, and provide an opportunity for the public to make comments and express concerns related to the project's environmental issues. The scoping meeting presentation was presented with multilingual captions in Chinese, Spanish, Filipino, and Vietnamese, and was posted to the San Francisco Planning Department's environmental review document webpage following the scoping meeting.⁷⁵

On August 2, 2023, the planning department published the San Francisco Gateway draft EIR; mailed the notice of availability of a draft EIR to tenants and property owners within 300 feet of the project site; and sent email notifications to neighborhood groups and individuals who requested project notifications from the planning department. Similar to the notice of availability for the NOP, the planning department translated the notices into Chinese, Spanish, Filipino, and Vietnamese. The planning department mailed the English, Chinese, Spanish, Filipino, and Vietnamese notices to tenants and property owners within 300 feet of the project site; posted these notices on the planning department's environmental review webpage; and filed the notice with the San Francisco County Clerk's office. The English version of the notice of availability of a draft EIR was also posted on 32 posters around the perimeter of the project site for the full 75-day public comment period, with the multi-language footer described above.

In response to the commenter's correspondence with the planning department on this matter, the San Francisco Planning Department's environmental review officer mailed a letter to the commenter on September 5, 2023. The letter addressed Mr. Angel's concerns regarding language access, request for translation of the draft EIR in several languages, and request to delay the San Francisco Gateway public hearing. An excerpt of that letter is provided below:

⁷⁵ San Francisco Gateway Project Video Presentation - Environmental Impact Report (EIR) Public Scoping Meeting, March 30, 2022, https://sfplanning.org/environmental-review-documents?title=Gateway&field_environmental_review_categ_target_id=All&items_per_page=10.

The department has considered this request in consultation with the City’s Office of Civic Engagement and Immigrant Affairs and has determined that the City’s Language Access Ordinance, San Francisco Administrative Code Chapter 91, does not require translation of technical documents such as the San Francisco Gateway Project draft EIR. Limited English proficient persons may seek assistance by contacting the number at the bottom of the notices referenced above. To date, the department has not received a request for assistance from limited English proficient persons. Again, there does not appear to be a valid reason to reschedule the draft EIR public hearing. Limited English proficient persons who wish to comment on the draft EIR now have until October 16, 2023, to seek assistance from the department and submit comments on the draft EIR.

In conclusion, the planning department’s translations of certain documents for the San Francisco Gateway Project EIR meet and exceed that which is required by the Language Access Ordinance and San Francisco Planning Department policies regarding language assistance.

9.I.4 Comment GC-4: Community Oversight

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-BAAQMD-7
- I-Ealom-1_4
- I-Ealom-2_5
- I-Gonzalez-2

“The Air District strongly encourages the Project to work directly with community partners such as the Bayview Hunter’s Point AB 617 Community Steering Committee to select and implement specific and appropriate strategies to further address potential impacts from operational truck trips, including monitoring of truck activities in collaboration with the future tenants and the City or establishing new street trees or vegetative screens/buffers along proposed truck routes.” *(David Ralston, Bay Area Air Quality Management District, October 16, 2023, [A-BAAQMD-7])*

“Community oversight needs to be required regarding the deferred plans Prologis is required to submit and any future plans, particularly since the project is expected to operate for 100 years or more.” *(Kamillah Ealom, August 28, 2023, [I-Ealom-1_4] and Kamillah Ealom, Individual, September 7, 2023, [I-Ealom-2_5])*

“When you get into the mitigation efforts, I think that's where we need the commissioners to show some leadership. We should have some thoughtful discussions. We should, you know, keep engaged with the Bayview-Hunters Point community advisory committee. There's probably no single one project that can undo the systemic racism and redlining that has plagued our city.” *(Rudy Gonzalez, September 7, 2023, [I-Gonzalez-2])*

9.I.4.1 Response GC-4

Several commenters suggest the project sponsor work with community partners to implement additional strategies to address impacts of trucking operations and request community oversight and engagement with the project.

Please refer to Response PD-4 for more information about the special use district and development agreement, including the requirements stipulated in the agreement for community benefits, local hiring, and community involvement. The proposed development agreement provides a framework for how the project sponsor would engage with members of the community prior to and during construction and operation of the project. Among other engagement efforts, the project sponsor would be required to maintain a webpage for the project. This webpage would initially include readily accessible links to the project EIR and mitigation monitoring and reporting program; any project approvals granted by the board of supervisors or planning commission; and the final development agreement. The webpage would be updated each time an annual report is submitted to the city to comply with the development agreement; and would include a compliance tracker identifying the status of the project's compliance with all mitigation measures defined in the MMRP (for example, whether the project sponsor has submitted a required plan or monitoring report to the planning department). With respect to Mitigation Measure M-AQ-3i, the compliance tracker would describe whether an Operational Emission Management Plan (OEMP) is in place, whether additional emission reduction measures are required to ensure that the performance standard is not exceeded, and the status of any reports associated with the OEMP. The webpage would also include contacts (phone number and email address) to request more information from the project sponsor and the planning department regarding implementation of the MMRP. See Exhibit O of the project development agreement for more information about future community engagement, including the proposed webpage.

9.I.5 Comment GC-5: Project Merits

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-CPC-Tanner -2
- O-Local 261-1
- O-BVHPCA-4
- O-GA-BVHPMF-24
- O-Goodman-1
- I-Gonzalez-3
- I-Morgan-1

"I think what is raised through this discussion today is more about the policy and the decision-making process and approval that comes after this, and how can Prologis propose a project that does better than needed to, that raises the bar and the standards of what we allow to be developed, and how does the city, through the different processes that this project has to go through, SUD, development agreement, et cetera, what do we ask and demand and require of the projects including, you know, not just like some more electrification, or reduced emissions."

I don't know why we aren't going with the climate collapse we're seeing to like this should be like a zero-emission project. Not only the building itself, but also all the things that are coming in and out of it every day. I don't know why we would build 2 million square feet of space that is causing any pollution. We have the technology. We have the know-how, we understand how to reduce that. So we should just go ahead and do that. I just don't really see.

So I think the EIR is fine, but again, what is it, we, as a city, demand and require from this project. And I hope that the folks that are here, the folks that called in support can be supportive of that vision as well so that we're really doing better than needed to, not just for the neighborhood, but really for the entire planet. I mean not to make it -- and so it's obviously, one project in the scheme of the world. But that's the direction we really should be going with these larger projects that are being built in the city.” (*President Tanner, San Francisco Planning Commission, September 7, 2023, [A-CPC-Tanner -2]*)

“My name is Jesus Villalobos President of San Francisco Laborers Local 261. On behalf of 5500 members urge you to approve this project.” (*Jesus Villalobos, San Francisco Laborers Local 261, September 7, 2023, [O-Local 261-1]*)

“We are also concerned about the scale of the project. And other, equally important concerns include: Even with mitigation measures reducing the NO_x emissions they are still above thresholds; impacts of the wind down wash (we are located on Toland right next door to the building); traffic conflicts with the Produce Market and other tenants, including Waymo vehicles that are all over the place like insects; pedestrian safety as some of our staff, and many others as the Project grows, will have to walk numerous blocks among the heavy traffic due to lack of public transit support; dust mitigation during construction and thereafter due to the heavy vehicle traffic; and, potential exposure to asbestos and other carcinogenic pollutants during construction.” (*Karen Pierce, Bayview Hunters Point Community Advocates, October 16, 2023, [O-BVHPCA -4]*)

“In light of the above, and in addition to the defects and inadequacies of public notice and the DEIR, it is clear this proposed project if approved would have a significant, harmful impact on public health and the environment for decades into the future and could not be mitigated to less than significant.

The Planning Department, Planning Commission, and Board of Supervisors must not approve such a harmful project with significant impacts that cannot be mitigated to less than significant in this already overburdened, health-impacted community. We call on the City and County of San Francisco to reject this proposed project and instead protect the health, environment, and civil rights of residents who are people of color and have suffered from pollution for too many decades.” (*Brandon Turner, on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee, October 16, 2023, [O-GA-BVHPMF-24]*)

“We have been fortunate to meet with the applicant on several occasions and participate in community meetings enabling us to learn more about the project and would like to highlight a few of the benefits we see to this project.

Sustainability:

- With the planned development inclusion of a large array of EV chargers. We see this as a benefit as it will attract businesses that are focused on electrifying their truck and small vehicle fleets. This will benefit the area by reducing the amount of diesel and gas vehicles in the area. Currently the industrial buildings in the area are lacking the infrastructure to accommodate these EV fleets.
- The proposed rooftop solar array is 3.2 megawatts, which is above the required code/regulations and encourages the market to transition to a more electrified future. This will benefit the surrounding properties as the current electrical grid is strained.

Modernization of PDR Space:

- The area is currently developed with industrial buildings built in the mid-century which are outdated and lacking modern infrastructure and design. Having a modern development in the area will elevate the entire neighborhood, and make the area more attractive.
- As the first major modern development in this PDR area, we believe this project will elevate the neighborhood and generate a modern business ecosystem.
- With a large solar installation and EV charging capabilities, we believe industry leaders from numerous industries will be further attracted.

Increase Jobs in the Area:

- This development will not only create short-term construction jobs to the area, but the scale of the project will create the opportunity for a large number of jobs being permanently brought in. This is a benefit to the nearby residents searching for local employment, and will improve local businesses.
- The additional jobs will mean more foot traffic, and we expect the overall cleanliness and business ecosystem will improve.

Enlivened Local Business Ecosystem:

- With the addition of this modern PDR space, we believe the businesses attracted to this new space will further support local businesses by allowing them to expand, by providing space for new businesses to move into the area that support current businesses, and by attracting new businesses to the area that may then expand into existing PDR space.

We feel that this project will be development, elevating the neighborhood and generating an immediate boost to all other businesses and residents in the area.” (Ward Mace, Goodman, October 11, 2023, [O-Goodman-1])

“But I'll tell you, those shipyards, when they were active provided thousands of black workers the opportunity to a middle-class wage and the surrounding economic impact for the community. When the government ripped those jobs out, they left behind a workforce. We're committed to making sure that

workforce has a chance to be in our building trades and supporting them with good careers, good healthcare, and good opportunities in the city. So we think the project is important, but --” (*Rudy Gonzalez, Individual, September 7, 2023, [I-Gonzalez-3]*)

“Good afternoon, Commissioners, President Tanner, Commissioner Koppel, and the rest of the commissioners. My name's Armie Morgan, and I'm a San Francisco resident, and I spend a lot of time in District as a rep with Operating Engineers Local 3. And we think the draft EIR, the environmental impact report, is important as it outlines potential impacts of construction on this scale.

And I believe the report is adequate and the project sponsor has shown their commitment to work with stakeholders who realize this is an important build. There may be concerns raised today, and that's not a bad thing. And we welcome ongoing discussions, you know, in the building trades.

And so we're seeing this project, we'd like to see this project move forward. It would create a lot of good jobs for, you know, working class people to earn a living wage and enhance our apprenticeship program, and, you know, create revenue for the city. And I think that's a good thing. And we support the draft environmental impact report findings. Thank you for your time.” (*Armie Morgan, September 7, 2023, [I-Morgan-1]*)

9.I.5.1 Response GC-5

These commenters express their general opinions regarding certain aspects of the proposed project, their support for the draft EIR, or their negative opinions about the proposed project.

Pursuant to CEQA guidelines section 15088(c), general comments that do not contain or specifically reference readily available information may receive a general response. These comments do not raise specific environmental issues about the adequacy or accuracy of the draft EIR's coverage of physical environmental impacts. Therefore, these comments do not require a response in this RTC document under CEQA guidelines section 15088(c).

9.I.6 Comment GC-6: Document Formatting and Minor Text Revisions

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

- A-CPC-Koppel -1
 - A-CPC-Moore-1
 - O-SFMarket-1
-

“Thank you, President. As far as the EIR is concerned, I do agree with you that the type is a little difficult to read.” (*Commissioner Koppel, SF Planning Commissioner, September 7, 2023, [A-CPC-Koppel-1]*)

“I will mostly focus on adequacy and accuracy. However, in this particular case, there will be a couple of comments that will go slightly outside because I think we have a very high bar here in order to respond to this project.

I'd like to simply say that the readability of this document is impaired by the type face that is being used. It is such a horizontally crowding typeface that you have to almost read three times in order to realize where is a word ending. And I'm not sure if you have a paper copy in front. I have not looked at it on the web. I find the typeface unacceptable for this EIR. It's the first time that I ever said that, and I've commented on quite a few EIRs.

The second thing is under 3(a) and that entire section, I believe that the size of the maps with no enlarged focus on the community exactly where it occurs is deficient together with dimension and radii.”

(Commissioner Moore, SF Planning Commissioner, September 7, 2023, [A-CPC-Moore-1])

“In various places, the DEIR refers to the “SF Market,” the “produce market” and the San “Francisco Wholesale Produce Market.” We request that the document standardize this reference to the “SF Market.” *(Ken Rich, SF Market, October 12, 2023, [O-SFMarket-1])*

9.I.6.1 Response GC-6

One commenter requests that a reference to the San Francisco Market Project be standardized across the EIR, two commenters state that the font style in the draft EIR is difficult to read, and one commenter states that the maps provided in the draft EIR should be larger, with an inset that focuses on the community.

The planning department has made global revisions to standardize the reference of the “SF Market,” “the produce market,” and the “San Francisco Wholesale Produce Market” to read “SF Market” throughout the draft EIR. Refer to Chapter 10, EIR Text Revisions, for a full list of these global changes.

The San Francisco Gateway Project draft EIR reflected the latest fonts and styles from the San Francisco Planning Department’s Design Style Guide (January 2021) at the time of publication in August 2023. The fonts and styles used in the San Francisco Gateway Project draft EIR are consistent with other recently certified EIRs, such as the Ocean Beach Climate Change Adaptation Strategy and the San Francisco International Airport Shoreline Protection Program.

Comments pertaining to the readability of the fonts used in the EIR were transmitted to the planning department’s Digital Communications Manager and Graphic Designer for consideration. Planning department staff evaluated the design style guide considering these comments. The evaluation process included a survey of 14 planning department employees of various age ranges to seek their input and feedback on the Design Style Guide that focused on font size, header sizes, and font colors. Based on the feedback received from staff as well as comments from planning commissioners, planning department graphics staff revised the Design Style Guide to change planning’s selected body text font color from 95 percent black to 100 percent black and recommend only Source Sans Pro Regular (instead of either Source Sans Pro Regular or Source Sans Pro Light), with the intent of improving overall document readability in the future. Additionally, in general, headings are now recommended to be in larger font and darker in

color. Planning department staff updated the Design Style Guide in March 2024, which considered and applied these revised style recommendations.

One commenter refers to the size and scale of maps included in Section 3.A-5 (beginning on p. 3.A-6) and remarks that the maps are deficient as they do not provide an enlarged focus on the community. First, Figures 3.A-1, 3.A-2, and 3.A-3 are adequate because all figures include a north arrow, a scale to measure distance, a map legend, and identification of the project location. Second, the purpose of these figures is to show the site location and environmental burden levels (Figure 3.A-1), asthma emergency room visitation rates (Figure 3.A-2), and COPD emergency room visitation rates (Figure 3.A-3) of the Bayview Hunters Point neighborhood in relation to the city overall. Focusing the figures on only the project site or the Bayview Hunters Point neighborhood would lose the citywide context that these images are intended to convey to the reader, illustrating the existing environmental burden that this community faces when compared to the city overall.

9.I.7 Comment GC-7: Controls on Parcel Delivery Service Facilities in San Francisco

This response addresses the comment from the commenter listed below; the comment on this topic is quoted in full below.

- A-CPC-Moore-8

“I wanted to have a process question to director and to Ms. Gibson. We are under a moratorium for last mile distribution site at the moment. That moratorium started at the end of March 2022, and it addressed, indeed, something similar to what we are having here. And that particular moratorium, there was a specific name. In this one there isn't. That could pop at any moment.

I am curious to see how that discussion of that moratorium affects us, and as to whether or not any other further discussions are coming out of that moratorium.

...

I hope that the questions that cause a moratorium will be indeed flushed with the EIR. Perhaps Ms. Gibson needs to revisit some of those questions and concerns. It was a different site. It still was in the city limits of San Francisco.

...

And so I want to make sure that the reason for the moratorium is properly reflected in how we report impacts as it goes to this particular EIR.” (*Commissioner Moore, San Francisco Planning Commission, September 7, 2023, [A-CPC-Moore-8]*)

9.I.7.1 Response GC-7

This comment is related to the interim land use controls on proposed parcel delivery service uses in San Francisco that were in effect at the time the comments were provided in September 2023, and which have since been superseded by planning code amendments. In March 2022, the board of supervisors imposed

zoning controls for 18 months to require a conditional use authorization, and specified findings for proposed parcel delivery service uses. Such uses had been principally permitted in certain zoning districts, including PDR-2.⁷⁶ The interim land use controls did not impose a moratorium on such uses, as suggested by the commenter. The intent of the interim land use controls was to 1) allow time for the completion of a planning study; and 2) support San Francisco General Plan Policies of the Commerce and Industry Element to study the range of impacts associated with parcel delivery service uses, and tailor minimum and reasonably practical performance standards that reflected current conditions. In September 2023, the board of supervisors extended the interim zoning controls. In March 2024, the board of supervisors amended the planning code to require conditional use authorizations and specified findings for proposed (noncannabis) parcel delivery services of 5,000 gross square feet or more in PDR districts, as well as in mixed-use and neighborhood commercial districts. In reviewing proposed conditional use authorization for such parcel delivery services, the planning commission shall consider impacts on transportation and vehicle miles traveled, greenhouse gas emissions, public safety, and local employment. Additionally, parcel delivery services uses shall include necessary electrical capacity to charge electric vehicles and prohibition of trucks idling for more than three minutes.

The San Francisco Gateway Project's EIR and initial study disclose and address the potential significant environmental effects of the proposed project, including 759,400 square feet of parcel delivery/last-mile delivery uses as part of the analyzed tenant use mix (Table 2.D-2). The analysis evaluated the physical environmental impacts of the proposed project on VMT, GHG emissions, and safety, as required under CEQA, and found these impacts to be less than significant. With respect to other environmental topics addressed under CEQA, where significant impacts would occur, the analysis identified mitigation measures with appropriate performance standards, where possible, to reduce potentially significant impacts. The analysis completed as part of the project's environmental review is consistent with the resolution's intent to "allow the City to **study the range of impacts of parcel delivery services uses**, and to **specifically tailor minimum and reasonably practicable performance standards** that accurately reflect current conditions" (emphasis added). As summarized in Table S-1 on pp. S-4 through S-43 of the draft EIR, Mitigation Measure M-NO-3b includes performance standards for fixed noise attenuation, and Mitigation Measure M-AQ-3i includes performance standards for operational air quality emissions. Additionally, the draft EIR analyzed an Expanded Parcel Delivery Use Mix alternative that would include 1,131,800 square feet of these uses. The draft EIR concluded that, similar to the proposed project, all impacts would be less than significant or less than significant with the same mitigation measures that would be required for the project (Section 5.C.4, pp. 5-34 through 5-42).

These comments, in and of themselves, do not raise specific environmental issues about the adequacy or accuracy of the draft EIR's analysis of physical environmental impacts. Accordingly, these comments do not require a response in this RTC document under CEQA guidelines section 15088(c). For informational purposes, the Project's special use district will authorize parcel delivery service uses within the district, consistent with the uses analyzed in the EIR.

In conclusion, neither additional analysis nor change to the EIR conclusions regarding this topic are required. This comment will be transmitted to city decision-makers for their consideration during the proposed project's approval process.

⁷⁶ San Francisco Board of Supervisors, file no. 220159, resolution no. 109-22, March 31, 2022, <https://sfgov.legistar.com/View.ashx?M=F&ID=10694203&GUID=98C11371-1499-462A-A71C-EFCDBAE608D2>.

CHAPTER 10

DRAFT EIR REVISIONS

The following changes to the text of the draft EIR are made in response to comments received on the draft EIR or are included to clarify the draft EIR text. The revisions reflect changes identified in Chapter 9, Comments and Responses, or staff-initiated text changes; all of which clarify, expand, or update information and/or graphics presented in the draft EIR. Staff-initiated changes to clarify information presented in the draft EIR are highlighted with an asterisk (*) in the margin to distinguish them from text changes in response to comments.

The revised text does not provide new information that would result in any new significant impact not already identified in the draft EIR and initial study, or a substantial increase in the severity of an impact identified in the draft EIR and initial study that cannot be mitigated to less than significant with implementation of mitigation measures agreed to by the project sponsor. Thus, none of the text revisions would require recirculation pursuant to CEQA Guidelines section 15088.5. The draft EIR and this RTC document, including the draft EIR revisions, together constitute the final EIR for the San Francisco Gateway Project. In the revisions shown below, deleted text is shown in ~~strike through~~ and new text is double-underlined.

10.A Revisions to the Table of Contents

In response to comments received, all references to the San Francisco Wholesale Produce Market were standardized to “SF Market.” On draft EIR p. xii, the text has been revised in the Acronyms and Abbreviations section as follows:

SFMTA blue book	San Francisco Regulations for Working in San Francisco Streets
<u>SF Market</u>	<u>San Francisco Wholesale Produce Market</u>
SFO	San Francisco International Airport

10.B Revisions to the Summary Chapter

- * Unenclosed rooftop areas are not typically included in the definition of gross floor area, in accordance with San Francisco Planning Code section 102. For purposes of the planning code, the project’s gross floor area would be approximately 1,646,000 square feet. Additional detail has been added to the text on pp. S-1 and S-2 of the draft EIR, and the revisions of the Project Summary section are as follows:

The proposed project would demolish the existing four single-story PDR buildings on site and would construct two new three-story buildings (plus active roof), totaling approximately 1,646,000 gross square feet of enclosed floor area, or 2,160,000 gross square feet including 514,000 square feet of active roofs. Each building would have a maximum height of approximately 97 feet (115 feet with rooftop appurtenances included). The proposed building west of Interstate

(I-)280 at 749 Toland Street is “building A,” and the proposed building east of I-280 at 2000 McKinnon Street is “building B” (see Figure 2.D-1, p. 2-12). Both building A and building B would include three levels of PDR space with a multi-level vehicular system (comprising staging, circulation, and logistic yard areas) serving each level. In both buildings, all three levels of the PDR space would have direct vehicular access via a one-way ramp system for vehicles as large as tractor trailers. The roof level would provide a solar array and a screened, open-air, multipurpose deck that could be used for parking and/or material and vehicle staging.

- * For improved clarity, Mitigation Measure M-AQ-3g on draft EIR p. S-12 has been revised as follows:

The project shall meet Prior to the issuance of building permits for any project building, the project sponsor shall demonstrate compliance with the Tier 2 voluntary green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking in the 2022 California Green Building Standards (CalGreen) with July 2024 Supplement, or the mandatory requirements of the most recently adopted version of the City building code, whichever are more stringent. The installation of all electric vehicle charging equipment shall be included on the project drawings submitted for the site permit(s) and construction addenda, as appropriate, or on other documentation submitted to the city.

- * On p. S-21 of the draft EIR, the text has been revised to address the error of including an impact statement in the Summary Table S-2 for PH-2 when the topic was identified to be not applicable to the proposed project’s environmental impact analysis in the initial study on p. 60. The text has been revised in the Project Summary section as follows:

Environmental Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
Impact PH-2: The San Francisco Gateway Project or variant would not displace substantial numbers of existing people or housing units, necessitating the construction of replacement housing outside of the Plan area.	NA	No mitigation required.	NA

- * The following text edit modifies Mitigation Measure M-CR-2: Archeological Testing in Summary Table S-2 on p. S-22:

Mitigation Measure M-CR-2: Archeological Testing.

Archeological Testing. Based on a reasonable presumption that archeological resources may be present in the project site, the following measures shall be undertaken to avoid any potentially significant adverse effects from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational qualified archeological consultants list maintained by the planning department. After the first project approval action or as directed by the environmental review officer, the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three archeological consultants on the qualified archeological consultants list.

The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the environmental review officer. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the environmental review officer for review and comment and shall be considered draft reports subject to revision until final approval by the environmental review officer. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for a maximum of four weeks. At the direction of the environmental review officer, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines section 15064.5 (a)(c).

Archeological Testing Program. The purpose of the archeological testing program shall be to determine, to the extent possible, the presence or absence of archeological resources; and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

The archeological testing program shall be conducted in accordance with the approved archeological testing plan. The archeological consultant and the environmental review officer shall consult on the scope of the archeological testing plan, which shall be approved by the environmental review officer prior to commencing any project-related soils-disturbing activities. The archeological testing plan shall be submitted first and directly to the environmental review officer for review and comment and shall be considered a draft subject to revision until final approval by the environmental review officer. The archaeologist shall implement the testing as specified in the approved archeological testing plan prior to and/or during construction.

The archeological testing plan shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project and lay out what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The archeological testing plan shall also identify the testing method to be used, the depth or horizontal extent of testing, the locations recommended for testing, and the archeological monitoring requirements for construction soil disturbance, as warranted.

Archeological Sensitivity Training. If it is determined that the project would require ongoing archeological monitoring, the archeological consultant shall provide a training to the prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils-disturbing activities within the project site. The training shall advise all project contractors to be on the alert for evidence of the presence of the expected archeological resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource by the construction crew. If the project site is determined to be sensitive for Native American archeological resources, a local Native American representative at their discretion shall provide a Native American cultural sensitivity training to all project contractors.

Paleoenvironmental Analysis of Paleosols. When a submerged paleosol is identified during the testing program, irrespective of whether cultural material is present, samples shall be extracted and processed for dating, flotation for paleobotanical analysis, and other applicable special analyses pertinent to identification of possible cultural soils and for environmental reconstruction. The results of analysis of collected samples shall be reported in results reports.

Discovery Treatment Determination. At the completion of the archeological testing program, the archeological consultant shall submit a written summary of the findings to the environmental review officer. The findings memorandum shall describe and identify each resource and provide an initial assessment of the integrity and significance of encountered archeological deposits.

If the environmental review officer, in consultation with the archeological consultant, determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the environmental review officer, in consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be redesigned so as to avoid any adverse effect on the significant archeological resource, and the archeological consultant shall prepare an archeological resource preservation plan, which shall be implemented by the project sponsor during construction. The consultant shall submit a draft archeological resource preservation plan to the planning department for review and approval.

If preservation in place is not feasible, a data recovery program shall be implemented, unless the environmental review officer determines that the archeological resource is of greater interpretive than research significance, and that interpretive use of the resource is feasible. The environmental review officer, in consultation with the archeological consultant, shall also determine whether additional treatment is warranted, which may include additional testing and/or construction monitoring.

Consultation with Descendant Communities. On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, the environmental review officer and an appropriate representative of the descendant group shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the environmental review officer regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the archeological resources report shall be provided to the representative of the descendant group.

Archeological Data Recovery Plan. An archeological data recovery program shall be conducted in accordance with an archeological data recovery plan if all three of the following apply: 1) a resource has potential to be significant, 2) preservation in place is not feasible, and 3) the environmental review officer determines that an archeological data recovery program is warranted. The archeological consultant, project sponsor, and environmental review officer shall meet and consult on the scope of the archeological data recovery plan prior to preparation of a draft archeological data recovery plan. The archeological consultant shall submit a draft archeological data recovery plan to the environmental review officer. The archeological data recovery plan shall identify how

the proposed data recovery program shall preserve the significant information the archeological resource is expected to contain. That is, the archeological data recovery plan shall identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the archeological data recovery plan shall include the following elements:

- *Field Methods and Procedures*: descriptions of proposed field strategies, procedures, and operations
- *Cataloguing and Laboratory Analysis*: description of selected cataloguing system and artifact analysis procedures
- *Discard and Deaccession Policy*: description of and rationale for field and post-field discard and deaccession policies
- *Security Measures*: recommended security measures to protect the archeological resource from vandalism, looting, and unintentionally damaging activities
- *Final Report*: description of proposed report format and distribution of results
- *Curation*: description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities

Coordination of Archaeological Data Recovery Investigations. In cases in which the same resource has been or is being affected by another project for which data recovery has been conducted, is in progress, or is planned, to maximize the scientific and interpretive value of the data recovered from both archeological investigations, the following measures shall be implemented:

- A) In cases where neither investigation has yet begun, both archeological consultants and the environmental review officer shall consult on coordinating and collaboration on archeological research design, data recovery methods, analytical methods, reporting, curation and interpretation to ensure consistent data recovery and treatment of the resource.
- B) In cases where archeological data recovery investigation is already underway or has been completed for a prior project, the archeological consultant for the subsequent project shall consult with the archeological consultant for the prior project, if available; review prior treatment plans, findings, and reporting; inspect and assess existing archeological collections/inventories from the site prior to preparation of the archeological treatment plan for the subsequent discovery; and incorporate prior findings in the final report of the subsequent investigation. The objectives of this coordination and review of prior methods and findings shall be to identify refined research questions; determine appropriate data recovery methods

and analyses; assess new findings relative to prior research findings; and integrate prior findings into subsequent reporting and interpretation.

Human Remains and Funerary Objects. The treatment of any human remains and funerary objects discovered during any soils-disturbing activity shall comply with applicable state laws, including Section 7050.5 of the Health and Safety Code and Public Resources Code 5097.98. If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this section. Upon determining that the remains are human, the project archeologist shall immediately notify the ~~city's Medical Examiner~~ Office of the Chief Medical Examiner of the City and County of San Francisco (Medical Examiner) of the find. The archeologist shall also immediately notify the environmental review officer and the project sponsor of the find. In the event of the Medical Examiner's determination that the human remains are Native American in origin, the Medical Examiner shall notify the California State Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall immediately appoint and notify a most likely descendant. The most likely descendant shall complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

If the remains cannot be permanently preserved in place, the land owner may consult with the project archeologist, project sponsor, and CEQA lead agency and shall consult with the most likely descendant on recovery of the remains and any scientific treatment alternatives. The land owner shall then make all reasonable efforts to develop a burial agreement with the most likely descendant, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). In accordance with Public Resources Code 5097.98 (c)(1), the burial agreement shall address, as applicable and to the degree consistent with the wishes of the most likely descendant, the appropriate excavation, removal, recordation, scientific analysis, custodianship prior to reinterment or curation, and final disposition of the human remains and funerary objects. If the most likely descendant agrees to scientific analyses of the remains and/or funerary objects, the archeological consultant shall retain possession of the remains and funerary objects until completion of any such analyses, after which the remains and funerary objects shall be reinterred or curated as specified in the burial agreement.

Both parties are expected to make a concerted and good faith effort to arrive at an agreement, consistent with the provisions of Public Resources Code 5097.98. However, if the land owner and the most likely descendant are unable to reach an agreement, the land owner, environmental review officer, and project sponsor shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance, consistent with state law.

Treatment of historic-period human remains and/or funerary objects discovered during any soil-disturbing activity shall be in accordance with protocols laid out in the project archeological

treatment document, and other relevant agreements established between the project sponsor, Medical Examiner, and environmental review officer. The project archeologist shall retain custody of the remains and associated materials while any scientific study scoped in the treatment document is conducted, after which the remains shall be curated or respectfully reinterred by arrangement on a case-by case-basis.

Archeological Public Interpretation Plan. The project archeological consultant shall submit an archeological public interpretation plan if a significant archeological resource is discovered during a project. If the resource to be interpreted is a tribal cultural resource, the archeological public interpretation plan shall be prepared in consultation with and developed with the participation of tribal representatives, including the Association of Ramaytush Ohlone and other interested Ohlone parties. The archeological public interpretation plan shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long term maintenance program. The archeological public interpretation plan shall be sent to the environmental review officer for review and approval. The archeological public interpretation plan shall be implemented prior to occupancy of the project.

Cultural Resources Public Interpretation Plan. The project archeological consultant shall submit a Cultural Resources Public Interpretation Plan (CRPIP) if a significant archeological resource is discovered during a project. As directed by the ERO, a qualified design professional with demonstrated experience in displaying information and graphics to the public in a visually interesting manner, local artists, or community group may also be required to assist the project archeological consultant in preparation of the CRPIP. If the resource to be interpreted is a tribal cultural resource, the CRPIP shall be prepared in consultation with and developed with the participation of Ohlone tribal representatives. The CRPIP shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program. The CRPIP shall be sent to the ERO for review and approval. The CRPIP shall be implemented prior to occupancy of the project.

Archeological Resources Report. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the testing program to the environmental review officer. The archeological consultant shall submit a draft archeological resources report to the environmental review officer that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken, and if applicable, discusses curation arrangements. Formal site recordation forms (CA DPR 523 series) shall be attached to the archeological resources report as an appendix.

Once approved by the environmental review officer, copies of the archeological resources report shall be distributed as follows: California Archeological Site Survey Northwest Information Center shall receive one copy, and the environmental review officer shall receive a copy of the transmittal of the archeological resources report to the Northwest Information Center. The environmental planning division of the planning department shall receive one bound hardcopy of the archeological resources report. Digital files that shall be submitted to the environmental division include an unlocked, searchable PDF version of the archeological resources report, GIS shapefiles

of the site and feature locations, any formal site recordation forms (CA DPR 523 series), and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. The PDF archeological resources report, GIS files, recordation forms, and/or nomination documentation should be submitted via USB or other stable storage device. If a descendant group was consulted during archeological treatment, a PDF of the archeological resources report shall be provided to the representative of the descendant group.

Curation. Significant archeological collections and paleoenvironmental samples of future research value shall be permanently curated at an established curatorial facility, or Native American cultural material shall be returned to local Native American tribal representatives at their discretion. The facility shall be selected in consultation with the environmental review officer. Upon submittal of the collection for curation, the sponsor or archeologist shall provide a copy of the signed curatorial agreement to the environmental review officer.

- * The following text edit modifies Mitigation Measure M-TCR-1: Tribal Cultural Resources Interpretive Program in Summary Table S-2 on p. S-29:

Mitigation Measure M-TCR-1: Tribal Cultural Resources Interpretive Program.

Preservation in Place. In the event of the discovery of an ~~archeological resource of Native American origin~~ potential tribal cultural resource, the environmental review officer, the project sponsor, and the local Native American representative shall consult to determine whether preservation in place would be feasible and effective. Coordination shall take place with local Native American representatives, including the Association of Ramaytush Ohlone and other interested Ohlone parties. If it is determined that preservation-in-place of the tribal cultural resource would be both feasible and effective, then ~~the archeological consultant, in consultation with the local Native American representative;~~ shall prepare a archeological tribal cultural resource preservation plan, in coordination with the Environmental Review Officer, project sponsor and archeological consultant as relevant, which shall be implemented by the project sponsor during construction. ~~The consultant shall submit a draft archeological resource preservation plan to the planning department for review and approval. If the environmental review officer, in consultation with local Native American representatives (including the Association of Ramaytush Ohlone and other interested Ohlone parties) and the project sponsor, determines that preservation in place of the tribal cultural resources is not a sufficient or feasible option, then archeological data recovery shall be implemented as required by the environmental review officer and in consultation with affiliated Native American tribal representatives.~~

~~After data recovery, the project sponsor, in consultation with local Native American representatives, shall prepare a tribal cultural resources interpretation plan to guide the interpretive program. The tribal cultural resources interpretation plan may be prepared in tandem with the archeological public interpretation plan described in Mitigation Measure M-CR-2: Archeological Testing. The tribal cultural resources interpretation plan shall be submitted to the environmental review officer for review and approval prior to implementation of the program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably~~

by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the environmental review officer, sponsor, and local Native American representatives. Upon approval of the tribal cultural resources interpretation and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. Local Native American representatives who are substantially involved in preparation or implementation of the interpretive program shall be appropriately compensated by the project sponsor.

Interpretive Program. Local Native American representatives (including the Association of Ramaytush Ohlone), shall prepare a Tribal Cultural Resources Public Interpretation Plan (TCRIP) to guide the Tribal Cultural Resource interpretive program in coordination with the project sponsor and Planning Department cultural resources staff. The TCRIP may be prepared in tandem with the CRIP if required. The TCRIP shall be submitted to ERO for review and approval prior to implementation of the program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the ERO, sponsor, and local Native American representatives. Upon approval of the TCRIP and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. The ERO and project sponsor shall work with the tribal representative to identify the scope of work to fulfill the requirements of this mitigation measure, which may include participation in preparation and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives shall be compensated for their work as identified in the agreed upon scope of work.

*

The following text edit fixes a typographical error in Mitigation Measure M-WI-1b: Maintenance of Landscaping Features that Reduce Wind Hazards in Summary Table S-2 on p. S-31. The text on these pages has been edited as follows:

Mitigation Measure M-WI-1b: Maintenance of Landscaping Features that Reduce Wind Hazards.

The project sponsor shall maintain, for the life of the proposed project buildings, all landscaping features required to ensure that the proposed project does not result in ~~an~~ an exceedance of the one-hour wind hazard criterion of 26 miles per hour equivalent wind speed. These features include installation of nine evergreen street trees, each approximately 25 feet tall with a 15-foot-diameter canopy, along the eastern sidewalk of Toland Street or any landscaping features required pursuant to Mitigation Measure M-WI-1a: Wind Hazard Evaluation for Building Design and Streetscape Modifications.

10.C Revisions to Chapter 1, Introduction

*

For clarity, additional detail was added on p. 1-1of the draft EIR. The text has been revised in the Project Summary 1.B section as follows:

The project site is at 749 Toland Street and 2000 McKinnon Avenue and consists of Assessor's Block 5284A, Lot 008; and Block 5287, Lot 002. There are four structures totaling approximately 448,000 square feet of PDR space. The project and expanded streetscape variant propose demolition of the existing structures and development of two new buildings, totaling 2,160,000 gross square feet and including active roofs, which provide PDR space, logistics yard, vehicular systems, and ground-floor retail spaces. Chapter 2, Project Description, contains a comprehensive project description.

10.D Revisions to Chapter 2, Project Description

- * Unenclosed rooftop areas are not typically included in the definition of gross floor area according to San Francisco Planning Code section 102. For purposes of the planning code, the project's gross floor area would be approximately 1,646,000 square feet. Additional detail and a new footnote have been added on p. 2-1 of the draft EIR, and the revisions of the Introduction section are as follows:

The project sponsor proposes to demolish the four existing buildings on the project site and build a flexible PDR space that could accommodate an evolving mix of users or tenants for a 100-year period or longer by constructing two three-story buildings (plus active roof): buildings A and B. Each building would be approximately 97 feet tall from curb level to the highest point of the active roof level. Roof projections on each building would be limited to the stair and elevator rooftop penthouse, which would provide access and a solar array that would also screen the roof while generating electricity for onsite use. Including these elements, the maximum building height would be approximately 115 feet. The two new buildings would total approximately 1,646,000 gross square feet of enclosed floor area, or 2,160,000 gross square feet including 514,000 square feet of active roofs.^{8B} This would result in 1,712,000 approximately 1,198,000 gross square feet of net new PDR and PDR support space on site, or 1,712,000 net new gross square feet including active roofs. See Table 2.D-1 (p. 2-11) for more information on project characteristics. The proposed buildings would exceed what is allowed in the 65-J height and bulk district in which the project site is located and would require approval of a height and bulk district map amendment. The project sponsor would seek approval of an ordinance to allow proposed modifications to the existing height and bulk district and to establish a new special use district designation modifying the PDR-2 zoning.

^{8B} Throughout this EIR, the project is generally described as having 2,160,000 gross square feet. Whenever this figure is used, it includes active roof area, even though unenclosed roof areas are typically not included in the San Francisco Planning Code's definition of "Floor Area, Gross" (planning code section 102).

- * To correct a typographical error, the text on p. 2-11 of the draft EIR has been revised in Table 2.D-1, Project Characteristics, as follows:

	Building A	Building B	Project Total
Site Characteristics			
Building Characteristics			
Number of Buildings	1	1	2
Stories (plus active roof) ²	<u>43</u>	<u>43</u>	<u>43</u>

- * A typographical error has been revised on p. 2-20 of the draft EIR to reflect that the PDR-2 zoning district limits nonaccessory retail uses to 2,500 square feet per lot. The text has been revised in the Section 2.D.2, Proposed Project Uses, as follows:

As described in Section 2.D.1 (p. 2-10), the project sponsor proposes to build a flexible PDR space that could accommodate an evolving mix of users or tenants for a 100-year period or longer. Figure 2.D-9 presents a matrix with use types that could occupy the San Francisco Gateway facility. The proposed project includes PDR (and other permitted uses in the PDR-2 zoning district) and retail uses, as further described below. The project sponsor has proposed a special use district that would retain all the primary uses discussed below as principally permitted uses, as well as other principally permitted uses in the PDR-2 zoning district; increase the maximum size of non-accessory retail uses ~~per lot~~ from 2,500 square feet per lot (5,000 square feet total) to 8,500 square feet of retail space district-wide; and clarify and modify the maximum allowable vehicle parking ratios. The final special use district would be put forward to decision makers for consideration at the time of the project's approval hearing.

- * For clarity, two different totals (total including active roof, and total not including active roof) have been calculated on Table 2.D-2, San Francisco Gateway Project Analyzed Tenant Use Mix Table on p. 2-26 of the draft EIR. The units of square feet have also been added to each column for clarity. The text has been revised as follows:

Table 10.D-1 San Francisco Gateway Project Analyzed Tenant Use Mix

Uses below are a combination of areas in buildings A and B					
Uses	Level 1 (square feet)	Level 2 (square feet)	Level 3 (square feet)	Roof (square feet)	Project Total (square feet)
PDR Uses					
Light Manufacturing/Maker	35,000	0	0	0	35,000
Parcel Delivery/Last Mile	0	381,000	369,600	8,800	759,400
Wholesale and Storage	372,400	0	0	0	372,400
PDR Support Spaces					
Logistics Yard	0	72,400	73,400	0	145,800
Vehicle/Pedestrian Circulation	69,700	112,800	95,400	17,600	295,500
Parking	55,900	0	0	487,600	543,500
Retail	8,400	0	0	0	8,400
Total – Including Active Roof	<u>541,400</u>	<u>566,200</u>	<u>538,400</u>	<u>514,000</u>	<u>2,160,000</u>
Total – Not Including Active Roof	<u>541,400</u>	<u>566,200</u>	<u>538,400</u>	--	<u>1,646,000</u>

10.E Revisions to Section 3.A, Environmental Setting, Impacts, and Mitigation Measures

- * On p. 3.A-8 in the draft EIR, additional information was added to Section 3.A.5, Historic and Existing Context of San Francisco's Bayview Hunters Point Neighborhood. The text has been revised as follows:

The U.S. Navy permanently closed the nearly 900-acre shipyard in 1994, leaving behind a number of health and environmental hazards associated with its industrial and research activities. As described by a Bayview Hunters Point resident at the San Francisco Gateway Project draft EIR hearing on September 7, 2023, "I came to San Francisco in 1966, I was six years old. Moved across the street from the shipyard at the Hunters Point Boys Club right there. I lived there for many years. I was there when they shut the shipyard down. We used to play over there in the shipyard. We used to climb the fence. We thought it was fun. We didn't know how much danger we was in. But let me tell you about the impact of this. When they closed the shipyard down, it was closed for many years, then we had a fire. The fire had to burn out. Why it had to burn out? Because there's too many different toxic. They couldn't put it out." To identify and monitor cleanup activities, the U.S. Navy divided the former naval shipyard into several areas.

- * On p. 3.A-12 in the draft EIR, additional information was added to Section 3.A.5, Historic and Existing Context of San Francisco's Bayview Hunters Point Neighborhood. The text has been revised as follows:

Based on available data, the project site zip code has some of the highest rates of asthma and COPD-related emergency room visits and hospitalizations in the city. The asthma and COPD emergency room visitation rates have been categorized into high, medium, and low and are presented by zip code in Figure 3.A-2 and Figure 3.A-3 (p. 3.A-14), respectively, to illustrate the variation across the city. Testimony submitted as part of the San Francisco Gateway Project draft EIR's record further illustrates the longstanding impacts of air pollution in the Bayview Hunters Point neighborhood, "I have been a School District Nurse for nearly 20 years before retiring. I cared for dozens and dozens of Bayview children with asthma. I did not see this level of disease in other neighborhoods. The community has a long history of environmental injustice from the Naval Shipyards, dating back to the 40s, the systemic racism by red-lining of the Fillmore in the 50s, and transportation, circulation, noise and vibration as well as air quality issues from current warehouse and industry facilities. Air filters inside homes are black with particulate matter within a month." (written public comment on the San Francisco Gateway draft EIR). There are various federal, state, and local air quality regulations in place that seek to improve air quality conditions; these regulations are discussed in more detail in Section 3.D., Air Quality.

In response to comments received, the text on p. 3.A-19 of the draft EIR has been revised in the SF Market Project section as follows:

The proposed project is a phased development plan to modernize and slightly expand the existing SF Market on its current site and would reconfigure the roadways around the project site to improve site access and safety.

10.F Revisions to Section 3.B, Transportation and Circulation

In response to comments received, the text has been revised on p. 3.B-1 of the draft EIR in the Transportation and Circulation section as follows:

The planning department received comments related to transportation and circulation that focused on project travel demand; maintaining access for people walking and bicycling during project construction; impacts of project construction and operation on operations of the adjacent ~~produce market~~ SF Market to the north of the project site; impacts of parcel delivery services and for-hire vehicles on congestion in the city; and compliance with the Americans with Disabilities Act (ADA) for any affected Caltrans facilities (see Chapter 1, Introduction).

In response to comments received, the text on p. 3.B-3 of the draft EIR has been revised in the Jerrold Avenue section under Local Roadways section as follows:

Between Rankin and Toland streets, Jerrold Avenue bisects the ~~produce market~~ SF Market.

In response to comments received, the text on p. 3.B-5 of the draft EIR has been revised in the Jerrold Avenue section under Local Roadways section as follows:

As part of planned changes to the ~~produce market~~ SF Market, directly north of the project site, Jerrold Avenue between Rankin and Toland streets will be vacated and closed to all traffic except authorized vehicles that require access to the ~~produce market~~ SF Market. Vehicular traffic not related to the ~~produce market~~ SF Market will be rerouted around the market site on improved segments of Innes Avenue and Innes Avenue Extension, which will become the primary route for traffic traveling through the area but not destined for SF Market. directed to parallel streets to the north or south on improved segments of Innes and Kirkwood avenues.

In response to comments received, the text on p. 3.B-23 of the draft EIR has been revised in the Proposed Project Trips section as follows:

For the wholesale and storage use, daily and a.m. peak hour trip generation rates were based on information presented in the ~~San Francisco Wholesale Produce Market~~ SF Market expansion project study.

In response to comments received, the text on p. 3.B-58 of the draft EIR has been revised in the Passenger Loading section as follows:

In addition, the zones may serve passenger loading demand for adjacent businesses (e.g., the ~~produce market~~ SF Market to the north and east of the project site). This passenger loading demand would be accommodated in the two passenger loading zones (one adjacent to each building), which combined would accommodate up to four vehicles.

In response to comments received, the text on p. 3.B-62 of the draft EIR has been revised in the Impact C-TR-4 section as follows:

The revised ~~San Francisco~~ SF Market project would modernize and slightly expand and upgrade the existing ~~produce market~~ SF Market operations.

10.G Revisions to Section 3.C, Noise and Vibration

In response to comments received, the text on p. 3.C-49 of the draft EIR has been revised in the Impact C-NO-3 Traffic Noise section as follows:

The SF Market cumulative project would modernize and slightly expand ~~and upgrade~~ the existing-~~produce market~~ SF Market operations adjacent to the proposed project site and include up to 1,397 net-new daily vehicle trips.

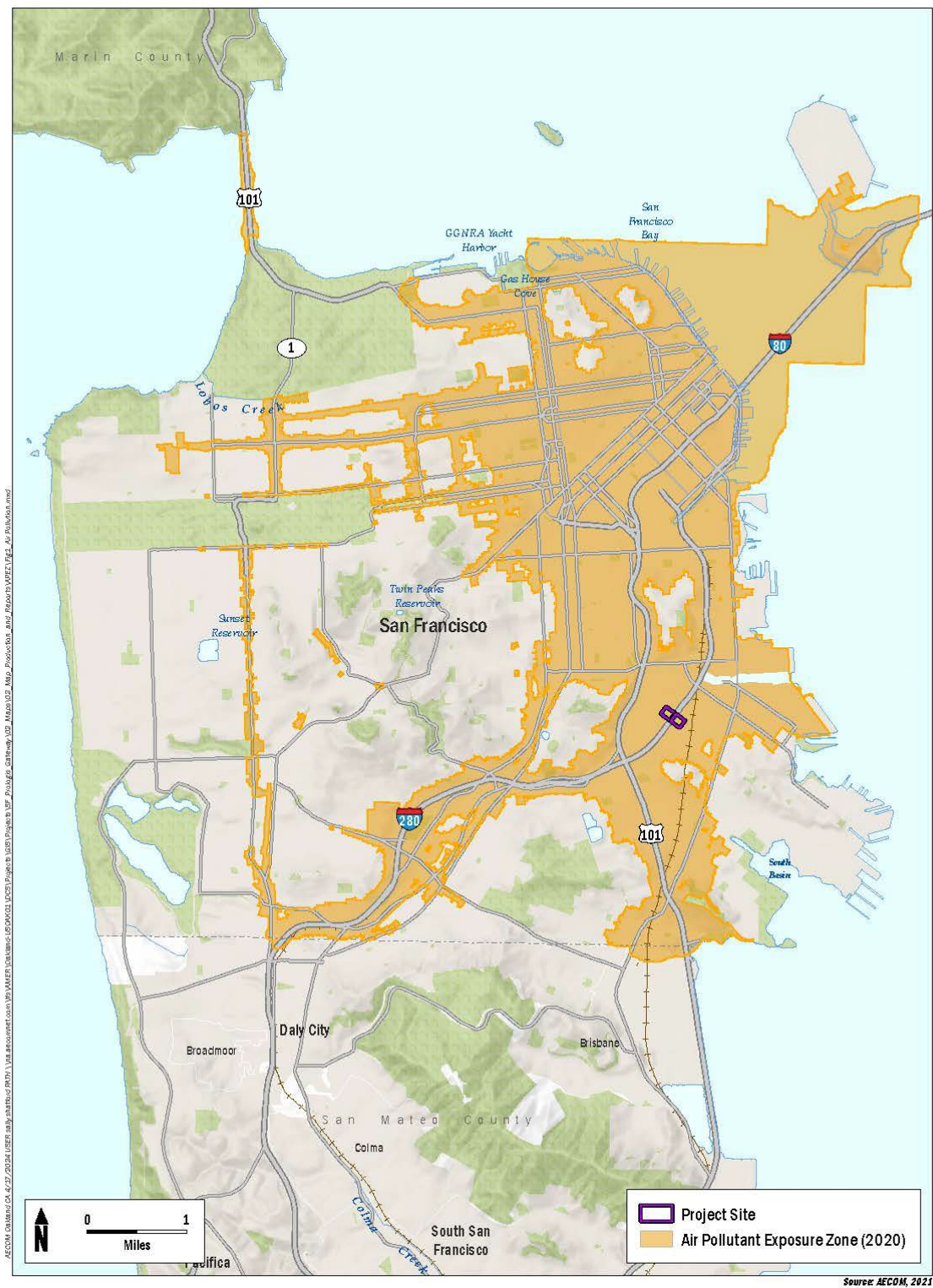
10.H Revisions to Section 3.D, Air Quality

- * In February 2024, the EPA announced its decision to lower the current PM_{2.5} standard of 12 µg/m³ to 9 µg/m³ to provide increased public health protection, consistent with the available health science. Following the revision, the EPA is required to designate all areas of the country with respect to the new standard. This process is underway, and revised attainment designations have not yet been published as of the drafting of this final EIR. Accordingly, note 6 to Table 3.D-2 of the Draft EIR has been revised as follows:

In December 2012, the U.S. EPA strengthened the annual PM_{2.5} NAAQS from 15 to 12 µg/m³. In December 2014, the U.S. EPA issued final area designations for the 2012 primary annual PM_{2.5} NAAQS. Areas designated “unclassifiable/attainment” must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015. On February 7, 2024, U.S. EPA strengthened the annual PM_{2.5} standard from 12 µg/m³ to 9 µg/m³. Area designations for the updated standards are yet to be issued by U.S. EPA, and the federal standard attainment status identified here is reflective of the 2015 standard.

- * To visualize the extent of the APEZ in relation to the project site and vicinity, NEW Figure 3.D-0 has been added to the EIR following p. 3.D-15.

NEW Figure 3.D-0 Air Pollutant Exposure Zone



- * To clarify the title of Table 3.D-10 on p. 3.D-43 in the draft EIR, the table title was revised as follows:

Table 3.D-10 Net Change in Daily Unmitigated Operational Emissions from the Proposed Project in Year 2025

Emissions Source/Description	ROG	NO _x	PM ₁₀	PM _{2.5}
Area ¹	21.6	<0.1	<0.1	<0.1
Energy ¹	0.0	0.0	0.0	0.0
Manufacturing and maker space ²	3.0	34.8	1.8	1.1
Stationary sources ³	1.5	4.0	0.2	0.2
Mobile ⁴	9.9	110.2	44.9	13.0
Transportation refrigeration units ⁵	17.1	16.9	0.5	0.4
Total proposed project daily operational emissions ⁶	53.0	165.9	47.4	14.7
Total existing daily operational emissions	9.3	17.5	6.4	2.0
Net increase in daily long-term emissions ⁶	43.7	148.4	41.0	12.8
Threshold of significance	54	54	82	54
Exceeds threshold?	No	Yes	No	No

- * For improved clarity, Mitigation Measure M-AQ-3g on p. 3.D-47 of the draft EIR has been revised as follows:

The project shall meet Prior to the issuance of building permits for any project building, the project sponsor shall demonstrate compliance with the Tier 2 voluntary green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking in the 2022 California Green Building Standards (CalGreen) with July 2024 Supplement, or the mandatory requirements of the most recently adopted version of the City building code, whichever are more stringent. The installation of all electric vehicle charging equipment shall be included on the project drawings submitted for the site permit(s) and construction addenda, as appropriate, or on other documentation submitted to the city.

- * In February 2024, EPA announced its decision to lower the current PM_{2.5} standard of 12 µg/m³ to 9 µg/m³ to provide increased public health protection, consistent with the available health science. Previously, the City and County of San Francisco identified PM_{2.5} health risk at 10 µg/m³ citywide and 9 µg/m³ in health vulnerable zip codes, as areas with elevated air pollution. The City and County of San Francisco Health Code article 38 was updated to implement revised air pollutant exposure zone criteria, beginning on January 1, 2025, to align with the 2024 U.S. EPA PM_{2.5} standard. To reflect these revisions, text of the draft EIR was revised; because the project is in a health vulnerable zip code, which was already evaluated for PM_{2.5} health risk based on the more stringent standard of 9 µg/m³, these revisions do not affect the evaluation of impacts presented in the draft EIR and associated technical appendices. Text has been revised on pages 3.D-12 and 3.d 13 of the draft EIR, as follows:

San Francisco Modeling of Air Pollutant Exposure Zones

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the air district to inventory and assess air pollution and exposure from mobile, stationary, and area sources in San Francisco. This analysis, known as the 2020 Citywide HRA, is documented in the San Francisco Citywide Health Risk Assessment: Technical Support Documentation and was updated in 2025

to reflect the 2024 U.S. EPA revised PM_{2.5} federal standard and enhance health protection for San Francisco residents.⁷⁷ Areas with poor air quality, referred to as the air pollutant exposure zone, or APEZ, were identified based on the following health-protective criteria: (1) excess cancer risk greater than 100 per 1 million population from the contribution of emissions from all modeled sources; or (2) cumulative PM_{2.5} concentrations greater than 109 µg/m³. The APEZ is expanded in certain geographic health vulnerable areas of the city, primarily the Bayview, Tenderloin, and much of the South of Market area, including the proposed project area, to be more protective, with the areas included in the APEZ based on a standard that is 10 percent more stringent than elsewhere in the city (i.e., areas where the excess cancer risk exceeds 90 per 1 million or the PM_{2.5} concentration exceeds 9 µg/m³). The proposed project site is in zip code 94124, which is an identified health vulnerable area. The APEZ also includes all parcels within 1,000 feet of any roadways with a daily average of 100,000 vehicles or more and all parcels within 500 feet of a freeway. The APEZ is based on modeling that was prepared using a 20-meter by 20-meter receptor grid covering the entire city. The following summarizes the evidence supporting the APEZ criteria followed by a discussion of major sources of emissions in and near the proposed project.

...

Fine Particulate Matter

In April 2011, the U.S. EPA published Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards. In this document, the U.S. EPA concludes that the then-current federal annual PM_{2.5} standard of 15 µg/m³ should be revised to a level in the range of 13 to 11 µg/m³, with evidence strongly supporting a standard in the range of 12 to 11 µg/m³. In December 2012, the U.S. EPA lowered the annual PM_{2.5} standard from 15 to 12 µg/m³, and issued final area designations based on that standard. On February 7, 2024, U.S. EPA strengthened the annual PM_{2.5} standard from 12 µg/m³ to 9 µg/m³. Area designations for the updated standards are yet to be issued by U.S. EPA. On January 27, 2023, the U.S. EPA published a *Proposed Decision for the Reconsideration of the National Ambient Air Quality Standards (NAAQS) for Particulate Matter*.⁷⁸ In this reconsideration document, the U.S. EPA is considering lowering the primary annual PM_{2.5} standard from 12 µg/m³ to a range of 9 to 10 µg/m³. The APEZ for San Francisco is based on the health protective PM_{2.5} standard of 10 µg/m³.

- * The following text edit on p. 3.D-62 in the draft EIR acknowledges the construction and operation of a city owned homeless shelter at 2177 Jerrold Avenue and explains why the establishment of this facility (approximately 375 feet from the proposed San Francisco Gateway site) would not result in any new or more severe air quality impacts than previously disclosed in the draft EIR. The text in the Nearby Receptors section has been revised as follows:

NEARBY RECEPTORS

The closest residential receptors are approximately 440 feet to the south of the project site along Oakdale Avenue, east of I-280 and west of Rankin Street.^{266B} There are also sensitive receptors to the northwest of the project site in the block bordered by Upton Street and Barneveld, McKinnon, and Jerrold avenues. The closest school is the Big City Montessori School on Industrial Avenue, approximately 2,200 feet from the project site, on the route to and from the U.S. 101 and I-280

⁷⁷ San Francisco Department of Public Health, San Francisco Planning Department, and Ramboll, *San Francisco Citywide Health Risk Assessment: Technical Support Documentation*, September 2020.

⁷⁸ 40 CFR Parts 50, 53, and 58, January 27, 2023.

interchange to the south. For the purposes of this EIR, offsite worker receptors were also included as sensitive receptors. The closest offsite worker locations are approximately 40 feet from the proposed project in all directions. Figure 3.D-1 (p. 3.D-16) illustrates the location of sensitive receptors analyzed for the HRA analysis.

^{266B} In January 2024 (subsequent to publication of the draft EIR in August 2023), the City of San Francisco entered into an agreement to lease a plot of land at 2177 Jerrod Avenue; the property at 2177 Jerrod Avenue would be used as a homeless shelter. The Department of Homelessness and Supportive Housing proposes the construction of 60 individual “tiny homes” and a parking site for up to 20 inhabited vehicles, and proposes to convert the two existing warehouses into shared facilities and offices. The establishment of this facility, approximately 375 feet from the proposed San Francisco Gateway Project site, would not result in any new or more severe health risk impacts than identified in the EIR because this is not a form of permanent housing. Staff from the Department of Homelessness and Supportive Housing stated that this program would be available to adults experiencing homelessness in the area, and although there are no mandated lengths of stay limits, most shelter guests leave within 90 to 120 days of entering a shelter program. (Email from Emily Cohen to Elizabeth White, January 22, 2024, SUBJ: Re: Planning Department questions (follow up from May 2023)). This facility, although in a different direction than the maximally exposed receptor, would be a similar distance to the maximally exposed residential receptor. Based on an individual’s anticipated length of stay at the facility, health risk impacts would be lower than those for the maximally exposed residential receptor, which were evaluated for a 30-year period.

10.1 Revisions to Chapter 5, Alternatives

- * The following text edit removes the PH-2 impact statement in Table 5-6, on p. 5-48 of the draft EIR, because this topic was identified to be not applicable to the proposed project’s environmental impact analysis (initial study, p. 60). The text in Table 5-6 has been edited as follows:

POPULATION AND HOUSING					
Impact PH-1: The San Francisco Gateway Project or variant would not induce substantial unplanned population growth beyond that projected by regional forecasts, either directly or indirectly.	Less than significant (LTS)	Less than the proposed project (LTS)	Less than the proposed project (LTS)	Similar to the proposed project (LTS)	Similar to the proposed project (LTS)
Impact PH-2: The San Francisco Gateway Project or variant would not displace substantial numbers of existing people or housing units, necessitating the construction of replacement housing outside of the Plan area.	Not applicable- (NA)	Not applicable- (NA)	Not applicable- (NA)	Not applicable- (NA)	Not applicable- (NA)
Impact C-PH-1: The San Francisco Gateway Project or variant, in combination with cumulative projects, would not result in a significant cumulative impact related to population and housing.	Less than significant (LTS)	Less than the proposed project (LTS)	Less than the proposed project (LTS)	Similar to the proposed project (LTS)	Similar to the proposed project (LTS)

10.J Revisions to Initial Study

The following text edit modifies Mitigation Measure M-CR-2: Archeological Testing on pages 68-74 of the initial study:

Mitigation Measure M-CR-2: Archeological Testing.

Archeological Testing. Based on a reasonable presumption that archeological resources may be present in the project site, the following measures shall be undertaken to avoid any potentially significant adverse effects from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational qualified archeological consultants list maintained by the planning department. After the first project approval action or as directed by the environmental review officer, the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three archeological consultants on the qualified archeological consultants list.

The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the environmental review officer. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the environmental review officer for review and comment and shall be considered draft reports subject to revision until final approval by the environmental review officer. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for a maximum of four weeks. At the direction of the environmental review officer, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines section 15064.5 (a)(c).

Archeological Testing Program. The purpose of the archeological testing program shall be to determine to the extent possible the presence or absence of archeological resources and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

The archeological testing program shall be conducted in accordance with the approved archeological testing plan. The archeological consultant and the environmental review officer shall consult on the scope of the archeological testing plan, which shall be approved by the environmental review officer prior to commencing any project-related soils-disturbing activities. The archeological testing plan shall be submitted first and directly to the environmental review officer for review and comment and shall be considered a draft subject to revision until final approval by the environmental review officer. The archaeologist shall implement the testing as specified in the approved archeological testing plan prior to and/or during construction.

The archeological testing plan shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project and lay out what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the

applicable research questions. The archeological testing plan shall also identify the testing method to be used, the depth or horizontal extent of testing, the locations recommended for testing, and the archeological monitoring requirements for construction soil disturbance, as warranted.

Archeological Sensitivity Training. If it is determined that the project would require ongoing archeological monitoring, the archeological consultant shall provide a training to the prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils-disturbing activities within the project site. The training shall advise all project contractors to be on the alert for evidence of the presence of the expected archeological resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource by the construction crew. If the project site is determined to be sensitive for Native American archeological resources, a local Native American representative at their discretion shall provide a Native American cultural sensitivity training to all project contractors.

Paleoenvironmental Analysis of Paleosols. When a submerged paleosol is identified during the testing program, irrespective of whether cultural material is present, samples shall be extracted and processed for dating, flotation for paleobotanical analysis, and other applicable special analyses pertinent to identification of possible cultural soils and for environmental reconstruction. The results of analysis of collected samples shall be reported in results reports.

Discovery Treatment Determination. At the completion of the archeological testing program, the archeological consultant shall submit a written summary of the findings to the environmental review officer. The findings memorandum shall describe and identify each resource and provide an initial assessment of the integrity and significance of encountered archeological deposits.

If the environmental review officer, in consultation with the archeological consultant, determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the environmental review officer, in consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be redesigned so as to avoid any adverse effect on the significant archeological resource, and the archeological consultant shall prepare an archeological resource preservation plan, which shall be implemented by the project sponsor during construction. The consultant shall submit a draft archeological resource preservation plan to the planning department for review and approval.

If preservation in place is not feasible, a data recovery program shall be implemented, unless the environmental review officer determines that the archeological resource is of greater interpretive than research significance, and that interpretive use of the resource is feasible. The environmental review officer, in consultation with the archeological consultant, shall also determine whether additional treatment is warranted, which may include additional testing and/or construction monitoring

Consultation with Descendant Communities. On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, the environmental review officer and an appropriate representative of the descendant group shall be contacted. The representative of the descendant group shall be given

the opportunity to monitor archeological field investigations of the site and to offer recommendations to the environmental review officer regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the archeological resources report shall be provided to the representative of the descendant group.

Archeological Data Recovery Plan. An archeological data recovery program shall be conducted in accordance with an archeological data recovery plan if all three of the following apply: 1) a resource has potential to be significant, 2) preservation in place is not feasible, and 3) the environmental review officer determines that an archeological data recovery program is warranted. The archeological consultant, project sponsor, and environmental review officer shall meet and consult on the scope of the archeological data recovery plan prior to preparation of a draft archeological data recovery plan. The archeological consultant shall submit a draft archeological data recovery plan to the environmental review officer. The archeological data recovery plan shall identify how the proposed data recovery program shall preserve the significant information the archeological resource is expected to contain. That is, the archeological data recovery plan shall identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the archeological data recovery plan shall include the following elements:

- *Field Methods and Procedures:* descriptions of proposed field strategies, procedures, and operations
- *Cataloguing and Laboratory Analysis:* description of selected cataloguing system and artifact analysis procedures
- *Discard and Deaccession Policy:* description of and rationale for field and post-field discard and deaccession policies
- *Security Measures:* recommended security measures to protect the archeological resource from vandalism, looting, and unintentionally damaging activities
- *Final Report:* description of proposed report format and distribution of results
- *Curation:* description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities

Coordination of Archaeological Data Recovery Investigations. In cases in which the same resource has been or is being affected by another project for which data recovery has been conducted, is in progress, or is planned, to maximize the scientific and interpretive value of the data recovered from both archeological investigations, the following measures shall be implemented:

- A) In cases where neither investigation has yet begun, both archeological consultants and the environmental review officer shall consult on coordinating and collaboration on archeological research design, data recovery methods, analytical methods, reporting, curation and interpretation to ensure consistent data recovery and treatment of the resource.
- B) In cases where archeological data recovery investigation is already underway or has been completed for a prior project, the archeological consultant for the subsequent project shall consult with the archeological consultant for the prior project, if available; review prior treatment plans, findings, and reporting; inspect and assess existing archeological collections/inventories from the site prior to preparation of the archeological treatment plan for the subsequent discovery; and incorporate prior findings in the final report of the subsequent investigation. The objectives of this coordination and review of prior methods and findings shall be to identify refined research questions; determine appropriate data recovery methods and analyses; assess new findings relative to prior research findings; and integrate prior findings into subsequent reporting and interpretation.

Human Remains and Funerary Objects. The treatment of any human remains and funerary objects discovered during any soils-disturbing activity shall comply with applicable state laws, including Section 7050.5 of the Health and Safety Code and Public Resources Code 5097.98. If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this section. Upon determining that the remains are human, the project archeologist shall immediately notify the city's Medical Examiner Office of the Chief Medical Examiner of the City and County of San Francisco (Medical Examiner) of the find. The archeologist shall also immediately notify the environmental review officer and the project sponsor of the find. In the event of the Medical Examiner's determination that the human remains are Native American in origin, the Medical Examiner shall notify the California State Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall immediately appoint and notify a most likely descendant. The most likely descendant shall complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

If the remains cannot be permanently preserved in place, the land owner may consult with the project archeologist, project sponsor, and CEQA lead agency and shall consult with the most likely descendant on recovery of the remains and any scientific treatment alternatives. The land owner shall then make all reasonable efforts to develop a burial agreement with the most likely descendant, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). In accordance with Public Resources Code 5097.98 (c)(1), the burial agreement shall address, as applicable and to the degree consistent with the wishes of the most likely descendant, the appropriate excavation, removal, recordation, scientific analysis, custodianship prior to reinterment or curation, and final disposition of the human remains and funerary objects. If the most likely descendant agrees to scientific analyses of the remains and/or funerary objects, the archeological consultant shall retain possession of the remains and funerary objects until

completion of any such analyses, after which the remains and funerary objects shall be reinterred or curated as specified in the burial agreement.

Both parties are expected to make a concerted and good faith effort to arrive at an agreement, consistent with the provisions of Public Resources Code 5097.98. However, if the land owner and the most likely descendant are unable to reach an agreement, the land owner, environmental review officer, and project sponsor shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance, consistent with state law.

Treatment of historic-period human remains and/or funerary objects discovered during any soil-disturbing activity shall be in accordance with protocols laid out in the project archeological treatment document, and other relevant agreements established between the project sponsor, Medical Examiner, and environmental review officer. The project archeologist shall retain custody of the remains and associated materials while any scientific study scoped in the treatment document is conducted, after which the remains shall be curated or respectfully reinterred by arrangement on a case-by case-basis.

Archeological Public Interpretation Plan. ~~The project archeological consultant shall submit an archeological public interpretation plan if a significant archeological resource is discovered during a project. If the resource to be interpreted is a tribal cultural resource, the archeological public interpretation plan shall be prepared in consultation with and developed with the participation of tribal representatives, including the Association of Ramaytush Ohlone and other interested Ohlone parties. The archeological public interpretation plan shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long term maintenance program. The archeological public interpretation plan shall be sent to the environmental review officer for review and approval. The archeological public interpretation plan shall be implemented prior to occupancy of the project.~~ **Cultural Resources Public Interpretation Plan.** The project archeological consultant shall submit a Cultural Resources Public Interpretation Plan (CRPIP) if a significant archeological resource is discovered during a project. As directed by the ERO, a qualified design professional with demonstrated experience in displaying information and graphics to the public in a visually interesting manner, local artists, or community group may also be required to assist the project archeological consultant in preparation of the CRPIP. If the resource to be interpreted is a tribal cultural resource, the CRPIP shall be prepared in consultation with and developed with the participation of Ohlone tribal representatives. The CRPIP shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program. The CRPIP shall be sent to the ERO for review and approval. The CRPIP shall be implemented prior to occupancy of the project.

Archeological Resources Report. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the testing program to the environmental review officer. The archeological consultant shall submit a draft archeological resources report to the environmental review officer that evaluates the

historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken, and if applicable, discusses curation arrangements. Formal site recordation forms (CA DPR 523 series) shall be attached to the archeological resources report as an appendix.

Once approved by the environmental review officer, copies of the archeological resources report shall be distributed as follows: California Archeological Site Survey Northwest Information Center shall receive one copy, and the environmental review officer shall receive a copy of the transmittal of the archeological resources report to the Northwest Information Center. The environmental planning division of the planning department shall receive one bound hardcopy of the archeological resources report. Digital files that shall be submitted to the environmental division include an unlocked, searchable PDF version of the archeological resources report, GIS shapefiles of the site and feature locations, any formal site recordation forms (CA DPR 523 series), and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. The PDF archeological resources report, GIS files, recordation forms, and/or nomination documentation should be submitted via USB or other stable storage device. If a descendant group was consulted during archeological treatment, a PDF of the archeological resources report shall be provided to the representative of the descendant group.

Curation. Significant archeological collections and paleoenvironmental samples of future research value shall be permanently curated at an established curatorial facility or Native American cultural material shall be returned to local Native American tribal representatives at their discretion. The facility shall be selected in consultation with the environmental review officer. Upon submittal of the collection for curation, the sponsor or archeologist shall provide a copy of the signed curatorial agreement to the environmental review officer.

- * The following text edit modifies Mitigation Measure M-TCR-1: Tribal Cultural Resources Interpretive Program on pages 79 and 80 of the initial study:

Mitigation Measure M-TCR-1: Tribal Cultural Resources Interpretive Program.

Preservation in Place. In the event of the discovery of an ~~archeological resource of Native American origin~~ potential tribal cultural resource, the environmental review officer, the project sponsor, and the local Native American representative shall consult to determine whether preservation in place would be feasible and effective. Coordination shall take place with local Native American representatives, including the Association of Ramaytush Ohlone and other interested Ohlone parties. If it is determined that preservation-in-place of the tribal cultural resource would be both feasible and effective, then ~~the archeological consultant, in consultation with the local Native American representative, shall prepare a archeological tribal cultural resource preservation plan, in coordination with the Environmental Review Officer, project sponsor, and archeological consultant as relevant,~~ which shall be implemented by the project sponsor during construction. ~~The consultant shall submit a draft archeological resource preservation plan to the planning department for review and approval. If the environmental review officer, in consultation with local Native American representatives (including the Association of Ramaytush Ohlone and other interested Ohlone parties) and the project sponsor, determines that preservation in place of~~

the tribal cultural resources is not a sufficient or feasible option, then archeological data recovery shall be implemented as required by the environmental review officer and in consultation with affiliated Native American tribal representatives.

Interpretive Program. After data recovery, the project sponsor, in consultation with local Native American representatives, shall prepare a tribal cultural resources interpretation plan to guide the interpretive program. The tribal cultural resources interpretation plan may be prepared in tandem with the archeological public interpretation plan described in Mitigation Measure M-CR-2:- Archeological Testing. The tribal cultural resources interpretation plan shall be submitted to the environmental review officer for review and approval prior to implementation of the program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the environmental review officer, sponsor, and local Native American representatives. Upon approval of the tribal cultural resources interpretation and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. Local Native American representatives who are substantially involved in preparation or implementation of the interpretive program shall be appropriately compensated by the project sponsor. Local Native American representatives (including the Association of Ramaytush Ohlone), shall prepare a Tribal Cultural Resources Public Interpretation Plan (TCRIP) to guide the Tribal Cultural Resource interpretive program in coordination with the project sponsor and Planning Department cultural resources staff. The TCRIP may be prepared in tandem with the CRPIP if required. The TCRIP shall be submitted to ERO for review and approval prior to implementation of the program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the ERO, sponsor, and local Native American representatives. Upon approval of the TCRIP and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. The ERO and project sponsor shall work with the tribal representative to identify the scope of work to fulfill the requirements of this mitigation measure, which may include participation in preparation and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives shall be compensated for their work as identified in the agreed upon scope of work.

- * The following text edit fixes a typographical error in Mitigation Measure M-WI-1b: Maintenance of Landscaping Features that Reduce Wind Hazards on p. 108 of the initial study. The text on these pages has been edited as follows:

Mitigation Measure M-WI-1b: Maintenance of Landscaping Features that Reduce Wind Hazards.

The project sponsor shall maintain, for the life of the proposed project buildings, all landscaping features required to ensure that the proposed project does not result in an exceedance of the

one-hour wind hazard criterion of 26 miles per hour equivalent wind speed. These features include installation of nine evergreen street trees, each approximately 25 feet tall with a 15-foot-diameter canopy, along the eastern sidewalk of Toland Street or any landscaping features required pursuant to Mitigation Measure M-WI-1a: Wind Hazard Evaluation for Building Design and Streetscape Modifications.

ATTACHMENT 1

DRAFT EIR PUBLIC HEARING TRANSCRIPT

1 MR. IONIN: Okay. Good afternoon.
2 And welcome back to the San Francisco Planning
3 Commission hearing for Thursday, September 7th,
4 2023. Commissioners, we left off on your regular
5 calendar on 16 for case number 2015-012491ENV for
6 the San Francisco Gateway Project at 749 Toland
7 Street and 2000 McKinnon Avenue.

8 This is a draft environmental impact
9 report. Please note that the environmental
10 review officer has extended the public comment
11 period. Written comments will now be accepted at
12 the Planning Department until 5:00 p.m. on
13 October 16th, 2023.

14 MS. RANGE: Thank you. Can you please
15 bring up the slides, Commission Secretary? Thank
16 you. Thank you. Good afternoon, President
17 Tanner, members of the commission. I am Jessica
18 Range, Planning staff and environmental review
19 supervisor for the SF Gateway Project. I am
20 providing this presentation on behalf of Liz
21 White, EIR coordinator.

22 The item before you is review and

1 comment on the draft environmental impact report,
2 or EIR for the SF Gateway project. No approval
3 of this document is requested at this time. And
4 the purpose of today's hearing is to take public
5 comments on the adequacy, accuracy, and
6 completeness of the draft EIR pursuant to the
7 California Environmental Quality Act or CEQA, and
8 San Francisco's procedures for implementing CEQA.

9 Staff will not be answering questions
10 concerning this draft document at today's
11 hearing. Instead, comments will be transcribed
12 and responded to in writing in a responses to
13 comments document.

14 Before taking public comment, the
15 project sponsor will provide a brief overview of
16 the project description. I'll then summarize the
17 draft EIR's findings, describe the alternatives
18 studied in the EIR. And then provide a summary
19 of the environmental review schedule. And now I
20 will turn it over to Courtney Bell from Prologis,
21 the project sponsor.

22 MS. BELL: Thank you, Jessica. Good

1 afternoon, President Tanner, Director Hillis who
2 was here, and Commissioners. My name is Courtney
3 Bell. I'm a director of development at Prologis,
4 and I'm excited to be here today to introduce the
5 San Francisco Gateway Project. First, I would
6 like to thank Planning staff and OEWD staff for
7 their hard work and collaborative efforts on the
8 project to date.

9 Prologis is a San Francisco-based
10 company and proudly headquartered in the city for
11 over 40 years. We specialize in what we call
12 logistics real estate, and what San Francisco
13 calls production, distribution, and repair, or
14 PDR. We own, build, and operate PDR buildings in
15 19 countries.

16 Our customers include retail,
17 logistics firms, distributors, medical supply
18 companies, food production, all sorts of makers
19 with a signal common thread, our customers
20 support the needs of daily life in all of the
21 communities we work in. Over 1 million people
22 work under a Prologis roof each day. With our

1 scale, we are an experienced leader and are
2 committed to driving the industry forward towards
3 an efficient and sustainable supply chain.

4 In San Francisco over the past 20
5 years, traditional PDR buildings have been
6 converted to other uses, shrinking available
7 space and shifting PDR businesses and the jobs
8 they provide out of the city. The city has
9 identified the importance of preserving PDR space
10 to reverse this trend. Our vision for the San
11 Francisco Gateway Project is to rebuild and
12 reinvest in San Francisco PDR.

13 We aim to use innovative, multi-story
14 design to efficiently accommodate both small and
15 large users, and to allow that space to adapt
16 over time. We believe that creating a
17 state-of-the-art facility in an infill location
18 is -- and in one of the last remaining PDR zones
19 will improve the area's functionality, bring back
20 PDR jobs, provide benefits to the Bayview
21 community, and increase the resilience in the
22 city's supply chain to provide critical community

1 services. The project's design prioritizes
2 sustainability through onsite renewable energy,
3 innovative storm water retention, and electric
4 vehicle infrastructure.

5 The San Francisco Gateway Project is
6 proposing to replace four older buildings with
7 two multi-story buildings totaling 2.1 million
8 square feet, each building is 97 feet tall. Half
9 of the square footage is dedicated to active PDR
10 uses including ground floor maker space with
11 accessory office, and a small retail component.
12 The other half of the project area is PDR support
13 such as logistics, yards, parking, and vehicle
14 and pedestrian circulation.

15 While many uses are permitted in PDR,
16 we are focused on the subset shown here. The two
17 buildings are designed to accommodate a variety
18 of PDR businesses as the needs of the city and
19 community evolve over time. The approvals we are
20 seeking include a special use district as an
21 overlay to the existing PDR2 zoning, a height and
22 bulk map amendment, and a development agreement.

1 Thank you for your time today. Should
2 you have any additional questions, I am here, my
3 team is here. We look forward to bringing the
4 project back for entitlements in the coming
5 months.

6 MS. RANGE: All right. Thank you,
7 Courtney. I will now provide a high-level
8 overview of the approach to the environmental
9 analysis.

10 So given that there are no identified
11 tenants at this time, the draft EIR describes and
12 analyzes a mix of PDR uses that are likely to
13 occupy the facility based on the project
14 sponsor's familiarity with leasing trends for PDR
15 facilities in San Francisco and the Bay area, and
16 that represent reasonably conservative
17 assumptions about possible tenants that would
18 yield greater environmental impacts.

19 The term proposed project means
20 construction and operation of the SF Gateway
21 Facility, the operation of which is based on the
22 analyzed tenant use mix and related streetscape

1 improvements. The analyzed tenant use mix for
2 purposes of the project's environmental review is
3 shown on this table here, and includes light
4 manufacturing, parcel delivery, wholesale and
5 storage, PDR support space, and retail.

6 And as Courtney mentioned, the project
7 sponsor team is seeking a special use district.
8 The SF Gateway special use district will
9 establish a consistency review process to
10 determine whether the impacts of future tenants
11 in the facility have been adequately evaluated as
12 part of this EIR, or if further environmental
13 review is necessary.

14 Before summarizing the project's
15 impacts, I'd like to acknowledge the historic
16 context of the Bayview-Hunters Point neighborhood
17 in which the project site is located. This brief
18 timeline is not exhaustive, but rather intended
19 to provide historic context and illustrate how
20 past actions and decisions shaped and continue to
21 shape the physical environmental conditions that
22 people in the Bayview-Hunters Point neighborhood

1 experience today.

2 The neighborhood has a long history of
3 industrial use with the dry dock constructed in
4 1866. The Navy purchased the dry dock, and
5 during World War II transitioned to working on
6 atomic defense issues. Also during World War II,
7 black workers settled to the area to work at the
8 shipyard. And following the end of the war,
9 black communities continued to grow as a result
10 of redlining and displacement of many black
11 families from the Fillmore and Western Addition
12 neighborhoods. In 1991, the Navy decommissioned
13 the naval base leaving behind health and
14 environmental hazards.

15 The industrialized nature of the area
16 continues today and has influenced the existing
17 environmental conditions in the Bayview
18 neighborhood. One example of this environmental
19 legacy is air quality.

20 This map shows San Francisco's air
21 pollutant exposure zone which are areas with
22 elevated levels of pollutant concentrations and

1 includes much of the industrialized area of the
2 Bayview-Hunters Point neighborhood including the
3 project site. These physical environmental
4 conditions form the baseline conditions against
5 which the project's environmental impact is
6 measured.

7 I will now briefly summarize the
8 project's impacts and mitigation measures. The
9 environmental analysis -- one second. The
10 environmental analysis contained in the draft EIR
11 and appended initial study find that the proposed
12 project could result in significant wind impacts,
13 operational noise impacts, and significant
14 criteria air pollutant impacts, specifically NOx
15 emissions, from the operation of heavy-duty
16 trucks that will use the facility. The project
17 would also have significant impacts to
18 paleontological, archaeological, and tribal
19 cultural resources. Impacts to other topics
20 would be less than significant.

21 Mitigation measures identified in the
22 draft EIR and initial study would reduce all

1 project impacts to less than significant levels,
2 and there would be no significant and unavoidable
3 impacts of the project. For example, the draft
4 EIR identifies nine individual measures to
5 mitigate the project's air quality impact such as
6 all yard equipment and transportation
7 refrigeration units are required to be electric,
8 a prohibition on the use of older model year
9 trucks, compliance with CalGreen Tier 2 building
10 standards, implementation of an operational
11 emissions management plan to ensure that all
12 project emissions remain below thresholds and the
13 other listed here on this slide.

14 I will now summarize the project
15 alternatives studied in the EIR. The EIR
16 evaluated the CEQA required no project
17 alternative in addition to three other
18 alternatives. The no project alternative
19 maintains the existing buildings with primarily
20 parcel delivery use on the site. This
21 alternative would avoid all of the project's
22 significant impacts.

1 The code compliant alternative would
2 construct two buildings to the existing 65-foot
3 height limit. This alternative maintains the
4 same use mix as the proposed project but scaled
5 down. This alternative would result in similar
6 impacts to below-grade resources and noise as the
7 proposed project but would have reduced air
8 quality and wind impacts.

9 The last two alternatives would
10 construct two new buildings similar to the
11 proposed project, but fleet management or parcel
12 delivery use would be the primary uses under
13 these alternatives with a mix of other PDR uses.
14 There would be no maker and manufacturing, or
15 retail uses under these alternatives.

16 The fleet management use mix
17 alternative would avoid the project's significant
18 air quality impact, and no air quality mitigation
19 measures would be required. All other impacts of
20 this alternative would be similar to the proposed
21 project.

22 The expanded parcel delivery use mix

1 alternative would have similar impacts as the
2 proposed project, and would have reduced air
3 quality impacts, but mitigation measures would
4 still be required.

5 In addition, for the reasons described
6 in the EIR, the EIR considered but rejected from
7 detailed analysis five additional alternatives.
8 Next, I will provide a brief overview of the CEQA
9 timeline before finishing up with information on
10 how to review and comment on the draft EIR.

11 The SF Gateway Project's environmental
12 review schedule is shown here. In addition to
13 publishing a notice of preparation and holding a
14 scoping meeting in March 2022, the environmental
15 review team has been part of the outreach efforts
16 to the Bayview-Hunters Point Environmental
17 Justice Response Taskforce to inform community
18 members about the environmental review process,
19 and answer questions about upcoming opportunities
20 for public comment.

21 So I'd like to mention here that due
22 to an error in the email address on one of the

1 five types of notices we provided notifying the
2 public of the draft EIR, the public comment
3 period has been extended from September 18th to
4 October 16th, 2023, and a corrected notice has
5 been issued.

6 After the close of the public comment
7 period on October 16th, the Department will
8 prepare written responses to all relevant written
9 and verbal comments received and publish those
10 responses in a responses to comments document not
11 more than ten days before a Planning Commission
12 hearing to certify the EIR.

13 In addition, Planning staff will be
14 scheduling an informational hearing on this
15 project later this fall or winter, and before any
16 project approval hearings. The informational
17 hearing will provide more details on the
18 project's design, public benefits, approvals
19 (including the special use district), and
20 development agreement.

21 Today the Department is seeking
22 comments on the adequacy, accuracy, and

1 completeness of the information contained in the
2 EIR. From members of the public who wish to
3 provide verbal comment, please state your name
4 for the record, and speak slowly and clearly so
5 that the court reporter can make an accurate
6 transcript of today's proceedings.

7 Anyone who would like to comment on
8 the draft EIR in writing may email comments to
9 cpc.sfgatewayproject@sfgov.org, or mail comments
10 to Liz White at the address shown here by 5:00
11 p.m. on October 16, 2023. You may also use the
12 same contact information to request a hard copy
13 of the draft EIR or a copy of the written
14 responses to comments. This concludes my
15 presentation, and I respectfully request the
16 Commission open public comment. Thank you.

17 MR. IONIN: Okay. Members of the
18 public, this is your opportunity to address the
19 Commission on the draft environmental impact
20 report. I'll remind you that the comment period
21 is to accept comments on the accuracy and
22 adequacy of the report itself, not the project.

1 Yeah. If you go ahead and line up on the screen
2 side of the room for those persons in the
3 chambers. Whoever wants to go first, come on up.

4 MS. EALOM: Ready to --

5 MR. IONIN: You'll get three minutes.

6 MS. EALOM: Greetings, Commissioners.

7 My name is Kamillah Ealom, Bayview-Hunters Point
8 community organizer, community leader, long term
9 impacted resident, and daily asthma survivor.
10 You are looking at over 500 years of
11 Bayview-Hunters Point living experience. It is
12 gravely important that you, even though you're
13 not making a decision today, but that you will
14 oppose any approval to ensure that the
15 environmental review for the SF Gateway Project
16 is both accurate and adequate.

I-EALOM-1 17 Cumulative impacts need to include
18 past, present, and future projects beyond a
I-EALOM-2 19 quarter mile from the proposed project site. The
20 environmental impacts should include the
21 communities' experience before and after the
22 project is constructed. Mitigation measures need

to have alternative analysis. The

Bayview-Hunters Point community groups need to be included when developing the range of alternatives for the project and mitigation measures.

Community oversight needs to be required regarding the deferred plans Prologis is required to submit, and any future plans particularly since the project is expected to operate for more than a hundred years.

The environmental review lacks adequate and accurate implementation of local hire and advancements provisions. Translations of the environmental review need to be adequately assessable for Bayview-Hunters Point residents as a notice of -- as the notice of preparation, the NOP, and initial study.

Three hundred feet is inadequate proximity of accurate notice to impacted Bayview-Hunters Point residents. Project description leaves out specific details, uses are undefined allowing wide range of variations of

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unknown users for over a century. The environmental review lacks consideration of community knowledge.

The cumulative impact range is not far enough for accurate and adequate impacted community considerations. The impact AQ3 needs to include the Cal enviro screening data. The environmental review fails to adequately and accurately explain the demolition process, including asbestos and air quality impacts.

The environmental review lacks adequate and accurate explanation regarding how trucks will be electrified by 2050 in Bayview-Hunters Point. The environmental review lacks adequate and accurate explanation of electrification impacts. The environmental review needs to include existing surrounding polluters. And lastly, the environmental review fails to adequately and accurately explain that the project sites sits in an air pollution exposure zone. Thank you so much --

MR. IONIN: Thank you.

1 MS. EALOM: -- for having us today.

2 MR. MORGAN: Good afternoon,
3 Commissioners, President Tanner, Commissioner
4 Koppel, and the rest of the commissioners. My
5 name's Armie Morgan, and I'm a San Francisco
6 resident, and I spend a lot of time in District
7 10 as a rep with Operating Engineers Local 3.
8 And we think the draft EIR, the environmental
9 impact report, is important as it outlines
10 potential impacts of construction on this scale.

11 And I believe the report is adequate
12 and the project sponsor has shown their
13 commitment to work with stakeholders who realize
14 this is an important build. There may be
15 concerns raised today, and that's not a bad
16 thing. And we welcome ongoing discussions, you
17 know, in the building trades.

18 And so we're seeing this project, we'd
19 like to see this project move forward. It would
20 create a lot of good jobs for, you know, working
21 class people to earn a living wage and enhance
22 our apprenticeship program, and, you know, create

1 revenue for the city. And I think that's a good
2 thing. And we support the draft environmental
3 impact report findings. Thank you for your time.

4 MR. MARTIN: Good afternoon. My name
5 is Leotis Martin. I came to San Francisco in
6 1966, I was six years old. Moved across the
7 street from the shipyard at the Hunters Point
8 Boys Club right there. I lived there for many
9 years. I was there even when they shut the
10 shipyard down. We used to play over there in the
11 shipyard. We used to climb the fence. We
12 thought it was fun. We didn't know how much
13 danger we was in.

14 But let me tell you about the impact
15 of this. When they closed the shipyard down, it
16 was closed for many years, then we had a fire.
17 The fire had to burn out. Why it had to burn
18 out? Because there's too many different toxic.
19 They couldn't put it out.

20 Okay. All of this stuff going up in
21 Bayview. Our lifetime expectancy is 15 to 10
22 year different than the people that live in Nob

I-MARTIN-1

1 Hill. You want to talk about impact. I got a
2 mother that's gone. I have a twin brother that
3 died from enlarged heart. I have a nephew that's
4 gone. And we all lived in Bayview. That's some
5 impact right there.

6 You know, I have friends right now
7 today that have cancer. I have a young lady that
8 came up to me two days ago and said, Leotis, I
9 got cancer, you know, and she's been living in
10 Bayview. And the reason why they come to me, and
11 they talk to me because they knew I do this
12 environmental work with Green Action. And when I
13 -- before I was able to do this, I didn't care
14 about it.

15 Tessie and Marie Harrison -- Tessie
16 Ester and Marie Harrison brought me into this one
17 day and I've been doing this for 18 years now
18 because this is the way I give back to my
19 community because we are dying out there. I
20 don't care if these people want to work. That's
21 fine and dandy. But we don't work to kill
22 ourself. We work to support our families and to

I-MARTIN-1
(Cont.)

1 have a righteous life. At the same time, we have
2 to care about the community that we working in.
3 Thank you.

4 MS. ROHM: Good afternoon again,
5 Commissioners. Ozzie Rohm with San Francisco
6 Land Use Coalition. I cannot agree more with the
7 previous speaker. All I have to say is one
8 thing, Bayview-Hunters Point deserves better.
9 The history of this neighborhood is replete with
10 all kinds of shoving it under the carpet when it
11 comes to toxicity, when it comes to environmental
12 cleanup. Lenore Project, wasn't, you know, like
13 -- although maybe it was in the past century, but
14 we're not talking about 50 years ago -- hasn't
15 been cleaned up yet.

16 So when it comes to an EIR, I totally
17 understand the community's sentiment, and the
18 activist sentiment, people like myself, as to
19 whether or not we should trust this. So I would
20 like to propose to have a more thorough EIR in
21 particular with respect to all the possible
22 issues, noise, like pollution, environmental

1 safety that was actually brought up. I was
2 actually pleasantly surprised that it was brought
3 up that these are the issues, and this is, you
4 know, how we're going to mitigate it.

5 Now is the mitigation going to take
6 care of these issues? That's what we need to
7 focus on. And that's why I'm here to encourage
8 to postpone any kind of affirmative action on
9 this, any kind of approval of this. And have a
10 more thorough look into that particular, this is
11 the first thing after you have come back from
12 your recess. I think the community, once they
13 find out the impact, they are going to be just as
14 pissed off as my fellow residents of San
15 Francisco that you just saw here. Thank you.

16 MS. DRATLER: Good afternoon. My name
17 is Sandra Dratler, and I am here today speaking
18 on behalf of the Environmental Justice Group at
19 Faith in Action at St. James Episcopal Church in
20 the Richmond District.

21 Haven't we subjected the Bayview to
22 enough environmental injustice? Last year, a

O-SFLUC-1

1 civil grand jury called out the lack of
2 transparency leading to untold harm in the
3 supposed cleanup of the Hunters Point shipyard as
4 the state's -- and we continue to have rising
5 water levels due to climate change that are going
6 to move us further into disaster.

7 I really don't -- I can't say it as
8 well as the residents. But from my perspective,
9 today we have an instance where we need to dig
10 deep into the EIR to find the impacts this
11 proposed project will have, particularly on the
12 air in the Bayview with the at the very least
13 5,000 additional person vehicle trips per day.

14 Granted, some of that will be people
15 driving to work since the area's badly served by
16 transit. But my guess would be that much of the
17 traffic will be diesel trucks and gas-powered
18 vans coming and going to bring in and bring out
19 parcels. It's more than just the bulk of the
20 building when we're looking at environmental
21 impacts.

22 This is in a neighborhood that the EIR

freely admits has an alarmingly high incidence of asthma and other diseases that are linked to car and truck exhaust. Bayview-Hunters Point with 93 ER visits per 100,000 population for asthma is over twice the rate of San Francisco as a whole. And I spent my career in public health, and I've seen these impacts exacerbating already vulnerable populations.

Careful consideration and study need to be given to this project and its impacts. You have touted your commitment to racial and social equity. Here is your opportunity to put those values into action. A continuation would give us time to do this. Thank you for your consideration.

MS. COLICHIDAS: Hello. My name is Ann Colichidas, and today I'm speaking on behalf of the San Francisco Gray Panthers in support of the testimony given by the residents of Bayview-Hunters Point. We stand with the residents of the Bayview neighborhood as you take public comment on this purpose-built polluting

1 facility.

2 Not only is it a polluting facility,
3 but it attracts polluters. And we don't even
4 know exactly what because they're not really
5 saying what it is because they don't know, I
6 guess. And this is in an already burdened
7 neighborhood, as you've heard testimony, in an
8 area with incidents of asthma related to
9 emissions.

10 This project is enormously out of
11 scale. I mean the size of it alone on both sides
12 of the freeway, I mean I've never seen such a
13 thing. And it only portends badly for what will
14 follow. Please engage the community experts and
15 address all of their concerns. Thank you.

16 MR. IONIN: Okay. Seeing no members
17 of the public in the chambers coming forward.
18 Let's go to our remote callers.

19 MR. GONZALEZ: Good evening,
20 Commissioners, members of the public. Appreciate
21 the opportunity to comment. Rudy Gonzalez with
22 the San Francisco Building and Construction

1 Trades Council.

2 While we will have plenty of time to
3 debate the merits of any proposed project,
4 including a tenant, when the developer figures
5 that out, I think it's important to look through
6 -- I know it's long, it's like 407 pages. But
7 many of our craft unions and policy folks have
8 actually looked through it, and I think there is
9 some important notes to make because there have
10 been catastrophic failures on behalf of the
11 community there that were imposed on them by the
12 federal government, the state government, and
13 with the complicity of the city. And we cannot
14 allow those injustices to continue again.

15 So I echo brother Armie Morgan's
16 comments, we want to have those conversations.
17 Some of the issues around today's comments really
18 have to do with whether or not there's adequacy
19 and accuracy in this report. I think there is.

20 And there's a couple things I want to
21 draw your attention to. One is a building and
22 construction model that is going to be LEED Gold.

1 So there's going to be a high level of mitigation
2 inherently in the long-term lifespan of the
3 building. But in the construction phase and in
4 the operations phase, there are also substantial
5 efforts being made here by the project sponsor to
6 deal with dust, deal with noise.

7 I also want to quickly refer to the
8 report as it relates to the vehicle traffic. I
9 think that's a really legitimate issue as it
10 relates to transit and just general wellbeing and
11 health for people and their families. This is a
12 fully electric operation with restrictions on
13 those very types of trucks and the years, and
14 restrictions on what kind of trucks can go in
15 this facility. We're talking about massive
16 opportunities to decarbonize our projects in our
17 construction. Electronic vehicle charging
18 infrastructure.

19 I think overall, the systems will
20 include, you know, storm water management, four
21 cisterns that will collect rainwater. I mean you
22 name it, this report has covered it. In the

O-SFBCTC-1
(Cont.)

O-SFBCTC-1
(Cont.)

1 initial -- if you don't have time for 407 pages,
2 the S-20, 21, 22, all those pages pretty
3 succinctly lay out the charts and the
4 determinations of less than substantial I think
5 really encompass most of the findings.

O-SFBCTC-2

6 When you get into the mitigation
7 efforts, I think that's where we need the
8 commissioners to show some leadership. We should
9 have some thoughtful discussions. We should, you
10 know, keep engaged with the Bayview-Hunters Point
11 community advisory committee. There's probably
12 no single one project that can undo the systemic
13 racism and redlining that has plagued our city.

O-SFBCTC-3

14 But I'll tell you, those shipyards,
15 when they were active provided thousands of black
16 workers the opportunity to a middle-class wage
17 and the surrounding economic impact for the
18 community. When the government ripped those jobs
19 out, they left behind a workforce. We're
20 committed to making sure that workforce has a
21 chance to be in our building trades and
22 supporting them with good careers, good

1 healthcare, and good opportunities in the city.

2 So we think the project is important, but --

3 MR. IONIN: Thank you, sir. That is
4 your time.

5 MR. TORRES: Hello, Planning
6 Commission. My name is Dan Torres. I'm a San
7 Francisco native, and a business agent with
8 Sprinkler Fitters Local 43. I find the draft EIR
9 adequate and accurate. I support having the
10 staff continue to review the project. Thank you
11 for your time.

12 MR. IONIN: Mr. Hardeman, are you
13 there?

14 MR. HARDEMAN: Yeah. Hello. Good
15 afternoon, Commissioners and staff. My name is
16 Greg Hardeman. I'm with the Elevator
17 Constructors Local 8. I live and work in San
18 Francisco, and I'm an ADEM for District 19.

19 I'm calling to support -- I'm calling
20 to voice my support for the draft environmental
21 impact report. The draft EIR for the San
22 Francisco Gateway is a comprehensive assessment

1 to several key factors that we must consider
2 under CEQA. The findings are solid.

3 I think we could all agree that with
4 the climate change, storms are going to get worse
5 each year and this project will address some of
6 those concerns with storm water management. And
7 we look forward for this project to move forward.
8 Thank you very much.

9 MR. LANTSBERG: Am I there?

10 MR. IONIN: Go ahead.

11 MR. LANTSBERG: Commissioners, my name
12 is Alex Lantsberg. I live and work in San
13 Francisco. In fact, I live in Bayview-Hunters
14 Point and have for nearly half of my life now.
15 Just calling to express my support for the draft
16 environmental impact report. We believe that it
17 is a thorough assessment, that it really did take
18 a look at a number of the factors that are going
19 to be -- that are of great concern to
20 Bayview-Hunters Point residents. Most people who
21 agree as well as pretty much anyone who lives in
22 the neighborhood, and we look forward to seeing

I-LANTSBERG-1

1 this project move forward.

2 As Mr. Gonzalez said, there is still
3 a lot of work to do to iron this project out, but
4 this is an important first step that we need to
5 take. Thank you very much.

6 MR. VALLIS: Hi. My name is Josh
7 Vallis. I'm a business rep for Local 104 Sheet
8 Metal Workers, and I primarily work in San
9 Francisco. I'm calling in support of the draft
10 of the EIR for the SF Gateway.

11 It is a thorough assessment of the
12 various factors that we must consider under CEQA,
13 the findings are sound, and I wish to record my
14 support for the draft EIR. We look forward to
15 the staff continuing to review this important
16 project. And to see this built as a benefit to
17 our city of San Francisco. Thank you.

18 MR. FERRARI: Good evening. My name
19 is R.J. Ferrari, business rep for Local 38
20 Plumbers and Pipefitters. My union has a
21 training facility for the plumbers and
22 pipefitters and HVRC techs and welders in

I-VALLIS-1

1 District 10. We have received the EIR and
2 support the mitigation factors outlined in the
3 tables.

4 The project sponsors has identified
5 feasible ways to deliver the project and reduce
6 the impact of construction. We look forward to
7 this project moving ahead in the future. Thank
8 you very much. R.J. Ferrari, Local 38.

9 MR. IONIN: Last call for public
10 comment. Seeing no additional -- okay. We got
11 one more caller.

12 MS. HESTOR: This is Sue Hestor. I'm
13 going to submit written comments, but want to
14 basically flag two issues that are very
15 important. One, this is a 2 million square foot
16 building. That's huge. Second, the whole thing
17 about parcel delivery services has a much greater
18 impact on the area around it and throughout the
19 city.

20 I live in Bernal Heights, and I go
21 through this area a couple times a week. I'm
22 very familiar with Toland Avenue. What we have

1 right now in Bernal Heights and areas that have
2 narrow streets is parcel delivery workers just
3 stop in the middle of traffic and deliver
4 packages.

5 We had a discussion on retail sector
6 about an hour ago. The retail sector has been
I-HESTOR-2 7 shifted to parcel delivery services because of
8 COVID. And the delivery of these packages has a
9 huge impact, the trucks buzzing around the
10 neighborhoods are in traffic and throughout the
11 area around, so that is one of the issues that
12 need to be brought up on comment, and I will do
13 this, so.

14 But I appreciate the people from
15 Hunters Point raised questions. There is a lot
I-HESTOR-3 16 of issues around Hunters Point being not taken
17 care of by the city for the past, I want to say
18 50 years more than 50 years. Thank you very
19 much.

20 MR. IONIN: Okay. Final last call for
21 public comment. Seeing no additional requests to
22 speak, Commissioners, the public comment has

1 closed and this -- and the draft EIR is available
2 for your comment.

3 PRESIDENT TANNER: Great. Thank you.
4 Call on Commissioner Moore.

5 VICE PRESIDENT MOORE: I will mostly
6 focus on adequacy and accuracy. However, in this
7 particular case, there will be a couple of
8 comments that will go slightly outside because I
9 think we have a very high bar here in order to
10 respond to this project.

11 I'd like to simply say that the
12 readability of this document is impaired by the
13 type face that is being used. It is such a
14 horizontally crowding typeface that you have to
15 almost read three times in order to realize where
16 is a word ending. And I'm not sure if you have a
17 paper copy in front. I have not looked at it on
18 the web. I find the typeface unacceptable for
19 this EIR. It's the first time that I ever said
20 that, and I've commented on quite a few EIRs.

21 The second thing is under 3(a) and
22 that entire section, I believe that the size of

I-COMMISSIONER-
MOORE-1

1 the maps with no enlarged focus on the community
2 exactly where it occurs is deficient together
3 with dimension and radii. I'm picking up on the
4 comments made by the community, using a 300-foot
5 radius in an area where the sizes are so large
6 that we only touch on very few people.

7 The reason why I'm saying it, this
8 area has construction companies and other large
9 industrial purveyors who will be affected one way
10 or the other given that it creates street changes
11 and construction that will be in effect more than
12 three years. I would suggest that the
13 notification be expanded by -- far beyond the
14 typical 300 feet that we use in residential
15 neighborhoods. I think it is mandatory for more
16 people to participate.

17 I am interested to see a much stronger
18 documentation of visual impacts. We have an area
19 of a 65-foot height limit. The top of freeway
20 lies at 55 feet, that is a 280 freeway which will
21 be straddled on both sides by a 97- to
22 115-foot-high buildings sitting literally on top

I-COMMISSIONER-
MOORE-2

I-COMMISSIONER-
MOORE-3

1 of the freeway.

2 We have already many times commented
3 on the impact of Mission Bay completely obscuring
4 the long views to downtown. And while this is an
5 area-specific project, this is also a citywide
6 impacting project.

7 And in the same breath, I would like
8 to suggest that the parcel delivery services will
9 be examined with their impact on downtown. The
10 numbers of trips increase by building a facility
11 of this incredible size right here. It's going
12 to be impacting every neighborhood in downtown.

13 I believe that the current delivery
14 services and their unruly behavior is already
15 creating too many problems, and not just on
16 particular times of the day, but day in, day out,
17 weekday in, weekend out from morning to late at
18 night where it becomes dangerous in our
19 neighborhoods to safely maneuver around these
20 battleship size buildings -- of the battleship
21 size delivery trucks and still find my way home
22 and be safe. I'm not going to talk about any

I-COMMISSIONER-
MOORE-4

1 other vehicles that shouldn't be there at that
2 time. I'll spare that for this EIR.

3 I would like to get better insight,
4 and that is going beyond an EIR perhaps, why we
5 need a special use district for a single use
6 project. And I would like to know why we need a
7 development agreement. In my own experience,
8 there are particular multi-use projects that
9 require SUDs. SUD and special development
10 agreements in this particular project, I like to
11 see a significant amount of larger
12 accountability.

13 When this project comes on sites, it's
14 basically one large building for all intents and
15 purposes. And I do believe that there could be
16 too many missed opportunities to properly track
17 and observe the implementation of this project.
18 This project is too consequential and more than
19 what we perhaps even address in the EIR which
20 gets me to the point about vulnerable community
21 impact.

22 I believe that the neighbors stated

I-COMMISSIONER-
MOORE-5

I-COMMISSIONER-
MOORE-6

1 the impacts on Bayview-Hunters Point eloquently
2 and convincingly and that will be part of the
3 public record. What I am asking is we are
4 already in an air pollution exposure zone,
5 everything is already colored there. How could
6 we possibly mitigate on top of an already
7 existing unacceptable circumstance when this
8 project is indeed causing major pollution and
9 noise impact?

10 This is a question that baffles me,
11 and I find it actually somewhat ludicrous that we
12 are even entertaining that there is mitigation
13 possible. The people already described the
14 health effect, and we already know that it's not
15 working. I leave that for other people to also
16 comment on.

17 I wanted to acknowledge the community
18 having spoken eloquently, and I do believe that
19 the comments made by other people who called in
20 have to remind us of our racial and social equity
21 obligations.

22 And I was shocked, and I'm now

I-COMMISSIONER-
MOORE-7

1 referring to this document, which is in front of
2 us, on Page -- one second -- on this page, there
3 is a comment that tries to actually tell me that
4 social and economic impacts and changes aren't
5 really under my purview.

6 I'm not sure why that's in this
7 document. I found that comment threatening, and
8 unfortunately, I cannot at this very second find
9 it, although, I have many stickers on my book.
10 Oh, it's actually under -- on Page 3(a)(6), one,
11 two, three, four, fifth paragraph, I would like
12 everybody to read that and I find that comment
13 somewhat inappropriate because I have not seen
14 any EIR that reminds me of that. And in this
15 particular circumstance to remind us of our
16 obligations, I find it a questionable comment in
17 the context of this book. Thank you.

18 PRESIDENT TANNER: Thank you,
19 Commissioner Moore. Commissioner Koppel.

20 COMMISSIONER KOPPEL: Thank you,
21 President. As far as the EIR is concerned, I do
22 agree with you that the type is a little

I-COMMISSIONER-
KOPPEL-1

I-COMMISSIONER-
KOPPEL-2

I-COMMISSIONER-
KOPPEL-3



1 difficult to read. Other than that, I do think
2 that the document is accurate and adequate. But
3 I'm also thankful that the comment period's been
4 lengthen for more input.

5 Let me speak to some of Kamillah's
6 concerns around local hire and as far as the
7 construction portion of the project's concerned,
8 I don't have real purview on who might be
9 employed after the construction's done. But just
10 to put some context into things, I am an
11 electrician, and I used to work on the jobsites.
12 I started working in the office, and one of my
13 first projects that I came here speaking in favor
14 of was the original phase one of Bayview-Hunters
15 Point.

16 And there was a lot of neighborhood
17 participation. A lot of neighborhood commentary.
18 And the neighborhood let me know, like, hey,
19 you're not from here. Like I live in the Sunset
20 and, yeah, I'm not from the Bayview-Hunters
21 Point. And I took those words seriously. And I
22 said, well, I'm going to do what I can.

1 And so since then, it's been my
2 professional passion to make sure that women and
3 brown people have been access to jobs and have
4 careers that are -- especially that grew up here
5 in this city so they can stay here living in this
6 city. So that's a big deal for me. So hear me,
7 I'm with you on this one. Okay?

8 And I've taken it ever farther than
9 that. There is a building down on Evans in the
10 city college campus called CityBuild that is put
11 on in conjunction with the Office of Economic
12 Workforce Development and the building trades.
13 And so when you hear these trades people speaking
14 in favor of this project, know that people from
15 the 94124, that have signed up for CityBuild, and
16 have showed up and gotten a B average, they've
17 gained access into our trades. And they've
18 gotten into our apprenticeship programs.

19 A lot of our apprenticeship programs
20 are here in the city. A lot of our contracting
21 businesses are all up and down the 3rd Street
22 corridor. A lot of our material and tools

1 supplier warehouses are all up and down the 3rd
2 Street corridor. And a lot of our -- I think I
3 have 34 of our residents in our union live in the
4 94124.

5 And I go to every semester at
6 CityBuild and speak to the class, and it's almost
7 all brown people, a lot of single moms. And
8 they're just -- they just want a chance, right?
9 They just want a chance to go to work, stay here
10 in the city and not have to travel far, and be
11 able to put food on the table for their families.

12 And so I have gone there every
13 semester for the past, what, 15 years and talked
14 to those kids and said keep trying. If you don't
15 make it in this first time, sign up again and go
16 back and try again. We can't just let anybody
17 in. But those who actually show a little
18 wherewithal, sign up for the program, show up and
19 graduate, they get accepted into a trade and they
20 get to have a career.

21 It's not just they're going to go work
22 on this one job. They're going to be accepted

1 into a program, whether it's Local 3 with
2 Commissioner Armie Morgan, or Local 6, or Local
3 38, or 104. They're adopted in and they have a
4 career now. So it's not just a one job deal.
5 It's a lifetime deal. Once you're in, you're in.

6 And so I want you to know that I'm up
7 here really advocating for you guys, too. And as
8 far as we're concerned, this is a huge project.
9 So, yeah, you should be taking it very seriously.
10 It's a really, really big project. So you guys,
11 I'm glad you showed up today and told us what you
12 were thinking. But that's where I'm at and
13 that's what I'm thinking. So I think we're on
14 the same page.

15 You know, this is just the starting of
16 this process, so we'll be here to talk throughout
17 it. But I just want to make you guys know that
18 you're on our radar and we're trying to get you
19 guys in on as much of this possible. And a lot
20 of those residents that live in the 94124,
21 they're going to be working on these jobs close
22 to home, and they're going to be spending their

I-COMMISSIONER-
KOPPEL-4

I-COMMISSIONER-
KOPPEL-4
(CONT.)

1 money close to home. And it's keeping those
2 businesses in business.

3 So, you know, you haven't seen the
4 last of us. We'll see you again here next time,
5 and that, you know, it's just the start of the
6 process. But I wanted to let you guys know that
7 we do care about what's going on down there.
8 Okay?

9 PRESIDENT TANNER: Thank you,
10 Commissioner Koppel. Commissioner Imperial.

11 COMMISSIONER IMPERIAL: Thank you. My
12 comment on the EIR, I do think that it is
13 adequate. I do appreciate that the EIR also
14 correlates or tries -- also tried to correlates
15 on the housing element EIR as well.

16 And one thing that struck me that I
17 think in the -- as part of the comment process is
18 the statement around the project health risk in
19 years 2035 to 2050 around cancer risk and the air
20 pollutants, which I think also address in our
21 housing element EIR.

22 But one sentence here it struck me

I-COMMISSIONER-
IMPERIAL-1

I-COMMISSIONER-
IMPERIAL-2

1 that I think should be elaborated more is that
2 the decreased cancer -- that the decrease in
3 cancer rates and PM concentrations from 2020 to
4 future 2035 is attributed to the assumption that
5 vehicles will become lower emitting in future
6 years. So I hope that the Department can address
7 on the assumption on what is the basis of that
8 assumption in terms of the -- especially in the
9 areas of the delivery.

I-COMMISSIONER-
IMPERIAL-2
(CONT.)

10 And I think the mitigation measures is
11 trying to address that, you know, prohibiting
12 older model year of trucks. But what are the
13 basis for the assumptions that perhaps the
14 delivery system will be also electrified or lower
15 emitting? I think that would also -- although
16 the EIR also addressed that it would be less than
17 significant, even if there is 50 percent
18 increase.

19 But I think we owe it to the public to
20 make sure that the cancer and the air pollutants
21 since this is actually identified in the map in
22 the housing EIR before that this area is, you

1 know, again, air pollutant receptive. So I would
2 like to have that for the Department to put that
3 in the comments as well. So thank you.

4 PRESIDENT TANNER: Thank you. I would
5 just --

6 PARTICIPANT: Question.

7 PRESIDENT TANNER: I just have a few
8 comments I want to make, and then I'll call on
9 you. You know, I think that the EIR as an
10 environmental document is adequate and
11 appropriate. I think what is raised through this
12 discussion today is more about the policy and the
13 decision-making process and approval that comes
14 after this, and how can Prologis propose a
15 project that does better than needed to, that
16 raises the bar and the standards of what we allow
17 to be developed, and how does the city, through
18 the different processes that this project has to
19 go through, SUD, development agreement, et
20 cetera, what do we ask and demand and require of
21 the projects including, you know, not just like
22 some more electrification, or reduced emissions.

I-PRESIDENT-
TANNER-1

1 I don't know why we aren't going with
2 the climate collapse we're seeing to like this
3 should be like a zero-emission project. Not only
4 the building itself, but also all the things that
5 are coming in and out of it every day. I don't
6 know why we would build 2 million square feet of
7 space that is causing any pollution. We have the
8 technology. We have the know-how, we understand
9 how to reduce that. So we should just go ahead
10 and do that. I just don't really see.

11 So I think the EIR is fine, but again,
12 what is it, we, as a city, demand and require
13 from this project. And I hope that the folks
14 that are here, the folks that called in support
15 can be supportive of that vision as well so that
16 we're really doing better than needed to, not
17 just for the neighborhood, but really for the
18 entire planet. I mean not to make it -- and so
19 it's obviously, one project in the scheme of the
20 world. But that's the direction we really should
21 be going with these larger projects that are
22 being built in the city.

1 So maybe with that, Director Hillis,
2 and Ms. Gibson, you could just share a little bit
3 about the processes going forward so that members
4 of the public can understand the different
5 interlocking pieces. There's the EIR portion,
6 but there's also other approvals so folks can
7 kind of keep their ears out and their eyes out
8 for things that will be coming forward with this
9 project, and then they can plug in and advocate
10 in those appropriate places. So maybe what's
11 next after the EIR and then maybe, Director
12 Hillis, on the SUD and the DA.

13 MS. GIBSON: Hi. Lisa Gibson,
14 environmental review officer. So we're in the
15 process now of taking comments on the
16 environmental impact report, and we will be then
17 at the close of the comment period compiling all
18 of those comments and then working on our
19 responses to comments document.

20 And we anticipate that prior to the
21 release of the responses to comments document,
22 there will be an informational hearing at the

1 Planning Commission here where there will be an
2 opportunity to discuss the project in greater
3 detail prior to the issuance of the environmental
4 document which will then be brought for the
5 Planning Commission for certification of the EIR.
6 As to the approvals, I will turn that over to our
7 director.

8 DIRECTOR HILLIS: Yeah. And folks can
9 add too, but there is going to, you know, this
10 requires a change to the zoning that would happen
11 through an SUD and a DA to address concerns by
12 the community, others, et cetera. So it's a
13 fairly complicated, you know, it's not a normal
14 entitlement process in that this will require a
15 DA and SUD to build as contemplated.

16 So there's a lot more to do on that
17 effort. There's, obviously, design work,
18 community work, working with the OEWD on what is
19 in the suite of community benefits that are in
20 the SUD. So we will come back to you and have a
21 more detailed discussion on the project in an
22 informational presentation on the project so

1 you'll start to hear what those are contemplated
2 to be, get your input as well as allow the
3 community to voice their comments and opinions on
4 the proposed DA and SUD so that we can go back
5 and change and refine those documents.

6 So typical with DA, it's us working
7 with OEWD and other agencies, MTA, on the issues
8 that come out of the EIR and other issues that
9 you and the community may have.

10 PRESIDENT TANNER: Great. And just on that
11 point, just to ensure that we have that hearing
12 here soon enough that we can have real input, we
13 don't want to get it at the point where
14 everything's already baked and you're looking for
15 approval, and we can't give it because it's not
16 meeting some of the standards that we haven't
17 even gotten to voice yet because we haven't even
18 gotten to hear from each other or the community
19 fully on this particular project. So just to
20 schedule appropriately so we have adequate time.

21 DIRECTOR HILLIS: Yes. We were hoping
22 to have that even before this hearing, but I

1 don't think there's as much -- there's enough
2 detail to provide to you about the DA for you to
3 opine on it.

4 PRESIDENT TANNER: Okay.

5 DIRECTOR HILLIS: So --

6 PRESIDENT TANNER: Well, we can get
7 some opinions without a lot of information, as
8 you know.

9 DIRECTOR HILLIS: Yes.

10 PRESIDENT TANNER: So, you know, we
11 may be able to have that hearing yet.

12 Commissioner Moore.

13 VICE PRESIDENT MOORE: I wanted to
14 have a process question to director and to Ms.
15 Gibson. We are under a moratorium for last mile
16 distribution site at the moment. That moratorium
17 started at the end of March 2022, and it
18 addressed, indeed, something similar to what we
19 are having here. And that particular moratorium,
20 there was a specific name. In this one there
21 isn't. That could pop at any moment.

22 I am curious to see how that

1 discussion of that moratorium affects us, and as
2 to whether or not any other further discussions
3 are coming out of that moratorium.

4 DIRECTOR HILLIS: I don't have the
5 details on the moratorium, but I mean all of this
6 will need to be addressed in the SUD and the DA,
7 right? The use, how we regulate that use, right?
8 If a CU is required for parcel delivery and part
9 of this parcel delivery, you'll need to address
10 that or, you know, set the requirements that, you
11 know, if a CU would be needed later or that CU is
12 going to be part of the approval you make during
13 the entitlement of this project. So that will
14 all happen when you are -- when you're asked to
15 entitle this project.

16 VICE PRESIDENT MOORE: I hope that the
17 questions that cause a moratorium will be indeed
18 flushed with the EIR. Perhaps Ms. Gibson needs
19 to revisit some of those questions and concerns.
20 It was a different site. It still was in the
21 city limits of San Francisco.

22 DIRECTOR HILLIS: Yeah.

1 VICE PRESIDENT MOORE: And so I want
2 to make sure that the reason for the moratorium
3 is properly reflected in how we report impacts as
4 it goes to this particular EIR.

5 DIRECTOR HILLIS: And to the extent
6 they're not, or it's not necessary to address
7 them in the EIR, you will address them as policy
8 questions when the project comes before you for
9 entitlement.

10 VICE PRESIDENT MOORE: I just want us
11 to stay attuned to whatever the --

12 DIRECTOR HILLIS: Yeah.

13 VICE PRESIDENT MOORE: -- those issues
14 were. Indeed.

15 PRESIDENT TANNER: Thank you,
16 Commissioner Moore. I don't see any other
17 commissioner hands up, so I think we may be
18 concluded with this item.

19 MR. IONIN: Very good, Commissioners.
20 With that, we can move on to the final item on
21 your agenda today, number 17. Case number
22 2022-012051CUA for the property at 79 28th

ATTACHMENT 2

DRAFT EIR COMMENT LETTERS AND EMAILS

Attachment 2 Table. Draft EIR Comment Letters and Emails

Commenter Code	Name of Person and Title (if applicable)	Agency/Organization (if applicable)	Comment Format ¹	Date
Federal, State, Regional, and Local Agencies, Boards, and Commissions				
A-BAAQMD	David Ralston	Bay Area Air Quality Management District	Letter	October 16, 2023
A-CARB	Richard Boyd	California Air Resources Board	Letter	October 13, 2023
A-CPC-Moore	Vice President Kathrin Moore	San Francisco Planning Commission	Transcript	September 7, 2023
A-CPC-Koppel	Commissioner Joel Koppel	San Francisco Planning Commission	Transcript	September 7, 2023
A-CPC-Imperial	Commissioner Theresa Imperial	San Francisco Planning Commission	Transcript	September 7, 2023
A-CPC-Tanner	President Rachael Tanner	San Francisco Planning Commission	Transcript	September 7, 2023
Organizations				
O-1000GMFG	Rosemary Jarrett	1000 Grandmothers for Future Generations	Letter	October 13, 2023
O-ATBV	Kamillah Ealom	All Things Bayview	Email	August 28, 2023
O-BVCCC	Wasimah Asa	Bayview Community Concerned Citizens	Email	August 28, 2023
O-BVHPCA	Karen Pierce	Bayview Hunters Point Community Advocates	Email	October 16, 2023
O-EJG	Sandra Dratler	Environmental Justice Group at Faith in Action at St. James Episcopal Church	Transcript	September 7, 2023
O-GA-1	Bradley Angel	Greenaction	Email	August 28, 2023
O-GA-2	Bradley Angel	Greenaction	Email	August 29, 2023
O-GA-3	Bradley Angel	Greenaction	Email	August 30, 2023
O-GA-4	Bradley Angel	Greenaction	Email	August 30, 2023
O-GA-BVHPMF	Brandon Turner	Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee	Letter	October 16, 2023
O-Goodman	Ward Mace	Goodman	Letter	October 11, 2023

Commenter Code	Name of Person and Title (if applicable)	Agency/Organization (if applicable)	Comment Format ¹	Date
O-Local 261	Jesus Villalobos	San Francisco Laborers Local 261	Email	September 7, 2023
O-SFGP	Ann Colichidas	San Francisco Gray Panthers	Transcript	September 7, 2023
O-SFMarket	Michael Janis	The SF Market	Letter	October 12, 2023
O-Sierra	Jacob Klein	Sierra Club	Letter	October 16, 2023
Individuals				
I-Ealom-1	Kamillah Ealom	Individual	Email	August 28, 2023
I-Ealom-2	Kamillah Ealom	Individual	Transcript	September 7, 2023
I-Ferrari	R.J. Ferrari	Individual	Transcript	September 7, 2023
I-Gonzalez	Rudy Gonzalez	Individual	Transcript	September 7, 2023
I-Hardeman	Greg Hardeman	Individual	Transcript	September 7, 2023
I-Hestor	Sue Hestor	Individual	Transcript	September 7, 2023
I-Lantsberg	Alex Lantsberg	Individual	Transcript	September 7, 2023
I-Martin	Leotis Martin	Individual	Transcript	September 7, 2023
I-Morgan	Armie Morgan	Individual	Transcript	September 7, 2023
I-Rohm	Ozzie Rohm	Individual	Transcript	September 7, 2023
I-Rosenfeld	Judy Rosenfeld	Individual	Email	October 5, 2023
I-Torres	Dan Torres	Individual	Transcript	September 7, 2023
I-Vallis	Josh Vallis	Individual	Transcript	September 7, 2023

Notes:

¹ Transcript refers to comments made during the planning commission draft EIR public hearing.

From: [David C. Ralston](#)
To: [White, Elizabeth \(CPC\)](#)
Cc: [Alison Kirk](#); [Wendy Goodfriend](#); [Gregory H. Nudd](#)
Subject: BAAQMD DEIR Comment Letter for SF Gateway Project
Date: Monday, October 16, 2023 3:13:50 PM
Attachments: [SF Gateway DEIR Comment Letter gn.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Elizabeth,

Please find attached the Air District's comment letter on the SF Gateway Project DEIR. Thank you for the opportunity to comment and the earlier discussions on the administrative draft.

Our conversations this summer were a very helpful start. You will find though in reviewing the additional details provided in the DEIR that we are not yet convinced the OEMP is sufficient to concretely address the potential NOx emissions from an unknown tenant mix. We are, however, fully open to working with you all on an OEMP that we can support, i.e., an OEMP that is numerically quantifiable, clearly enforceable, and not providing avenues for indirect emissions reductions that do not benefit BVHP.

Thank you again and please let me know if there are any further questions.

Best regards,

David Ralston

Senior Policy Advisor

Planning and Climate Protection Division

Bay Area Air Quality Management District

dralston@baaqmd.gov



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MANAGEMENT
DISTRICT

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Dr. Philip M. Fine
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



October 16, 2023

Elizabeth White, Senior Environmental Planner
City and County of San Francisco
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

RE: San Francisco Gateway Project Draft Environmental Impact Report (SCH Number: 2022030286)

Dear Elizabeth White,

Bay Area Air Quality Management District (Air District) staff has reviewed the proposed San Francisco Gateway Project (Project) Draft Environmental Impact Report (DEIR) and appreciate the opportunity to share the following comments.

Project Summary

The Project is located at 749 Toland Street in the Bayview Hunters Point (BVHP) neighborhood of southeast San Francisco. The Project applicant Prologis Inc. proposes to demolish four existing buildings on 17 acres in a core industrial area of BVHP. The Project would construct two 97 to 115 feet tall structures for a 2,160,000 gross square feet production, distribution, and repair operation, including approximately 35,000 gross square feet of ground-floor maker spaces and 8,400 gross square feet of ground-floor retail space. The Project includes a roof top solar array which would screen the roof parking and storage while generating electricity for onsite use.

We appreciate the City of San Francisco and the Project teams' efforts to include measures to further minimize air quality impacts and recommend the following additional considerations and mitigations to further reduce air quality impacts.

Support for the Code Compliant Project Alternative

The BVHP neighborhood in southeast San Francisco is a known environmental justice community disproportionately impacted by air pollution from the mix of transportation, industrial, port-related, and utility uses concentrated in the area. The area is a designated air protection community pursuant to Assembly Bill (AB) 617. The Air District is working collaboratively with the BVHP community to improve air quality and reduce health risks through the development of an AB 617 Community Emissions Reduction Plan.

■ As BVHP is impacted by air pollution it is imperative that future development does not further increase the community's cumulative air pollution emissions and exposure. By selecting the Code Compliant Project Alternative and reducing the height of the building to the 65-foot limit, Project operational NOx emission impacts would be reduced to less than significant (PM and TAC emissions will also be less than significant as with the proposed Project). The Code Compliant Alternative also reduces air quality impacts from reduced building-induced wind hazards (down-washing), decreases employee parking demand, and adds fewer truck trips and less congestion during the a.m. peak period. In addition, as compared to the proposed Project, the Code Compliant Alternative also shortens the construction period by six months, thereby limiting worker and sensitive receptor exposure to asbestos and hazardous air borne fugitive dust.

- A-BAAQMD-2 ■ The Air District also recommends that proposed Project Mitigation Measure AQ-3h - requiring a City approved and monitored construction plan for ensuring electric-powered construction equipment to the maximum extent feasible and that any diesel engines, whether for off-road or on-road, shall not be left idling for more than two minutes at any location - be included in the Code Compliant Project Alternative
- to achieve maximal cumulative air pollution protection.

Comments on Air Quality Assessment and Mitigations

- **Propose proactive concrete mitigation measures for NOx emissions beyond the OEMP that do not defer emission reductions.**

The DEIR states that, even with mitigation measures 3a-3g (e.g., electrification of yard equipment and TRUs, limits to idling of tractor trailers, adopting cleaner fleet mixes and zero-emission infrastructure, including Tier 4 generators) the Project's total NOx emissions of 64.1 pounds per day would exceed the NOx significance threshold. Additional mitigation measures to further reduce construction related emissions and implementation of a 10-year Operations Emissions Management Plan (OEMP) are proposed to ensure that the Project's NOx emissions will remain below the Air District significance thresholds until such time all feasible measures and changes to fleets are in place to ensure cumulative compliance.

The OEMP (mitigation 3i, p. 3D-49) is proposed to address operational emissions. While innovative and welcomed as a proactive emissions management bridge mitigation approach for prospective lessees, emission reductions are nevertheless too contingent to conclude that NOx will be reduced to a less than significant level. Further, any triggered new mitigations that would be required for projected exceedances (to be implemented by a yet to be determined tenant) are deferred mitigations that are not sufficiently concrete, measurable, or enforceable to ensure NOx will remain below the significance thresholds for the life of the project.

The Air District recommends the mitigation measure explicitly state, for the various projected truck types and trips associated with the proposed tenant mix options, a numeric, quantified limit of truck types and operational trips based on NOx emissions that will be allowed to ensure the overall Project remains below the threshold of significance. These identified truck types and trip parameters can then also help to inform and guide the OEMP.

- **Prioritize all available on-site emissions reductions rather than relying on potential off-site mitigation.**

Proposed mitigation measure AQ-3i includes a proposed measure to achieve NOx reductions through off-site offset projects that might be located anywhere in the Bay Area. Off-site mitigation should not be used in communities, such as Bayview Hunters Point, which already endure a disproportionate burden of pollution. While off-site mitigation is an alternative approach under CEQA, the Air District strongly supports the implementation of all available on-site emission reduction measures before relying on off-site mitigation. Further, any off-site mitigations must be demonstrated to be real, permanent, quantifiable, verifiable, and enforceable and should be implemented concurrently with Project emissions

■ (rather than delayed or deferred).

- **Further address operational truck trips and impacts**

While recognizing that much of the operational truck types (box trucks, vans, and semi-trucks) and trips is unknowable at this time and dependent on specific tenants and fleet mixes, the Air District recommends the DEIR should further address, assess, and consider the impacts of projected truck movements at critical times and locations.



- ↑
- **Morning peak conflicts with the SF Produce Market.** It is not clear in the DEIR if morning peak conflicts are analyzed (e.g., p. 3B-20-21). The Air District recommends that, to the extent feasible, peak time truck trips should be managed/coordinated with the ongoing morning peak of truck deliveries at the adjacent SF Wholesale Produce Market (early morning from 3 a.m. – 9 a.m.).
 - **Potential heavy-duty truck impacts nearby residential and sensitive uses.** It is not clear if Jerrold Avenue as a secondary truck route beyond Phelps Street to Third Street was evaluated as this roadway section is currently closed until 2028. While the DEIR states that truck traffic will be rerouted from Jerrold to Innes, the report does not discuss what will occur when Jerrold re-opens (see p. 3D-16). The Air District recommends that operational inbound/outbound heavy-duty truck traffic along Jerrold from Third Street after 2028 be restricted/eliminated as this area contains residential uses already impacted by emissions from the wastewater treatment facility. We also recommend the City require heavy-duty truck traffic be restricted or eliminated along Oakdale Avenue given the predominance of residential uses along this corridor.

■ **Further address potential down-washing wind and venting impacts**

While the proposed Project plans appear to show vents on the roof, it should be called out that any specific or additional tenant venting or mechanical venting for enclosed storage areas are not directed in such a way to mingle into the confluence of the projected down-washing of air currents and/or otherwise unduly impact would-be street-level pedestrian, adjacent SF Produce Market vendors, or any adjacent perennial unhoused communities. We also recommend that the Project includes adding specific green “living wall” design features as wind baffling mitigations along appropriate building faces.

■ The Air District strongly encourages the Project to work directly with community partners such as the Bayview Hunter’s Point AB 617 Community Steering Committee to select and implement specific and appropriate strategies to further address potential impacts from operational truck trips, including monitoring of truck activities in collaboration with the future tenants and the City or establishing new street trees or vegetative screens/buffers along proposed truck routes.

Thank you again for the opportunity to provide comments on this Project and please contact David Ralston, dralston@baaqmd.gov, for any follow-up questions on these comments.

Sincerely,



Greg Nudd
Deputy Executive Officer of Science and Policy
Bay Area Air Quality Management District

Cc: BAAQMD Director Shaman Walton
BAAQMD Director Tyrone Jue
BAAQMD Director Myrna Melgar

From: [Armstrong, Stanley@ARB](mailto:Armstrong.Stanley@ARB)
To: CPC.SFGatewayProject
Cc: [Boyd, Rich@ARB](mailto:Boyd.Rich@ARB)
Subject: CARB Comments on the San Francisco Gateway Project DEIR (SCH#2022030286)
Date: Friday, October 13, 2023 1:27:45 PM
Attachments: [image001.png](#)
[CARB Comments - San Francisco Gateway Project DEIR.pdf](#)

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Hi Elizabeth,

Attached are the California Air Resources Board's comments on the San Francisco Gateway Project DEIR.

Thanks,

Stan



Stanley Armstrong
Air Pollution Specialist
Transportation & Toxics Division
1001 I Street
Sacramento, CA 95814

October 13, 2023

Elizabeth White
Senior Environmental Planner
City of San Francisco
49 South Van Ness Avenue
San Francisco, California 94103
CPC.SFGatewayProject@sfgov.org

Sent via email

Dear Elizabeth White:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the San Francisco Gateway Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2022030286. The Project proposes the demolition of four existing single-story production, distribution, and repair (PDR) buildings on the project site (448,000 square feet) and replacing those facilities with construction of two new three-story buildings. The two new buildings would total approximately 2,160,000 gross square feet and would result in 1,712,000 gross square feet of net new PDR and PDR support space on site. The Project allows that up to 25% of manufacturing and maker space, 46% of parcel and last mile delivery use, and 45% of wholesale and storage use would include refrigeration and would have the potential to require refrigerated trucks. The proposed Project would result in a net increase of 6,008 daily vehicle trips along local roadways, including a net increase of 412 single unit diesel powered trucks, and 168 tractor trailer diesel powered trucks.¹ The Project is proposed within the City of San Francisco (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

CARB submitted a comment letter, which is attached to this letter, on the Notice of Preparation (NOP) for the DEIR released in March 2022. CARB's comments dated April 7, 2022, highlighted the need to prepare a health risk assessment (HRA) for the Project and encouraged the City and applicant to implement all existing and emerging zero-emission technologies to minimize exposure to diesel particulate matter (diesel PM) and nitrogen oxides (NOx) emissions for all neighboring communities, and to minimize the greenhouse gases that contribute to climate change. Due to the Project's proximity to residences already disproportionately burdened by multiple sources of pollution, CARB's

¹ City of San Francisco. San Francisco Gateway Project Draft Environmental Impact Report. Table 3.B-11. Page 5.14-6. Accessible at https://files.ceqanet.opr.ca.gov/277021-2/attachment/fYSuZMT6LYZDm6vu94ETIQepSGaJwT5JhVUbwY0s77FXthRmOm_0o1Efjg6PC4VJfArJKMsCb tGZd9u0

comments on the NOP expressed concerns with the potential cumulative health risks associated with the construction and operation of the Project.

A-CARB-1 ■ CARB staff are concerned that the Project will expose nearby communities in the Bayview-Hunters Point/Southeast San Francisco community to elevated levels of air pollution beyond the existing baseline emissions at the Project site. Residences are located northeast, southeast, and south of the Project site, with the closest residence located approximately 1,310 feet southeast of the Project site. In addition to residences, Leonard R. Flynn Elementary, Bryant Elementary, and Starr King Elementary School are all located within a mile from the Project site. These communities are surrounded by existing toxic diesel PM emission sources, which include the many warehouse facilities surrounding the Project site, rail traffic along the Unio Pacific rail line, and vehicular traffic along Interstate 280 and State Route 101. Due to the Project's proximity to residences and schools already burdened by multiple sources of air pollution, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

A-CARB-2 ■ Industrial facilities, like the facilities described in the Project, can result in high volumes of heavy-duty diesel truck traffic, and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.² To better address regional air pollution and global climate change, Governor Gavin Newsom signed Executive Order N-79-20 on September 23, 2020. The Executive Order states: "It shall be a goal of the State that 100% of in-state sales of new passenger cars and trucks will be zero-emission by 2035. It shall be a further goal of the State that 100% of medium and heavy-duty vehicles in the State be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks. It shall be further a goal of the State to transition to 100% zero-emission off-road vehicles and equipment by 2035 where feasible." The Executive Order further directs the development of regulations to help meet these goals. CARB also has regulations that require increasing use of zero-emission trucks, such as the Advanced Clean Trucks Regulation and Advanced Clean Fleets Regulation, which are describe in greater detail below. To ensure that lead agencies, like the Project, stay in step with evolving scientific knowledge to protect public health from adverse air quality and greenhouse gas impacts from the transportation sector, which serves as the basis of the Governor's Executive Order N-79-20, CARB staff urges the City to plan for the use of zero-emission technologies within the Project area as recommended in this letter.

² With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB's guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

The Project Will Increase Exposure to Air Pollution for Residences Located Within the Bayview-Hunters Point Environmental Justice Neighborhoods Community

■ The Project will increase air pollution exposure on the people living and working in the Bayview-Hunters Point/Southeast San Francisco (BVHP) Community who are already affected by a high cumulative exposure burden. The BVHP Community includes the neighborhoods of Bayview-Hunters Point and portions of adjacent areas – Potrero Hill, the site of the former Terrace Housing project and Visitacion Valley, known for the Sunnydale Housing projects. The BVHP Community has a high density of sensitive populations including children and the elderly; these populations are at schools, hospitals, and daycare centers located near mobile and stationary emissions sources of concern, including roadways. These sensitive receptors have been burdened with disproportionate health impacts from chronic and acute pollution. Health impacts from existent air pollution include increased illness, premature death from asthma, bronchitis, emphysema, pneumonia, coronary heart disease, abnormal heart rhythms, congestive heart failure, cancer, and stroke.

A-CARB-3 The BVHP community experiences some of the highest rates of asthma, poverty, and unemployment in the region. The BVHP Community air pollution sources include legacy pollution from the Naval Shipyard, dust and asbestos from on-going large-scale redevelopment, odors and emissions from a wastewater treatment facility, diesel truck idling, industrial rendering plants, freight operations, local industrial facilities such as metal recyclers, welding shops, auto body repair and paint shops, and rail traffic along local rail lines. Two busy freeways (Interstate-280 and Interstate-101) also bring significant freight trucks and high-volume commuter traffic adding to the mobile source pollution burdens.

Residents of BVHP have lower life expectancies and higher mortality rates from lung diseases, which can be partially attributed to constant exposure to air pollution. To protect the people living and working near the Project, the City should implement all feasible
■ mitigation measures into the Project's final design. The following three pieces of legislation
■ need to be seriously considered when developing a project like this near a disadvantaged community:

Senate Bill 535 (De León, 2012); Disadvantaged Communities

A-CARB-4 Senate Bill 535 (De León, Chapter 830, 2012)³ recognizes the potential vulnerability of low-income and disadvantaged communities to poor air quality and requires funds to be
V spent to benefit disadvantaged communities. The California Environmental Protection

³ Senate Bill 535, De León, K., Chapter 800, Statutes of 2012, modified the California Health and Safety Code, adding § 39711, § 39713, § 39715, § 39721 and § 39723.

Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)).

In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25% of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 4.0 (CalEnviroScreen).⁴ The Project is located within the boundary of the BVHP Community which has a CalEnviroScreen 4.0 overall score of 94% and a diesel particulate matter score of 99%⁵. The BVHP Community is located in census tracts within a maximum score in the top 10%, indicating that the area is home to some of the most vulnerable neighborhoods in the State. The air pollution levels in this community routinely exceed state and federal air quality standards.

The City must ensure the implementation of all feasible mitigation, including utilization of zero emission technologies, to limit the Project's air quality and public health impact disadvantaged communities.

Senate Bill 1000 (Leyva, 2016); Environmental Justice Element for Land Use Planning

Senate Bill (SB) 1000 (Leyva, Chapter 587, Statutes of 2016)⁶ amended California's Planning and Zoning Law. SB 1000 requires local governments that have identified disadvantaged communities to incorporate the addition of an environmental justice element into their general plans upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018. SB 1000 requires environmental justice elements to identify objectives and policies to reduce unique or compounded health risks in disadvantaged communities. Generally, environmental justice elements will include policies to reduce the community's exposure to pollution through air quality improvement. SB 1000 affirms the need to integrate environmental justice principles into the planning process to prioritize improvements and programs that address the needs of disadvantaged communities, like BVHP.

⁴ "CalEnviroScreen 4.0." Oehha.ca.gov, California Office of Environmental Health Hazard Assessment, June 2018, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

⁵ Data retrieved from the CARB Fifth Annual Community Air Protection Program Recommendations Staff Report, January 2023. Accessed here: <https://ww2.arb.ca.gov/sites/default/files/2023-01/23%2001%2019%20Fifth%20Annual%20CAPP%20RECs%20Staff%20Report.pdf>

⁶ Senate Bill 1000, Leyva, S., Chapter 587, Statutes of 2016, amended the California Health and Safety Code, § 65302.

Assembly Bill 617 (Garcia, 2017); Community Air Protection

The State of California has emphasized protecting local communities from the harmful effects of cumulative air pollution through the passage of Assembly Bill (AB) 617 (Garcia, Chapter 136, Statutes of 2017).⁷ To translate AB 617 into action, CARB established the Community Air Protection Program (Program). The Program is administered by CARB's Office of Community Air Protection (OCAP) and implemented by CARB and air districts. The Program works with communities affected by a high cumulative exposure burden to develop actions to reduce air pollution exposure and emissions of toxic air contaminants and criteria air pollutants.⁸

As part of its role in implementing AB 617, CARB must annually consider the selection of communities for development and implementation of community air monitoring plans and/or community emission reduction programs. In February 2023, the Bayview-Hunters Point/Southeast San Francisco Community was supported by the Bay Area Air Quality Management District (BAAQMD) and selected by CARB to develop a community emissions reduction program (CERP).⁹ OCAP supports the BVHP Community that has expressed significant opposition to the Project. CARB is concerned the operation of the proposed Project would increase the levels of diesel PM emissions in the BVHP area and add to the cumulative high exposure burden already faced by this community.

The City Incorrectly Concludes in the DEIR that the Project Would Result in a Less Than Significant Air Quality Impact After Mitigation

In Chapter 3.D (Air Quality) of the DEIR, the City concluded that the Project's operational unmitigated NOx emissions would exceed the BAAQMD significance threshold. Consequently, the City concluded that the operation of the Project would result in a potentially significant impact on air quality.

To mitigate the Project's operational emissions, the City included nine mitigation measures (Mitigation Measure M-AQ-3a through M-AQ-3i). These mitigation measures included requiring the use of electric yard equipment, requiring electric transportation refrigeration units (TRU), limiting truck idling to two minutes, limiting the model year of trucks serving the

⁷ Assembly Bill 617, Garcia, C., Chapter 136, Statutes of 2017, modified the California Health and Safety Code, amending § 40920.6, § 42400, and § 42402, and adding § 39607.1, § 40920.8, § 42411, § 42705.5, and § 44391.2.

⁸ CARB, 2018. Community Air Protection Blueprint. Available at https://ww2.arb.ca.gov/sites/default/files/2020-03/final_community_air_protection_blueprint_october_2018_acc.pdf

⁹ CARB, 2023. AB 617 Community Air Protection Program Fifth Annual Community Recommendations. Available at https://ww2.arb.ca.gov/sites/default/files/2023-02/2023%2001%20ComRec%20Fact%20Sheet_ENG%20Final.pdf.pdf

proposed industrial/warehouse facilities to no more than nine years, requiring onsite diesel backup generators to meet or exceed Tier 4 final engine standards, developing a construction emissions minimization plan, and developing an operational emission management plan. After the implementation of these mitigation measures, the City concluded in the DEIR that the Project's operational air quality emissions would be reduced to less than significant.

CARB applauds the City for including mitigation measures that promote the use of zero-emission on-site equipment, specifically Mitigation Measure M-AQ-3a and Mitigation Measure M-AQ-3b, which require the use of electric yard equipment and zero-emission TRUs to access the Project site. However, the City's conclusion that the Project's operational air quality impacts would be reduced to a less than significant level after mitigation remains unsupported by evidence, and therefore, the DEIR should be revised to reflect the potentially significant impact and recirculated in accordance CEQA Guidelines section 15088.5.

A-CARB-5 In determining whether mitigation reduces the severity of an effect to below significance, CEQA requires the following: "The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record" (Public Resources Code, section 21082.2(a)). Here, the City does not provide substantial evidence demonstrating that the mitigation measures (including Measure M-AQ-3i) would reduce the Project's operational emissions of NO_x to below the BAAQMD's significance thresholds to support the less than significant after mitigation conclusion. On the contrary, the City includes a table showing the Project's operational NO_x emissions would remain significant after mitigation.¹⁰ Due to the lack of commitment to using zero-emission trucks in the DEIR and the lack of substantial evidence showing how the mitigation measure would reduce impacts to a less than significant level, the City should recirculate the EIR to properly reflect the conclusion that the proposed industrial/warehouse development would create NO_x emissions that would result in a significant impact. This impact conclusion will ensure that the public and decision-makers are fully aware of the Project's potential significant impact before approving the Project.

The Project's Air Quality Mitigation Measures Improperly Defer Mitigation

As previously discussed, the City concluded in the DEIR that the Project's operational NO_x emissions would exceed the BAAQMD's significance threshold, but ultimately concluded that the Project would result in a less than significant impact after mitigation on air quality.

¹⁰ Table 3.D-12 (titled *Net Change in Daily Operational Emissions from Proposed Project in Year 2025 with Mitigation Measures M-AQ-3a through M-AQ-3f (pounds per day)*) shows the Project's operational NO_x emissions remain above the BAAQMD's significance thresholds.

■ To mitigate the Project's operational emissions of NO_x, the City included Mitigation Measure M-AQ-3i to the DEIR, which would require the City and future tenants of the proposed industrial/warehouse facility to develop an Operational Emissions Management Plan (OEMP). Specifically, the OEMP requires that the "project sponsor shall develop and implement an Operational Emissions Management Plan (OEMP) that shall demonstrate that the project's net operational NO_x emissions do not exceed the performance standard of 54 pounds per day and 10 tons per year."¹¹

CEQA only allows deferral of mitigation in certain circumstances and with important safeguards. Specifically, the CEQA Guidelines provide:

A-CARB-6 Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review, provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard that will be considered, analyzed, and potentially incorporated in the mitigation measure.

(Title 14 CCR § 15126.4(a)(1)(B).)

While Mitigation Measure M-AQ-3i specifies the air district's air pollutant thresholds as its performance standards, it nevertheless improperly defers mitigation for air quality impacts associated with the Project by failing to specify clear methodologies for determining the Project's emissions or for gauging the effectiveness of whatever mitigation measures are ultimately selected, ultimately delegating responsibility for establishing those methodologies to the City of San Francisco Planning Department's environmental review officer (ERO). (See *Communities for a Better Environment v. City of Richmond* (2010) 184 CA4th 70, 93-95). Mitigation Measure M-AQ-3i requires the future tenants to "submit an OEMP to the [environmental review officer] or designee for review and approval prior to one or more tenants in the project site occupying a combined total of 500,000 square feet of floor area."¹² The OEMP required under Mitigation Measure M-AQ-3i would be developed after project approval to determine the extent of air pollutant emissions, the associated air quality impacts, and mitigation. Furthermore, this plan would be subject to

¹¹ City of San Francisco. San Francisco Gateway Project Draft Environmental Impact Report. Page 3.D-49. Accessible at https://files.ceqanet.opr.ca.gov/277021-2/attachment/fYsuZMT6LYZDm6vu94ETIQepSGaJwT5JhVUbwY0s77FXthRmOm_0o1Efjg6PC4VJfArJKMsCb tGZd9u0

¹² City of San Francisco. San Francisco Gateway Project Draft Environmental Impact Report. Page 3.D-50. Accessible at https://files.ceqanet.opr.ca.gov/277021-2/attachment/fYsuZMT6LYZDm6vu94ETIQepSGaJwT5JhVUbwY0s77FXthRmOm_0o1Efjg6PC4VJfArJKMsCb tGZd9u0

the discretion of a sole Planning Department employee (or their yet-unspecified designee), frequently based on discretionary standards such as substantial evidence as determined by the ERO/designee, or “to the satisfaction” of the ERO/designee. This type of deferred impact analysis and mitigation development, particularly when combined with subjective approval criteria, bypasses the public decision-making process and amounts to post-hoc rationalization of the City’s actions. (See *Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296, 307.) Notably, Mitigation Measure M-AQ-3i does not cite to existing criteria air pollutant data and impacts that the City, the lead agency for CEQA, has identified in the DEIR for operational activities associated with the Project, but leaves it up to the applicant to determine the extent of air quality impacts from the Project.

Mitigation Measure M-AQ-3i, as written in the DEIR, is also not enforceable. (Title 14 CCR § 15126.4, subdivision (a)(1)(B) and (a)(2).) Although the applicant could potentially include measures that could reduce the Project’s operational emissions in the OEMP required under Mitigation Measure M-AQ-3i, Mitigation Measure M-AQ-3i does not commit the agency to implement feasible mitigation for the Project’s air quality impacts. Mitigation Measure M-AQ-3i includes a list of briefly-described potential operational emission reduction measures such as modification of project operations, implementation of specific fleet performance metrics, and reductions in onsite or offsite work vehicle trips to reduce onsite emissions of NOx. However, the lead agency (the San Francisco Planning Commission) is the entity that must identify potential actions that will feasibly achieve a performance standard to mitigate air quality impacts. Allowing the ERO to make feasibility determinations related to mitigation measures after project approval is improper, because the feasibility of the measures must be established prior to the time of project approval. (Title 14 CCR § 15126.4(a)(1)(B).)

Furthermore, the DEIR lacks any guarantee that any necessary obligations under Mitigation Measure M-AQ-3i will be incorporated into the leases with individual tenants. The measure simply provides: “To the extent that required emissions reduction and reporting measures are applicable to individual tenants, the OEMP shall provide that these measures be incorporated into lease terms for individual tenants of the project.” Absent a guarantee that such obligations will be incorporated into individual leases where necessary (for example, by delaying lease execution until obligations under the mitigation measure are fully understood and developed), the measure is not enforceable. This is because, without ensuring the City has full leverage to incorporate the mitigation into all individual leases whenever necessary, there is no evidence showing why tenants who have already executed lease agreements with the applicant would have any reason to agree to amending their leases to incorporate further mitigation requirements that may be later identified through the deferred elements of Mitigation Measure M-AQ-3i.

CARB urges the City to adequately identify the operational air quality impacts of the project and to prepare adequate, enforceable, and feasible mitigation measures in the Draft EIR to

provide adequate disclosure to the public and the City's decision-making body before the City approves the Project, as required under CEQA. Where several feasible measures are available to mitigate an impact, CEQA requires each measure to be discussed in the EIR (see Title 14 CCR § 15126.4(a)(1)(B).)

The City Should Include a Mitigation Measure Requiring the use of Zero-Emission Trucks

A-CARB-8 To mitigate the Project operational NOx emissions to a less than significant level after mitigation, CARB staff urges the City to remove Mitigation Measure M-AQ-3i and replace it with a mitigation measure or project design feature that requires all heavy-duty trucks to be zero-emission and to install on-site infrastructure to support those zero-emission trucks. As presented below, CARB has many regulations that promote and eventually require the use of zero-emission trucks at freight facilities, such as the proposed Project. Specifically, the Advanced Clean Fleet Regulation would require all drayage trucks in California to be zero-emission by 2035. To support trucks serving the Project that are already complying with the Advanced Clean Fleets regulation, CARB urges the City to modify Mitigation Measure to require the infrastructure to support on-site zero-emission trucks at the start of Project operations. A list of commercially-available zero-emission trucks can be obtained from the Hybrid and Zero-emission Truck and Bus Voucher Incentive Project (HVIP).¹³ The HVIP is a part of California Climate Investments to incentivize the purchase of zero-emission trucks. Based on CARB's review of the zero-emission trucks listed in the HVIP, there are commercially available electric trucks that can meet the cargo transportation needs of individual industrial uses proposed in the City today. CARB has implemented or is developing regulations that will require the use of zero-emission trucks.

A-CARB-9 The list below details the CARB regulations that will result in the reduction of diesel PM and NOx emissions from trucks within California:

- **Drayage Truck Regulation:** The existing Drayage Truck Regulation requires all drayage trucks to operate with an engine that is a 2007 model year or newer.
- **Truck and Bus Regulation:** The Truck and Bus Regulation requires all trucks, including drayage, to have 2010 or newer model year engines by January 1, 2023.
- **Heavy-Duty Low-NOx Omnibus Rule:** The Heavy-Duty Low-NOx Omnibus Rule that requires truck emission standards to be reduced from 0.20 to 0.05 grams per brake horsepower-hour (g/bhp-hr) from 2024 to 2026, and to 0.02 g/bhp-hr in 2027.
- **Advanced Clean Trucks Regulation:** The Advanced Clean Trucks Regulation, approved by CARB on June 25, 2020, requires manufacturers to start the transition from diesel trucks and vans to zero-emission trucks beginning in 2024. The rule is

¹³ Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: <https://californiahvip.org/>

expected to result in about 100,000 zero-emission trucks in California by the end of 2030 and about 300,000 by 2035. The Advanced Clean Trucks regulation is part of CARB's overall approach to accelerate a large-scale transition to zero-emission medium- and heavy-duty vehicles. CARB approved amendments to the Advanced Clean Trucks regulation in March 2021; the amendments help ensure that more zero-emission vehicles are brought to market. CARB directed staff to ensure that fleets, businesses, and public entities that own or direct the operation of medium- and heavy-duty vehicles in California purchase and operate ZEVs to achieve a smooth transition to ZEV fleets by 2045 everywhere feasible, and specifically to reach:

- 100% zero-emission drayage trucks, last mile delivery, and government fleets by 2035
 - 100% zero-emission refuse trucks and local buses by 2040
 - 100% zero-emission capable utility fleets by 2040
- **Advanced Clean Fleets Regulation:** The Advanced Clean Fleets Regulation is part of CARB's overall strategy to accelerate a large-scale transition to zero-emission medium- and heavy-duty vehicles. This regulation works in conjunction with the Advanced Clean Trucks regulation. The regulation applies to trucks performing drayage operations at seaports and railyards, fleets owned by State, local, and federal government agencies, and high priority fleets. High priority fleets are those entities that own, operate, or direct at least one vehicle in California, and that have either \$50 million or more in gross annual revenue, or that own, operate, or have common ownership or control of a total of 50 or more vehicles. The regulation affects medium- and heavy-duty on-road vehicles with a gross vehicle weight rating greater than 8,500 pounds, off-road yard tractors, and light-duty mail and package delivery vehicles. All drayage trucks entering seaports and intermodal railyards would be required to be zero-emission by 2035.

With the implementation of the regulations listed above, specifically the Advanced Clean Trucks Regulation, tenants at the proposed industrial/warehouse development must begin the transition from diesel trucks and vans to zero-emission trucks. To protect the air quality the residences of the BVHP Community breath, CARB urges the City to include contractual language in tenant lease agreements that require future tenants to use zero-emission trucks during their operation in the Final Environmental Impact Report.

Conclusion

Although CARB applauds the City for including mitigation measures that promote the use of electric yard equipment and electric or alternative fuel TRUs to access the Project site, CARB is concerned the operation of the Project may negatively impact the air quality in the surrounding BVHP Community. As previously discussed in this letter, the BVHP community is heavily impacted by air pollution from nearly existing facilities and roadways. The operation

of the Project will undoubtedly contribute the existing air pollution in the community. With the construction of a new industrial/warehouse facility like the one proposed on the Project, the City has a unique opportunity to showcase a state-of-the-art zero-emission facility that limits its air quality impacts on the BVHP community.

CARB urges the City to either provide substantial evidence in the DEIR demonstrating that the Project's operational emissions of NO_x would not exceed the BAAQMD's significance threshold or to conclude in the DEIR that the Project would result in a significant and unavoidable impact on air quality. Lastly, CARB urges the City to replace Mitigation Measure M-AQ-3i, which defers mitigation to a later date after the FEIR has been certified, and replace it with a measure that requires only zero-emission trucks to serve the Project.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

Elizabeth White
October 13, 2023
Page 12

CARB appreciates the opportunity to comment on the DEIR for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your list of selected State agencies that will receive the FEIR. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist via email at stanley.armstrong@arb.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Richard Boyd". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Richard Boyd, Assistant Division Chief, Transportation and Toxics Division

Attachment

cc: State Clearinghouse
state.clearinghouse@opr.ca.gov

Yassi Kavezade, Organizer, Sierra Club
yassi.kavezade@sierraclub.org

Allison Kirk, Principal Environmental Planner, Bay Area Air Quality Management District
akirk@baaqmd.gov

Morgan Capilla, NEPA Reviewer, U.S. Environmental Protection Agency, Air Division, Region 9
capilla.morgan@epa.gov

Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch

April 7, 2022

Elizabeth White
Senior Environmental Planner
San Francisco Planning
City of San Francisco
49 South Van Ness Avenue
San Francisco, California 94103
cpc.sfgatewayproject@sfgov.org

Dear Elizabeth White:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the San Francisco Gateway (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2022030286. The Project proposes the demolition of four existing buildings totaling 448,000 square feet and the construction of two industrial buildings totaling 2,160,000 square feet. The Project site is located within the City of San Francisco (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Industrial development, such as the proposed Project, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.¹ The Project will expose nearby communities to elevated levels of air pollution. Residences are located south of the Project with the closest residences located approximately 640 feet from the Project's southwestern boundary. In addition to residences, the Thurgood Marshall Academic High School, Willie L. Brown Jr. Middle School, and Dr. Charles R. Drew Elementary School are located within a mile of the Project. According to the California Communities Environmental Health Screening Tool Version 4.0 (CalEnviroScreen),² these communities are located in census tracts that score within the top 13 percent of State's most impacted from air pollution from an environmental hazard and socioeconomic standpoint. Based on this CalEnviroScreen score, the area surrounding the Project is home to some of the most vulnerable neighborhoods in the State. Due to the Project's proximity to residences and schools already burdened by multiple sources of air pollution, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

1. With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB's guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

2. "CalEnviroScreen 4.0." Oehha.ca.gov, California Office of Environmental Health Hazard Assessment, October 2021, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

Due to the Project's proximity to residences and schools, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project. CARB has reviewed the NOP and is concerned about the air pollution and health risk impacts that would result from the proposed Project.

The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Operation

Since the Project is near residences and a school, the City and applicant must prepare a health risk assessment (HRA) for the Project. The HRA should account for all potential operational health risks from Project-related diesel PM emission sources, including, but not limited to, back-up generators, on-site diesel-powered equipment, and heavy-duty trucks. The HRA should also determine if the operation of the Project in conjunction with past, present, and reasonably foreseeable future projects or activities would result in a cumulative cancer risk impact on nearby residences. To reduce diesel PM exposure and associated cancer risks, the City and applicant should include all applicable air pollution reduction measures listed in Attachment A of this letter.

Since the Project description provided in the NOP does not explicitly state that the proposed industrial land would not be used for cold storage, there is a possibility that trucks and trailers visiting the Project-site would be equipped with Transport Refrigeration Units (TRUs).³ TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project-site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating would be exposed to diesel exhaust emissions that would result in a significant cancer risk impact to the nearby community. If the Project would be used for cold storage, the City must model air pollutant emissions from on-site TRUs in the DEIR, as well as include potential cancer risks from on-site TRUs in the Project's HRA. If the Project will not be used for cold storage, the City and applicant should include one of the following design measures in the DEIR:

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating TRUs within the Project-site; or
- A condition requiring a restrictive covenant over the parcel that prohibits the applicant's use of TRUs on the property unless the applicant seeks and receives an amendment to its conditional use permit allowing such use.

The HRA prepared in support of the Project should be based on the latest Office of Environmental Health Hazard Assessment's (OEHHA) guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments),⁴ and CARB's Hot

3. TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

4. Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.

Spots Analysis and Reporting Program (HARP2 model). The Project's mobile diesel PM emissions used to estimate the Project's cancer risk impacts should be based on CARB's latest 2021 Emission Factors model (EMFAC2021). Mobile emission factors can be easily obtained by running the EMFAC2021 Web Database: <https://arb.ca.gov/emfac/>.

The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines, the public and planners will have a complete understanding of the potential health impacts that would result from the Project.

The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Construction

In addition to the health risks associated with operational diesel PM emissions, health risks associated with construction diesel PM emissions should also be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel PM emissions from the use of both on-road and off-road diesel equipment. The OEHHA guidance recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project-site during construction.

The HRA should account for all diesel PM emission sources related to Project construction, including, but not limited to, off-road mobile equipment, diesel generators, and on-road heavy-duty trucks. As previously stated in Section I of this letter, the cancer risks evaluated in the construction HRA should be based on the latest OEHHA guidance, and CARB's HARP2 model. The cancer risks reported in the HRA should be calculated using the latest emission factors obtained from CARB's latest EMFAC (currently EMFAC 2021) and off-road models.

Conclusion

To reduce the exposure of toxic diesel PM emissions in disadvantaged communities already impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel PM and NO_x emissions, as well as the greenhouse gases that contribute to climate change. CARB encourages the City and applicant to implement the applicable measures listed in Attachment A of this letter.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an

admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist via email at stanley.armstrong@arb.ca.gov.

Sincerely,



Robert Krieger, Branch Chief, Risk Reduction Branch

Attachment

cc: State Clearinghouse
state.clearinghouse@opr.ca.gov

Yassi Kavezade, Organizer, Sierra Club
yassi.kavezade@sierraclub.org

Paul Cort, Staff Attorney, Earth Justice
pcort@earthjustice.org

Alison Kirk, Principal Environmental Planner, Bay Area Air Quality Management District
akirk@baaqmd.gov

Morgan Capilla, NEPA Reviewer, U.S. Environmental Protection Agency, Air Division, Region 9
capilla.morgan@epa.gov

Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch

Attachment A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

The California Air Resources Board (CARB) recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommended by CARB, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved are equal to or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.
5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site during the grading and building construction phases be model

year 2014 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-oxides of nitrogen (NO_x) standard starting in the year 2022.¹

6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB is available to assist in implementing this recommendation.

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRUs) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included in lease agreements.²
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project-site be plug-in capable.
4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
5. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available and can be purchased using incentive funding from CARB's Clean Off-Road Equipment Voucher Incentive Project (CORE).³
6. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2023. A list of commercially available zero-emission trucks can be obtained from the Hybrid

1. In 2013, CARB adopted optional low-NO_x emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NO_x emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. CARB's optional low-NO_x emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>

2. CARB's technology assessment for transport refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at: https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf

3. Clean Off-Road Equipment Voucher Incentive Project. Accessible at: <https://californiacore.org/how-to-participate/>

and Zero-emission Truck and Bus Voucher Incentive Project (HVIP).⁴ Additional incentive funds can be obtained from the Carl Moyer Program and Voucher Incentive Program.⁵

7. Include contractual language in tenant lease agreements that requires the tenant to be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,⁶ Advanced Clean Trucks Regulation,⁷ Periodic Smoke Inspection Program (PSIP),⁸ and the Statewide Truck and Bus Regulation.⁹
8. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than two minutes while on site.
9. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.
10. Include contractual language in tenant lease agreements, requiring the installing of vegetative walls¹⁰ or other effective barriers that separate loading docks and people living or working nearby.
11. Include contractual language in tenant lease agreements, requiring all emergency generators to be powered by a non-diesel fuel.
12. The project should be constructed to meet CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking, and achieve a certification of compliance with LEED green building standards.

4. Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: <https://californiahvip.org/>

5. Carl Moyer Program and Voucher Incentive Program. <https://ww2.arb.ca.gov/carl-moyer-program-apply>

6. In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://ww2.arb.ca.gov/our-work/programs/ttghg>

7. On June 25, 2020, CARB approved the Advanced Clean Trucks Regulation. The regulation requires manufacturers to start the transition from diesel trucks and vans to zero-emission trucks beginning in 2024. The rule is expected to result in about 100,000 electric trucks in California by the end of 2030 and about 300,000 by 2035. CARB is expected to consider a fleet regulation in 2021 that would be compatible with the Advanced Clean Trucks regulation, requiring fleets to purchase a certain percentage of zero-emission trucks and vans for their fleet operations. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>

8. The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>

9. The regulation requires that newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model-year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>

10. Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollutant Mitigation Strategies (2017) is available at: <https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/13-306.pdf>

From: [Kamillah Brown](#)
To: [CPC.SFGatewayProject](#)
Subject: SF Gateway Project EIR comments
Date: Monday, August 28, 2023 6:52:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Greetings SF Planning Department,

I hope you are doing well; I would also like to submit a comment on the SF Gateway Project EIR as an **individual**. I am a deeply concerned long time and current Bayview Hunters Point resident. Please let me know if you have any questions.

Truly,

Kamillah Ealom

- I-EALOM-EMAIL-1 ■ 1. EIR fails to adequately and accurately explain that the project site resides in an air pollution exposure zone.
- I-EALOM-EMAIL-2 ■ 2. Translations of the Environmental Review need to be adequately assessable for Bayview Hunters Point residents as the Notice of Preparation (NOP) and initial study.
- I-EALOM-EMAIL-3 ■ 3. Project description leaves out specific details, uses are undefined, allowing wide range of variations of unknown users for over a century.
- I-EALOM-EMAIL-4 ■ 4. Community oversight needs to be required regarding the deferred plans Prologis is required to submit and any future plans, particularly since the project is expected to operate for 100 years or more.

Submitted By:

Bayview Hunters Point Resident
Kamillah Ealom

From: [Pantoja, Gabriela \(CPC\)](#)
To: [Sue Hestor](#)
Cc: [CPC.SFGatewayProject](#)
Subject: RE: SF Gateway DEIR hearing request transcript
Date: Tuesday, September 12, 2023 1:05:16 PM

Hi Sue,

Thank you for reaching out. SFGovTV has caption notes available on their website. See link:
https://sanfrancisco.granicus.com/TranscriptViewer.php?view_id=20&clip_id=44376.

Thanks,

Gabriela

Gabriela (Gaby) Pantoja, Senior Planner
Districts 9 and 10, Current Planning Division

San Francisco Planning Department

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628-652-7380 | www.sfplanning.org

[San Francisco Property Information Map](#)

Note: I will be out of the office on August 25th and September 2nd through 11th

From: Sue Hestor <hestor@earthlink.net>
Sent: Thursday, September 7, 2023 5:22 PM
To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>
Subject: SF Gateway DEIR hearing request transcript

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

As soon as it is available, please send transcript of 9/7 hearing on **DEIR for SF Gateway project** to hestor@earthlink.net. If it is possible as email attachment.

Plan to submit written comments.

Thank you

Sue Hestor

I-HESTOR-
EMAIL-1

From: [Judy Rosenfeld](#)
To: [CPC.SFGatewayProject](#)
Subject: Objection to the Gateway Project
Date: Thursday, October 05, 2023 4:50:30 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: Elizabeth White

I am writing in regards to the Gateway Project in the Bayview.

I attended a BayView Hunters Point Environmental Task Force meeting at which the project was presented. At first I thought, "this looks great." But then I heard the deep upset the presentation caused among the community. It was presented as a done deal, asking for any minor changes. Residents were furious that this large project would add to the already dust-filled, polluted air and dirt. They are actively trying to decrease the number of trucks and the pollution they produce. This project, though electric trucks are proposed, would surely increase traffic and pollutants in the form of particulates.

I have been a School District Nurse for nearly 20 years before retiring. I cared for dozens and dozens of BayView children with asthma. I did not see this level of disease in other neighborhoods.

The community has a long history of environmental injustice from the Naval Shipyards, dating back to the 40's, the systemic racism by red-lining of the Fillmore in the 50's, and transportation, circulation, noise and vibration as well as air quality issues from current warehouse and industry facilities. Air filters inside homes are black with particulate matter within a month. The addition of the Gateway Project is adding further to the above issues listed. The cumulative impact must be considered in the Environmental Report.

The project is too large (2.1 million square feet, 94 feet high) to be within a residential community. The impacts on the physical environment are substantially adverse.

The planning thus far for the project has not been inclusive of the Bayview Hunters Point community. Air quality data accumulated by air monitors throughout BVHP need to be considered in the report.

Respectfully,
Judy Rosenfeld, RN

From: [Rosemary Jarrett](#)
To: [CPC.SFGatewayProject](#)
Cc: [Rosemary Jarrett](#); [Jill Stanton](#)
Subject: Gateway Project DEIR Comment Letter
Date: Friday, October 13, 2023 2:49:13 PM
Attachments: [Comment letter Gateway Project.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Elizabeth White,

Attached as a pdf file is our comment letter from 1000 Grandmothers for Future Generations, Bay View Hunters Point Working Group.

Thanks,

Rosemary Jarrett
rosemaryjjarrett@gmail.com
760.920.3387

1000 Grandmothers for Future Generations
Bay View Hunters Point Working Group

October 13, 2023

Elizabeth White,
Senior Environmental Planner
49 S. Van Ness Ave, Suite 1400
San Francisco, CA 94103
Sent via email to: cpc.sfgatewayproject@sfgov.org

Re: Comment on San Francisco Gateway Project Draft EIR, Case # 2015-012491 ENV

Dear Ms. White:

The 1000 Grandmothers for Future Generations **strongly oppose** the Draft EIR for the Gateway Project, as currently proposed.

We are a primarily Bay Area based Climate Justice organization that supports grass roots organizations in underserved communities suffering from environmental justice. To inform ourselves and to be able to support the Bayview Hunters Point community, our members have been attending meetings of the Environmental Justice Task Force since the June 2022 public hearings on Toxic Waste in the Naval Shipyards. We are familiar with the community's history and continuing struggles for remediation of past pollution and efforts to eliminate current sources of pollution.

Having studied the Draft Environmental Impact Report (DEIR) for the Gateway Project, we join with Green Action, The Marie Harrison Foundation, the Bayview Committee of Concerned Citizens, and the Mothers and Fathers of BVHP in opposing approval of an FEIR until it addresses the following issues:

- O-1000GMFG-1 ■ Community groups were not included in the discussion of the alternatives (e.g, height, differing purposes) impact (eg., diesel trucks arriving and departing at the facility through neighborhood streets), or possible mitigation measures. In fact, despite the fact that this project is expected to
- O-1000GMFG-2 ■ continue operating for a century under Prologis, the world's largest industrial real estate corporation, the DEIR does not provide specifics of the intended users.
- O-1000GMFG-3 ■ With a project of this immensity — 97 feet in height, and in excess of 2 million square feet — it was inadequate to provide notice only to entities and individuals within 300 feet of the proposed project; much more of the Bayview Hunters Point community will be affected, first by ■ demolition and removal of asbestos and later by diesel traffic, resulting in heavy pollution. To



O-1000GMFG-4 suggest that these heavy duty trucks may be electrified by 2050 - 27 years from now - is inadequate and disrespectful of the air pollution now facing residents, especially those suffering from asthma at rates far greater than elsewhere in San Francisco. Appropriate mitigation must include requiring “clean fuel” (eg., a blend of diesel and biofuel as the SFMTA has planned for its Muni fleet, or propane) for all vehicles, with a scheduled phase-in to carbon-free electric transport.

O-1000GMFG-5 The Code Compliant Alternative (Ch 5, DEIR) must be closely considered. The alternative would reduce the projects’s height to 65 feet (within the zoning requirement),the square footage from 2,160,000 sq. ft. to 1,363,000 sq. ft., and the total vehicle parking spaces from 1166 to 547. The analysis claims that in this alternative the air quality impacts would be “less than significant” though even with this reduced footprint it strains our credulity to believe this would be the case. Additionally, the draft EIR fails to consider existing and surrounding polluting businesses, and freeway traffic, in this air pollution zone and the cumulative impacts beyond the adjacent 1/4 mile considered.

O-1000GMFG-6
O-1000GMFG-7 Also, an implementation procedure for local hires, and community oversight for the life of the project, still need to be addressed.

O-1000GMFG-8 It is startling that despite the inclusion of the maps and charts indicating the Bayview Hunters Point is ground zero for historic and continuing pollution and poor air quality, and the DEIR’s recounted history of displacement and discrimination endured by the African-American community from the Fillmore and Western Addition, there is so little consideration given to the concerns of the Bayview Hunters Point residents.

For all the above reasons, the Planning Commission must not approve this DEIR for the Gateway Project.

Sincerely,

/s/ JILL STANTON
Jill Stanton
jillstanton9@gmail.com

/s/ ROSEMARY JARRETT
Rosemary Jarrett
rosemaryjarrett@gmail.com

For 1000 Grandmothers for Future Generations, BVHP Working Group

From: [Kamillah Ealom](#)
To: [CPC.SFGatewayProject](#)
Subject: Written comments for SF Gateway
Date: Monday, August 28, 2023 5:58:23 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Greetings SF Planning Department,

The following comments are for the EIR regarding the SF gateway project. Please let me know if you have any questions.

Truly,
Kamillah Ealom
All Things Bayview

- O-ATBV-1 ■ 1. Cumulative impacts need to include past, present and future projects beyond ¼ of a mile from the proposed project site.
- O-ATBV-2 ■ 2. 300 ft. is inadequate proximity of accurate notice to impacted Bayview Hunters Point residents.
- O-ATBV-3 ■ 3. Cumulative impact range is not far enough for accurate and adequate impacted community considerations.
- O-ATBV-4 ■ 4. Impact AQ-3 needs to include the Cal-Enviro screening data.
- O-ATBV-5 ■ 5. EIR fails to adequately and accurately explain the demolition process including asbestos and air quality impacts.
- O-ATBV-6 ■ 6. EIR lacks adequate and accurate explanation regarding how all trucks will be electrified by 2050.
- O-ATBV-7 ■ 7. EIR lacks adequate and accurate explanation of electrification impacts.

Submitted By:

All Things Bayview
Kamillah Ealom

From: [Wasimah Asad](#)
To: [CPC.SFGatewayProject](#)
Subject: Comments for SF Gateway Project EIR
Date: Monday, August 28, 2023 6:33:43 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Greetings Planning Department,

Please accept my written comments for the SF Gateway EIR.

Truly,

Wasimah Asad

Bayview Community Concerned Citizens

- O-BVCCC-1 1. EIR lacks consideration of community knowledge.
- O-BVCCC-2 2. The environmental impacts should include the community's experience before and after the project is constructed
- O-BVCCC-3 3. EIR lacks adequate and accurate implementation of local hire and advancement provisions.

Submitted By:

Bayview Community Concerned Citizens

Wasimah Asad



From: [Karen Pierce](#)
To: [CPC.SFGatewayProject](#)
Subject: SF Gateway Project DEIR
Date: Monday, October 16, 2023 4:43:37 PM
Attachments: [AIorK4z7yqb98hOKpDm-l5HAcj4ehE_5MKWmOQRD912KcoQdbN_J_BHN-q2mgCmQMpxE_-yLN-VdMdU.png](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: San Francisco Planning Department
Case No. 2015-012491ENV

The Bayview Hunters Point Community Advocates, Inc. has its headquarter office at 2095 Jerrold Avenue, immediately next to the Project site on the West side. There are many concerns that numerous colleagues are commenting on and we concur with. In addition to those concerns, we want to point out a specific issue that is not even mentioned in the Draft.

- O-BVHPCA-1 ■ 1. The surrounding area is home to hundreds of families and individuals who live in their vehicles. Many of these people have been in the area for years. Both construction activity and final usage will create potential negative health outcomes and use conflicts for some of our most vulnerable residents. While there may not be universal support for vehicular habitation, it is a fact of life and the City must make accommodation for these residents as they are displaced from existing “safe” locations.
- This project will remove established parking spaces for trailers and RVs that have been located in the area and away from residential streets. If there is no permanent alternative proposed, this project will create additional problems for the unhoused population that has relied on this area for many years. This is an oversight that must be addressed.
- O-BVHPCA-2 ■ 2. There is no public transportation supporting the area. All of the current bus stops are at least 4 long blocks away from worksites. In order to address air quality concerns, there needs to be a robust plan for bringing public transportation back into the heart of the Produce Market and surrounding area. This plan encourages use of individual vehicles and supports that with the level of parking proposed.
- O-BVHPCA-3 ■ 3. The estimated impact of vehicle trips in the neighborhood completely ignores the fact that the established facility, The SF Wholesale Produce Market, is a 24-hour operation with heaviest activity after “normal” business hours. The Market has major traffic activity from 8pm to 6am consisting mainly of diesel powered vehicles. The impacts of the new project on top of existing impacts make it hard to believe that the particulate matter pollution will not increase to a point that is more significant and these findings.
- O-BHVPCA-4 ■ We are also concerned about the scale of the project. And other, equally important concerns
- O-BHVPCA-5 ■ include: Even with mitigation measures reducing the NOx emissions they are still above
- O-BHVPCA-6 ■ thresholds; impacts of the wind down wash (we are located on Toland right next door to the
- O-BHVPCA-7 ■ building); traffic conflicts with the Produce Market and other tenants, including Waymo
- O-BHVPCA-8 ■ vehicles that are all over the place like insects; pedestrian safety as some of our staff, and
- O-BHVPCA-9 ■ many others as the Project grows, will have to walk numerous blocks among the heavy traffic
- O-BHVPCA-10 ■ due to lack of public transit support; dust mitigation during construction and thereafter due to the heavy vehicle traffic; and, potential exposure to asbestos and other carcinogenic pollutants





during construction.

Karen Pierce
Interim Executive Director
Bayview Hunters Point Community Advocates
karen@hpadvocates.org



From: bradley@greenaction.org
Sent: Monday, August 28, 2023 4:38 PM
To: Pantoja, Gabriela (CPC); CPC.SFGatewayProject
Cc: Kamillah; Shirletha; Cfarrell; marlene tran; Tiffany Yuen; Adrian Wong; renay jenkins
Subject: Re: follow up on our 2nd Request for Chinese and Spanish language Draft Environmental Impact Report for the proposed San Francisco Gateway Project

Follow Up Flag: Follow up
Flag Status: Flagged

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Gabriela,

I-GA(1)
-1
■ We see the Notices of Availability in different languages on your website, but we don't see the translated DEIR or even an Executive Summary of the DEIR.
■ Please confirm either that the documents don't exist or let us know where on the website those documents were posted along with the English DEIR.

I-GA(1)
-2
■ Also, thank you for providing the correct email address but this address was not in the public notice - and I sent the email about this issue to you and the other email provided in the notice which apparently was not a correct email address. Providing the wrong email address in a public notice (the one for Elizabeth White) renders the notice defective.

Thanks,
Bradley Angel

On 2023-08-28 18:19, Pantoja, Gabriela (CPC) wrote:

> Hi Bradley,
>
> Thank you for reaching out.
>
> I'm including the correct email address for the EIR,
> cpc.sfgatewayproject@sfgov.org. Our EP staff behind this email address
> is best capable of answering your question.
>
> I do know that we have the attached "Notices of Availability"
> brochures available in Spanish and Chinese. Please feel free to share
> these with the community.
>
> Thanks,
>
> Gabriela
>
> Gabriela (Gaby) Pantoja, Senior Planner
>
> Districts 9 and 10, Current Planning Division

>
> San Francisco Planning Department
>
> 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
>
> Direct: 628-652-7380|
> [https://urldefense.com/v3/___https://url.avanan.click/v2/___www.sfplann](https://urldefense.com/v3/__https://url.avanan.click/v2/___www.sfplann)
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> vg\$ [1]
>
> San Francisco Property Information Map [2]
>
> Note: I will be out of the office on August 25th and September 2nd
> through 11th
>
> -----Original Message-----
> From: bradley@greenaction.org <bradley@greenaction.org>
> Sent: Monday, August 28, 2023 3:07 PM
> To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>;
> SFGatewayProject@sfgov.org
> Cc: Kamillah <kamillah@greenaction.org>; Shirletha
> <shirletha@greenaction.org>; Cfarrell <cfarrell@ggu.edu>; marlene tran
> <tranmarlene@yahoo.com>; Tiffany Yuen <tyuen@oberlin.edu>; Adrian Wong
> <amwong13@dons.usfca.edu>; renay jenkins <renaydjenkins@gmail.com>
> Subject: Re:2nd Request for Chinese and Spanish language Draft
> Environmental Impact Report for the proposed San Francisco Gateway
> Project
>
> This message is from outside the City email system. Do not open links
> or attachments from untrusted sources.
>
> Hello, I am following up about our request for Chinese and Spanish
> DEIR documents for the proposed SF Gateway Project. Was the DEIR
> translated in full or even an Executive Summary? If so, where can we
> find these?
>
> Thank you.
>
> Bradley Angel
>
> On 2023-08-22 19:33, bradley@greenaction.org wrote:
>
>> Hello Planning Department,
>
>> I am writing to inquire if the Draft EIR for the proposed SF Gateway
>
>
>> Project is available in Chinese and Spanish, two languages spoken by
>

>
 >> many residents of Bayview Hunters Point who are either monolingual
 > or
 >
 >> Limited English Proficiency. Please let us know if the DEIR was
 >
 >> translated into these (and other) languages and if so how we can get
 >
 >
 >> copies, We did not see any translated DEIR on the Planning
 > Department
 >
 >> website for this project. It is imperative that all residents are
 >
 >> provided an opportunity to know what is being proposed in their
 >
 >> community. We look forward to your response to this important
 > inquiry.
 >
 >> Thank you,
 >
 >>
 >
 >> Bradley Angel, Executive Director, Greenaction for Health and
 >
 >> Environmental Justice
 >
 >>
 >
 >>
 >
 >> On 2023-08-02 18:02, San Francisco Planning Department wrote:
 >
 >>> This email is to inform you that the San Francisco Planning
 >
 >>> Department has published a draft environmental impact report (EIR)
 >
 >>> for the San Francisco Gateway Project, located at 749 Toland Street
 >
 >
 >>> and 2000 McKinnon Avenue in the Bayview neighborhood.
 >
 >>>
 >
 >>> Project Description
 >
 >>> The SF Gateway Project would demolish four existing single-story
 >
 >>> buildings and construct two new multi-story production,
 > distribution,
 >
 >>> and repair (PDR) buildings. Each building would be 97 feet tall

> with

>

>>> a maximum height of 115 feet, including rooftop appurtenances. The

>

>>> two new buildings would total 2,160,000 gross square feet. Each

>

>>> building would be 97 feet tall with a maximum height of 115 feet,

>

>>> including rooftop appurtenances. The two new buildings (including

> PDR

>

>>> space, logistics yard, vehicular circulation systems, and

>

>>> ground-floor retail

>

>>> spaces) would total 2,160,000 gross square feet. The proposed

> project

>

>>> would provide space for several main types of PDR uses that may

>

>>> include manufacturing and maker space, parcel delivery and

> last-mile

>

>>> delivery, wholesale and storage, and fleet management.

>

>>>

>

>>> What is the purpose of an EIR?

>

>>> The purpose of the EIR is to provide information about potential

>

>>> significant physical environmental effects of the proposed action,

>

>>> identify possible ways to minimize the significant effects, and

>

>>> describe and analyze possible alternatives to the proposed action.

>

>>> The EIR must be certified by the San Francisco Planning Commission

>

>>> prior to any final decision regarding whether to approve the

> project.

>

>>> A Draft EIR does not indicate a decision by the city to approve or

> to

>

>>> disapprove the project. The city must review and consider the

>

>>> information contained in the EIR prior to making a decision.

>

>>>

>

>>> Available Documents:

>
 >>> The Notice of Availability [1] and the Draft EIR [2] is available
 > to
 >
 >>> download electronically at sfplanning.org/sfceqadocs [3]. Hard
 > copies
 >
 >>> of the Draft EIR are available to review at the San Francisco
 > Permit
 >
 >>> Center on the second floor of 49 South Van Ness Avenue, San
 > Francisco.
 >
 >>>
 >
 >>>
 >
 >>> Draft EIR comment period
 >
 >>> The San Francisco Planning Department welcomes your comments on the
 >
 >
 >>> adequacy and accuracy of the Draft EIR. The Draft EIR comment
 > period
 >
 >>> begins on August 2, 2023 and concludes at 5pm on September 18,
 > 2023.
 >
 >>> Comments regarding your like or dislike of the project or whether
 > you
 >
 >>> think officials should approve or disapprove the project will not
 > be
 >
 >>> addressed in the environmental review document. Instead, we
 > encourage
 >
 >>> you to provide these comments to the planner assigned to review the
 >
 >
 >>> project for planning code and general plan compliance. The current
 >
 >>> planner for this project is Gabriela Pantoja – (628) 652-7380
 > or
 >
 >>> gabriela.pantoja@sfgov.org.
 >
 >>>
 >
 >>> You may provide comments on the Draft EIR concerning the proposed
 >
 >>> project’s environmental effects by:

>
 >>>
 >
 >>> * Contacting Elizabeth White via email
 >
 >>> (SFGatewayProject@sfgov.org), phone (628) 652-7557, or by mail at
 > 49
 >
 >>> South Van Ness Avenue, Suite 1400, San Francisco, CA 94103; OR
 >
 >>> * A public hearing on this Draft EIR will be held by the
 >
 >>> Planning Commission on Thursday, September 7, 2023 beginning at 1pm
 > or later.
 >
 >>> Members of the public may attend this hearing in person at San
 >
 >>> Francisco City Hall or participate remotely using videoconferencing
 >
 >
 >>> technology. Language Assistance: To request an interpreter during
 > the
 >
 >>> hearing, please contact the Commission Secretary at (628)
 > 652-7589,
 >
 >>> or commissions.secretary@sfgov.org at least 48 hours in advance
 > of
 >
 >>> the hearing.
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 >>> 中文詢問請電 | Para información en Español llamar al
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>>> SUBSCRIBER SERVICES: Manage Preferences [4] | Unsubscribe [5]
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>>> QUESTIONS? Contact us [7] or email planningnews@sfgov.org
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>>> This email was sent to julia@greenaction.org using
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>>> GovDelivery Communications Cloud on behalf of: San Francisco
> Planning
>
>>> Department · 49 South Van Ness Avenue, Suite 1400 San Francisco,
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> iwiYnVsbGV0aW5faWQiOiIyMDIzMDgwMi44MDU4MjY2MSJ9.clfKheDwWXmPa3oydt2hX
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>
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>
>>>
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>
>>> ZjYzY2NjZDJhOTc5YzdhYWNlZWNiNTVINWYxNjQzMzA1NzczNzpwOIQ
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>>> [6]
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>
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> joiMjAyMzA4MDluODA1ODI2NjEifQ.yYfXyGhbVbss6AyZjflvod9VEMiU08JGcvpzlWC
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>>>
> fnc0/s/3033151311/br/223629185457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2Mm
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>>>

```

```

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>>> [7]
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>
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> 1ZDlmyWY4OTBjZGYxYTM2YzhhODYyMjEzMzU0ZmFINWU1OTNiOWRkNjExNDliODpwOIQ
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> [3]
>
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>
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> [3]
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> [3]
>
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>
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> [3]
>
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> [3]
>
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>
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> [3]
>
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> [3]
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> 65MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1lpqmk2zw$

```

From: bradley@greenaction.org
Sent: Tuesday, August 29, 2023 3:47 PM
To: CPC.SFGatewayProject
Cc: Kamillah; Shirletha; renay jenkins; Cfarrell; Skylar; Ashley; Tiffany Yuen; Adrian Wong
Subject: Re: EXTEND COMMENT PERIOD DUE TO YOUR DEFECTIVE NOTICE - CORRECTION: Availability of a Draft Environmental Impact Report and Notice of Public Hearing for the San Francisco Gateway Project

Follow Up Flag: Follow up
Flag Status: Flagged

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the SF Planning Department:

O-GA(2)
-1

■ As you now acknowledge the fact that your original public notice of August 2nd provided an incorrect email address that comments were to be submitted to, it is clear that this notice was defective. On behalf of our members and constituents in Bayview Hunters Point, we call on the Planning Department to reschedule the public hearing and extend the public comment period for one month due to the defective public notice. The correction you just emailed to us is directly a result of Greenaction informing you of the error in your original notice. We expect the Planning Department to conduct proper public notice that complies with all notice requirements and mandates for real and meaningful public participation.

Please enter this email and our previous emails into the public record for this proposed project that would pollute and harm Bayview Hunters Point. Thank you.

Bradley Angel, Greenaction for Health and Environmental Justice

On 2023-08-29 17:05, San Francisco Planning Department wrote:

> _CORRECTION: The email from the Planning Department sent on August 2,
> 2023 contained an error in the email address to submit comments on the
> draft EIR for the SF Gateway Project. The email address has been
> corrected below. All comments sent via email should be sent to
> CPC.SFGatewayProject@sfgov.org. If you sent comments to the Department
> between August 2 to today, August 29, please resend your comments
> before the close of the public comment period on September 18, 2023 by
> 5:00 pm. Comments received via email will be responded to
> acknowledging receipt._
>
> This email is to inform you that the San Francisco Planning Department
> has published a draft environmental impact report (EIR) for the San
> Francisco Gateway Project, located at 749 Toland Street and 2000
> McKinnon Avenue in the Bayview neighborhood.
>
> Project Description

- > The SF Gateway Project would demolish four existing single-story
- > buildings and construct two new multi-story production, distribution,
- > and repair (PDR) buildings. Each building would be 97 feet tall with a
- > maximum height of 115 feet, including rooftop appurtenances. The two
- > new buildings would total 2,160,000 gross square feet. Each building
- > would be 97 feet tall with a maximum height of 115 feet, including
- > rooftop appurtenances. The two new buildings (including PDR space,
- > logistics yard, vehicular circulation systems, and ground-floor retail
- > spaces) would total 2,160,000 gross square feet. The proposed project
- > would provide space for several main types of PDR uses that may
- > include manufacturing and maker space, parcel delivery and last-mile
- > delivery, wholesale and storage, and fleet management.
- >
- > What is the purpose of an EIR?
- > The purpose of the EIR is to provide information about potential
- > significant physical environmental effects of the proposed action,
- > identify possible ways to minimize the significant effects, and
- > describe and analyze possible alternatives to the proposed action. The
- > EIR must be certified by the San Francisco Planning Commission prior
- > to any final decision regarding whether to approve the project. A
- > Draft EIR does not indicate a decision by the city to approve or to
- > disapprove the project. The city must review and consider the
- > information contained in the EIR prior to making a decision.
- >
- > Available Documents:
- > The Notice of Availability [1] and the Draft EIR [2] is available to
- > download electronically at sfplanning.org/sfceqadocs [3]. Hard copies
- > of the Draft EIR are available to review at the San Francisco Permit
- > Center on the second floor of 49 South Van Ness Avenue, San Francisco.
- >
- >
- > Draft EIR comment period
- > The San Francisco Planning Department welcomes your comments on the
- > adequacy and accuracy of the Draft EIR. The Draft EIR comment period
- > begins on August 2, 2023 and concludes at 5pm on September 18, 2023.
- > Comments regarding your like or dislike of the project or whether you
- > think officials should approve or disapprove the project will not be
- > addressed in the environmental review document. Instead, we encourage
- > you to provide these comments to the planner assigned to review the
- > project for planning code and general plan compliance. The current
- > planner for this project is Gabriela Pantoja – (628) 652-7380 or
- > gabriela.pantoja@sfgov.org.
- >
- > You may provide comments on the Draft EIR concerning the proposed
- > project's environmental effects by:
- >
- > * Contacting Elizabeth White via email
- > (CPC.SFGatewayProject@sfgov.org), phone (628) 652-7557, or by mail at
- > 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103; OR
- > * A public hearing on this Draft EIR will be held by the
- > Planning Commission on Thursday, September 7, 2023 beginning at 1pm or later.
- > Members of the public may attend this hearing in person at San

> Francisco City Hall or participate remotely using videoconferencing
> technology. Language Assistance: To request an interpreter during the
> hearing, please contact the Commission Secretary at (628) 652-7589, or
> commissions.secretary@sfgov.org at least 48 hours in advance of the
> hearing.
>
> -----
>
> 中文詢問請電 | Para información en Español llamar al |
>
> Para sa impormasyon sa Tagalog tumawag sa
> 628.652.7550
>
> Please Do Not Reply to this automated email
>
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> | Help [6]
>
> QUESTIONS? Contact us [7] or email planningnews@sfgov.org
>
> -----
>
> This email was sent to bradley@greenaction.org using
> GovDelivery Communications Cloud on behalf of: San Francisco Planning
> Department · 49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103
> [13]
>
>
>
>
> Links:
> -----
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> https://urldefense.com/v3/__https://url.avanan.click/v2/__https:/*Ink
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> uDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1kVBMtANA\$

From: bradley@greenaction.org
Sent: Wednesday, August 30, 2023 2:18 PM
To: CPC.SFGatewayProject
Cc: Pantoja, Gabriela (CPC); Kamillah; Shirletha; Cfarrell; marlene tran; Tiffany Yuen; Adrian Wong; renay jenkins
Subject: Re: 3RD REQUEST following up on our previous request for Chinese and Spanish language Draft Environmental Impact Report for the proposed San Francisco Gateway Project

Follow Up Flag: Follow up
Flag Status: Flagged

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Jessica and the Planning Department,

■ We are all truly puzzled and shocked by your statement in your email yesterday that stated "To date, the department has not received a request to translate additional materials for this project."

As is quite obvious and quite well documented, Greenaction has been requesting translated DEIR documents repeatedly in emails to the Planning Department - as the subject lines of our emails have made quite clear.

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The Planning Department's failure and refusal to translate the DEIR document into languages spoken by many residents in the community violates state and federal civil rights laws, language access laws and policies, and environmental justice - and makes it impossible for non-English speaking residents and LEP (Limited English Proficiency) residents to participate meaningfully in the process.

We therefore demand the Planning Department translate the DEIR into Chinese, Spanish and other appropriate languages (or at a minimum provide extensive executive summary documents) and cancel the upcoming public hearing and extend the public comment period until the DEIR is available in all appropriate languages and the public is properly notified of their availability.

■ We assure you we will challenge any violations of proper notice, meaningful public participation, civil rights, language access and environmental justice through all available measures.

Please include this email comment into the administrative record for the proposed SF Gateway Project.

For environmental justice,
Bradley Angel, Greenaction for Health and Environmental Justice

On 2023-08-29 20:29, CPC.SFGatewayProject wrote:
> Dear Mr. Bradley Angel,
>
> Thank you for pointing out the error in email blast below for the SF
> Gateway Project. The department was able to issue a corrected email

> blast the next business day, which you should have received today. And

> I would like to assure you that I reviewed the Draft EIR and other

> noticing materials (including the NOA of the DEIR in multiple

> languages) and it appears the error is isolated to the email blast

> only and does not appear elsewhere in the department's documents.

> However, if you do find this error persists, please do let me know so

> that I can correct it.

>

> The department translated the following documents for the SF Gateway

> Project in Spanish, Chinese, Filipino and Vietnamese:

> 1. Notice of Availability of Notice of Preparation of an EIR, Initial

> Study, and Notice of Public Scoping Meeting in March 2022

> 2. Notice of Availability of Draft Environmental Impact Report and

> Notice of Public Hearing on August 2, 2023

>

> These documents are all available on the department's website. Please

> let me know if you have trouble locating them. The documents also

> provide information in Chinese, Spanish and Filipino of a phone number

> to call in the event they would like to receive translated information.

> To date, the department has not received a request to translate

> additional materials for this project.

>

> Your email below has been received and will be included as comments

> received on the Draft EIR.

>

> Regards,

>

>

> Jessica Range, LEED AP, Principal Environmental Planner Environmental

> Planning Division San Francisco Planning

> 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

> Direct: 628.652.7564 |

> https://urldefense.com/v3/__https://url.avanan.click/v2/___www.sfplann

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> 2g\$ San Francisco Property Information Map

>

>

>

> -----Original Message-----

> From: bradley@greenaction.org <bradley@greenaction.org>

> Sent: Monday, August 28, 2023 4:38 PM

> To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>;

> CPC.SFGatewayProject <CPC.SFGatewayProject@sfgov.org>

> Cc: Kamillah <kamillah@greenaction.org>; Shirletha

> <shirletha@greenaction.org>; Cfarrell <cfarrell@ggu.edu>; marlene tran

> <tranmarlene@yahoo.com>; Tiffany Yuen <tyuen@oberlin.edu>; Adrian Wong

> <amwong13@dons.usfca.edu>; renay jenkins <renaydjenkins@gmail.com>

> Subject: Re: follow up on our 2nd Request for Chinese and Spanish

> language Draft Environmental Impact Report for the proposed San

> Francisco Gateway Project
>
>
> This message is from outside the City email system. Do not open links
> or attachments from untrusted sources.
>
>
>
> Hello Gabriela,
> We see the Notices of Availability in different languages on your
> website, but we don't see the translated DEIR or even an Executive
> Summary of the DEIR.
> Please confirm either that the documents don't exist or let us know
> where on the website those documents were posted along with the
> English DEIR.
>
> Also, thank you for providing the correct email address but this
> address was not in the public notice - and I sent the email about this
> issue to you and the other email provided in the notice which
> apparently was not a correct email address. Providing the wrong email
> address in a public notice (the one for Elizabeth White) renders the
> notice defective.
>
> Thanks,
> Bradley Angel
>
> On 2023-08-28 18:19, Pantoja, Gabriela (CPC) wrote:
>> Hi Bradley,
>>
>> Thank you for reaching out.
>>
>> I'm including the correct email address for the EIR,
>> cpc.sfgatewayproject@sfgov.org. Our EP staff behind this email
>> address is best capable of answering your question.
>>
>> I do know that we have the attached "Notices of Availability"
>> brochures available in Spanish and Chinese. Please feel free to share
>> these with the community.
>>
>> Thanks,
>>
>> Gabriela
>>
>> Gabriela (Gaby) Pantoja, Senior Planner
>>
>> Districts 9 and 10, Current Planning Division
>>
>> San Francisco Planning Department
>>
>> 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
>>
>> Direct: 628-652-7380|

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>> Y
>> jpwoIQ [1]
>>
>> San Francisco Property Information Map [2]
>>
>> Note: I will be out of the office on August 25th and September 2nd
>> through 11th
>>
>> -----Original Message-----
>> From: bradley@greenaction.org <bradley@greenaction.org>
>> Sent: Monday, August 28, 2023 3:07 PM
>> To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>;
>> SFGatewayProject@sfgov.org
>> Cc: Kamillah <kamillah@greenaction.org>; Shirletha
>> <shirletha@greenaction.org>; Cfarrell <cfarrell@ggu.edu>; marlene
>> tran <tranmarlene@yahoo.com>; Tiffany Yuen <tyuen@oberlin.edu>;
>> Adrian Wong <amwong13@dons.usfca.edu>; renay jenkins
>> <renaydjenkins@gmail.com>
>> Subject: Re:2nd Request for Chinese and Spanish language Draft
>> Environmental Impact Report for the proposed San Francisco Gateway
>> Project
>>
>> This message is from outside the City email system. Do not open links
>> or attachments from untrusted sources.
>>
>> Hello, I am following up about our request for Chinese and Spanish
>> DEIR documents for the proposed SF Gateway Project. Was the DEIR
>> translated in full or even an Executive Summary? If so, where can we
>> find these?
>>
>> Thank you.
>>
>> Bradley Angel
>>
>> On 2023-08-22 19:33, bradley@greenaction.org wrote:
>>
>>> Hello Planning Department,
>>
>>> I am writing to inquire if the Draft EIR for the proposed SF Gateway
>>
>>
>>> Project is available in Chinese and Spanish, two languages spoken by
>>
>>
>>> many residents of Bayview Hunters Point who are either monolingual
>> or

>>
>>> Limited English Proficiency. Please let us know if the DEIR was
>>
>>> translated into these (and other) languages and if so how we can get
>>
>>
>>> copies, We did not see any translated DEIR on the Planning
>> Department
>>
>>> website for this project. It is imperative that all residents are
>>
>>> provided an opportunity to know what is being proposed in their
>>
>>> community. We look forward to your response to this important
>> inquiry.
>>
>>> Thank you,
>>
>>>
>>
>>> Bradley Angel, Executive Director, Greenaction for Health and
>>
>>> Environmental Justice
>>
>>>
>>
>>>
>>
>>> On 2023-08-02 18:02, San Francisco Planning Department wrote:
>>
>>>> This email is to inform you that the San Francisco Planning
>>
>>>> Department has published a draft environmental impact report (EIR)
>>
>>>> for the San Francisco Gateway Project, located at 749 Toland Street
>>
>>
>>>> and 2000 McKinnon Avenue in the Bayview neighborhood.
>>
>>>>
>>
>>>> Project Description
>>
>>>> The SF Gateway Project would demolish four existing single-story
>>
>>>> buildings and construct two new multi-story production,
>> distribution,
>>
>>>> and repair (PDR) buildings. Each building would be 97 feet tall
>> with
>>
>>>> a maximum height of 115 feet, including rooftop appurtenances. The

>>
 >>>> two new buildings would total 2,160,000 gross square feet. Each
 >>
 >>>> building would be 97 feet tall with a maximum height of 115 feet,
 >>
 >>>> including rooftop appurtenances. The two new buildings (including
 >> PDR
 >>
 >>>> space, logistics yard, vehicular circulation systems, and
 >>
 >>>> ground-floor retail
 >>
 >>>> spaces) would total 2,160,000 gross square feet. The proposed
 >> project
 >>
 >>>> would provide space for several main types of PDR uses that may
 >>
 >>>> include manufacturing and maker space, parcel delivery and
 >> last-mile
 >>
 >>>> delivery, wholesale and storage, and fleet management.
 >>
 >>>>
 >>
 >>>> What is the purpose of an EIR?
 >>
 >>>> The purpose of the EIR is to provide information about potential
 >>
 >>>> significant physical environmental effects of the proposed action,
 >>
 >>>> identify possible ways to minimize the significant effects, and
 >>
 >>>> describe and analyze possible alternatives to the proposed action.
 >>
 >>>> The EIR must be certified by the San Francisco Planning Commission
 >>
 >>>> prior to any final decision regarding whether to approve the
 >> project.
 >>
 >>>> A Draft EIR does not indicate a decision by the city to approve or
 >> to
 >>
 >>>> disapprove the project. The city must review and consider the
 >>
 >>>> information contained in the EIR prior to making a decision.
 >>
 >>>>
 >>
 >>>> Available Documents:
 >>
 >>>> The Notice of Availability [1] and the Draft EIR [2] is available
 >> to

>>
>>>> download electronically at sfplanning.org/sfceqadocs [3]. Hard
>> copies
>>
>>>> of the Draft EIR are available to review at the San Francisco
>> Permit
>>
>>>> Center on the second floor of 49 South Van Ness Avenue, San
>> Francisco.
>>
>>>>
>>
>>>>
>>
>>>> Draft EIR comment period
>>
>>>> The San Francisco Planning Department welcomes your comments on the
>>
>>
>>>> adequacy and accuracy of the Draft EIR. The Draft EIR comment
>> period
>>
>>>> begins on August 2, 2023 and concludes at 5pm on September 18,
>> 2023.
>>
>>>> Comments regarding your like or dislike of the project or whether
>> you
>>
>>>> think officials should approve or disapprove the project will not
>> be
>>
>>>> addressed in the environmental review document. Instead, we
>> encourage
>>
>>>> you to provide these comments to the planner assigned to review the
>>
>>
>>>> project for planning code and general plan compliance. The current
>>
>>>> planner for this project is Gabriela Pantoja – (628) 652-7380
>> or
>>
>>>> gabriela.pantoja@sfgov.org.
>>
>>>>
>>
>>>> You may provide comments on the Draft EIR concerning the proposed
>>
>>>> project's environmental effects by:
>>
>>>>
>>

>>>> * Contacting Elizabeth White via email
>>
>>>> (SFGatewayProject@sfgov.org), phone (628) 652-7557, or by mail at
>> 49
>>
>>>> South Van Ness Avenue, Suite 1400, San Francisco, CA 94103; OR
>>
>>>> * A public hearing on this Draft EIR will be held by the
>>
>>>> Planning Commission on Thursday, September 7, 2023 beginning at 1pm
>> or later.
>>
>>>> Members of the public may attend this hearing in person at San
>>
>>>> Francisco City Hall or participate remotely using videoconferencing
>>
>>
>>>> technology. Language Assistance: To request an interpreter during
>> the
>>
>>>> hearing, please contact the Commission Secretary at (628)
>> 652-7589,
>>
>>>> or commissions.secretary@sfgov.org at least 48 hours in advance
>> of
>>
>>>> the hearing.
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>>>> 中文詢問請電 | Para información en Español llamar al
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>>>> Please Do Not Reply to this automated email
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>>>> SUBSCRIBER SERVICES: Manage Preferences [4] | Unsubscribe [5]
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>>>> | Help [6]
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>>>> QUESTIONS? Contact us [7] or email planningnews@sfgov.org
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>>
>>>> This email was sent to julia@greenaction.org using
>>
>>>> GovDelivery Communications Cloud on behalf of: San Francisco
>> Planning
>>
>>>> Department · 49 South Van Ness Avenue, Suite 1400 San Francisco,
>> CA 94103
>>
>>>> [13]
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>>>> Links:
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>> xg41w/s/3033151311/br/223629185457-l____.YXAzOnNmZHqYOmE6bzphODQ4NTQ2M
>>
>>>>
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>>
>>>> RmZGM4OGYzMzVkZTY3NzU2OTNjZjUyN2M1MDBiNjFjYzk0Y2FhZDE5M2YwYjpwOIQ
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>>>> [11]
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>> https://urldefense.com/v3/__https://url.avanan.click/v2/____https:/*In
>> ks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJBD
>> 7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz9Bw
>> $
>> [3]
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>> .eyJidWxsZXRpbl9saW5rX2lkjoxMTAsInVyaSI6ImJwMjpbGljaylsInVyYbCI6Imh0
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>> dHBzOi8vd3d3LnlnvdXR1YmUuY29tL3NmcGxhbm5pbmciLCJidWxsZXRpbl9pZCI6IjIwM
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>> jMwODAYLjgwNTgyNjYxIn0.dO325cfSFh48lylaHOZ6WfcytCMHcDbPVmNjsUEg-rg/s/
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>> 3033151311/br/223629185457-l____.YXAzOnNmZHqYOmE6bzphODQ4NTQ2MmZmNTJjN
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>> mRjN2YzMGQ5MjM2YWNjMmM3Zjo2OjZjNTg6Zjk5OTJhODZkMGUzNmFhNGViMDUzNzUwMT
>>
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>>>> [12]
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>> https://urldefense.com/v3/__https://url.avanan.click/v2/____https:/*In
>> ks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJBD
>> 7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz9Bw
>> $
>> [3]
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>> .eyJidWxsZXRpbl9saW5rX2lkjoxMTEsInVyaSI6ImJwMjpbGljaylsInVyYbCI6Imh0
>>
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>> dHBzOi8vcHVibGljLmdvdmRlbiGl2ZXJ5LmNvbS9hY2NvdW50cy9DQVNGUEQvc3Vic2Nya
>>
>>>>
>> WJlci9uZXciLCJidWxsZXRpbl9pZCI6IjIwMjMwODAYLjgwNTgyNjYxIn0.PdZE_H7RZk
>>

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>>>>
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>>
>>>>
>> XAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmNTJjNmRjN2YzMGQ5MjM2YWNjMmM3Zjo2OjY1OT
>>
>>>>
>> k6YWJiNDIzYTNkNjczZTE3NmQzMtKwMDRkNDM3MmQ1NDE4ZjBkZTdKMGJkNzUwZTBiYjg
>>
>>>> 3ZTEyY2Y0NmJNDQwNjpwOIQ
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>>>> [13]
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>> https://urldefense.com/v3/__https://url.avanan.click/v2/____https:/*ln
>> ks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJB
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>> $
>> [3]
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>> .eyJidWxsZXRpbI9saW5rX2lkIjoxMTIsInVyaSI6ImJwMjpwOGJjaW5lbnVyYbCI6Imh0
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>> dHBzOi8vc3Vic2NyaWJlcmlhbnAuZ3JhbmljdXMuY29tLyIsImJ1bGxldGluX2lkIjoIM
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>> JjNmRjN2YzMGQ5MjM2YWNjMmM3Zjo2OmUzOWE6ZTdiYWY2ZTI2ZmM5M2QzMWYxYTMMyMTA
>>
>>>> 2MjlzZWE2OWY4YmYwMTE3YWI3ZWJkY2M3Yjk4MzEzMjM1ZmI0ZDM1ZjpwOIQ
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>> Links:
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>> [1]
>> https://urldefense.com/v3/__https://url.avanan.click/v2/____http:/*www
>> .sfplanning.org/____.YXAzOnNmZ____Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJB
>> D7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1n1KimDk
>> Q$
>> HQyOmE6bzo1MDc0OWVjMTdhN2NiMzc3N2ViNDQwY2JmNWNmZTYyYzo2OmEzMGQ6ZjRmNz
>> h
>> kMTM4NWNiNThiZDk5MTJjZDU4MzdiMGJkYTQxY2YzMmFIYjFjZTRIYzNiMWNhMTY5MTU5
>> Y
>> 2QyNTAyZDpwOIQ [2]
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>> planninggis.org/pim/____.YXAzO____Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJB
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>> Q$
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>> O
>> DBmOWM5MTNmODpwOlQ
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>> G865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1lpqmk2zw$
```

From: bradley@greenaction.org
Sent: Wednesday, August 30, 2023 5:26 PM
To: CPC.SFGatewayProject
Cc: Cfarrell; Kamillah; Shirletha; renay jenkins; Tiffany Yuen; Adrian Wong; Ashley; marlene tran; Skylar; blair drlapin.org; veady@baaqmd.gov; speesapati@baaqmd.gov
Subject: Re: Planning Department's failure to translate Draft Environmental Impact Report for the proposed San Francisco Gateway Project

Follow Up Flag: Follow up
Flag Status: Flagged

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please add this email as a new public comment on the DEIR for the proposed SF Gateway Project.

■ Your email sent to us this afternoon confirms what we suspected: The Planning Department failed once again to translate key permit process documents into the languages spoken by significant numbers of residents affected by a proposed project.

O- GA(4) -1 It is an enormous problem, quite troubling, and totally unacceptable that in the year 2023, despite countless years of Greenaction and community members raising this issue, the City and County of San Francisco still doesn't routinely translate key documents for our diverse and multilingual residents. It is now clear that language access has been denied for this project as it has been denied for years in other projects.

■ You cannot proceed with the current schedule which violates civil rights, language access, meaningful civic engagement and justice.

Bradley Angel, Greenaction for Health and Environmental Justice

On 2023-08-30 18:57, CPC.SFGatewayProject wrote:

> Dear Mr. Bradley Angel,
>
> Your comment has been received. I want to assure you that the
> Department is reviewing your request to have the DEIR or DEIR Summary
> translated and will respond as soon as possible.
>
>
>
>
> Jessica Range, LEED AP, Principal Environmental Planner Environmental
> Planning Division San Francisco Planning
> 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
> Direct: 628.652.7564 |

> https://urldefense.com/v3/__https://url.avanan.click/v2/___www.sfplann
> ing.org____.YXAzOnNmZHQyOmE6bzo5MWYzN2Y3N2U2MGI2NjhiYmRkYmI4NTJkYWl0ZTI
> 0Yjo2OmEyMTc6OWFjMmY3NTlwY2Y1OTEzZTAzMGYxNTE0Yjc5YzQxMGU0NzQwNjQxZmQ4M
> jA3NmU3M2lyZmRiNjc1ZjJlZjE0YjpwOIQ___!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDa
> JBD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1nZ_AMq
> LA\$ San Francisco Property Information Map

>
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>
>
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>
>

> -----Original Message-----

> From: bradley@greenaction.org <bradley@greenaction.org>
> Sent: Wednesday, August 30, 2023 2:18 PM
> To: CPC.SFGatewayProject <CPC.SFGatewayProject@sfgov.org>
> Cc: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>; Kamillah
> <kamillah@greenaction.org>; Shirletha <shirletha@greenaction.org>;
> Cfarrell <cfarrell@ggu.edu>; marlene tran <tranmarlene@yahoo.com>;
> Tiffany Yuen <tyuen@oberlin.edu>; Adrian Wong
> <amwong13@dons.usfca.edu>; renay jenkins <renayjenkins@gmail.com>
> Subject: Re: 3RD REQUEST following up on our previous request for
> Chinese and Spanish language Draft Environmental Impact Report for the
> proposed San Francisco Gateway Project

>
>

> This message is from outside the City email system. Do not open links
> or attachments from untrusted sources.

>
>
>

> Hello Jessica and the Planning Department,

>

> We are all truly puzzled and shocked by your statement in your email
> yesterday that stated "To date, the department has not received a
> request to translate additional materials for this project."

>

> As is quite obvious and quite well documented, Greenaction has been
> requesting translated DEIR documents repeatedly in emails to the
> Planning Department - as the subject lines of our emails have made
> quite clear.

>

> The Planning Department's failure and refusal to translate the DEIR
> document into languages spoken by many residents in the community
> violates state and federal civil rights laws, language access laws and
> policies, and environmental justice - and makes it impossible for
> non-English speaking residents and LEP (Limited English Proficiency)
> residents to participate meaningfully in the process.

>

> We therefore demand the Planning Department translate the DEIR into

> Chinese, Spanish and other appropriate languages (or at a minimum
> provide extensive executive summary documents) and cancel the upcoming
> public hearing and extend the public comment period until the DEIR is
> available in all appropriate languages and the public is properly
> notified of their availability.
>
> We assure you we will challenge any violations of proper notice,
> meaningful public participation, civil rights, language access and
> environmental justice through all available measures.
>
> Please include this email comment into the administrative record for
> the proposed SF Gateway Project.
>
> For environmental justice,
> Bradley Angel, Greenaction for Health and Environmental Justice
>
>
> On 2023-08-29 20:29, CPC.SFGatewayProject wrote:
>> Dear Mr. Bradley Angel,
>>
>> Thank you for pointing out the error in email blast below for the SF
>> Gateway Project. The department was able to issue a corrected email
>> blast the next business day, which you should have received today.
>> And I would like to assure you that I reviewed the Draft EIR and
>> other noticing materials (including the NOA of the DEIR in multiple
>> languages) and it appears the error is isolated to the email blast
>> only and does not appear elsewhere in the department's documents.
>> However, if you do find this error persists, please do let me know so
>> that I can correct it.
>>
>> The department translated the following documents for the SF Gateway
>> Project in Spanish, Chinese, Filipino and Vietnamese:
>> 1. Notice of Availability of Notice of Preparation of an EIR,
>> Initial
>> Study, and Notice of Public Scoping Meeting in March 2022
>> 2. Notice of Availability of Draft Environmental Impact Report and
>> Notice of Public Hearing on August 2, 2023
>>
>> These documents are all available on the department's website. Please
>> let me know if you have trouble locating them. The documents also
>> provide information in Chinese, Spanish and Filipino of a phone
>> number to call in the event they would like to receive translated
>> information.
>> To date, the department has not received a request to translate
>> additional materials for this project.
>>
>> Your email below has been received and will be included as comments
>> received on the Draft EIR.
>>
>> Regards,
>>
>>

>> Jessica Range, LEED AP, Principal Environmental Planner Environmental
>> Planning Division San Francisco Planning
>> 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
>> Direct: 628.652.7564|
>> https://urldefense.com/v3/__https://url.avanan.click/v2/___www.sfplan
>> [ning.org___YXAzOnNmZHQyOmE6b_](https://urldefense.com/v3/__https://url.avanan.click/v2/___www.sfplan);!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJBD7
>> vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1IDYp6mew\$
>> zo0MTc0MDgwNmYxYzI3M2FkYzM5MzJiM2NkNTgwMWUwYTo2OmFiZjA6NTVhZDZhZTk1Zj
>> V
>> iZWQ0NWFmOGY2Yjc3YWNjODI1MTIIM2I5NjE2YTQyOTcyOWE0NmQ5YjM1YThkMmZmMDA2
>> Z DpwOlQ San Francisco Property Information Map
>>
>>
>>
>> -----Original Message-----
>> From: bradley@greenaction.org <bradley@greenaction.org>
>> Sent: Monday, August 28, 2023 4:38 PM
>> To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>;
>> CPC.SFGatewayProject <CPC.SFGatewayProject@sfgov.org>
>> Cc: Kamillah <kamillah@greenaction.org>; Shirletha
>> <shirletha@greenaction.org>; Cfarrell <cfarrell@ggu.edu>; marlene
>> tran <tranmarlene@yahoo.com>; Tiffany Yuen <tyuen@oberlin.edu>;
>> Adrian Wong <amwong13@dons.usfca.edu>; renay jenkins
>> <renaydjenkins@gmail.com>
>> Subject: Re: follow up on our 2nd Request for Chinese and Spanish
>> language Draft Environmental Impact Report for the proposed San
>> Francisco Gateway Project
>>
>>
>> This message is from outside the City email system. Do not open links
>> or attachments from untrusted sources.
>>
>>
>>
>> Hello Gabriela,
>> We see the Notices of Availability in different languages on your
>> website, but we don't see the translated DEIR or even an Executive
>> Summary of the DEIR.
>> Please confirm either that the documents don't exist or let us know
>> where on the website those documents were posted along with the
>> English DEIR.
>>
>> Also, thank you for providing the correct email address but this
>> address was not in the public notice - and I sent the email about
>> this issue to you and the other email provided in the notice which
>> apparently was not a correct email address. Providing the wrong email
>> address in a public notice (the one for Elizabeth White) renders the
>> notice defective.
>>
>> Thanks,
>> Bradley Angel
>>

>> On 2023-08-28 18:19, Pantoja, Gabriela (CPC) wrote:
>>> Hi Bradley,
>>>
>>> Thank you for reaching out.
>>>
>>> I'm including the correct email address for the EIR,
>>> cpc.sfgatewayproject@sfgov.org. Our EP staff behind this email
>>> address is best capable of answering your question.
>>>
>>> I do know that we have the attached "Notices of Availability"
>>> brochures available in Spanish and Chinese. Please feel free to
>>> share these with the community.
>>>
>>> Thanks,
>>>
>>> Gabriela
>>>
>>> Gabriela (Gaby) Pantoja, Senior Planner
>>>
>>> Districts 9 and 10, Current Planning Division
>>>
>>> San Francisco Planning Department
>>>
>>> 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
>>>
>>> Direct: 628-652-7380|
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/____www.sfpla
>>> nning.org____.YXAzOnNmZHQyOmE6__;!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJBD
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>>> D
>>> V
>>> mM2U2NDIyZWY0NjRhZjg4NDhkMTA5NWJkYjA5NTIzOTU4Y2ExMzlmNWU5NjU5ODE3OTU
>>> 2
>>> Y
>>> jpwoIQ [1]
>>>
>>> San Francisco Property Information Map [2]
>>>
>>> Note: I will be out of the office on August 25th and September 2nd
>>> through 11th
>>>
>>> -----Original Message-----
>>> From: bradley@greenaction.org <bradley@greenaction.org>
>>> Sent: Monday, August 28, 2023 3:07 PM
>>> To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>;
>>> SFGatewayProject@sfgov.org
>>> Cc: Kamillah <kamillah@greenaction.org>; Shirletha
>>> <shirletha@greenaction.org>; Cfarrell <cfarrell@ggu.edu>; marlene
>>> tran <tranmarlene@yahoo.com>; Tiffany Yuen <tyuen@oberlin.edu>;

>>> Adrian Wong <amwong13@dons.usfca.edu>; renay jenkins
>>> <renaydjenkins@gmail.com>
>>> Subject: Re:2nd Request for Chinese and Spanish language Draft
>>> Environmental Impact Report for the proposed San Francisco Gateway
>>> Project
>>>
>>> This message is from outside the City email system. Do not open
>>> links or attachments from untrusted sources.
>>>
>>> Hello, I am following up about our request for Chinese and Spanish
>>> DEIR documents for the proposed SF Gateway Project. Was the DEIR
>>> translated in full or even an Executive Summary? If so, where can we
>>> find these?
>>>
>>> Thank you.
>>>
>>> Bradley Angel
>>>
>>> On 2023-08-22 19:33, bradley@greenaction.org wrote:
>>>
>>>> Hello Planning Department,
>>>
>>>> I am writing to inquire if the Draft EIR for the proposed SF
>>>> Gateway
>>>
>>>
>>>> Project is available in Chinese and Spanish, two languages spoken
>>>> by
>>>
>>>
>>>> many residents of Bayview Hunters Point who are either monolingual
>>> or
>>>
>>>> Limited English Proficiency. Please let us know if the DEIR was
>>>
>>>> translated into these (and other) languages and if so how we can
>>>> get
>>>
>>>
>>>> copies, We did not see any translated DEIR on the Planning
>>> Department
>>>
>>>> website for this project. It is imperative that all residents are
>>>
>>>> provided an opportunity to know what is being proposed in their
>>>
>>>> community. We look forward to your response to this important
>>> inquiry.
>>>
>>>> Thank you,
>>>
>>>>

>>>
>>>> Bradley Angel, Executive Director, Greenaction for Health and
>>>
>>>> Environmental Justice
>>>
>>>>
>>>
>>>>
>>>
>>>> On 2023-08-02 18:02, San Francisco Planning Department wrote:
>>>
>>>> This email is to inform you that the San Francisco Planning
>>>
>>>> Department has published a draft environmental impact report (EIR)
>>>
>>>> for the San Francisco Gateway Project, located at 749 Toland
>>>> Street
>>>
>>>
>>>> and 2000 McKinnon Avenue in the Bayview neighborhood.
>>>
>>>>
>>>
>>>> Project Description
>>>
>>>> The SF Gateway Project would demolish four existing single-story
>>>
>>>> buildings and construct two new multi-story production,
>>> distribution,
>>>
>>>> and repair (PDR) buildings. Each building would be 97 feet tall
>>> with
>>>
>>>> a maximum height of 115 feet, including rooftop appurtenances. The
>>>
>>>> two new buildings would total 2,160,000 gross square feet. Each
>>>
>>>> building would be 97 feet tall with a maximum height of 115 feet,
>>>
>>>> including rooftop appurtenances. The two new buildings (including
>>> PDR
>>>
>>>> space, logistics yard, vehicular circulation systems, and
>>>
>>>> ground-floor retail
>>>
>>>> spaces) would total 2,160,000 gross square feet. The proposed
>>> project
>>>
>>>> would provide space for several main types of PDR uses that may
>>>
>>>> include manufacturing and maker space, parcel delivery and

>>> last-mile
>>>
>>>> delivery, wholesale and storage, and fleet management.
>>>
>>>>
>>>
>>>> What is the purpose of an EIR?
>>>
>>>> The purpose of the EIR is to provide information about potential
>>>
>>>> significant physical environmental effects of the proposed action,
>>>
>>>> identify possible ways to minimize the significant effects, and
>>>
>>>> describe and analyze possible alternatives to the proposed action.
>>>
>>>> The EIR must be certified by the San Francisco Planning Commission
>>>
>>>> prior to any final decision regarding whether to approve the
>>> project.
>>>
>>>> A Draft EIR does not indicate a decision by the city to approve or
>>> to
>>>
>>>> disapprove the project. The city must review and consider the
>>>
>>>> information contained in the EIR prior to making a decision.
>>>
>>>>>
>>>
>>>> Available Documents:
>>>
>>>> The Notice of Availability [1] and the Draft EIR [2] is available
>>> to
>>>
>>>> download electronically at sfplanning.org/sfceqadocs [3]. Hard
>>> copies
>>>
>>>> of the Draft EIR are available to review at the San Francisco
>>> Permit
>>>
>>>> Center on the second floor of 49 South Van Ness Avenue, San
>>> Francisco.
>>>
>>>>>
>>>
>>>>>
>>>
>>>>> Draft EIR comment period
>>>
>>>>> The San Francisco Planning Department welcomes your comments on
>>>>> the

>>>
>>>
>>>> adequacy and accuracy of the Draft EIR. The Draft EIR comment
>>> period
>>>
>>>> begins on August 2, 2023 and concludes at 5pm on September 18,
>>> 2023.
>>>
>>>> Comments regarding your like or dislike of the project or whether
>>> you
>>>
>>>> think officials should approve or disapprove the project will not
>>> be
>>>
>>>> addressed in the environmental review document. Instead, we
>>> encourage
>>>
>>>> you to provide these comments to the planner assigned to review
>>>> the
>>>
>>>
>>>> project for planning code and general plan compliance. The current
>>>
>>>> planner for this project is Gabriela Pantoja – (628) 652-7380
>>> or
>>>
>>>> gabriela.pantoja@sfgov.org.
>>>
>>>>
>>>
>>>> You may provide comments on the Draft EIR concerning the proposed
>>>
>>>> project’s environmental effects by:
>>>
>>>>
>>>
>>>> * Contacting Elizabeth White via email
>>>
>>>> (SFGatewayProject@sfgov.org), phone (628) 652-7557, or by mail at
>>> 49
>>>
>>>> South Van Ness Avenue, Suite 1400, San Francisco, CA 94103; OR
>>>
>>>> * A public hearing on this Draft EIR will be held by the
>>>
>>>> Planning Commission on Thursday, September 7, 2023 beginning at
>>>> 1pm
>>> or later.
>>>
>>>> Members of the public may attend this hearing in person at San
>>>
>>>> Francisco City Hall or participate remotely using

>>>> videoconferencing
>>>
>>>
>>>> technology. Language Assistance: To request an interpreter during
>>> the
>>>
>>>> hearing, please contact the Commission Secretary at (628)
>>> 652-7589,
>>>
>>>> or commissions.secretary@sfgov.org at least 48 hours in advance
>>> of
>>>
>>>> the hearing.
>>>
>>>>
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>>>> 中文詢問請電 | Para información en Español llamar al
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>>>> Para sa impormasyon sa Tagalog tumawag sa
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>>>> 628.652.7550
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>>>> Please Do Not Reply to this automated email
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>>>> SUBSCRIBER SERVICES: [Manage Preferences \[4\]](#) | [Unsubscribe \[5\]](#)
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>>>> | [Help \[6\]](#)
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>>>
>>>> QUESTIONS? Contact us [\[7\]](#) or email planningnews@sfgov.org
>>>
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>>>
>>>> -----
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>>>> This email was sent to julia@greenaction.org using
>>>

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>>>>> GovDelivery Communications Cloud on behalf of: San Francisco
>>> Planning
>>>
>>>>> Department · 49 South Van Ness Avenue, Suite 1400 San Francisco,
>>> CA 94103
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>>>>> [13]
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>>>>> Links:
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>>>>> [1]
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>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDAsInVyaSI6ImJwMjpbGljayIsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vY2l0eXBsbi1tLWV4dG5sLnNmZ292Lm9yZy9TaGFyZWRMaW5rcy5hc3B4P2Fj
>>> Y
>>>
>>>>>
>>> 2Vzc2tleT1hOTRmNjY0YjBkMmIxmzZ4M4MGYxOTczZjllOGQ5YzkwZmY4N2RkNGQ0NGQ1M
>>> T
>>>
>>>>>
>>> lJmJZiOWIyZTA1MDkwZGJhMTgwJlZhdWx0R1VJRD1BNEE3REFDRC1CMERDLTQzMjltQk
>>> Q
>>>
>>>>>
>>> yOS1GNkYwNzEwM0M2RTAiLCJidWxsZXRpbl9pZCI6ImJwMjMwODAyLjgwNTgyNjYxIn0.
>>>
>>>>>
>>> PaOlclD-fkKdxqlUvCVuegRv0TcHPwYBJxJ5gSH06l/s/3033151311/br/22362918
>>> 5
>>>
>>>>>
>>> 457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmNTJjNmRjN2YzMGQ5MjM2YWNjMmM

```

```

>>> 3
>>>
>>>>
>>> Zjo2OmFlZjQ6MDU3OTU3MDdmOTU2Nzc5NDBkYmUxNjc0ZWFiMGJlMzUwMjJjYzA3ZTdi
>>> N
>>>
>>>> DFhMWZhMmUwZjZjOWRhM2NiZTkWODpwOIQ
>>>
>>>> [2]
>>>
>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDEsInVyaSI6ImJwMjJjYzA3ZTdiCl6lmh
>>> 0
>>>
>>>>
>>> dHBzOi8vY2l0eXBsbi1tLWV4dG5sLnNmZ292Lm9yZy9TaGFyZWRRMaW5rcy5hc3B4P2Fj
>>> Y
>>>
>>>>
>>> 2Vzc2tleT0xZjAxYzJiNjlyNmQyZjUxYmI5NGQwZDAwNTc3ODAyNDZkYTU0ODczOWI2O
>>> D
>>>
>>>>
>>> dmZGJiODA4ZDM5Njg0YzAxNzdmJlZhdWx0R1VJRD1BNEE3REFDRC1CMERDLTQzMjltQk
>>> Q
>>>
>>>>
>>> yOS1GNkYwNzEwM0M2RTAiLCJidWxsZXRpbl9pZCI6IjIwMjJjYzA3ZTdiLjIwMjJjYzA3ZTdi
>>>
>>>>
>>> SQ1U61TvUvLeloWg0i5rNkGz6llpUzcAnle-gD-wLhc/s/3033151311/br/22362918
>>> 5
>>>
>>>>
>>> 457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmNTJjNmRjN2YzMGQ5MjJmYWNjMmM
>>> 3
>>>
>>>>
>>> Zjo2OjhmMmU6NWNIYzgyMjVhYThhOGU3YTJmOTcwZTAyMjBkMWUzMTkxZGZmMjgyMzQ3
>>> M
>>>
>>>> mFhNWU1NWVmYzRjZDA2M2U4MDJlNjpwOIQ
>>>
>>>> [3]
>>>

```

```

>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDIsInVyaSI6ImJwMjpbGljayIsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vc2ZwbGFubmluZy5vcmcvZW52aXJvbm1lbnRhbC1yZXZpZXctZG9jdW1lbnRz
>>> l
>>>
>>>>>
>>> iwiYnVsbGV0aW5faWQiOiIyMDIzMDgwMi44MDU0MjY2MSJ9.clfKheDwWXmPa3oydt2h
>>> X
>>>
>>>>>
>>> LjUFGma0iQNfgTrut0E3aY/s/3033151311/br/223629185457-l____.YXAzOnNmZHQ
>>> y
>>>
>>>>>
>>> OmE6bzphODQ4NTQ2MmZmNTJjNmRjN2YzMGQ5MjY2YWNjMmM3Zjo2OjM5MjA6YTNI
>>> MTRk
>>> N
>>>
>>>>>
>>> zdjNTU1Mjg1NjlyMGNmNDZlZlthNjNhZTUwMTM4NTlhODZjZjZkMGYzMzdNTZiMWNjM
>>> j
>>>
>>>>> k3MTEwZjpwOlQ
>>>
>>>>> [4]
>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDMsInVyaSI6ImJwMjpbGljayIsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vcHVibGljLmdvdmlRlGl2ZXJ5LmNvbS9hY2NvdW50cy9DQVNGUEQvc3Vic2Ny
>>> a
>>>
>>>>>
>>> WJlcnMvbmV3P3ByZWZlcmVuY2VzPXRydWUiLCJidWxsZXRpbl9pZCI6ImJwMjMwODAyL

```

```

>>> j
>>>
>>>>
>>> gwNTgyNjYxln0.BAkIZOX8boLfTpaGytvhl15mKni2WKN3_U2ib2I9cSY/s/30331513
>>> 1
>>>
>>>>
>>> 1/br/223629185457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmNTJjNmRjN2YzM
>>> G
>>>
>>>>
>>> Q5MjM2YWNjMmM3Zjo2OjZjYWE6NmM3N2IxMWY0NzJhM2RmZmQxNWFjMmQ5YTBkZmM0Zj
>>> A
>>>
>>>>> 2NmNIMjhmNGZhNTdjNDQ5ZThlYzQxNDBkNGRjNzc5YTpwOlQ
>>>
>>>>> [5]
>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/____https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDQsInVyaSI6ImJwMjpbGljayIsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vcHVibGljLmdvdmRlbGl2ZXJ5LmNvbS9hY2NvdW50cy9DQVNGUEQvc3Vic2Ny
>>> a
>>>
>>>>>
>>> WJlci9IZGI0P3ByZWZlcmVuY2VzPXRydWUjdGFiMSIsImJ1bGxldGluX2lkIjojMjAyM
>>> z
>>>
>>>>>
>>> A4MDluODA1ODI2NjEifQ.ZFWbeZGMJY0BXtKEFC2grOF4RqmDO0bMqnGh-rylYPc/s/3
>>> 0
>>>
>>>>>
>>> 33151311/br/223629185457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmNTJjNm
>>> R
>>>
>>>>>
>>> jN2YzMGQ5MjM2YWNjMmM3Zjo2OmM1MDg6OTY2MTlkNjg5MDk2MWY5MTM4YzVmMDhjMjQ
>>> w
>>>
>>>>>> ZjYzY2NjZDJhOTc5YzdhdhYWNiZW50NiNTVINWYxNjQzMzA1NzczNzpwOlQ
>>>
>>>>>> [6]

```

```

>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDUsInVyaSI6ImJwMjpbGljayIsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vc3Vic2NyaWJlcmhlbHAuZ292ZGVsaXZlcnuY29tLyIsImJ1bGxldGluX2lk
>>> l
>>>
>>>>>
>>> joiMjAyMzA4MDluODA1ODI2NjEifQ.yYfXyGhbVbss6AyZjflvod9VEMiU08JGcvpzlW
>>> C
>>>
>>>>>
>>> fnc0/s/3033151311/br/223629185457-l___.YXAzOnNmZHQyOmE6bzphODQ4NTQ2M
>>> m
>>>
>>>>>
>>> ZmNTJjNmRjN2YzMGQ5MjM2YWNjMmM3Zjo2OjQ2ODE6MjAyODlwOGExMGYwY2RkYWI2YT
>>> l
>>>
>>>>> kMjJhZGZiNGE2ODVIYmFjMjI0NzY2NDNhYjIzNjg3NzJmYmM1ZGQyYmFhNDpwOIQ
>>>
>>>>> [7]
>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDUsInVyaSI6ImJwMjpbGljayIsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vc2YtcGxhbm5pbmcub3JnL2xvY2F0aW9uLWZlZC1ob3VycyIsImJ1bGxldGlu
>>> X
>>>
>>>>>
>>> 2lkljoiMjAyMzA4MDluODA1ODI2NjEifQ.2UjG2A-7dLdO8sbAsYJS68ITK13cXNNXHL
>>> l
>>>
>>>>>

```

```

>>> EM--F7o4/s/3033151311/br/223629185457-l____.YXAzOnNmZHQyOmE6bzphODQ4N
>>> T
>>>
>>>>>
>>> Q2MmZmNTJjNmRjN2YzMGQ5MjM2YWNjMmM3Zjo2OmZiYzQ6OTliY2JjOWJlMzllN2E5N2
>>> Y
>>>
>>>>>
>>> 1ZDlmYWY4OTBjZGYxYTM2YzhhODYyMjEzMzU0ZmFINWU1OTNiOWRkNjExNDliODpwOIQ
>>>
>>>>> [8]
>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/____https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDcsInVyaSI6ImJwMjpbGljaylsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vd3d3LmZhY2Vib29rLmNvbS9zZnBsYW5uaW5nliwiYnVsbGV0aW5faWQiOiIy
>>> M
>>>
>>>>>
>>> DIzMDgwMi44MDU4MjY2MSJ9.1UnkC3Ard5eSXw0g3yKdRVyMRv13N4h4XSixhy6uGzw/
>>> s
>>>
>>>>>
>>> /3033151311/br/223629185457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmNTJ
>>> j
>>>
>>>>>
>>> NmRjN2YzMGQ5MjM2YWNjMmM3Zjo2OjBhMjY6NTgyODE0ZTNhNzI2NzY3NjA0MzQ1ODM1
>>> Y
>>>
>>>>> 2E1Y2ZlNzg2M2UxYjRiZTQxOWVIM2I1YmRhZTdjYWw4YjYkYTlkNDpwOIQ
>>>
>>>>> [9]
>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/____https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDgsInVyaSI6ImJwMjpbGljaylsInVybCI6Imh

```

```

>>> 0
>>>
>>>>
>>> dHBzOi8vdHdpdHRlci5jb20vc2ZwbGFubmluZyIsImJ1bGxldGluX2lkIjoIMjAyMzA4
>>> M
>>>
>>>>
>>> DluODA1ODI2NjEifQ.M193Djb_xg-X3gUuMAXDH3r5H2j-HRZtBRgLCaBjd-o/s/3033
>>> 1
>>>
>>>>
>>> 51311/br/223629185457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmNTJjNmRjN
>>> 2
>>>
>>>>
>>> YzMgQ5MjM2YWNjMmM3Zjo2OmFmNTI6YWExZThmOTE3ODE1NjdkMzcyMjA3NjEyZmI5OG
>>> V
>>>
>>>> jMGFIYjZjMjVmZDIyMjBmZTM3MDkzZDNhOTRlZGVhNzgzNTpwOIQ
>>>
>>>> [10]
>>>
>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/____https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMDksInVyaSI6ImJwMjBjbGljaylsInVybCI6Imh
>>> 0
>>>
>>>>
>>> dHBzOi8vd3d3LmZsaWNrci5jb20vcGhvdG9zL3NmcGxhbm5pbmciLCJidWxsZXRpbl9p
>>> Z
>>>
>>>>
>>> Cl6ljlwMjMwODAYLjgwNTgyNjYxIn0.gpELjH_HF7CXiW-Nxd_oM8iDVggdpyM_54LmQ
>>> s
>>>
>>>>
>>> xg41w/s/3033151311/br/223629185457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2
>>> M
>>>
>>>>
>>> mZmNTJjNmRjN2YzMgQ5MjM2YWNjMmM3Zjo2OjFkODI6N2NiOGM0YTA5NGRhMGJkZjRiM
>>> j
>>>
>>>> RmZGM4OGYzMzVkZTY3NzU2OTNjZjUyN2M1MDBiNjFjYzYzk0Y2FhZDE5M2YwYjpwOIQ
>>>
>>>> [11]

```

```
>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMTAsInVyaSI6ImJwMjpbGljaylsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vd3d3LnlnvdXR1YmUuY29tL3NmGxhbm5pbmciLCJidWxsZXRpbl9pZCI6IjIw
>>> M
>>>
>>>>>
>>> jMwODAYLjgwNTgyNjYxIn0.dO325cfSFh48IylaHOZ6WfcytCMHcDbPvmNjsUEg-rg/s
>>> /
>>>
>>>>>
>>> 3033151311/br/223629185457-l____.YXAzOnNmZHqYOmE6bzphODQ4NTQ2MmZmNTJj
>>> N
>>>
>>>>>
>>> mRjN2YzMGQ5MjM2YWNjMmM3Zjo2OjZjNTg6Zjk5OTJhODZkMGUzNmFhNGViMDUzNzUwM
>>> T
>>>
>>>>> kyZDNhM2Q0ZGFhZTFIMzZiOWY4N2RmYTY4OGM0NjFkNWMzYzdjMjpwOlQ
>>>
>>>>> [12]
>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMTAsInVyaSI6ImJwMjpbGljaylsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vcHVibGljLmdvdmlRbGl2ZXJ5LmNvbS9hY2NvdW50cy9DQVNGUEQvc3Vic2Ny
>>> a
>>>
>>>>>
>>> WJlci9uZXciLCJidWxsZXRpbl9pZCI6IjIwMjMwODAYLjgwNTgyNjYxIn0.PdZE_H7RZ
>>> k
>>>
>>>>>
```

```

>>> XaSPBDuVdbmqb-lr-E5dgN-NhX4UU9xDc/s/3033151311/br/223629185457-l____.
>>> Y
>>>
>>>>>
>>> XAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmNTJjNmRjN2YzMGQ5MjM2YWNjMmM3Zjo2OjY1O
>>> T
>>>
>>>>>
>>> k6YWJiNDIzYTNkNjczZTE3NmQzMTkwMDRkNDM3MmQ1NDE4ZjBkZTdKMGJkNzUwZTBiYj
>>> g
>>>
>>>>> 3ZTEyY2Y0NmJjNDQwNjpwOIQ
>>>
>>>>> [13]
>>>
>>>>>
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/____https:/*l
>>> nks.gd/l/eyJhbGciOiJIUzI1NiJ9__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mbAwz
>>> 9Bw$
>>> [3]
>>>
>>>>>
>>> .eyJidWxsZXRpbl9saW5rX2lkIjoxMTIsInVyaSI6ImJwMjpwOGljbGljayIsInVybCI6Imh
>>> 0
>>>
>>>>>
>>> dHBzOi8vc3Vic2NyaWJlcmhlbHAuZ3JhbmljdXMuY29tLyIsImJ1bGxldGluX2lkIjoj
>>> M
>>>
>>>>>
>>> jAyMzA4MDIuODA1ODI2NjEifQ.kS8BTiV7TgTuYeGbaboWqBKa4dXTUL1vkUIRHf6WZp
>>> 8
>>>
>>>>>
>>> /s/3033151311/br/223629185457-l____.YXAzOnNmZHQyOmE6bzphODQ4NTQ2MmZmN
>>> T
>>>
>>>>>
>>> JjNmRjN2YzMGQ5MjM2YWNjMmM3Zjo2OmUzOWE6ZTdiYWY2ZTI2ZmM5M2QzMWYxYTMMyMT
>>> A
>>>
>>>>> 2MjlzZWE2OWY4YmYwMTE3YWI3ZWJkY2M3Yjk4MzEzMjM1ZmI0ZDM1ZjpwOIQ
>>>
>>> Links:
>>> -----
>>> [1]
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/____http:/*ww
>>> w.sfplanning.org/____.YXAzOnNm__Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1lyqGF
>>> Qsg$
>>> Z

```

```

>>> HQyOmE6bzo1MDc0OWVjMTdhN2NiMzc3N2ViNDQwY2JmNWNmZTYyYzo2OmEzMGQ6ZjRmN
>>> z
>>> h
>>> kMTM4NWNiNThiZDk5MTJjZDU4MzdiMGJkYTQxY2YzMmFIYjFjZTRIYzNiMWNhMTY5MTU
>>> 5
>>> Y
>>> 2QyNTAyZDpwOlQ [2]
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https:/*s
>>> fpplanninggis.org/pim/____.YXAz__;Lw!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJ
>>> BD7vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1mMm5_
>>> rjw$
>>> O
>>> nNmZHQyOmE6bzo1MDc0OWVjMTdhN2NiMzc3N2ViNDQwY2JmNWNmZTYyYzo2OmMzNWE6M
>>> j
>>> Y
>>> yYzEwYTViOGUzMWQ0MjA2OTdmYWYxMjU1NjdmNTNiMzEyYzE4ZDk5Zjc4YWRhNzc5Y2M
>>> z
>>> O
>>> DBmOWM5MTNmODpwOlQ
>>> [3]
>>> https://urldefense.com/v3/__https://url.avanan.click/v2/___https://ln
>>> ks.gd/l/eyJhbGciOiJIUzI1NiJ9__!!ETWISUBM!xAQOF6nx0nj2MzUMjdATDaJBD7
>>> vqG865MqPmegWsRfuDxehBuQxoAmauebyNGFzdrfD7JQqnUMXGvKB05u2bQ1lpqmk2zw
>>> $

```

From: [Brandon Turner](#)
To: [CPC.SFGatewayProject](#)
Cc: [Caroline Farrell](#); bradley@greenaction.org
Subject: SF Gateway Project Comments
Date: Monday, October 16, 2023 3:09:31 PM
Attachments: [Outlook-otq1ulnw.png](#)
[SF Gateway Project Comments.pdf](#)
[BAAQMD April 2022 comment letter to Planning Department on SF Gateway Project.pdf](#)

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Good afternoon,

Attached, please find our comments in response to the adequacy and accuracy of the DEIR prepared for the SF Gateway Project. These comments are submitted on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee. If you have any questions, please contact us at eljcl@ggu.edu.

Best,

Brandon Turner
Certified Law Student*

Brandon Turner | he/him/his
J.D. Candidate, 2025
Student Bar Association 2L Representative
Golden Gate University School of Law
bturner@my.ggu.edu | (925) 325-6708



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October 16, 2023

San Francisco Planning Department
Attention: Elizabeth White, Senior Environmental Planner
CPC.SFGatewayProject@sfgov.org
49 South Van Ness Ave., Suite 1400
San Francisco, CA 94103

Submitted via email.

Re: Comments on Draft Environmental Impact Report for San Francisco Gateway Project

Dear Ms. White:

The Environmental Law and Justice Clinic at Golden Gate University School of Law submits these comments on behalf of Greenaction for Health and Environmental Justice and the Bayview Hunters Point Mothers and Fathers Committee. Greenaction submits these comments on behalf of its frontline staff, community members, and constituents who are longtime residents of Bayview Hunters Point. The Draft Environmental Impact Report (“DEIR”) for the San Francisco Gateway Project (“project”) is inaccurate and inadequate, and it fails to comply with the California Environmental Quality Act (“CEQA”).¹

The purpose of CEQA is to assist agencies in identifying the significant environmental effects of proposed projects and adopting feasible alternatives or mitigation measures that would lessen or avoid these impacts.² An environmental impact report (“EIR”) must “identify the significant effects on the environment of a project, [] identify alternatives to the project, and [] indicate the manner in which those significant effects can be mitigated or avoided” before a project may be approved.³ Public agencies are responsible for mitigating or avoiding the “significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.”⁴ An EIR further serves to provide “detailed information about the effect which a project is likely to have on the environment.”⁵

The DEIR circulated by the San Francisco Planning Department (“Planning Department” or “City”) is procedurally inadequate, fails to rise to the level of specificity required by CEQA, fails to adequately and accurately analyze cumulative impacts, fails to adequately and accurately analyze feasible mitigation measures, fails to adequately and accurately analyze environmental

¹ Cal. Pub. Res. Code § 21000 et seq.

² *Id.* at 1002.

³ *Id.* at 21002.1(a).

⁴ *Id.* at 21002.1(b).

⁵ CEQA Guidelines § 15201.

and health impacts, and fails to adequately and accurately analyze alternatives. Accordingly, the Planning Department must substantially revise the DEIR and recirculate it for public comment.

Prologis, the world's largest warehouse developer of PDR projects, is determined to redevelop two parcels of land that will take up 2,160,000 square feet in the historically Black Bayview Hunters Point neighborhood.⁶ Since the 1940s, Bayview Hunters Point has been subjected to pollution produced from industrial intensification.⁷ World War II only exacerbated the problem, as the U.S. Navy purchased the dry dock in 1940 and converted the area into a naval shipyard where nuclear research was conducted.⁸ The environmental impact was so extensive that the naval shipyard was designated as a federal Superfund Site and placed on the National Priorities List in 1989.⁹

Because of the naval shipyard's significant impact on the environment, Bayview Hunters Point now suffers an increased contamination risk.¹⁰ This contamination risk can lead to health problems such as asthma, heart disease, and even some types of cancer.¹¹ In Bayview Hunters Point, 79.7% of the population are people of color.¹² Additionally, about 41.3% of the population falls below 200% of the poverty rate.¹³ Moreover, Bayview Hunters Point has been subject to redlining policies which, in turn, has attracted industrial businesses that continue to overburden the community.¹⁴ San Francisco's current land use zoning, places all PDR projects in Bayview Hunters Point because of these past practices of consolidating industry in predominately Black and Brown Communities.¹⁵ These areas are considered infill for future industrial projects and cementing this legacy of discrimination will impact the future of Bayview Hunters Point.

I. THE DEIR IS PROCEDURALLY INADEQUATE.

CEQA Guidelines and San Francisco Administrative Code Chapter 31 encourage public participation in the planning and environmental review process.¹⁶ However, for the public to be able to participate they must have been made aware that the EIR exists. Under CEQA guidelines sections 15063 and 15082, the planning department has claimed they have made a good faith effort to provide notice to organizations and persons who may have an interest in the proposed project.¹⁷ Unless an individual or organization was already placed on the mandatory Planning Department list for notices, the Notice of Preparation ("NOP") was only mailed to tenants and property owners within 300 feet of the project site.¹⁸ It is completely unacceptable for a project

⁶ DEIR at S-1.

⁷ DEIR 3.A-7.

⁸ *Id.*

⁹ United States Nuclear Regulatory Commission, <https://www.nrc.gov/info-finder/decommissioning/complex/hunters-point-naval-shipyard.html#>

¹⁰ San Francisco Climate and Health Program, <https://sfclimatehealth.org/neighborhoods/bayview-hunters-point-2/>

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ San Francisco Public Press <https://www.sfpublishpress.org/state-report-links-redlining-and-pollution-threats/>

¹⁵ DEIR at 2.C.2

¹⁶ DEIR at 1.C-2.

¹⁷ DEIR at 1.C-1.

¹⁸ *Id.*

↑ of this magnitude to have only provided notice of what can be compared to the size of an entire
■ football field.

O-GA-
BVHPMF-2

■ While the NOP was translated into Chinese, Spanish, Filipino, and Vietnamese, the draft EIR itself was never translated.¹⁹ Though San Francisco Administrative Code Chapter 91 does not require translation of technical documents, what good is a notice if you cannot read what the notice is referring to? In actuality, it would be no good. Environmental Impact Reports are informational documents that inform the public as well as decision-makers about the environmentally significant impacts of a proposed project.²⁰ CEQA stresses the importance of disclosing feasible mitigation measures and alternatives.²¹ However, the present DEIR is not translated into other languages which means people are being deprived of the opportunity to read for themselves what those measures are.

■ Greenaction has repeatedly called on the Planning Department to provide translations of DEIRs on prior projects, and this project was no exception. Language access is a fundamental right and is paramount to ensuring equal access to participation in the government's decision-making process that affects both community and well-being. The City's best practice should include translating substantive portions of the DEIR to fulfill CEQA's informational purpose. Considering that 155,765 people out of the total of 740,776 people who live in San Francisco speak a language other than English, shows how important it is that these technical documents be readily accessible to them.²²

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■ The DEIR is also improperly focused. Under CEQA Guidelines 15063(c)(3), the City can narrow the environmental issues it focuses on based on the initial study. The DEIR should have included hazardous materials and greenhouse gases ("GHGs"). The fact that Prologis has been sued twice in Southern California for damage caused by their tenant's improperly storing hazardous materials is relevant to whether the DEIR's mitigation measures are sufficient, and the omission of Prologis's track record is alarming.²³ Additionally, there should have been more of a focus on GHGs because trucks are a significant source of GHGs which significantly contribute to climate change.²⁴ The letter submitted by the California Air Resource Board stated the City should consider GHGs, particularly because local mitigation strategies are key to achieving the state's GHG goals.²⁵ The City did not disclose, analyze, or mitigate the impacts of GHGs on the project. Because the City did not translate technical portions of the DEIR and improperly focused the DEIR by excluding potentially significant impacts from the DEIR analysis, the DEIR

¹⁹ *Id.*

²⁰ CEQA Guidelines § 15121(a)

²¹ CEQA Guidelines § 15126.4

²² San Francisco Language Diversity Data,
<https://sf.gov/data/san-francisco-language-diversity-data>

²³ Real Estate News,
<https://therealdeal.com/la/2023/07/11/reckless-and-illegal-residents-sue-prologis-over-warehouse-fire/>

²⁴ United States Environmental Protection Agency,
<https://www.epa.gov/climatechange-science/basics-climate-change#:~:text=Carbon%20dioxide%20is%20the%20primary,reactions%2C%20such%20as%20cement%20manufacturing.>

²⁵ DEIR Appendix A at 10-17

↑ should not be approved. The deficiencies should be corrected, and the DEIR should be
■ recirculated for public comment.

II. THE DEIR DOES NOT RISE TO THE LEVEL OF SPECIFICITY REQUIRED BY CEQA AND SHOULD BE A PROGRAM EIR.

■ The San Francisco Planning Department is the lead agency responsible for preparing the DEIR in compliance with CEQA.²⁶ The DEIR defines the demolition and construction of the PDR site as a “project,” so a project-level EIR was drafted that focused on changes in the environment that would result from the development of this specific project.²⁷ The scope of this DEIR, however, is too broad for a project-level EIR. It fails to contain the level of specificity that the Planning Department and the public require to make informed decisions on the impacts and mitigation measures needed. As such, the Planning Department must prepare a program EIR.

O-GA-BVHPMF-4 A program EIR is “an EIR which may be prepared on a series of actions that can be characterized as one large project.”²⁸ The advantage of using a program EIR is that the lead agency may consider “broad policy alternatives and program wide mitigation measures early when the agency has greater flexibility to deal with basic problems or cumulative impacts.”²⁹ A program EIR is distinct from a project EIR, which requires more specific details and considerations. A program EIR may be used in conjunction with tiering, which is “the coverage of general matters in broader EIRs with subsequent narrower EIRs.”³⁰ Tiering is proper “when it helps a public agency to focus upon the issues ripe for decision at each level of environmental review and in order to exclude duplicative analysis of environmental effects.”³¹ The DEIR does not list the tenants of the site, it bases its studies on similar projects, and it does not accurately consider the impacts that it will have for being in operation for 100 years. Therefore, a program-level EIR is more appropriate.

The Planning Department failed to adequately list the tenants that would occupy the site. Instead, they attempted to analyze potential environmental impacts based on “an evolving mix of users or tenants.”³² Furthermore, the DEIR reports that “it is anticipated that the special use district would [] allow for the specific assortment of PDR tenants to change over time in response to economic and technological conditions.”³³ The Planning Department does not know who the tenants will be and what they will use the space for, and yet they created and circulated this DEIR with estimates and assumptions on what they believe is likely to happen. The DEIR merely “describes and analyzes a mix of PDR uses that are likely to occur based on the project sponsor’s familiarity with leasing trends.”³⁴

²⁶ DEIR at S-1.

²⁷ CEQA Guidelines § 15161.

²⁸ CEQA Guidelines § 15168.

²⁹ *Id.*

³⁰ CEQA Guidelines § 15385.

³¹ Cal. Pub. Res. Code § 21093(a).

³² DEIR at 2-1.

³³ DEIR at 2-20.

³⁴ DEIR at S-2.

The proposed project would provide space for various PDR uses, which include “manufacturing and maker space; parcel delivery service, including last-mile delivery; wholesale and storage; and fleet management.”³⁵ There is a wide range of different tenants that might occupy the PDR site, including major corporations such as Amazon, FedEx, and BMW. Some of these uses, however, are incompatible with the intended functionality of the PDR site.

Not only that, but the DEIR indicates that the PDR space will be in operation for at least 100 years.³⁶ The Planning Department, therefore, attempted to complete all environmental reviews for the next century through this one DEIR. It is impossible to accurately analyze the scope of a project for this long of a period due to changes in science and technology. The City also improperly defers all future assessment and mitigation to a Special Use District (“SUD”) that does not exist. There is no information about the power of the SUD, the governance structure, or the criteria the SUD will use to adjust the facility when impacts fall outside of the approved EIR. The City does not need to create an SUD. CEQA itself provides a mechanism for accounting for future impacts with less uncertainty for decision-makers and the public. Instead, the Planning Department should engage in tiering and continuously perform environmental reviews throughout the life of the project.

The Planning Department should prepare a program EIR and clarify that the above concerns require further CEQA review. However, since it was presented as a project DEIR, the following explains how the project DEIR fails to adequately and accurately analyze cumulative impacts, mitigation measures, environmental and health impacts, and alternatives.

III. THE DEIR FAILS TO ANALYZE CUMULATIVE IMPACTS ADEQUATELY AND ACCURATELY.

Bayview Hunter's Point has a long history of pollution since the U.S. Navy's purchase of the San Francisco Dry Dock in 1940.³⁷ The negative effects of the nuclear research conducted at the dock continue to persist today, including negative health impacts among the community in the forms of cancer, asthma, and more.³⁸ Bayview Hunter's Point is considered a community that is disproportionately burdened by pollution from multiple sources under the CalEnvrioScreen.³⁹

In addition to the significant radioactive and hazardous waste contamination at the Shipyard Superfund Site, the health and environment of Bayview Hunters Point residents are impacted by other contamination sites including Yosemite Slough, large-scale freight transport and diesel truck traffic, two freeways, unpermitted concrete plants and an animal rendering plant at the Port of San Francisco, Circosta Iron and Steel recycling, and many small unregulated businesses that emit harmful pollution. Furthermore, the City approved the pending India Basin Mixed-Use Development Project, and the City's own EIR concluded that the project could cause significant, harmful, unavoidable, localized air pollution forever, not just during construction. Residents must not be exposed to yet another large-scale, 100-year polluting project. In

³⁵ *Id.*

³⁶ DEIR at 2-1.

³⁷ DEIR at 3.A-7.

³⁸ DEIR at 3.A-12.

³⁹ DEIR at 3.A-6.

consideration of this complex history, adequate and accurate analysis of the cumulative impacts faced by the community is essential. The analysis of the cumulative impacts in the DEIR is not adequate and fails to look at several considerations that will increase the impacts.

The Bay Area Quality Management District (“BAAQMD”) submitted a comment letter to the Planning Department on the San Francisco Gateway Project on April 6, 2022. The letter recommends that the EIR use a very conservative threshold to evaluate impacts because Bayview Hunters Point is already impacted by air pollution. Additionally, BAAQMD suggests that the EIR evaluate potential cumulative health risk impacts of TAC and PM_{2.5} emissions on sensitive receptors near the Project area.

Among the factors weighed to determine the level of cumulative analysis in the DEIR include geographic scope and location.⁴⁰ The DEIR states that geographic scope varies and provides an example of a situation in which “health risk impacts from exposure to air pollutants are generally localized, the cumulative context for health risk analysis is the project site and vicinity within 1,000 feet of the project site.”⁴¹ The DEIR focuses on three major cumulative impacts: noise and vibration, transportation and circulation, and air quality.⁴²

A. Noise and Vibration

The evaluation of noise and vibration impacts on the area surrounding the proposed project is insufficient, as the geographic scope for these impacts encompasses projects only within 1/4 of a mile of the proposed project.⁴³ The DEIR states that beyond this scope, the cumulative projects would be “attenuated through both distance and intervening structures, and their contributions would be minimal.”⁴⁴ Under CEQA guidelines, “an EIR shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable.”⁴⁵ Even if the project’s impact is minimal, there is still a possibility that, combined with other impacts in the surrounding area, it could be significant. The location proposed for this project is in an area that houses all other PDR uses in the city. It is extremely likely that any impact from the proposed project will cumulatively be a significant impact. Consequently, any potential impact requires proper and accurate analysis. It is crucial to analyze all cumulative impacts, including those that are considered “minimal.” Only considering projects within 1/4 of a mile of the proposed project ignores relevant data that needs to be considered for the cumulative analysis to be adequate and accurate.

B. Transportation and Circulation

The DEIR also fails to analyze cumulative impacts adequately and accurately regarding transportation and circulation. The same geographic scope as applied to noise and vibration

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² DEIR at 1-7.

⁴³ DEIR at 3.C-48.

⁴⁴ *Id.*

⁴⁵ Cal. Code Regs., tit. 14 § 15130.

impacts is applied here; relevant projects considered are within 1/4 mile of the proposed project.⁴⁶ However, there is no justification or explanation for limiting the scope. The range set for these projects needs to be expanded to ensure accurate and adequate cumulative impacts and community considerations.

A project of this size will result in more cars on the road as no bus routes are operating to the location of the site.⁴⁷ Workers are likely to use their own vehicles to drive to the location because of this lack of transportation, which will inevitably result in more vehicular emissions. Furthermore, with tenants engaging in PDR, there will be more trucks traveling to and from the site that will be operating beyond 1/4 mile. The proposed project would generate a net new increase of 330 inbound and 101 outbound vehicle trips during the weekday a.m. peak hour (431 vehicle trips total), and 246 inbound and 325 outbound vehicle trips during the weekday p.m. peak hour (571 vehicle trips total).⁴⁸ These potential cumulative effects must be analyzed. To do so accurately and adequately, cumulative impacts must include past, present, and future projects beyond 1,000 feet from the proposed project site for the cumulative impact analysis to be adequate and accurate.

C. Air Quality

The geographic scope under this cumulative impact for the health impacts analysis is oddly narrower than other impacts. A cumulative health risk analysis was conducted to evaluate health risks from existing emission sources, proposed project emissions, and emissions from nearby projects only within 1,000 feet of the offsite maximally exposed residential and worker receptors.⁴⁹ This range is not far enough to provide for accurate and adequate community impacts. A broadened geographic scope in analyzing all cumulative impacts is necessary. Furthermore, the cumulative impact of air emissions needs to be analyzed further. The DEIR states that this cumulative impact will be less than significant with the implementation of mitigation measures.⁵⁰ However, as discussed below, the proposed feasible mitigation measures are inadequate and unrealistic. Therefore, it is highly likely that air pollutant emissions will be significantly higher than expected and essential to be analyzed.

The DEIR fails to adequately consider the proposed project's impact on air quality and air pollution, specifically regarding the demolition process of the existing buildings at the site. While there are mentions of a few tools that will be used in this process, the DEIR fails to explain the process in detail and thus fails to consider the potential impacts of demolishing US Navy buildings from the 1940s.⁵¹ The DEIR does not analyze impacts such as the release of asbestos and other chemicals harmful to the health of the Bayview Hunter's Point community. The community is already facing health problems from a long history of pollution, and the

⁴⁶ DEIR at 3.B-59.

⁴⁷ *See generally* 3.B-24-27.

⁴⁸ DEIR at 3.B-51.

⁴⁹ DEIR at 3.D-71.

⁵⁰ *Id.*

⁵¹ DEIR at 3.C-23.

pollution from the demolition process will likely add to this existing pollution, further raising the risks to the community.⁵² As these impacts are threatening a community plagued by pollution, it is critical to provide details of all stages of the proposed project to obtain an accurate analysis. The demolition process must be described in detail, and the effects from it must be estimated concerning surrounding existing pollution to obtain an adequate and accurate cumulative analysis.

Furthermore, the proposed site is an area with poor air quality and a higher air pollution exposure zone (“APEZ”).⁵³ An APEZ community experiences an excess cancer risk greater than 100 per 1 million population from the contribution of emissions from all modeled sources.⁵⁴ Additionally, based on the air district’s evaluation of health vulnerability in the Bay Area, the project site is located within the worst quintile.⁵⁵ The DEIR explains that “within 1,000 feet of the project site, the existing modeled cancer risk ranges from 150 to 404 per 1 million.”⁵⁶ This is as far as the DEIR goes. There are no measures in place aimed at reducing the increased levels of adverse health impacts on the residents of Bayview Hunters Point, which the City and State have already found to be disproportionately overburdened. Thus, the cumulative impact analysis and mitigation measures are inadequate under CEQA.

Not only is the analysis for cumulative impacts on air quality deficient due to the narrow geographic scope applied, but it is also inadequate due to it being based on a faulty assumption. It assumes that air emissions, along with surrounding cumulative emissions, will be less significant because all trucks are expected to be electrified by 2050.⁵⁷ While California is attempting to achieve this, whether it can do so depends on whether it will be feasible. Since the regulation is based on whether there will be enough market availability for electric vehicles, if there is not enough then this goal will not be feasible.⁵⁸ In that case, the EIR’s analysis of cumulative impacts on air quality would be completely inaccurate. There needs to be another analysis conducted on the assumption that California will not be able to meet its goal of electrifying all trucks in that timeframe. All different outcomes must be considered.

IV. THE DEIR FAILS TO ADEQUATELY AND ACCURATELY IMPLEMENT FEASIBLE MITIGATION MEASURES.

The mitigation measures proposed in the DEIR are painfully inadequate and extremely unreasonable. CEQA requires public lead agencies to impose feasible mitigation measures as part of the approval of a “project” to lessen or avoid significant adverse effects of the project on the physical environment.⁵⁹ Additionally, the mitigation measures have to be enforceable.⁶⁰

⁵² DEIR at 3.A-7.

⁵³ DEIR at 3.D-13.

⁵⁴ *Id.*

⁵⁵ DEIR at 3.D-14.

⁵⁶ *Id.*

⁵⁷ DEIR at 3.D-20.

⁵⁸ *Id.*

⁵⁹ CEQA Guidelines § 15370

⁶⁰ CEQA Guidelines § 15126.4(a)(2)

The City owes a duty to the community to incorporate all feasible mitigation measures to reduce significant impacts.

The DEIR has undoubtedly failed to meet this requirement. First, the DEIR explicitly states that this project would result in an increase in air pollution to the extent that it could conflict with or obstruct the implementation of the 2017 Clean Air Plan.⁶¹ Considering that, the DEIR provides mitigation measures M-AQ-3a, M-AQ-3b, and M-AQ-3c as feasible mitigation measures which will analyzed below.

A. Electrification of Yard Equipment (M-AQ-3a)

The project sponsor claims that the tenant lease agreement will ensure that all yard equipment will be electric. However, the project sponsor does not share specifications on how they will ensure they carry this mitigation measure through. How will this be monitored and enforced? What if such equipment is not on the market? While ideal, it is difficult for the community to support a mitigation measure that is so vague, leaving many no choice but to believe this mitigation measure is not feasible, and thus inadequate.

B. Electrification of Transportation Refrigeration Units (M-AQ-3b)

1. Operational Emissions

The project sponsor claims all transportation refrigeration units operating on the site will be electric or alternative zero-emissions technology. The DEIR does not specify when this will occur. How the project sponsor will ensure compliance, the DEIR also does not specify. The DEIR also does not describe the electrification infrastructure that will be available on-site and any indirect emissions from the increased demand for electricity at the site.

2. Construction Emissions

Considering that construction will last approximately 31 months if not more, the mitigation measure must be in effect throughout the entire construction of the project. It is important to note that there is no guarantee that the trucks that will provide the necessary equipment and resources for the construction of this project are presumably not electric. Therefore, pollution from those trucks will inevitably affect the environment and the community.

C. Truck and Van Idling for More Than Two Minutes (M-AQ-3c)

The project sponsor claims that onsite idling of all visiting gasoline- or diesel-powered vans and trucks will not exceed two minutes. They also claim that onsite workers and truck drivers will be provided with training to effectively implement this mitigation measure. However, it is entirely unrealistic and unreasonable to believe that this mitigation measure is going to be effective. It seems highly unlikely that onsite workers or visiting truck drivers will set a timer for two minutes and comply with this mitigation measure by proceeding to turn off the vehicle. This is especially unbelievable if there are no repercussions for failing to do so or no

⁶¹ DEIR at S-10-11.

cameras in place to ensure compliance. It is also inconceivable that this mitigation measure will be effective and more reasonable to believe that a truck will idle for longer than it's supposed to. For example, an onsite worker or visiting truck driver could easily idle for two minutes and thirty seconds by unintentionally becoming distracted by their surroundings or other matters. Therefore, this mitigation measure is not feasible.

D. Additional Mitigation Measures Should Be Implemented

1. All TRUs That Enter the Site Should be Plug in Capable.

The California Air Resource Board ("CARB") recommends that developers and government planners minimize public exposure to air pollution.⁶² One of the recommendations includes requiring all transportation refrigeration units ("TRUs") that enter the project site to be plug-in capable without exception.⁶³ The DEIR only states that there will be charging infrastructure to accommodate necessary plug-ins for TRUs that happen to be electric on site.⁶⁴ To truly minimize exposure to air pollution in an area already categorized as an APEZ, the DEIR should adopt this mitigation measure. Because Bayview Hunters Point is already overburdened, the DEIR should implement as many mitigation measures as possible to ensure the health and safety of those in the community.

2. All Emergency Generators Should be Powered by Non-diesel Fuel.

Additionally, CARB recommends that all emergency generators should be powered by non-diesel fuel.⁶⁵ The DEIR states that Prologis will "ensure that the diesel backup generators meet or exceed the air board's Tier 4 final off-road emission standards."⁶⁶ However, the DEIR does not state how Prologis will "ensure" that they meet this standard. Not only does it make their proposed mitigation measure unenforceable, but Prologis wishes to redevelop land in an area that is already suffering from companies just like Prologis. Therefore, Prologis, who claims to be the world's largest PDR developer, should be implementing mitigation measures that go beyond what is necessary for the approval of this project. The DEIR should not allow for diesel or fossil fuel backup generators on site as an additional mitigation measure.

V. THE DEIR FAILS TO ADEQUATELY AND ACCURATELY ANALYZE ENVIRONMENTAL AND HEALTH IMPACTS.

An EIR must be prepared "with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences."⁶⁷ The DEIR circulated by the Planning Department, however, is

⁶² DEIR Appendix A at 1.

⁶³ *Id.* at 2.

⁶⁴ DEIR at 3.D-46.

⁶⁵ DEIR Appendix A at 2.

⁶⁶ DEIR at S-11.

⁶⁷ Cal. Code Regs. Tit. 14 § 15151.

extremely broad in scope and fails to adequately analyze the impacts that a 2.1 million square foot PDR site will have on the environment and human health being in operation for a century.⁶⁸

A. Health Impacts

The socioeconomic stressors of the adjacent populations and these health conditions render populations in the project area especially vulnerable to the impacts of pollution. For example, the age-adjusted rate of emergency room visits due to asthma in Bayview Hunters Point is 93.40, while the San Francisco citywide average is only 34.86.⁶⁹ For chronic obstructive pulmonary disease (“COPD”), the emergency room visit rate in Bayview Hunters Point is 45.08, while the citywide average is 18.55.⁷⁰ Based on available data, the project is in a community with some of the highest rates of asthma and COPD-related emergency room visits and hospitalizations in the city.⁷¹ The DEIR acknowledges that “national and state air quality standards have been set at levels considered safe to public health, including the health of sensitive populations such as asthmatics...” This is as detailed as the report gets.⁷²

It is impossible to believe that the demolition and construction of an entirely new PDR site will not affect asthma and COPD rates in the area. Although CEQA does not require the project to mitigate these existing impacts, the project must mitigate its impacts moving into such a sensitive area. San Francisco has designated Bayview Hunters Point as a neighborhood overly burdened by environmental concerns such as air pollution and quality, so additional measures should be required as part of the City’s policy.⁷³ In addition, the BAAQMD designated Southeast San Francisco as a “CARE” community through the Community Air Risk Evaluation program.⁷⁴ Meaning, these communities are generally near pollution sources (such as freeways, busy distribution centers, and large industrial facilities) and negative impacts on public health in these areas are greater.⁷⁵

The DEIR provides a brief description of the health effects of exposure to criteria air pollutants that will result from the project.⁷⁶ In particular, the DEIR discusses the effects of ozone, carbon monoxide, suspended particulates, and nitrogen dioxide.⁷⁷ Again, the DEIR acknowledges that these air pollutants have adverse effects on human health, but fails to address how the project will affect these rates. The proposed project plans to demolish the existing site and construct an entirely new PDR facility that is over 2.1 million square feet in size and that will last for at least a century.⁷⁸ The Planning Department and Prologis cannot reasonably assume that the increase in air pollution will not detrimentally affect human health across the city.

⁶⁸ DEIR at S-1.

⁶⁹ DEIR at 3.A-12.

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² DEIR at 3.D-3.

⁷³ *See generally* DEIR 5.A.6.

⁷⁴ Bay Area Air Quality Management District

<https://www.baaqmd.gov/community-health/community-health-protection-program/community-air-risk-evaluation-care-program>

⁷⁵ *Id.*

⁷⁶ *See generally* DEIR 3D.

⁷⁷ DEIR at 3.D-4.

⁷⁸ DEIR at 20-1.

↑ In addition to criteria air pollutants, projects may directly or indirectly emit Toxic Air Contaminants (“TACs”). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic and acute adverse effects on human health, including cancer.⁷⁹ The DEIR includes a table depicting ambient concentrations of carcinogenic TACs compared to the risk of cancer at the nearest air district ambient TAC monitoring station but only mentions the cancer risk for the next 70 years.⁸⁰ This is inadequate because the project is expected to last over a century, so the risk of cancer needs to be evaluated for at least 100 years.

■ B. Asbestos Impacts

The Bayview Hunters Point community has long been subjected to dust and asbestos from ongoing large-scale development.⁸¹ To address health concerns from asbestos exposure, CARB enacted an asbestos Airborne Toxic Control Measure (“ATCM”) for construction, grading, quarrying, and surface mining operations.⁸² The asbestos ATCM became effective for projects in the San Francisco air basin in 2002.⁸³ Under the measure, the air district requires construction activities where naturally occurring asbestos is likely to be found to employ the best available dust control measures and obtain air district approval of an asbestos dust mitigation plan.⁸⁴ The asbestos mitigation plan must address and describe how the operator will mitigate potential emissions.⁸⁵

The DEIR failed to provide an asbestos mitigation plan. There is no information contained in the DEIR that says, specifically, what the project intends to do to lessen asbestos exposure. Instead, it briefly mentions some measures that are typically implemented to protect workers and the public.⁸⁶ None of the actions are specific enough, however, to comply with the requirements of a project-level EIR. There is also no data available for the level of asbestos present at the project site. This is especially problematic here because the Navy constructed the building to be demolished in the 1940s. The City did not provide an assessment of the building materials and hazards present in the existing buildings that will be released during demolition. An adequate DEIR needs to give projections for past, present, and future levels so that the community can be informed. Given the historic uses of the site by the Navy and the location being in an overburdened community of color, more information about how the buildings will be demolished and potential mitigation is necessary to comply with CEQA.

VI. THE DEIR FAILS TO ANALYZE ALTERNATIVES ADEQUATELY AND ACCURATELY.

An EIR is required to describe reasonable alternatives to the project that would “substantially lessen any of the significant effects of the project,” while still being able to

⁷⁹ DEIR at 3.D-10.

⁸⁰ *Id.*

⁸¹ DEIR at 3.D-15.

⁸² DEIR at 3.D-20.

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

feasibly attain most of the objectives of the project.⁸⁷ It is required that a reasonable range of potentially feasible alternatives be considered and that they “foster informed decision making and public participation.”⁸⁸

A. Code-Compliant Alternative

O-GA-BVHPMF-15 ■ The Code Compliant Alternative proposes replacing the existing buildings on the land with modern facilities.⁸⁹ It is offered as an alternative because the proposed buildings do not meet height restrictions under district requirements.⁹⁰ Furthermore, the EIR claims it will “reduce impacts related to noise, air quality, and wind hazards.”⁹¹ However, this alternative would still be located in an area that is already overburdened by pollution, and not an area to relax standards.⁹² While there may be some emission reduction, it is still likely that the environmental effects produced, combined with other cumulative effects, will be significant. Alternatives that significantly reduce the significant effects of the project are required to be analyzed, and further alternatives need to be considered to fulfill this requirement.⁹³ Given the project is slated for an overburdened area, a code-compliant project should be the bare minimum. ■ At the very least the City should adopt this alternative for the reduced impacts.

B. Fleet Management Use Mix Alternative

O-GA-BVHPMF-16 ■ The Fleet Management Use Mix Alternative is considered the environmentally superior alternative.⁹⁴ This alternative would “offer a substantial reduction in air pollutant emissions, particularly of NOx, and health risks compared to the proposed projects.”⁹⁵ This alternative proposes including less space for parcel delivery and eliminating wholesale/storage space.⁹⁶ Furthermore, this alternative would not include maker or retail spaces and ground-floor manufacturing.⁹⁷ This alternative should be chosen over the proposed project since it is considered the environmentally superior alternative. It also provides more certainty about future uses of the project site.

However, it is questionable whether this alternative would be the environmentally superior alternative. As discussed above in the Air Quality section, the assumption that all trucks will be electrified by 2050 is faulty. By relying on this assumption, this alternative may very well turn out to be more harmful to the environment than other possible alternatives. The integrity of the analysis of alternatives depends on the data being accurate. With the potential for the data to be false and irrelevant in the future, the entire analysis is undermined. This alternative has not

⁸⁷ Cal. Code Regs., tit 14, § 15126.6(a).

⁸⁸ *Id.*

⁸⁹ DEIR at 5-54.

⁹⁰ DEIR at S-45.

⁹¹ *Id.*

⁹² *Id.*

⁹³ Cal. Code Regs., tit 14, § 15126.6(a).

⁹⁴ DEIR at S-47.

⁹⁵ *Id.*

⁹⁶ DEIR at S-46.

⁹⁷ DEIR at S-47.

↑
■ been accurately or adequately analyzed. Another analysis must be conducted using data based on the assumption that all trucks will not be electrified by 2050.

C. Alternative Site Outside of San Francisco

■ Prologis has used the promise of jobs in their attempt to garner community support. First, the number of jobs being promised is wishful thinking, as the project and businesses it will attract are undefined.⁹⁸ Secondly, the same number of jobs would be created wherever the project is located and can still be in proximity to Highway 101 without being in or near a residential neighborhood in Bayview Hunters Point or another city's residential areas.

O-GA-
BVHPMF-17 ■ The DEIR claims that the project site being in San Francisco allows it to be readily accessible to workers via Muni, BART, and Caltrain.⁹⁹ The possibility of an alternative site within the Bay Area may be less accessible to workers and less likely to reduce miles traveled.¹⁰⁰ However, this is false. BART runs through the entire Bay Area, and there are buses throughout the Bay Area as well. In fact, the project location is not conveniently located to public transit within San Francisco and projects significant private vehicle traffic at the site during peak am and pm commute times.¹⁰¹

■ Furthermore, the DEIR states that while there are likely multiple sites in the Bay Area that could feasibly provide space for the proposed project, the ability to avoid significant impacts would be "speculative" and uncertain.¹⁰² These potential sites are mentioned but no specific sites are identified, and no explanation is provided for this uncertainty.¹⁰³ This alternative has not been adequately or accurately analyzed. Prospective sites need to be identified and analyzed to determine whether an alternative site would result in the reduction of significant impacts and be an appropriate alternative. Without analyzing specific sites, the Alternative Site outside of San Francisco, but within the Bay Area has not been adequately and accurately analyzed. Analyzing all possible alternatives thoroughly is essential, and this alternative must be given the attention it deserves.

VII. CONCLUSION

In light of the above, and in addition to the defects and inadequacies of public notice and the DEIR, it is clear this proposed project if approved would have a significant, harmful impact on public health and the environment for decades into the future and could not be mitigated to less than significant.

The Planning Department, Planning Commission, and Board of Supervisors must not approve such a harmful project with significant impacts that cannot be mitigated to less than significant in this already overburdened, health-impacted community. We call on the City and

⁹⁸ DEIR at 2-1.

⁹⁹ DEIR at 3.B-9.

¹⁰⁰ DEIR at 5-60.

¹⁰¹ DEIR at 3.B-62.

¹⁰² DEIR at 5-60.

¹⁰³ *Id.*

County of San Francisco to reject this proposed project and instead protect the health, environment, and civil rights of residents who are people of color and have suffered from pollution for too many decades.

Respectfully Submitted by:

Brandon Turner
Certified Law Student*

Ariana Salcedo
Certified Law Student*

Jessica Reardon
Certified Law Student*

Caroline Farrell
Supervising Attorney

*Brandon Turner, Ariana Salcedo, and Jessica Reardon are certified law students under the State Bar Rules governing the Practical Training of Law Students (PTLS), working under the supervision of Caroline Farrell pursuant to the PTLS rules.

From: [Ward Mace](#)
To: [CPC.SFGatewayProject](#)
Cc: [Philip Sidles](#)
Subject: Re: SAN FRANCISCO GATEWAY PROJECT - 749 TOLAND STREET AND 2000 MCKINNON AVENUE
Date: Wednesday, October 11, 2023 10:09:39 AM
Attachments: [image893018.png](#)
[image837178.png](#)
[image250041.png](#)
[image573381.png](#)
[image518799.png](#)
[San Francisco Gateway - Goodman Letter of Support.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please find attached a comment letter regarding the Public Draft EIR and Public Hearing for the San Francisco Gateway Project.



Ward Mace
Regional Director, Northern California
Ward.Mace@goodman.com

T. +1 949 407 0142
M. +1 949 422 2115

600 California Street
11th Floor
San Francisco California CA 94108
United States
www.goodman.com



Goodman Limited ABN 69 000 123 071

Goodman Funds Management Limited ABN 48 067 796 641 AFSL Number 223621

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October 5, 2023

Gabriela Pantoja

Via Email: CPC.SFGatewayProject@sfgov.org

RE: Comments Regarding the Public Draft Environmental Impact Report and Public Hearing for the San Francisco Gateway Project.

Thank you for the opportunity to comment on the Draft Environmental Impact Report and Public Hearing for the San Francisco Gateway Project.

By way of introduction, Goodman is a global industry leader that owns, develops high quality sustainable properties. We currently own the properties at 2270 Jerrold Ave, 180, 190, 196, and 200 Napoleon Street, as well as the parking lot at 25-299 Napoleon Street. We are excited about the future of San Francisco and are pleased to provide support for the SF Gateway development project.

We have been fortunate to meet with the applicant on several occasions and participate in community meetings enabling us to learn more about the project and would like to highlight a few of the benefits we see to this project.

■ **Sustainability:**

- *With the planned development inclusion of a large array of EV chargers. We see this as a benefit as it will attract businesses that are focused on electrifying their truck and small vehicle fleets. This will benefit the area by reducing the amount of diesel and gas vehicles in the area. Currently the industrial buildings in the area are lacking the infrastructure to accommodate these EV fleets.*
- *The proposed rooftop solar array is 3.2 megawatts, which is above required code/regulations and encourages the market to transition to a more electrified future. This will benefit the surrounding properties as the current electrical grid is strained.*

■ **Modernization of PDR Space:**

- *The area is currently developed with industrial buildings built in the mid-century which are outdated and lacking modern infrastructure and design. Having a modern development in the area will elevate the entire neighborhood, and make the area more attractive.*
- *As the first major modern development in this PDR area, we believe this project will elevate the neighborhood and generate a modern business ecosystem.*
- *With a large solar installation and EV charging capabilities, we believe industry leaders from numerous industries will be further attracted.*

O-Goodman-1

O-Goodman-1
(Cont.)



Increased Jobs in the Area:

- *This development will not only create short-term construction jobs to the area, but the scale of the project will create the opportunity for a large number of jobs being permanently brought in. This is a benefit to the nearby residents searching for local employment, and will improve local businesses.*
- *The additional jobs will mean more foot traffic, and we expect the overall cleanliness and business ecosystem will improve.*

Enlivened Local Business Ecosystem:

- *With the addition of this modern PDR space, we believe the businesses attracted to this new space will further support local businesses by allowing them to expand, by providing space for new businesses to move into the area that support current businesses, and by attracting new businesses to the area that may then expand into existing PDR space.*

We feel that this project will be a statement development, elevating the neighborhood and generating an immediate boost to all other businesses and residents in the area.

Sincerely,

Ward Mace
Goodman

Phil Sidles
Goodman

From: [JESUS Villalobos](#)
To: [CPC.SFGatewayProject](#)
Subject: Urge to approve
Date: Thursday, September 07, 2023 2:28:45 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon Commisioners,
My name is Jesus Villalobos President of San Francisco Laborers Local 261 .
On behalf of 5500 members urge you to approve this project.
Thank you.
Sent from [Mail](#) for Windows

O-LOCAL 261-1



From: [Ken Rich](#)
To: [White, Elizabeth \(CPC\)](#)
Cc: [CPC.SFGatewayProject](#); [DPH-Mjanis-wkp](#); [Bell, Courtney](#)
Subject: SF Market Comments on SF Gateway DEIR
Date: Thursday, October 12, 2023 6:53:16 PM
Attachments: [Outlook-wxrtifdt.jpg](#)
[Comments on Gateway DEIR.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello -

Attached please find a comment letter from the SF Market on the SF Gateway Project. If you are able, please confirm receipt of this email.

Thank you!



ken@kjr-consulting.com | (415) 572-7244 | kjr-consulting.com

**THE SF MARKET**

San Francisco's Wholesale Produce Market

2095 Jerrold Avenue, Suite 212
San Francisco, California 94124**PHONE**

415.550.4495

FAX

415.821.2742

October 13, 2023

Via E-Mail

Elizabeth White
Environmental Planner
49 South Van Ness Ave., Suite 1400
San Francisco, CA 94103
E-Mail: elizabeth.white@sfgov.org

Re: San Francisco Gateway, Case No. 2015.012491ENV
Comments on Draft Environmental Impact Report

Dear Ms. White:

On behalf of the San Francisco Market Corporation, which manages The SF Market (formerly known as The San Francisco Wholesale Produce Market, hereafter the "Market"), I submit the following comments pursuant to the Draft Environmental Impact Report ("DEIR") for the San Francisco Gateway Project, Planning Department Case No. 2015.012491ENV.

The Market extends our thanks to both Prologis, the project sponsor, and the San Francisco Planning Department for their willingness to collaborate with us around a variety of issues of common interest to the City, Prologis and the Market. Prologis has continued to be a responsible partner and good neighbor through this process, ensuring that the Market team stays apprised of Gateway project development and always willing to share its expertise in industrial development in aid of the Market's Reinvestment Plan

Market Background:

The Market is the largest multi-tenanted produce wholesale and distribution facility in Northern California, spanning over 20 acres and including 485,000 square feet of warehouse and logistics space. We were created in 1963 when the City and County of San Francisco (the "City") relocated independent produce merchants from downtown San Francisco and built a shared facility in the Bayview Hunters Point neighborhood to house them.

Since then, we have grown alongside the City and its produce industry. Our merchants, many of whom have been in operation for decades, sell and distribute a wide variety of produce to food businesses across the Bay Area. Today, the Market is the linchpin of San Francisco's

www.thesfmarket.org

world-class food and restaurant scene. We've become integral to the city's culinary fabric by providing the critical, behind-the-scenes infrastructure to wholesale and distribution businesses that link farmers to restaurants, independent grocery stores, and hotels.

Our work at the Market benefits the City in a number of key ways:

- **Healthier Bay Area:** The Market supplies food businesses throughout the Bay Area with fresh, healthy, and affordable produce.
- **Culinary Destination:** The Market is central to the supply chain that makes the City a delicious place to live and visit.
- **Business Incubator:** Home to 26 businesses, the Market provides the space, expertise, and access to produce for anyone launching or growing a food business.
- **Support for Farmers:** The Market's merchants source from local and regional farms, providing critical market access for growing farms.
- **Job Creation:** The Market employs over 650 workers via its independent merchants, providing diverse employment opportunities within the important PDR sectors.
- **Food Security:** Market supports food security through critical infrastructure includes a history of leadership and unwavering support of its local and regional communities, with longstanding programs and business partnerships dedicated to addressing food access.

In 2013, the City and the Market finalized a long-term ground lease that envisions a comprehensive, phased redevelopment and expansion of the Market's facilities and infrastructure ("the Reinvestment Project"). Through the operations, improvement projects, and activities contemplated as part of the Reinvestment Project, the City has made a significant ongoing investment in the success of the Market. As such, the City has a strong interest in protecting its investment by ensuring that the Market can continue to operate successfully far into the future, even while it welcomes appropriate change and new development activities into this neighborhood.

We are in the process of completing design for the next new Reinvestment Plan building, 1900 Kirkwood, and expect to be in construction in 2024. It is possible that construction on the Gateway Project and 1900 Kirkwood occur at the same time. Whether or not that occurs, the Market and the Gateway Project will be neighbors and operating in close proximity to one another long into the foreseeable future.



Comments on the DEIR:

We understand that subsequent to the Initial Study, the DEIR addresses primarily three environmental topics: Transportation and Circulation, Noise and Vibration and Air Quality. We confine our comments below to the Transportation and Circulation Topics as well as a few general document issues. We want to make clear however, that the Market understands that other issues addressed in this DEIR are important to our partners in the Bayview Hunters Point community and trusts that the Planning Department and project sponsor will thoroughly address all comments and concerns.

- O-SFMarket-1 ■ 1) In various places, the DEIR refers to the “SF Market,” the “produce market” and the San “Francisco Wholesale Produce Market.” We request that the document standardize this reference to the “SF Market.” ■
- O-SFMarket-2 ■ 2) On page 3.A-19 of the DEIR, in the paragraph describing the “SF Market Project” we request that the first sentence be modified to describe the project’s purpose as “modernize and slightly expand,” rather than “expand.” ■
- O-SFMarket-3 ■ 3) On page 3.B-5 of the DEIR, in the paragraph describing the vacation of Jerrold Avenue, we request that the document note that Innes Avenue will be the primary carrier of east-west traffic, replacing Jerrold Avenue. ■
- O-SFMarket-4 ■ 4) Page 3.B-20 describes that the DEIR uses the p.m. peak period of 4-6 p.m. as the analysis period, except for commercial loading, which uses 11 a.m. – 2 p.m. We note that neither of these periods coincide with the peak activity and traffic period for the SF Market, which is midnight to 8 a.m. The SF Market is generally quiet during the periods of analysis used in the Transportation section of the EIR. In general, as respects the transportation analysis, we request that the EIR take this into account and ensure that potential impacts occurring during the SF Market’s busy times are not overlooked. ■
- O-SFMarket-5 ■ 5) We note that the list of study intersections used in the DEIR to analyze project and cumulative impacts does not include any of the on or off ramps to Highways 101 and 280, which will be used by net new traffic generated by the Prologis project and other future projects to access the highway system. We are concerned that these ramps may turn out to be pinch points as volume grows in the future even though they are not immediately proximate to the Prologis project or the SF Market. ■
- ▼ 6) In our response to the project’s Notice of Preparation, we wrote: *“During the Market’s hours of operations, a large number of pedestrians move around the vicinity of our facility, both Market employees arriving and departing from their workplace, and customers arriving and departing from our merchants. **These movements take place largely in the hours***



before sunrise when visibility is low. Please ensure that the EIR adequately studies pedestrian safety and potential pedestrian conflicts with traffic generated by the proposed project." [emphasis added]

O-SFMarket-6

On pages 3.B-6-7 of the DEIR, it is noted that sidewalks, crosswalks and other pedestrian safety features are largely lacking in the project area. It is further noted, in reference to table 3.B-2 that: "travel by walking is low during both the a.m. and p.m. peak hours." It is not clear that the DEIR studied or took into account potential conflicts between project-generated vehicle traffic and pedestrians parking in the area and walking to jobs at the SF Market in the hours before a.m. peak. Please clarify that available data shows no significant impact here or alternatively please collect data in the hours when the market is active before a.m. peak hour.

O-SFMarket-7

7) In our response to the project's Notice of Preparation, we wrote: *The Market's peak hours for operations are midnight to 8:00 am, during which a large number of vehicles enter the Market's marshaling yard through gates at Jerrold/Rankin and Jerrold/Toland. Please ensure the EIR adequately studies potential impacts on Market vehicle movements resulting from truck and other vehicle movements generated by a) activities associated with construction of the proposed project and b) activities associated with the operations of the proposed project.* One of the SF Market's chief concerns is potential delays or other impacts of the project on vehicles from private autos to large trucks moving to and from our campus during the SF Market's busy hours of midnight to 8 a.m. The analysis does not appear to directly address this issue.

O-SFMarket-8

8) With regard to parking supply, we understand that parking is no longer in and of itself a checklist question under CEQA, it remains important to the SF Market that any employees of the project do not reduce the available supply of street parking, which is already constrained. Please confirm that the project will supply off-street parking within the project itself that will be adequate to meet demand from project employees.

Many thanks once again for the opportunity to comment on this DEIR and to participate as a neighborhood stakeholder in the development of the project. Please do not hesitate to contact me at mjanis@thesfmarket.org with any questions.

Very truly yours,

Michael Janis

General Manager, San Francisco Wholesale Produce Market



www.thesfmarket.org

From: [Jacob Klein](#)
To: [CPC.SFGatewayProject](#)
Cc: [Tanner, Rachael \(CPC\)](#); [Moore, Kathrin \(CPC\)](#); [Braun, Derek \(CPC\)](#); [Diamond, Sue \(CPC\)](#); [Koppel, Joel \(CPC\)](#); [Imperial, Theresa \(CPC\)](#); [Ruiz, Gabriella \(CPC\)](#)
Subject: Sierra Club Comments on San Francisco Gateway Project
Date: Monday, October 16, 2023 4:16:14 PM
Attachments: [Sierra Club Comments on San Francisco Gateway DEIR.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. White,

Please find attached the Sierra Club's comments on the Draft Environmental Impact Report for the San Francisco Gateway project, case number: 2015-012491ENV.

Sincerely,
Jacob

--



Jacob Klein
Organizing Manager
Sierra Club San Francisco Bay Chapter
Pronouns: they/them
Phone (510) 545-2273 | Pacific Time
jacob.klein@sierraclub.org



Serving Alameda, Contra Costa, Marin and San Francisco counties

Elizabeth White, Senior Environmental Planner
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103
CPC.SFGatewayProject@sfgov.org

10/16/23

Sent via e-mail re: Comments on the San Francisco Gateway Draft Environmental Impact Report, Case Number 2015-012491ENV

Dear Ms. White,

The San Francisco Bay Chapter of the Sierra Club has reviewed the Draft Environmental Impact Report (DEIR) prepared in connection with the proposed San Francisco Gateway project. The Sierra Club has serious concerns about the environmental impacts of the Project as currently proposed. As discussed in more detail below, the DEIR substantially understates, and fails to fully analyze, the severity and extent of significant project-related effects on air quality, greenhouse gas (GHG) emissions, and public health.

O-Sierra-1 ■ In addition, the Project is inconsistent with California Air Resources Board (“CARB”) guidance, which calls for siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.¹ Furthermore, the DEIR fails to implement the “Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act” issued by the California Attorney General Office of Environmental Justice, a document that recommends “siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors” and “[r]equiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.”² The Project would locate warehouse uses within 440 feet of residences, yet the DEIR fails to include conditions or mitigations requiring an adequate buffer from sensitive receptors. ■

The proposed Project would implement the construction and operation of 2,160,000 square feet of production, distribution, and repair space. This is a noticeably large-scale development for its kind in the Bay Area, particularly for a dense urban part of the Bay. For the reasons set forth below, the DEIR does not comply with the requirements of CEQA. The DEIR’s failings will impact all residents in the City, but will most directly and significantly impact low-

¹ California Air Resources Board, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted under varying scenarios; this document may be found on CARB’s website and is entitled: “California Sustainable Freight Initiative: Concept Paper for the Freight Handbook” (December 2019).

² Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Updated September 2022): <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>

income, disadvantaged residents and communities, especially communities of color in the vicinity of the project. These communities are the most vulnerable to the impacts that the DEIR fails to adequately analyze or effectively mitigate.

I. The DEIR Fails to Adequately Analyze and Mitigate the General Plan's Air Quality Impacts

The DEIR's analysis of Project-related air quality impacts contains numerous deficiencies that must be remedied in order for the public and decision-makers to fully understand the Project's impacts. This Project will have a devastating impact on local and regional air quality, and disadvantaged communities and people of color, who already suffer from health impacts of poor air quality, will feel these impacts more acutely than other sensitive receptors. Unfortunately, the precise extent of these impacts remains unknown because the DEIR does not provide anything close to a complete analysis of them.

While the end-user is not yet identified, the DEIR operates under the assumption that at least part of the development will be last-mile delivery services. With that in mind, the DEIR inadequately quantifies the impacts of last-mile delivery services. Such services will bring a high level of heavy-duty truck traffic leading to high levels of particulate matter (PM), including the especially harmful PM 2.5, along with ozone and nitrous oxide (NOx), all emissions from diesel combustion. A study from People's Collective for Environmental Justice and the University of Redlands, "Warehouse, Pollution, and Social Disparities" notes that "more than 50% of particulate emissions come from traffic. Specifically, diesel and gas truck emissions--the main source of pollution warehouses attract."³ The strategies recommended in the DEIR for mitigation are insufficient, especially when taking into account that there is no safe level of PM 2.5 exposure.

The DEIR underestimates the Project's NOx emissions especially when evaluating the Project as an indirect source, which BAAQMD has defined as "development projects that generate or attract motor vehicle trips and emissions and also include other sources of emissions...that indirectly cause air pollutant emissions that can adversely affect local and regional air quality."⁴ NOx is a common criteria air pollutant of concern for warehouse projects due to the high volume of diesel truck trips generated by facility operations. Accurate modeling of NOx emissions is critical to understanding environmental and health impacts because NOx is "a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation."⁵

³ See: "Warehouses, Pollution and Social Disparities: An analytical view of the logistics industry's impacts on environmental justice communities across Southern California" https://earthjustice.org/wp-content/uploads/warehouse_research_report_4.15.2021.pdf

⁴ See: BAAQMD Public Notice Initiation of the development of an Indirect Source Review Rule and proposed amendments to Regulation 3: Fees (https://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Rules%20and%20Regs/reg%2003/0300_reg_031809.ashx?la=en)

⁵ California Air Resources Board, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted under varying scenarios; this document may be found on CARB's website and is entitled: "California Sustainable Freight Initiative: Concept Paper for the Freight Handbook" (December 2019).

O-Sierra-3

The DEIR finds that the project's long-term daily NOx emissions are almost three times the threshold of significance. Under CEQA, a lead agency must adopt all feasible mitigation measures to reduce impacts to a less than significant level. However, the mitigation measures in the DEIR are insufficient. CEQA requires the lead agency to adopt the most effective and feasible measures to reduce the project's impacts, even where they do not make the impacts less than significant. *See* Pub. Res. Code § 21002 (CEQA mitigation includes measures that would "substantially lessen the significant environmental effects" of a project); *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 524-25 ("Even when a project's benefits outweigh its unmitigated effects, agencies are still required to implement all mitigation measures unless those measures are truly infeasible.") (emphasis added). The strategies identified are not ambitious enough to sufficiently reduce the potential emissions, especially NOx emissions. While on-site yard equipment is all required to be electric, there is insufficient calculation of the impacts of and mitigations for the on-road vehicles that enable last-mile delivery services, i.e. vans and trucks. Electrification of trucks would go a long way to reduce the DPM, NOx, and other emissions from trucks, the requiring or incentivizing of which could happen in a myriad of ways.

Since the area is already in non-attainment for national particulate matter standards, as the DEIR notes, the ambient emissions should not be considered an allowable status quo. Rather, any source of emissions that increase or maintain that level needs to be better mitigated against, especially when considering cumulative impacts. In this area, within a 0.2-mile radius of a warehouse:

- 100% of warehouses are located in areas above the 90th percentile in diesel PM 2.5
- 62% of the population within the 0.2-mile radius are people of color
- 21% of people within the 0.2-mile radius are low income

This all points towards how the burden of warehouses and similar uses in San Francisco is being disproportionately borne by the populations of Southeast San Francisco.

O-Sierra-4

The DEIR notes existing impacts in the cumulative impact as a reason to not decrease impacts expeditiously, instead waiting 12 to 27 years (2025 and 2050). Any impacts that maintain current or increase the cumulative impacts must be understood as significant and requiring immediate action. Considering the higher rates of asthma and cancer risk this DEIR notes, cumulative impacts need to be brought down not added to—especially when young people growing up in these environments are at particular risk of negative health outcomes during their youth and for the rest of their lives.

This is especially concerning considering that Bayview/Hunters Point is now an AB 617 Community which will be identifying sources of pollution and developing plans to reduce those emissions. Now is not the time to add, but to proactively reduce.

O-Sierra-5

There is no scenario in which the Project would not increase truck trips and associated diesel particulate matter pollution at sensitive receptors and neighborhoods. The City must do a more complete analysis and identify effective, enforceable measures that will minimize impacts to the community. The City therefore should not approve the Project unless it (1) analyzes other emission scenarios that are more likely and (2) analyzes and adopts Project alternatives or mitigation measures that ensure effective measures are adopted and are enforceable.

In addition, as discussed below, the DEIR's myopic approach to estimating truck emissions implicates other analyses, including the GHG and Public Health Impacts analyses.

II. The DEIR's Analysis of Project-Related Greenhouse Gas Emissions Is Flawed.

The DEIR's analysis of greenhouse gas emissions is flawed for multiple reasons. While several guidelines are taken account, there is the glaring hole insofar as the California Attorney Generals' Office of Environmental Justice Warehouse Best Practices are not accounted for at all, as noted above. These guidelines have been specifically developed in response to environmental justice concerns with the growing warehouse distribution buildout across the state. Over 60 organizations have urged the Governor to call for a state of emergency as "warehouse growth is one of the most critical environmental issues of our time."⁶

Since 2010, it has become clear from a scientific perspective that any additional GHG emissions will contribute to a serious and growing climate crisis.⁷ Recognizing this reality, in 2018 Governor Brown signed Executive Order 55-18 calling for the state to achieve carbon neutrality as soon as possible and no later than 2045.⁸ Given these facts on the ground, the DEIR should establish a net zero threshold for new emissions.⁹ Additionally, the DEIR should rely on independent analysis of GHG emissions rather than the project sponsors. There are incidents of the industry not being forthcoming or accurately reporting last-mile delivery associated emissions.¹⁰

The claim that the DEIR makes that additional last-mile delivery trips would not be induced is myopic. San Francisco has last-mile delivery centers already—including at this site, currently—and building capacity at this scale doesn't necessarily meet unmet demand but potentially creates a false sense of demand that will lead to increased VMT and GHGs. The DEIR already notes anticipated hundreds of truck trips per day. Siting alone will not reduce VMT.

Furthermore, as the DEIR notes, any last-mile delivery services will still require larger trucks to travel to the site from farther away. As/If demand increases, that will mean more larger

⁶ See the letter to the Governor: <https://calmatters.org/wp-content/uploads/2022/06/State-of-Emergency-Public-Health-Request.pdf>

⁷ See e.g. https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM.pdf.

⁸ <https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>.

⁹ See e.g., CARB 2017 Scoping Plan at 101 ("Achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development.")

https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf?utm_medium=email&utm_source=govdelivery

¹⁰ The Center for Investigative Reporting analyzed reports to CDP which "highlights the pitfalls of relying on self-disclosures and voluntary commitments from companies that have a vested interest in underestimating their own accountability." <https://revealnews.org/article/private-report-shows-how-amazon-drastically-undercounts-its-carbon-footprint/>

↑ trucks coming into San Francisco which will increase the VMT and associated emissions, harming the neighboring, already overburdened communities.

O-Sierra-8 ■ ■ ■ In terms of clean energy infrastructure, the DEIR provides little detail and instead relies on harder-to-parse references, which does not adequately meet community-informed needs. The DEIR mentions rooftop solar to fill rooftop to extent possible, but doesn't adequately assess how much of the site's energy demand will be met by on-site solar. It then goes on to describe how additional energy will be provided through utility, via a mix of CleanPowerSF and PG&E. This ever-moving benchmark provides little clarity on how much clean energy the site will actually use and how much will be powered by GHG-causing fuels. If the site's energy needs cannot be fully powered by energy that can be fully traced as clean, the GHG emissions must be appropriately calculated and a project alternative should study how to develop a site that's fully powered by clean energy.

O-Sierra-9 ■ ■ ■ Additionally, the electric vehicle charging infrastructure seems largely omitted in lieu of reference to CALGreen Tier 2 checklist. More information is required in the EIR for the number of parking spots and subsequently the number that will be electric charging equipped and electric charging capable. Electric charging infrastructure is a crucial mitigation measure to support alternatives to highly polluting heavy-duty diesel trucks.

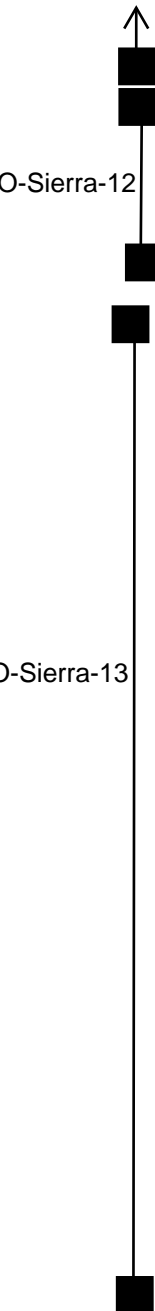
O-Sierra-10 ■ ■ ■ Additionally, the City and County of San Francisco already require all-electric new construction, a great model for cities everywhere to build electrification and decarbonization. However, since all-electric new construction is already required by City law, it should not be included in the GHG calculations as reduced GHGs since the emissions would never have been associated with this location.

In sum, the DEIR lacks the evidentiary support that the proposed mitigation measures would achieve emission reductions sufficient to reduce the Project's GHG emissions to a less-than-significant level. Thus, the DEIR relies on insufficient mitigation for the Project's greenhouse gas emissions and fails to consider and adopt all feasible mitigation.

III. The DEIR Fails to Fully Disclose the Project's Public Health Impacts to Sensitive Receptors.

O-Sierra-11 ■ ■ ■ The DEIR also fails to evaluate the environmental impacts of the Project in context.¹¹ The proposed Project is located in an area designated as a "Disadvantaged Community." Disadvantaged communities are defined as the top 25% scoring areas from CalEnviroScreen along with other areas with high amounts of pollution and low populations. The Project area ranks in the 99th percentile for relative pollution burden. Therefore, residents living in the vicinity are already subjected to higher pollution burdens and thus are more sensitive to even

¹¹ . Cal. Code Regs., tit. 14, § 15064, subd. (b)



seemingly small incremental increases in that burden.¹² The DEIR notes that noticing only went out to any residents within 300 feet, rather than 1000 feet—the size of the buffer zone that the Attorney General’s guidance document recommends. Given the fact that the surrounding community is already disproportionately impacted by the number of industrial projects in the area, one would expect the DEIR to comprehensively describe each of the sensitive receptors that could be potentially impacted by the Project. Unfortunately, this is not the case.

As discussed above, the DEIR fails to fully analyze the Project’s air quality impacts, which in turn skews the health risk assessment. In other words, the DEIR fails to analyze the health effects that would occur as a result of exposure to these pollutants. Thus, the DEIR’s analysis of health risk does not comply with CEQA.

Under CEQA, an agency is not relieved from its obligation to provide environmental analysis simply because the task may be difficult. As explained by the California Supreme Court, “[w]e find no authority that exempts an agency from complying with the law, environmental or otherwise, merely because the agency’s task may be difficult.”¹³ Moreover, courts have made clear that EIR must not just identify that a project will result in health impacts from pollutants, but must, rather, analyze the impact of those emissions on the health of affected residents.¹⁴ Here, as explained above, health impacts to disadvantaged, pollution-burdened neighborhoods are likely to be even more severe than other areas in the vicinity.

Nor is it sufficient to simply assert that an impact is significant and then move on. This approach does not allow decision makers and the public to understand the severity and extent of the Project’s environmental impacts.¹⁵ The EIR must actually analyze the implications of increased pollutant emissions resulting from the Project.

An adequate impact analysis would necessarily begin with a thorough description of existing sensitive receptors (i.e., those segments of the population most susceptible to poor air quality like children, the elderly, and those with pre-existing serious health problems affected by air quality. These receptor locations include residential communities, schools, daycare centers, playgrounds, and medical facilities. It does not describe the existing health of nearby sensitive receptors. It is imperative that the EIR disclose this information because a Project’s potential to result in significant environmental impacts varies by setting.¹⁶ Thus, individuals who already suffer from high rates of asthma and other respiratory disease may experience greater-than-average sensitivity to Project-generated TAC emissions and other pollutants.

¹² See, e.g., *Los Angeles Unified School Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025; *Kings County Farm Bur.*, supra, 221 Cal.App.3d 692, 718.

¹³ *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 399.

¹⁴ See *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1219-20.

¹⁵ See, e.g., *Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* (2001) 91 Cal.App.4th 1344, 1370-71; *Galante Vineyards v. Monterey Peninsula Water management Dist.* (1997) 60 Cal.App.4th 1109, 1123; *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decision makers information about how adverse the impacts would be).

¹⁶ CEQA Guidelines § 15064(b).

In sum, the DEIR must analyze the public health effects that will be experienced by sensitive receptors due to the project's air pollution and devise feasible, effective, enforceable mitigation for those impacts.

IV. Conclusion

As set forth above, the DEIR does not come close to satisfying CEQA's requirements. At a fundamental level, it fails to consider the Project setting when evaluating impacts to sensitive receptors and fails to provide a complete analysis of Project impacts and feasible mitigation measures.

For these reasons, Sierra Club respectfully requests that the City not approve the San Francisco Gateway Project as proposed. All of these impacts must be more fully addressed before the City may approve the Project.

Sincerely,

Jacob Klein, Chapter Organizing Manager
Sierra Club, San Francisco Bay Chapter

Cc: San Francisco Planning Commission:
President Rachael Tanner
Vice-President Kathrin Moore
Commissioner Derek Braun
Commissioner Sue Diamond
Commissioner Joel Koppel
Commissioner Theresa Imperial
Commissioner Gabriella Ruiz