Bayview Hunters Point/ Southeast San Francisco Community Emission Reduction Plan (CERP) Community Steering Committee #8

August 20, 2024 Southeast Community Center 1500 Evans, San Francisco, CA 94124









Welcome and Introductions

Q&A Check-in

bit.ly/CERP-QA



YOU ARE HERE! CERP Timeline Overview



Agenda

- Welcome and Introductions
- Subcommittee Report Back
- Community Emissions Reduction Plan (CERP) Visioning Activity Report Back
- CERP Boundary agreement/consensus
- CARB Presentation: state air quality regulations and enforcement for mobile sources
- Zoning and Land Use
- Wrap up and Action Steps

Subcommittee Report Back

Amelia Erskine Community Steering Committee Member



SEDGSC

Source and Emission Data Gaps Sub-Committee

Sub-Committee under BVHP BAAQMD CERP Community Steering Committee

SEDGSC- Source and Emission Data Gaps Sub-Committee

Purpose:

The purpose of this sub-committee is to conduct an in-depth exploration of air quality management practices and identify any existing gaps or areas for improvement.

Members:

- Jun Zhong: (Co-Chair)
- Agustin Angel: (Co-Chair)
 Amelia Erskine: (Community Report Back)
 Makayla Scott: (Secretary)
- Tiffany Williams: (Member)
- Chalam Tubati: (Member)
- Tuli Hughes: (Member)



SEDGSC FINDINGS

Presentation to CSC Members & Public

August 20, 2024

Topic: Facility CategoriesCategory Types

- EXEMPT Certification
 - Emissions are small enough to neither get registered or permitted
- REGISTER Certification
 - Emissions are not small enough to be exempted but not big enough to require a permit
- PERMIT Certification
 - Emissions considered high enough to warrant a permit (assume a broad range of emissions levels)
- MFR (Major Facility Review) TITLE V Certification
 - Large facilities producing large amounts of emissions that require a federal Title V permit
 - Unclear if they also need a PERMIT Certification (we were not provided a list of such facilities in BVHP)

Authority to Construct (A/C) - A pre-construction permit (unclear who all must apply for this)

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Topic: Facility Categories<u>Category Applications</u>

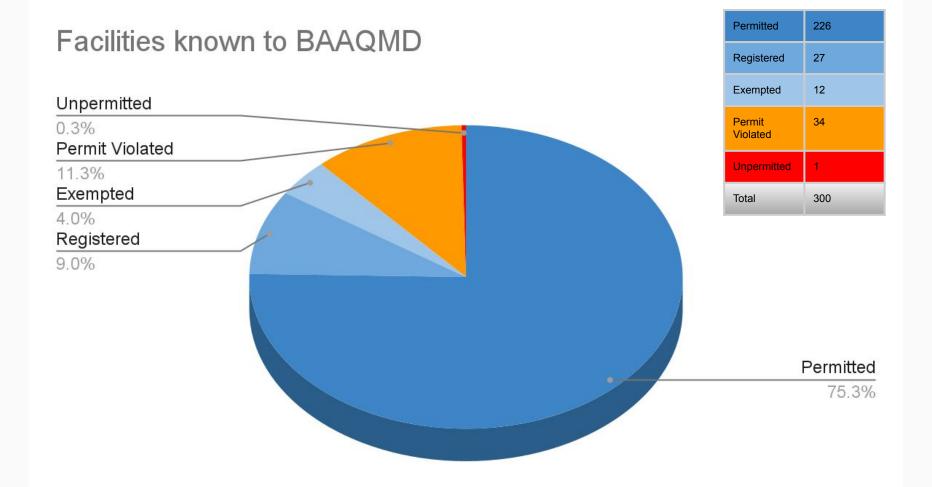
- Facilities decide which certification/status to apply for based on the equipment they have & emissions they produce (following the Air District rules and regulations, presumably)
 - Emission levels established 40 years ago
- EXEMPT and REGISTER applications are not as expansive (& expensive) as PERMIT applications
- Unclear if all types of facilities/applications get an in-person visit before applications are adjudicated

Topic: Facility Categories Certification/Status Renewal

- EXEMPT
 - Facilities are not required to renew their exempt status
- REGISTER
 - Facilities must renew their status annually
- PERMIT
 - Facilities must renew their status annually
- MFR Title V
 - Facilities must renew their status every 5 years

BAAQMD does not have a process beyond random checks (with 1 inspector) to evaluate if facilities are being compliant to their respective statuses

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Topic: Facility Categories Unknown Facilities

- Community mapping exercise by <u>CSC has identified 6 facilities previously unknown</u> to BAAQMD that need to apply for either Exempt, Register or Permit or Title V status
- However, a physical mapping of the community (by CSC, going door-door by) might be warranted to identify all facilities "unknown" to BAAQMD
- It is unclear what it means that a facility is "unknown" to BAAQMD, as BAAMD is but a mere participating agency in CEQA (California Environmental Quality Act)
- In other words, it is unclear if businesses can get license to operate without fulfilling or exempting themselves from
 CEQA requirements under law

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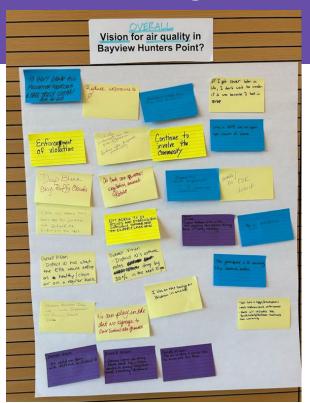


Questions?

Community Emissions Reduction Plan (CERP) Visioning Activity Report Back

David Ralston, Air District

Visioning Activity Report Back







Visions to Action - Summary

We have gathered the notes from everybody on What is Your Overall Vision - thank you for the great input!

- All statements have been included (see hand-out)!
- For first pass of refinement, we propose to sort a few of the statements to better fit in the category buckets:
 - Overall Vision for Air Quality in BVHP
 - CERP Vision (e.g., 5-10 years)
 - Principles/Values to guide action strategies

Summary of First Pass Organization of Input

"Overall Vision for Air Quality in BVHP"

(26 Statements)

- We propose moving 7 to CERP Vision
- We have clarifying questions for 3 notes
- 2 notes we are unsure how to classify

"Vision for the CERP Plan"

(32 Statements)

- We propose moving 3 to Overall Vision
- We have clarifying questions for 2 notes
- 2 notes we are unsure how to classify

"Values and/or Principles for Strategies and Actions"

(20 Statements)

- We propose moving 1 to Overall Vision and 3 to CERP Vision
- We have clarifying questions for 5 notes
- 4 notes we are unsure how to classify

Next Step: Visions to Actions

Working to Refine Vision and Principles

- Some statements might be grouped and combined
- Some wordsmithing to be in a similar tense, or a "we envision" type of sentence, or to come across more precisely as to intent.

Next Meeting-

- Present a "cleaned-up" list of working vision statements and principles
- Going Forward...
 - Start discussing plan level categories and plan level goals
 - Start developing more detailed problem statements for community concerns

Vision to Actions



Combine technical understanding, community concerns and problem definitions with collective vision and principles to develop effective action strategies

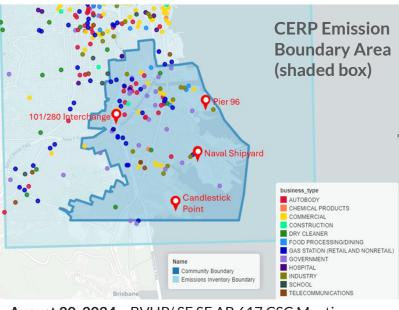
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CERP Boundary - agreement/consensus

Tonia Randell
Marie Harrison Community Foundation



CERP Preliminary Boundary



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CSC Action Item on Community Boundary

Do you agree to formally adopt the community boundaries as discussed?



State level Regulations and Enforcement for Bayview Hunters Point – Southeast San Francisco CSC

Michelle Byars and Jeremy Herbert August 20, 2024

Presentation Purpose

Mobile Sources: Regulations, Enforcement and Reporting:

- · Who's responsible?
- · Where do the rules/regulations come from?
- · How are they enforced?
- How do people make changes?



Air Quality Agencies

Federal



United States Environmental Protection Agency

Sets and enforces national air quality standards. Regulates interstate transportation.



Trains





Ships

Planes

State



California Air Resources Board

Regulates mobile sources of air pollution, greenhouse gases, and consumer products







Trucks



Consumer

Products





BAAQMD

Regulate stationary and local sources of air pollution







Residential woodstoves



Dust



California Air Resources Board Regulations





CARB regulates emissions from vehicles, fuels, consumer products, sources of toxic air contaminants, and greenhouse gases.



CARB Regulatory Authority





- Autos
- Trucks
- Motorcycles
- Buses



Off-Road

- Construction
- Forklift
- All Terrain Vehicles
- Lawn and Garden

- Locomotives
- Agriculture
- Transportation Refrigeration Units



- Oil and Gas
- Consumer Products
- Air Toxics
- Fuel
- Livestock

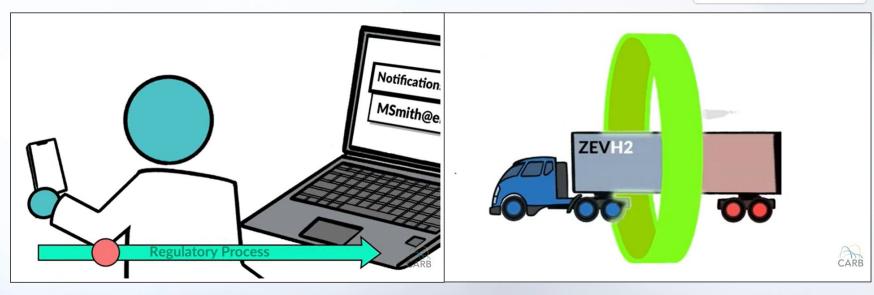


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Regulatory Process

Video: ww2.arb.ca.gov/regulatory-process







CARB Regulatory Process





Identify Need for Regulation

• Public, Industry, or Government

Develop Regulation

- Research topic and do required analysis
- Possible public engagement events
- Write draft regulation, and regulatory docs like Economic Analysis
- Public workshop on draft

Review Finance

of

Dept.

Notice Draft Regulation

- Notice of Proposed Action
- Proposed Reg. text
- Initial Statement of Reasons
- Economic and Fiscal Impact Statement
- 45-day public comment *

CARB Board Hearing & Decision



- Public comment **
- Considers comments
- · Board may approve, reject, or change regulation
- Substantial changes get an additional 15- or 45-day public comment period **

Review Law Administrative Office

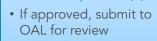
Regulation Published

- (If OAL approves)
- Implement as directed











Transition from Combustion



ZEV drayage trucks by 2035











32

Recently Adopted Regulations





Advanced Clean Trucks/Fleets Advanced Clean Cars 2



Amendments to the Hexavalent Chromium ATCM



Small Off-Road Engine Amendment



Upcoming State Actions



On-Road Actions

Heavy-Duty Engine Standards and Test Procedures

Zero-Emissions Trucks Measure



Off-Road Actions

- Cargo Handling Equipment Regulation to Transition to Zero-Emissions
- Future Measures for Aviation Emissions Reductions
- Off-Road Zero-Emission Targeted Manufacturer Rule
- Tier 5 Off-Road New Compression-Ignition Engine Standard

- Clean Off-Road Fleet Recognition Program
- Future Measures for Ocean-Going Vessel Emissions Reductions
- Spark-Ignition Marine Engine Standards
- Transport Refrigeration Unit Regulation Part 2



Other Actions

- Catalytic Converter Theft Reduction
- Composite Wood Products Control Measure Amendments
- Hydrogen Station Fueling Verification
- Zero-Emission Standard for Space and Water Heaters

- Commercial Cooking Suggested Control Measure
- Consumer Products Standards
- Oil and Gas Amendment



California Air Resources Board Enforcement





Fair & consistent enforcement to lower emissions and hold all businesses equally accountable to meeting our regulations.



Community-focused Enforcement Approach

Collaboration

Working with communities and others on targeted solutions

Enforcement

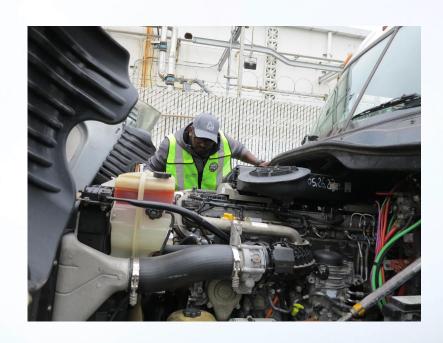
Focusing enforcement based on community input

Outreach

Sharing regulations, contact information, and solutions



CARB Enforcement Process



Inspections

- Field inspections
- Portable Emissions Acquisition System (PEAQS)
- Respond to public complaints

Audits

- ☐ On-site
- Submitted reports



Portable Emissions Acquisition System (PEAQS)



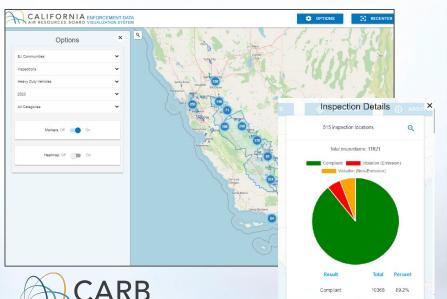


CARB Enforcement Data



Enforcement Data Visualization System (EDVS):

webmaps.arb.ca.gov/edvs/





Enforcement Data Portal: ww2.arb.ca.gov/our-work/progra ms/enforcement-policy-reports/enforcement-data-portal



File a Report/ Complaint





| Vehicle concerns:

1-800-952-5588

ww2.arb.ca.gov/environmental-complaint s



| Stationary source concerns:

1-800-334-ODOR (6367)

www.baagmd.gov/complaints



Other environmental complaints:

CalEPA's Complaint System:

calepa.ca.gov/enforcement/complaints



We want to hear from you!

CARB – Community liaison Michelle Byars (279) 208-7983 Michelle.Byars@arb.ca.gov



Community Air Protection Program Community Air@arb.ca.gov





Resources

Rulemaking at CARB: ww2.arb.ca.gov/rulemaking



Clean Truck Check: ww2.arb.ca.gov/our-work/programs/CTC



Subscribe to categories of notices at Gov. Delivery: https://public.govdelivery.com/accounts/CARB/subscriber/new?topic_id=listsery





Zoning and Land Use

Red Picket Fences

Land Use Policies and Environmental Health

Michelle Pierce
Bayview Hunters Point Community Advocates
20 August 2024

San Francisco

125 Years of Speculation

- Starting in 1847 with the 1st American mayor, San Francisco began a policy of raising money via land grants
- The state of California to receive 25% of all land sales
- By 1853 water lots priced at \$8,000-\$16,000 (~\$2-4M today)



Land Segregation De Facto & De Jure

National Realtor's Code of Ethics (1924):

"A Realtor should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individuals whose presence will clearly be detrimental to property values in that neighborhood."

U.S. Housing Act (1937):

Codified into Federal law discriminatory lending and investment practices particularly: "The condition, use, or design of the proposed security property (or of those nearby properties that clearly affect the value of the proposed security property), provided that such determinants are strictly economic or physical in nature"



Bayview Hunters Point (BVHP)

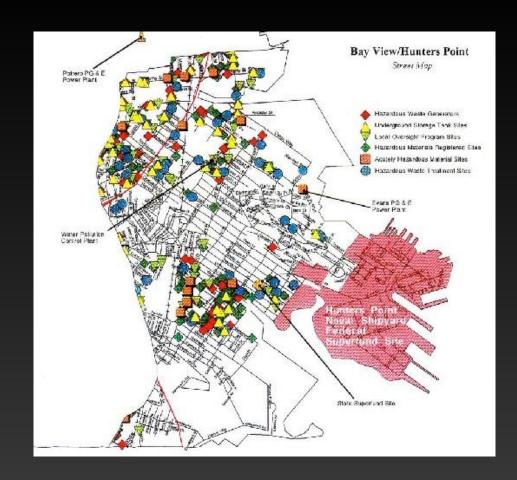
- Located in the Southeast corner of San Francisco
- Home to about 35,000 residents
- Greater than 50% the land is used for industrial use
- 1/3 of the city's hazardous waste sites:
 - 1 Federal Superfund Site
 - 100 Brownfield Sites
 - 1 (of 3) sewage treatment plan that handles
 80% of San Francisco's waste water



Ground Truthing

Community Led Toxic Indexing

- Still Zoned for Industrial, Agricultural, and Residential uses
- Over 300 proposed development projects sited on Brownfields sites
- 750 Acres of the Shipyard Development on Federal Superfund site



Land Use & Development

In the Modern Era

- Permitting decisions & CEQA processes
- Area Variances
- Use Variances
- Cumulative Impacts in EJ Neighborhoods



Thank You

J. Michelle Pierce Bayview Hunters Point Community Advocates









Danielle Ngo Senior Planner danielle.ngo@sfgov.o rg



Brief History of Land Use



- In 1916, New York City became the first U.S. city to adopt zoning regulations.
 - The 1916 Zoning Resolution established limits on building massing at certain heights and restricted buildings to a percentage of lot size.
- In 1926, the U.S. Supreme Court heard the case Village of Euclid v. Ambler Realty Co., and decided in favor of Euclid, Ohio.
 - This affirmed that municipalities had the constitutional authority to regulate which uses could go on parcels and other aspects of buildings on private property.
- In **1929**, the San Francisco Planning Commission was established to advise the City's long-range goals, policies, and programs on a broad array of issues related to land use, transportation, and current planning.

Key Terms & Definitions

Planning Code	All zoning regulations are specified in a detailed legislative policy document called the San Francisco Planning Code , which determines if a use is either <i>Permitted</i> (<i>P</i>), <i>Conditional</i> (<i>C</i>), or <i>Not Permitted</i> (<i>NP</i>).
Zoning	Zoning regulations govern how land can be used in areas of San Francisco, called <i>zoning districts</i> . These regulations oversee how land can be used in a given zone, called <i>land uses</i> , for residential, commercial, or industrial needs.
Variance	A variance is a request for an exemption from a Planning Code standard which would cause <i>practical difficulty or unnecessary hardship</i> if applied as written.
	The Zoning Administer hears and makes determinations of variance applications.

Additional Terms & Definitions

Principally Permitted	A principally permitted use is allowed by-right in the respective zoning district.
Conditional Use	A conditional use refers to how a parcel or building is operated that is <i>not</i> principally permitted in a particular zoning district.
	The Planning Commission shall hear and make determinations on all Conditional Use Authorization applications.
Discretionary Review	The Planning Commission possesses a special power, discretionary review , outside the normal project application approval process. It is to be used only when there are <i>exceptional</i> and <i>extraordinary circumstances</i> associated with a proposed project.

The Planning Commission can require the project applicant to make changes to the project.

Major Land Uses

Residential

Example: Excelsior



Industrial

Example: Ferry Building & Piers



Commercial

Example: Downtown, Market Street



Production, Distribution, & Repair

Example: Mission Bay & Bayview



Neighborhood Commercial

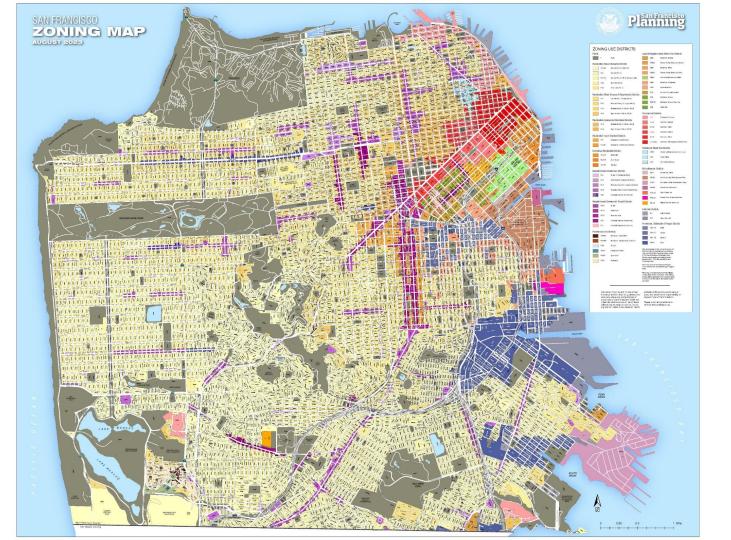
Example: Richmond, Clement Street



Agriculture

does not exist in San Francisco







How We Regulate: General Plan





























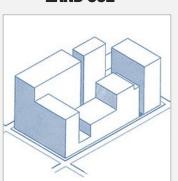




Planning Tools: Planning Code

The Planning Code contains 2,000 pages of controls that detail:





MASS & SCULPTING



DENSITY



SIGNAGE



HEIGHT & BULK



FEES & PROCEDURES

Planning Tools: Zoning Maps

Zoning Districts

There are over 100 zoning districts in the City.



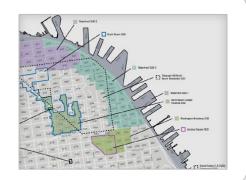
Height

Most of the City is zoned for 40 feet height.



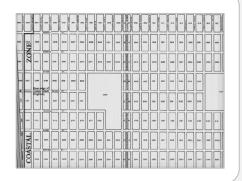
Special Use Districts

Overlays that place special restrictions or allowances.



Other Maps

Preservation Districts, Coastal Zones, and Special Sign Districts



Brief History of Bayview Hunters Point (BVHP)

Pre-Colonization

The shores near present-day India Basin & Candlestick Point were first settled thousands of years ago by the Ohlone; this area remained their home until Spanish colonization.

1860-1910

BVHP was one of the City's most ethnically varied neighborhoods:
British merchants, German boat builders, Italian ranchers, Chinese fishermen, Portuguese truck farmers, and Mexican vaqueros, to name a few.

1940-1970

The San Francisco Dry Dock (1866) initiated the industrial roots of BVHP and was eventually purchased by the U.S. Navy (1940). This period saw the population boom into a solid, growing middle-class community.

WWII +

Thousands of Black workers came to work at the **Hunters Point Naval Shipyard**. Post-WWII, white families began to leave BVHP while the Black population continued to grow, spurred by actions such as **redlining**.

1950s

In SF, redevelopment was specifically directed at traditionally Black neighborhoods to "remove blight," and displaced families migrated to BVHP. During this time, the shipyard became the only U.S. laboratory working on atomic defense.

1974-1994

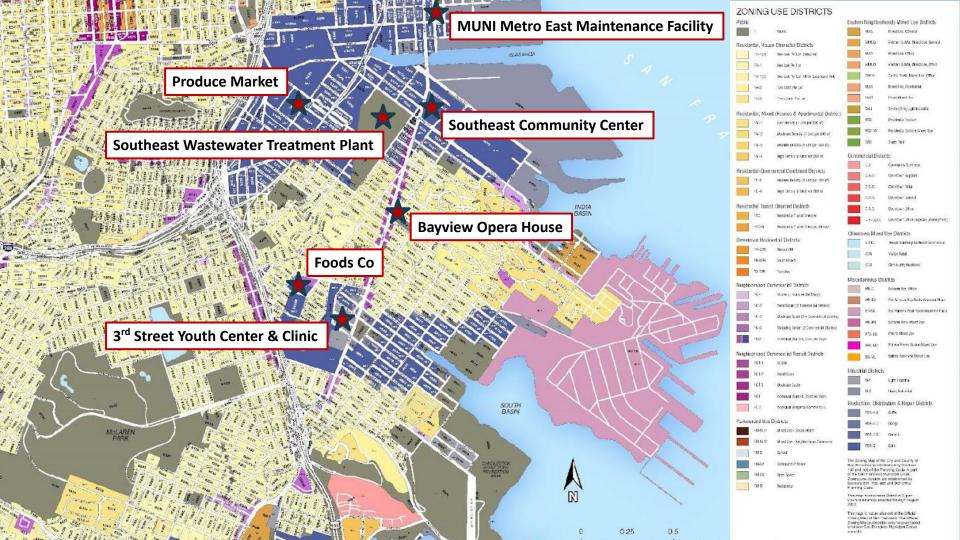
The **shipyard closure** resulted in significant job loss and impacts to commercial and retail opportunities. It also left behind numerous health and environmental hazards associated with its previous industrial and research activities.

1995

The Planning Department adopted the **BVHP** Area Plan. BVHP's history of development occurred prior to environmental regulations and modern land use controls, leading to many health and land use conflicts.

Present

BVHP is more demographically diverse and has a higher rate of homeownership than the rest of the City. It also has a lower median income and higher rate of linguistic isolation.



Wrap up, Action Steps, & Announcements

Feedback on Meeting & Next Steps for the CSC

Please fill out the post-meeting survey form.

Next Meeting will be September 17, 2024

It is important that you register for each meeting so that we can make any required accommodations.

Thank You! See You on September 17, 2024!!

