

Mary Lucas McDonald

From: Stewart, Luke <LStewart@mbaydevelopment.com>
Sent: Friday, December 4, 2015 11:07 AM
To: Mary Lucas McDonald
Cc: Jeff Austin; Nicholas.Targ@hklaw.com
Subject: Mission Bay Soil Stockpile

Mary,

The Appellant is incorrect in their statement that the soil sampled by the BAAQMD in August of 2015 was moved from the Project Site. The soil sampled by the BAAQMD was stockpiled at the location of future Park parcel P22 and portions of adjacent existing or future rights-of-way, all within the Mission Bay Plan area. This location is not within the Project Site defined by Mission Bay Blocks 29-32. The stockpiled soil was originally excavated from wholly within public infrastructure improvement project areas serving the Mission Bay Plan area. The excavation location is also not located within the Project Site defined by Mission Bay Blocks 29-32.

All soils within the Mission Bay Plan area are managed by multiple protective environmental requirements. Soils must be excavated and managed in accordance with an approved Risk Management Plan and Dust Mitigation Plan, which is overseen by the RWQCB supported by other applicable agencies such as BAAQMD. Articles 22A and 22B of the San Francisco Health Code, which address among other things dust control and mitigation requirements, are incorporated as a part of the Risk Management Plan. Moreover, Asbestos Dust Mitigation Plans are either under review or have been approved for use within the Mission Bay Plan area and for projects subject to the ATCMs. The ADMP is consistent with the CARB ATCMs addressing Naturally Occurring Asbestos. Therefore, while a select sample of stockpiled soil may have contained chrysotile asbestos at concentrations greater than 3 percent, soil excavation and management is being managed appropriately under protective environmental requirements.

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