

**City of Brisbane Open Space and Ecology Committee (OSEC) Comments on the Baylands  
Specific Plan Environmental Impact Report (EIR) Notice of Preparation (NOP)**

**OSEC respectfully requests incorporation of the goals, objectives and principles laid out in the Baylands Sustainability Framework (adopted 2015) into the Specific Plan and its EIR, as prescribed by Measure JJ. Herein, we seek to minimize duplication of the Sustainability Framework requirements.**

Project Site Description (p2):

- Please clearly, completely and accurately describe the known history of the site, including but not limited to the landfill, the boneyard and Stauffer Chemical. The NOP fails to acknowledge that the west side is land fill too; the previous DEIR shows the site has been operating as a landfill since 1915 and the west side even earlier.
- Site topography should include pollution in the lagoon from VWR.
- Brisbane Bayshore Industrial Park should be noted as an existing use.
- San Bruno Mountain is South by South-East to West by North-West orientation to Brisbane and should be accurately described in relation to the Brisbane Baylands site.

Figure 3 (p7):

- Please define “Brisbane Sphere of Influence” and detail what this entails.
- Please identify Existing Project Site Land Ownership, including smaller parcels within Brisbane Baylands, and when they gained ownership.
- The area below Lagoon Way should be designated as “Marsh/Lagoon/Bayfront” in this and other maps.
- Provide a more detailed map displaying existing land use.

Interim Land Uses (p9):

- “Interim land uses” should include historic land uses such as the raceway and tannery. The DEIR should be as comprehensive as possible in this regard.
- Note the active Google Bus parking and lumber yard.

Project Background & Previous Environmental Review (p9):

- “Open Space” and “Open Area” should be discussed separately and their proportions detailed.

Project Description: Land Use (p10, 13):

- Provide the approximate square footage of residential development by type.
- Study short-term financing/funding options to increase the capacity of the proposed water recycling facility and fast-track its construction.

Project Description: Infrastructure (p13):

- Circulation improvements:
  - Consider construction sequence to minimize construction impacts, build a bridge earlier for movement of soils.

- Please confirm that the mentioned “shuttle” is the previously-promised autonomous electric shuttle, or at a minimum zero emissions. Include a preliminary route through Brisbane, Crocker Park and the Baylands.
- Water, sewage, and drainage facilities: consider a constructed wetland or floodplain near the creek for stormwater to accommodate combined impacts from sea level rise and fluvial flooding.
- Water, sewage, and drainage facilities: study tidal and sea level rise influence on subterranean water and leachate; review and incorporate latest information on groundwater upwelling from Dr. Katie Hill of UC Berkeley.
- Electrical facilities...: strike “except for limited industrial processes.” No natural gas should be used on the site; by the completion of the 30-year construction timeline, society will need to have reached carbon neutrality which is generally not deemed compatible with the continued use of fossil fuels.

Project Description: Construction Activities (p14):

- In the previous Baylands plan/DEIR, the Lazzari building was to be restored. Please confirm this is still the intention and/or study the feasibility of doing so.

Figure 7: Proposed Open Space Plan (p19):

- Are there “open areas” on this map?
- Public open space and undeveloped private land should be clearly differentiated.
- Detail the acreage or square footage of identified spaces on this map; clearly show that the 25% open space requirement is met.
- Define “restorative.”
- What areas are slated for habitat restoration?
- Detail who will maintain these areas.

**EIR to be Prepared by the City of Brisbane (begins p25):**

General comments:

- Consistency and accuracy of measurements, descriptions and definitions are paramount in preparing the Draft EIR for the Brisbane Baylands Specific Plan.
- The Scope of the EIR needs to consider all phases of the project activities: assessment, development (moving soil, construction, building development), and maintenance activities after the development is completed.
- Considering the potential 30+ year project timeline, the scope of the EIR should consider whether the sequence of development in different areas may cause unintended consequences to the local population/residents (e.g. if the industrial zone is built out first, what would be the impact to the local community or vice versa). The EIR needs to consider the transient aspect of the project since development may take multiple decades. Mitigation during construction is critically important in the Specific Plan EIR given the lengthy buildout schedule.
- EIR mitigation measures need to be relevant and adjusted for the specific plan for development. Right now, the specific plan is not available.

- The committee recommends, as it has in the past, that any new studies use a multidisciplinary approach that goes beyond the risk assessment for humans to consider impacts on non-human species.
- Please provide complete clarity on exactly which agency is the lead for every phase of development and remediation/mitigation, being very specific on who exactly has responsibility for oversight and who has responsibility for failure and remedy of mitigations.
- The language used throughout the document should be understandable by a layperson, with concepts, designs, products, functions, mitigations, etc. explained as to their use and thresholds backed by explanations along with possible ranges.
- Standards are continuously evolving, such as those for air quality. Accordingly, the Baylands project should be designed so that it does not immediately fall into non-compliance when standards are next revised. If legal standards are lowered, standards for the Specific Plan should not be lowered.

### 3.1 Land Use and Planning Policy (p25):

- Analyze the jobs housing balance and the potential impacts of new housing legislation.

### 3.2 Socioeconomic Effects (p25-26):

- Establish a baseline for population growth without Baylands redevelopment versus with the development of the Baylands (with industry and housing) in the socioeconomic assessment. In the overall scope of assessment on impacts to human health and local population, consider taking a cumulative risk assessment approach (e.g. for added air emissions, impact to local waterways, traffic emissions etc.). <https://www.epa.gov/risk/framework-cumulative-risk-assessment>

### 3.3 Aesthetic Resources (p26):

- All maps, renderings or illustrations should be topographically accurate and allow the general public to visualize the views that would potentially be obstructed from various points, not just “viewpoint locations” or high vistas which may disregard impacts on the majority of the persons/places in Brisbane. The Specific Plan EIR should detail the specific areas of Brisbane where residents’ views and the public views will be obstructed by development. Photos of the same scene should be taken from multiple directions so they are not misleading to the reader. Please present a complete assessment of all visual impacts.
- Clearly state where the baseline (as defined for the entire EIR) for the building height will be measured from. Document the net increase in building height from the baseline in any discussion, descriptions, maps, or renderings. Consider building height impacts on obstructed views from the Bay, wind impacts and shadows.
- Study development view impacts on:
  - the entrance to Brisbane near 101 and Lagoon Rd; residents of Brisbane prize the first view of home when returning to Brisbane
  - the view of Brisbane from the Bay; the view of San Bruno Mountain must be preserved not only for people on land, but those enjoying time on the bay including wind surfing or sailing

- downtown Brisbane viewpoint; describe whether the Baylands project is or is not viewable from downtown Brisbane
- the view of historic Cow Palace from the Bay or any other viewpoint location.
- Development within 350 feet of the eastern boundary of the Project Site (US Highway 101) should be designed to avoid blockage of views of the Bay shoreline from specified and defined Viewpoints. A separate mitigation measure should be provided that includes height requirements for development built beyond the stated parameters.
- Daytime glare should be studied and addressed from the perspective of cars on US101 as well as within Brisbane, and especially upper Brisbane.

#### 3.4 Biological Resources (p26):

- Accurate characterization of the site is critical to an accurate assessment of the biological resources, past, present and future. A full biological assessment should be performed, including: resources inventoried by biologists who are competent and familiar with local plants, animals and local habitat; the use of current as opposed to outdated or extrapolated data; and scientific observations and data that go beyond the use of historical averages and consider variability between and within seasonal and annual patterns. Citizen science should be incorporated for a more complete picture than the limited survey techniques available to most common assessments. A detailed vegetation map should be provided so the public will know the species of plants and plant communities found on site.
- Perform specific surveys for the following species: Garter Snake, San Francisco Damsel Fly, Stickle Back, Mountain Salt Marsh Mouse and the California Red Legged Frog.
- Surveys should be done for special status species, such as *Viola pedunculata*, and precautions should be taken not to disturb species. As with most biological resources, full knowledge of a plant's life cycle, interaction with other species such as pollinators and hosted insects, and nursery production is needed to successfully restore that species of plant.
- A biological survey on the bay's shore line and in the lagoon for oysters should be performed.
- Study marine life in the lagoon, and the impacts of contamination on all wildlife in the Baylands.
- Evaluate the impact of shade from all buildings on the surrounding area's biological resources.
- Study the effects of the project on habitat fragmentation and consider/study building a greenway over the train tracks. We have a unique opportunity to connect San Bruno Mountain with the Bay Trail through a greenway that could serve pedestrian and bicycle traffic during the day and be closed to human traffic at night to provide a valuable wildlife corridor.
- Simulate (using a computer program) the predicted night lighting from the project to identify any Biological Resources as well as Aesthetic impacts. Evaluate in particular how bats, birds, insects and nocturnal creatures could be impacted by the imposed night lighting.
- Document the removal of any existing trees and address the long-term vegetation needs.
- With 30-40 feet of soil being added to the Baylands in places, it opens up the possibility of in-ground trees. Study and describe species selection and location to prevent cap penetration and tolerance for salinity due to sea level rise.
- While it is not possible to restore the wetlands destroyed by the filling of the Baylands, where or how they originally existed, a reasonable effort should be made to calculate the wetlands lost. Restore this amount to the greatest extent feasible within the project site, and set aside funds for wetlands restoration in nearby areas so that the total land area dedicated to wetlands approximates the total historical area of wet lands.

- Mitigation measures set forth in Biological Resources must reduce impacts related to tall structures and increased lighting by incorporating design features that minimize bird strikes, including design features making structures, especially glass surfaces, more visible from the outside to birds. Additional mitigation measures such as using green and blue outdoor lighting, designing the buildings with less glass, and treating every window to decrease its reflectivity, should also be considered.
- Ensure that any selected mitigation measures will be successful without causing harm. For example, previously suggested mitigation measures included fencing; study how fencing will affect access and flight of surrounding species.

### 3.5 Cultural and Tribal Cultural Resources (p26):

- Include as much historical reference as possible, going back as far as records are available.
- Describe the methodology for obtaining core samples. How might archeological artifacts be preserved that are found in the core samples? Will there be core samples of the landfill?
- The bone storage house should be included and considered even if not deemed “historically significant”. It could also be a source of contamination.
- Provide a detailed plan about how the Round House will be incorporated into the design, including accommodating the substantial change in the elevation and neglect.

### 3.6 Transportation (p26):

- The transportation analysis should take into account all new projects currently permitted within the region such that the cumulative transportation impacts are evaluated as accurately as possible. To the extent necessary, projects outside the normal DEIR scope could be included as an appendix.
- Transportation studies should include the major on/off ramps at 101 & Oyster Point. Though south of the project, it’s reasonable to expect that they will be impacted by the project, especially as travel times increase along 101N and people leave the freeway early. They should also include key arterial and collector streets in Brisbane, including Carter Way, Industrial Way, Valley Drive, and Old County Road.
- Transportation studies must consider current and future transportation needs for people of all physical abilities, be inclusive and accommodate an aging population.
- Study incorporation of a Transportation Demand Management (TDM) Plan which includes the aforementioned (in the Infrastructure: Circulation section) shuttle, and the associated carbon reduction of said shuttle as a Zero Emissions Vehicle (ZEV) over a diesel bus system.
- While the CalTrain tracks are fixed, the current preliminary street layout is designed with vehicular traffic in mind. Design and study instead approaches that prioritize: building orientation and passive solar; minimizing wind disruption; and active transportation modes. Combine the best elements from these approaches and then accommodate vehicles.
- Study/plan for a continuous high-quality bike corridor connecting the boundaries of the project to San Francisco, Brisbane and the rest of the peninsula. For instance: the transportation study performed in the first DEIR indicated that the primary destination for those living in the Baylands would be jobs in downtown San Francisco. While the vehicular aspects were studied fairly well, bikes were just expected to jump off into the void at the Northern edge of the project and materialize in the SF financial district, ignoring that the most direct route takes bicyclists across the 101 onramp.

- As noted above under 3.4, consider/study building a greenway over the train tracks that could serve pedestrian and bicycle traffic during the day.
- The NOP overlooks the promise and previously studied preservation of the freight train tracks; please re-evaluate this opportunity. These tracks, while currently underused, are still valuable to several businesses in the area, including but not limited to Golden State Lumber. As we accelerate our move towards a carbon free future, we can reasonably expect that rail, with its low carbon footprint, may see a resurgence. The freight train tracks could also play an important part in moving heavy Bay Mud to the Baylands.
- Consider/study the use of trees in roadway corridors. Mid-road medians planted with trees remove trees from being in conflict with buildings and provide shade for roads greatly reducing the potential heat island effect and leaving sidewalks open and welcoming for pedestrians.
- The Baylands Sustainability Framework set a target average commute of ~7.3 miles. What will be done to ensure that this goal is studied and met?

### 3.7 Air Quality (p26):

- Study and address the potential for ground-level ozone pollution, particularly given the nature of the Baylands site, its long history of pollutants including many identified and unknown sources of VOCs, proximity to sources of NOx such as US Hwy 101, and the reaction of Bay Mud with air.
- Wind flow and dust pollution should be extensively addressed in the Specific Plan EIR both during the phased construction and post construction. Describe the methodology used to assess the wind impacts on pollution from the project site; where will it travel and what will be the impact?
- Dust Mitigation measures should take rain events, afternoon winds, and off-hours into consideration when determining a watering schedule to mitigate dusts. There should be a goal of zero fugitive dust produced from site construction activity and interim use activities.

### 3.8 Greenhouse Gas Emissions (p26):

- Emissions must be considered for all phases of the project, including remediation and construction phases. A carbon study of the alternative methods of moving the soil required should be included in the DEIR.
- Baylands development should be designed for 1 metric ton of CO<sub>2</sub>e per person per year or less.
- Study and detail approaches required to reach the city's Net Zero goal. In our opinion this should mean that all ongoing building operations are offset by onsite energy generation, not by purchase of RECs or energy offsets. "Onsite" may be determined at individual building level, as part of a building cluster or phase, the entire development, or a combination.
- Study the use of recycled materials; incorporate life-cycle accounting of materials. The Baylands Sustainability Framework has several proposals for Lifecycle Assessment. We hope the Baylands consultants will consider working with the City of Brisbane City Council, sustainability staff and citizens to ensure the most complete and thoughtful methodology is incorporated into the DEIR.
- Study the use of and potential emissions reductions from District Heating and Cooling. Building heating and cooling composes about one third of anthropogenic GHG emissions; District Heating and Cooling could significantly reduce the carbon footprint of new construction.
- The GHG study should include a recommended level of tree canopy cover as part of the GHG/heat reduction strategy.

### 3.9 Energy Resources (p26-27):

- Study only building heights which lead to energy densities that meet the Net Zero goal (see comment above regarding the Net Zero goal).
- A 100% renewable on-site option must be studied as consistent with the wishes of the people of Brisbane and in uphold the spirit and decision of the previous Brisbane City Council, some of whom still retain seats. Study the feasibility for the project to be energy positive on an annual basis.

### 3.10 Noise (p27):

- Study the noise and vibration impacts of compaction or densification of soils.

### 3.11 Geology, Soils, and Seismicity (p27):

- A description of impacts of slides such as from Tulare Hill into the lagoon and rock fall and erosion from Icehouse Hill should be explained in the project site description. Topographic changes from seismic activity and rock fall from Ice House Hill should be studied. Seismic testing of 7 Mile House should be conducted to ensure that pile driving will not affect the building.
- Soil pH directly correlates with corrosivity, as noted in the prior DEIR, and it appears that the corrosive soils may not be suitable to sustain development. The soil pH should be determined across the site for current (2020-21) conditions and detailed in the Specific Plan EIR. Consider what measures will be taken to anticipate sea level rise if the amount of moisture in the soils affects the severity and rate of corrosion of substrate; the potential for piles to be damaged due to corrosion from the soils; how documented fill and undocumented fill differ with soil erosion potential; and reduction of soil erosion when it is graded and covered with concrete.
- The efficacy of “Bay Mud” and the exact defining properties were called into question by prior analysis from Treadwell & Rollo, Inc. which stated that, “placement of engineered fill may cause underlying Bay Mud to fail.” Assess whether Bay Mud retains its value once it has been dried out and moved around, and whether it will still be effective as a cap. Describe what can be done to prevent cross-contamination from the landfill into the aquifer if failure of the Bay Mud cap were to occur, as well as the implications of consolidated Young and Old Bay Mud and the variations in Bay Mud as a protective cap.
- The Specific Plan EIR should address who will perform a Post-Earthquake Inspection and Corrective Action Plan inspection, who will be implementing mitigation measures and on what time frame. The prior EIR required this inspection and plan for an event of a magnitude 7.0 or greater earthquake centered within 30 miles of the former Brisbane Landfill; explain why specific parameters (i.e. 7.0 instead of 6.5) are used to establish the requirements.
- Mitigation measures requiring a site-specific geotechnical report should provide as much detail as possible on what should be included in that report. For example, the number, interval, depth and distance from building footprint for required borings, and measures to ensure that cross-contamination of water-bearing layers does not result from borings, pile-driving or other foundation work.

### 3.12 Hydrology and Water Quality (p27):

- Develop a complete hydrologic model of the site.

- Provide accurate maps and 3-D renderings of original, current and future proposed land contours including accurate heights, measured in 5-foot increments, to a consistent, established baseline. Include baseline contours at or below median sea level at a current specific date as a benchmark against sea level rise. Evaluate impacts with respect to impending sea level rise, potential for siltation to decrease water quality, and other pertinent factors.
- Areas that stay wet all year round where species can exist should be distinguished from the truly seasonal wet areas in a map. This is most likely due to underground springs, which should also be investigated in the Specific Plan EIR.
- Evaluate the impact of wind-blown dust settling on the bay causing pollution of the water and excessive siltation both in the waters within Brisbane's city limits and beyond.
- The geology and hydrogeology of the site are only partially understood, and more investigation is needed in order to safeguard the water-bearing units to ensure that construction does not result in increased contamination of the aquifers or the bay.

### 3.11, 3.12 & 3.13 (p27):

- "A report by MACTEC (now AMEC) dated May 24, 2010 (Groundwater Monitoring Report, First Quarter 2010, Appendix B, p. 1-1) contains these observations about the Schlage OU: "A correct understanding of the Site's hydrogeological framework is critical to the successful design, assessment and performance of the [remediation] program. To date, the previously established definitions of water-bearing zones have been unable to explain completely the contaminant distributions and other hydrogeological observations... Recent field activities... indicate a reassessment of the Site's hydrogeologic conceptual model is now necessary... the existing definition of water bearing zones do not adequately represent the Site hydrogeologic condition... [the report] presents an alternative hydrogeologic model ... that explains historic groundwater observations and better predicts fate and transport." For the reasons explained by MACTEC, and for clarity in general, it would be useful if the Specific Plan EIR were to use MACTEC/AMEC's terminology (see report quoted above, p. 2-1), i.e., Young Bay Margin Deposit, Colma Formation, Old Bay Margin Deposit, Merced Formation, Franciscan Formation bedrock. The most recent remediation measures have used the newer terminology, and many members of the public and the DTSC have become familiar with it. It would also be useful to reproduce MACTEC/AMEC's cross sections of the former Schlage OU.

### 3.13 Hazards and Hazardous Materials (p27):

- Contaminants in the Baylands should be comprehensively tested and identified.
- Test storm water runoff and contamination from the Tank Farm.
- Background pollution as a result of the landfill should be taken into account. Address the high potential of original waste material from Hunter's Point Shipyard during its years as an active shipyard as well as other potentially highly hazardous waste materials.
- Determine whether or not toxins exist in the lagoon water; a soil scientist should sample the sediment in the lagoon and a biologist should test the wildlife in and around the lagoon for bioaccumulation.
- Include toxin mapping of the Stauffer Chemical site, the railyard maintenance areas, Schlage Lock plume, possible plume from Midway Village area, Champion Speedway, tire dump in the

land fill, etc. Every potential toxic or destabilization potential needs to be clearly and accurately mapped and labeled.

- The long construction build-out should take into account human health risks to construction workers on site and risks to other in the vicinity.
- The process for closing the landfill should be included as well as the known and “unknown” current state of the landfill.
- The use of wick drains was previously assumed in estimates of settlement at the landfill. Please discuss the possible negative effects of wick drains and clarify whether or not the Specific Plan EIR recommends their use. Detail where will this highly contaminated water will go and how it will be processed.
- Proper mitigation measures should be described for any hazardous materials that will move offsite.
- In the EIR’s mitigation measures regarding hazardous substances at the site, the project development should consider different methods to monitor for contaminants of concern in ambient and environmental media (air, stormwater runoff, soil, groundwater as appropriate) through the life cycle of the project. That information should be translated to some form of understandable report to Brisbane residents/citizens to clarify whether safeguards/mitigation measures for historical contaminants of concern are effective or not.
- Remediate contaminants to the highest standard possible, regardless of the ultimate land use in the Baylands. The feasibility of alternative methods for remediation should be studied, including capping, hauling away contaminants, and the latest/most advanced bioremediation techniques.

#### 3.15 Recreation (p31):

- In the previous DEIR, the study covering windsurfing at Candlestick Recreation Point determined a minor reduction in the wind speeds due to the Baylands Development, but did not consider a reduction in the number of surfable days. For example, a 10% reduction in wind speed may result in a 50% reduction in the number of days with adequate wind speed for surfing. Perform a new study that uses methodologies that reflect the impacts of the project in consultation with the Candlestick Recreation Association.

#### 3.16 Utilities, Service Systems, and Water Supply (p31):

- As noted in 3.8 GHG, study the use of District Heating and Cooling.
- With California’s long history of drought cycles, high farming demands and ever-growing population, all new large projects must study a balanced water system that optimally uses: grey water, rain water, municipal water, and reclaimed water. The system should be designed with opportunities to connect old Brisbane where possible.

Add 3.17 Wildfire: Study the potential for and impacts of a fire on Icehouse Hill, related to Kinder Morgan pipelines or facilities, or the subterranean tire dump.