

2/16/2017

To: Brisbane City Council

Dear City Council Members,

Enclosed are three documents that cover some issues I have been particularly concerned with in the process of reading and making sense of the DEIR and FEIR.

While these may not be timed exactly with your current hearing schedule, I hope you will accept them as part of your investigation into the suitability of the Baylands for development and the impacts to our way of life for so many years to come.

There is so much over lapping of information, taking segments of the FEIR separately creates an incomplete picture. For example, traffic creates noise and air quality issues, etc.

Exhibit 1, I respond to Final EIR responses to my comments on the DEIR.

Exhibit 2, pertains to Population and Housing segment of the DEIR and some assumed benefits to allowing live close to work scenarios, while not providing adequate information about how to achieve this. Average pay for some of the jobs created by theater, shopping etc, are generally minimum wage jobs that do not meet the income levels necessary to rent much less buy a home in this area. This section also overlaps with Air Quality in toxic land emissions.

Exhibit 3, Traffic and Circulation and again impacts that add to Noise, Air Quality and GHG emissions.

Respectfully submitted,

Linda Montenegro Dettmer

EXHIBIT 1

Responses to responses to personal comments submitted from DEIR by Linda Dettmer

I'd like to begin with my comment which regarded traffic scenarios too numerous to count that contain Significant Unavoidable conditions. The FEIR states; all *feasible* mitigation will be done. Feasibility as I understand it in this document does not begin to address the tip of the iceberg and the ethical responsibility the developer has to cooperate, to ease the alteration to traffic patterns that we will suffer, from this complex nuisance, in drops in levels of traffic service. We should not be forced to live with lower levels of traffic service to benefit a developer.

Table 2-1 of the traffic section:

Further stated is that four of six intersections discussed in DEIR identified as problem intersections for future traffic demands, are identified as intersections not maintained by the City of Brisbane, and the City does not have the authority to impose mitigation measures.

This is noted again for six of thirteen problematic intersections for which the city has no authority to impose mitigation measures.

So, while the Baylands are in Brisbane, its impacts are far reaching. Traffic in the immediate surrounding areas, while not in our City limits will greatly affect us and the response from FEIR is not acceptable. I don't think we should accept these answers as complete and worthy of compromising our quality of life as we know it.

I commented regarding significant traffic impacts at the freeway entrances, and was answered again with; City of Brisbane has no control to impose mitigation measures.

My comment regarding the increased demand on transit that cannot be accommodated by SF Muni or Sam Trans current capacity was also met with "impacts are considered to be Significant and unavoidable." Again, this is not in our jurisdiction.

At what point do we say No? We do not have enough control over this enormous project in our City, to protect ourselves from an inundation of

vehicle traffic and serious lost levels of traffic service.

Diesel Particulate Matter

The American Cancer Society has identified Diesel Particulate Matter as a toxic air contaminant, primarily based on evidence of demonstrating cancer effects in humans, with trucks and busses being primary contributors of DPM.

The FEIR argues that in the DSP and DSP-V scenarios, the majority of the proposed land use (commercial, residential and retail) would most commonly be accessed by personal vehicle use and gasoline powered engines do not produce DPM. What they are not addressing is the protracted remediation and build out period. They **site a site specific health risk assessment** that accounted for diesel truck trips during construction, in which the assessment excused them from requirements to mitigate.

Depending on the rate of growth, I can not find this answer definitive enough to protect workers and residential populations in the surrounding areas and would like to see more study.

The transportation analysis in the DEIR estimates that development of the project site would result in approximately 44,985 new vehicle trips per day per the DPS scenario and almost twice as many for the CPP scenarios.

FEIR states that DEIR made no assertions as to whether Project Site development or its impacts are “acceptable” to the community. Determinations of acceptability will be made as part of the City’s planning review and decision making for the Baylands. To which they added **gridlock** is not defined as a significant criterion under CEQA.

Our General plan policy 38.1 allows for LOS D traffic movement, with exceptions of Bayshore Blvd at Old County Road and Bayshore Blvd at San Bruno Avenue, which need to meet a minimum LOS C standard.

While the Draft EIR identifies significant unavoidable impacts, to our levels of service, it makes no assertion as to whether any impact – significant or less than significant is “acceptable” or “unacceptable.” This determination must be made by the City.

Additionally, Cal Train, and Transit Districts are overviewed in the DEIR, however no projections for mitigation or how to meet demand are included.

I would like to propose a change to the General plan to make all LOS minimums C, particularly where lost levels of service are a **directly brought about by** any new development in the Brisbane City limits.

While the DEIR states we are regionally served by three major freeways, only US 101 is readily available, while I-280 and I-380 are 3 and 4 miles away. The latter two may alleviate some congestion, but the travel to these other freeways will take first, getting through potential gridlock

Some of the local roadways proposed for use as additional relief to the congestion are through areas that are in transition and “socially obsolete” due to higher crime rates. The EIR is only required to analyze the environmental changes that would result from a proposed project. Social obsolescence is not subject to analysis. The question must be posed are these good alternative routes if there is fear or actual danger in using them?

A huge focus has begun in Brisbane to increase pedestrian and bicycle traffic and it is important to have safe routes for these people to progress to their destinations. Preferably large separated walk/bikeways will be included in any plans for the Baylands. FEIR states that the recommendations contained in this comment will be considered as part of the City’s planning review for the Baylands. Use of protected, safe, designated, separated bicycle lanes away from speeding traffic are absolutely necessary and must be designed, instituted and enforced as one mitigation measure. In addition, referencing Dr. Fred Lee’s report on the toxicity of the Baylands, any areas used by pedestrians must be remediated to ensure safety from airborne toxins or other potential chemical harm. Remediation standards should not be left to the developer.

Traffic calming should be more than *a consideration* for the planning review of the Baylands, rather an absolute. With traffic projections and lost levels of service there is a huge potential for more distress while driving through projected congestion.

To alleviate some congestion, additional services should be in place by

CalTrain prior to project commencement. However this suggestion does not fall into the purview of the City of Brisbane.

I would like for the City to consider designating one way streets, during an emergency or natural disaster, before project commencement. The FEIR would like to leave this to emergency response personnel at the time of need, but as we have all experienced during the huge fire on San Bruno Mountain which required evacuation of several streets, some fire trucks met face to face on our streets and this made it very complicated and dangerous to actually get where they are going and for evacuees to get out. As an aside, this is something that should be applied throughout Brisbane in an evacuation situation.

I suggested mitigation to effect a huge change to commute and transportation congestions, by formation of a mutual transit district, encouraging the SF T line to continue through Brisbane to South San Francisco at Linden and Bayshore where many bus connections can be made. This would be my suggestion, only if the project is approved for development. The analysis in the Draft EIR is based on existing institutional arrangements for the provision of transit services. Neither Project Site development nor the City of Brisbane could unilaterally effectuate changes in those institutional arrangements...The City may consider this suggestion as part of its planning review for the Baylands. Again, we do not have the authority to make such changes.

The DEIR does not concern itself with the Bayshore Intermodal Station Access Study which takes into account all impacted areas, including Daly City, Brisbane, San Francisco and South San Francisco. These improvements will have far reaching implications for the entire Bay Area and should be studied for mitigation measures that will be implemented to keep traffic and people moving easily with the increased projections. Again this is out of our jurisdiction.

Linkage is a term that refers to a Transportation Demand Management Program to match employees with job and housing linkage for the purpose of minimizing vehicle trips. The types of retail jobs proposed by the DSP and DSP-V scenarios make Linkage a failure from the inception. Retail pay will unlikely even offer employees the opportunity to pay rent; much less buy a new “affordable” home.

While the requirement for 2 parking spaces for every 3 employees refers to the existing City zoning standards for industrial land uses, we are not only speaking of industrial land uses, but retail establishments as proposed by DSP scenarios. If necessary a change to zoning standards should be implemented by City to accommodate the projected increase of vehicle use on the Baylands, should this project be approved.

The Lead Agency, Brisbane, and its constituents have no authority to compel outside agencies such as San Francisco and Daly City to require implementation of mitigation measures within their jurisdiction. It is my opinion that mitigation measures that do not include the approval of Brisbane and that directly affect the quality of life in Brisbane should give sufficient cause to Brisbane to reject the project in its entirety.

In conclusion, should the DSP or DSP-V or any plan for development of the Baylands be approved, and because of the protracted period of time involved in this proposal, the door for evolving, future sciences, applicable to mitigation measures warrant a stronger stance by the City and our General Plan to allow for the predictability of values and standards of mitigation changing. The potential unknown toxins in the Site may need to be dealt with differently as science progresses and the process of approvals should not be grandfathered to this decade's knowledge. Scenarios that are planned but immitigable must be re-planned to bring them to the highest standards of safety and public comfort, with as little intrusion to the way life is now enjoyed by the people of Brisbane.

EXHIBIT 2.

SUBCOMMITTEE: POPULATION AND HOUSING

Comments by Linda Dettmer page 1 of 5

<p>DEIR (Section; page #)</p>	<p>Comments</p>	<p>Submitted By (Subcommittee Group or Member Initials)</p>
<p>Introduction 4k1 2nd pp</p>	<p>Contradictions in this paragraph include... <i>“Population and housing....under CEQA are not considered to be significant effects on the environment”</i>. Later in same paragraph, <i>“In fact all of the impact... in EIR would result from the construction of buildings and uses associated with planned increases in population and employment...”</i></p> <p>A report by Dr. Fred Lee, in November 2010, for BBCAG, states there are extreme amounts of landfill and contamination that require remediation. Also, <i>“Those areas and chemicals will need to receive proper containment/treatment/removal and proper monitoring in surface waters, ground waters, ambient air, and air within structures for as long as the chemicals remain on site for the protection of public health and environmental quality.”</i> I must conclude from this that the only safe way to remediate is to remove the contamination and replace with clean fill. Dr. Lee states further, any <i>“development in this area should be done cautiously”</i>. Taken into account also are VOCs inside and out of the buildings and the heavy metal concentrations in the Schlage Lock and SP rail yard areas combined with surface water collection particularly near the rail yard.</p>	<p>LD</p>
<p>Introduction 4k1 3rd pp</p>	<p>I find an assumption here that people working in the area will live in the area and cannot find evidence here that affordable housing and good paying jobs will be part of the Project. Paragraph alludes to decrease in GHG and gives no data points to back this up. <i>According to PolicyLink.org, Brownfields are disproportionately located in low-income communities.</i> While Brisbane would not be considered a low-income community some of our neighboring areas in the Bay View and Hunter’s Point, Geneva Avenue, Little Hollywood and Visitacion Valley most likely have less income per capita than Brisbane. Should these surrounding communities that could be served by more jobs not contain the skill sets necessary to work at the projected jobs, in-commuting will be necessary and building housing based on mitigating GHGs cannot be an argument.</p>	<p>LD</p>
<p>Regional Housing Conditions 4k2 2nd & 3rd pp</p>	<p>Vacancy factors/ rates according to this report in Table 4K2 show that our vacancy rate is higher than “ordinary” (the measurement of adequacy here) rates for this area at 5.5% instead of the 5% considered “ordinary”. This is in respect to rental property. Homes for sale do however show a lower than “ordinary” vacancy rate at 1.3%, which is slight considering an “ordinary” rate of 2.0%. Silicon Valley is a very large employer of residents from San Francisco who choose to commute and contribute to the imputed lower vacancy factor in this area.</p>	<p>LD</p>

	Population and Housing comments by Linda Dettmer page 2 of 5	
Regional Housing Conditions 4K3 Charts	Chart 4K1 addresses the entire county. Being an unusually small town that has already added significant housing (a 40% increase) to a small developable area, this chart seems skewed. I find the same with 4k2, which compares Brisbane to much larger cities.	LD
Area Population and Housing Growth Rates 4k4 3 rd pp	The percentage of growth predicted in Brisbane's population and lack of housing growth does not refer to the North East Ridge Development, which was a 40% increase for Brisbane. With the small character of Brisbane, a population increase of 20% in Brisbane is a much smaller number of people than 20% of any surrounding city. See page 4k19 of this report 2 nd pp, <i>"Brisbane's projections are modest by comparison."</i> Also, see charts 4k1 and 4k2.	LD
Employed Regional Employment Conditions 4k5 2 nd pp	Regarding vacancy rates of which our 5.0% is "ordinary", this paragraph refers to our current vacancy rate in the area of 5.8%. We have adequate housing choices for our population.	LD
Employed Residents and Jobs/Housing Relationships 4k7 1 st pp	The data used to present this section utilizes the 2000 Census. This information cannot be relevant as there is a 2010 Census update.	LD
4k7 5 th pp	<p>Given the current demographics of some of the surrounding areas, the balanced mix of land uses and job opportunities to local residents as well as housing opportunities for workers employed locally does not make sense. Further citing Brisbane as a "job rich" community (4k6 1st pp) and an "importer of labor" later in this section along with an assumptive forecast on 4k16 2nd pp, that this will all happen with <i>a full employment economy with unemployment rates returning to normal levels within a successful national economy</i>. It all sounds like fluff. Current job "richness" in Brisbane is most likely due to the large industrial park and some neighboring industries including some on the Project site. Also assuming that all people want to and should live in close proximity to where they work. This myth is shown clearly with the large numbers of people commuting from SF to Silicon Valley.</p> <p>Referencing in-commuting, referred to here and on page 4k23...</p> <p>While it is a good ecological goal to live and work within a relatively short distance from each, it is not an established discipline in the San Francisco Bay area and the production of GHG emissions and use of non-renewable fossil fuels continues. If it is the goal of the Project to mitigate these issues then perhaps Developer may want to produce enough low income housing to allow lower paid employees to live here as well as lower income people from surrounding areas including Brisbane. (I would not expect that I could afford to live in a community like Hillsborough with a non-skilled job in that area.)</p>	LD

	Population and Housing comments by Linda Dettmer page 3 of 5	
4k8 Table	This table shows the ratio of jobs to employees and shows that Brisbane has one of the highest percentages of people working close to their homes than any of the others cited, particularly Daly City, and changes for predicted ratios in 2020 are only slight.	LD
4k10 Table 4k7	<p>ABAG projects a 79% increase in population by 2035. With a 2010 Census count of 4282, is as stated before not comparable in proportion to larger cities surrounding Brisbane and on page 1 of these comments, <i>“Brisbane’s projections are modest by comparison.”</i> Also see charts 4k1 and 4k2.</p> <p><i>Also noted in foot note 10 of this page 4k10...ABAG had higher projections than the actual 2010 Census for the purposes of this report.</i></p> <p>Updated information for this report requested for inclusion in EIR.</p>	LD
4k12 2 nd pp	<p>“...housing potential that has been defined by local jurisdictions...”</p> <p>The General Plan does not allow housing in the Project and clarification is needed as to which local jurisdiction defines Brisbane’s housing potential. Plan Bay Area Sustainable Communities Strategy which speaks to housing potentials, has not been formally adopted by ABAG.</p> <p>ABAG has over estimated need for housing and job projections as noted on footnote 10 of page 4k10. All of ABAG’s projections need to be viewed in the light of just that, projections can be misleading.</p>	LD
4k13 2 nd pp	Plan Bay Area, says the Bay Area is expected to <i>“experience more modest growth than in past decades”</i> . ABAG continues to project <i>“healthy economic growth of 1.1 million jobs and 2 million people by 2040”</i> . This projection <i>“assumes a full employment economy with unemployment rates returning to normal levels within a successful national economy”</i> ...	LD
4k3 Regulatory Setting 4k13 4 th & 5 th pp	<p><i>“Development within the Project Site must comply with federal, state, regional and local regulations.”</i></p> <p>We must take into account the <u>special nature</u> of this contaminated land as a health and safety issue to which I have been unable to find statistics showing long-term exposure to “remediated” brownfield sites. Cancers and exposures to heavy metals, and combinations of unknown contaminants emissions and VOCs inside and outside of buildings and continued monitoring of same (as referenced in Dr. Fred Lee’s Report of November 2010) alludes to no studies on the long term effects.</p>	LD
Table 4k9 Draft Plan Bay Area Employment and Household Projections 4k15	The projections set forth in this table for Brisbane’s need for housing do not merit a large-scale residential project. San Francisco, on the other hand must be prepared to accommodate 100,000 more persons than Brisbane’s projected 266.	LD

	Population and Housing comments by Linda Dettmer page 4 of 5	
State Regulations Senate Bill 375 4k15 1 st and 2 nd pp	Assignment by the Law of responsibility to the Bay Area Sustainable Communities Strategy to MTC and ABAG must consider public safety as a primary consideration for any population on the Project site. As well, <u>if</u> this means Brisbane will have no say about the outcome of findings and recommendations by MTC and ABAG, then liability should rest with these organizations for future harm done to any inhabitants of the Project site.	LD
State of California Housing Element Requirements 4k16 1 st pp	Government code 65580 requires cities and counties to include as part of their general plans, a housing element to address conditions and needs in the community. Brisbane has already done its share over and above the requirements by adding a 40% growth in housing in the North East Ridge, and other sites in Brisbane, which included low-income housing in line with regulations in place.	LD
4k16 2 nd pp	The need for a sub region with other Cities and the County for purposes of allocating existing and projected need for housing is unnecessary at this point. Brisbane has met the challenges it has faced through Density Transfer to preserve open space while allowing higher density building on smaller plats. As well, the addition of the North East Ridge was a huge addition of a housing share to the entire County.	LD
Local Regulations City of Brisbane General Plan 4k16 3 rd pp	As stated in this report, “ <i>the 1994 General plan continues to represent the City’s planning policies, goals and programs, guiding its future land use and development</i> ”. Any changes to the General Plan should completely take into account the major work of Dr. Fred Lee, of November 2010 referencing the brownfield site for the proposed Project.	LD
Chapter IV: Local Economic Development. 4k17	Citing Policy 9 of the General Plan “ <i>to seek fuller employment of Brisbane residents</i> ”: The General Plan has accomplished this as referenced on 4k6 1 st pp... Brisbane is a “ <i>jobs rich</i> ”, “ <i>importer of labor</i> ”.	LD
Chapter XII: Policies and Programs by Subarea	POLICY 330.1 PROHIBIT HOUSING ON BAYLANDS. Would a change in the General Plan require Citizen involvement and workshops in order to allow housing? Would a change in the General Plan to allow housing use information provided by Dr. Fred Lee’s report of November 2010, to determine the suitability of housing and the health and safety impacts to any persons on any part of the Project?	LD
4k19 1 st pp	ABAG did not use a current census for the projections and purposes of this report. Only modest growth and no housing within the Baylands are cited in the Plan Bay Area draft report currently under review by ABAG.	LD
4k19 3 rd pp	As a regional planning agency, ABAG’s preliminary allocations for any housing in the Baylands Project does not account for health and safety issues. The allocations shown are unfair due to the condition of the land and the needs of this size of a community as already cited in various tables and charts in this section.	LD

	<i>emergency vehicles from traveling to and from an emergency situation are avoided.</i>	
4.N-1 Freeways	DEIR states we are regionally served by three major freeways. Geographically only one freeway (101) is readily available for quick access to freeways 280 and 380. While they are nearby, they are not necessarily an easy commute particularly during peak hours and as a result of the expected added congestion created by development outside Brisbane and served by the same freeways. Unless more freeway lanes on Hwy 101 are proposed as mitigation, the effect on Brisbane will be permanent gridlock.	LD AM
4.N-4 Local Roadways	All the mentioned roadways are not currently used as some of them course through socially struggling neighborhoods. Changes to create safety for travelers to use these roadways must be created and implemented?	
4.N-11 last par. 4.N-12 Table 4.N-4	<i>GRIDLOCK</i> <i>LOS = LEVEL OF SERVICE</i> <i>LOS E = OPERATIONS AT CAPACITY...</i> <i>LOS F = OPERATIONS WITH BREAKDOWNS IN VEHICLE FLOW</i> The unavoidable addition of so many new trips throughout the Project and from neighboring communities will create gridlock particularly during peak commute hours when LOS F will occur. More effective mitigation options should be studied. Guaranteed emergency egress from Central Brisbane, such as under flood conditions, should be analyzed.	LD AM
4.N-14	CAL TRAIN and Transit Districts are overviewed here with current ridership and schedules. Projections for future transit needs should be compared with the realistic potential of meeting them .	LD AM
4.N-19 Bicycle Facilities	Current bicycle facilities in Brisbane are woefully inadequate and dangerous. Unless a bicycle lane is well away from heavily trafficked areas it is not ever really safe. A safe bicycle lane would best be a lane separated from traffic by trees or landscaped land. Many of the references in this section expect people to bicycle from home either to work or to access transit. The age of the majority of the population (baby boomers) and the likelihood a large percentage of people starting to ride bicycles as an alternative is not proven and may not change easily with today's population. Adequate and safe bike lanes must be provided with a plan to encourage more bicycle trips.	LD
4.N-28	Future focus areas for pedestrians must consider safety first and create easily traversable pedestrian and bicycle corridors well away from vehicle traffic and connected to the current City of Brisbane in a way that makes sense, appears logical and natural.	LD
4.N-31	Traffic Calming Program (initiated for 2010 - 2015). should be included in this project. The DEIR should cover a defined plan of exact measures to be taken to ensure smooth traffic flow and bicycle and pedestrian safety.	LD AM
4.N-34 Par. 1	While the Caltrain station would be an asset to relieving traffic and encouraging more commuters in Brisbane to use the train, and increase connectivity, this paragraph states that Caltrain intends to minimize the number of stops. This contradicts the objective of the transit systems being central to supporting the proposed project. An additional Caltrain station should be included in the Project site development.	LD AM
4.N-35	<i>Policy 51: Utilize gas tax, sales tax and other funding sources to implement circulation improvements.</i> PROPOSITION T will greatly enable this to happen. But what projections for gas tax,	LD

	sales tax are on hand with what assurances? Describe other funding and any assurances included with that.	
4.N-37	<p>Tsunami warning signage must be a part of signage included in Policy 64b</p> <p>Policy 66a Also consider benches on main street in central Brisbane and in mini park type areas in order to maintain continuity of the extended community.</p> <p>Policy 69 Some streets should be one way streets during emergency situations.</p>	LD
4.N-38	<p><i>Bicycle Policies, Programs, and Funding</i></p> <p>The current bike paths described are inadequate for safely negotiating a journey out of Brisbane particularly to the south. Dedicated and separate lanes with safety meridians need to be included in the plan.</p>	LD
4.N-39	<p>City and County of San Francisco</p> <p>In order to really change the impact of commute and transportation, the Muni T line in should be extended all the way to South San Francisco with stops where transfers can be made easily to other bus and train routes.</p>	LD
4.N-40	<p><i>Result in a change in air traffic patterns, including either an increase in traffic levels and noise, obstructions to flight, or a change in location, that results in substantial safety risks;</i></p> <p>These will all impact the quality of life in Brisbane and must be mitigated completely before a permit is issued for any project..</p>	LD
4.N-40	<p><i>Parking Issues</i></p> <p>While CEQA does not require this EIR to address parking issues, it remains a vital part of the traffic and circulation of the Project. Parking issues must be addressed in the EIR an mitigations measures found and taken.</p>	LD
4.N-46	<p><i>Bayshore Intermodal Station Access Study Improvements:</i></p> <p>Intermodal alternatives for transportation should take into account all areas impacted by the project, including San Francisco, Daly City, South San Francisco, and Brisbane, and all means of transportation in all of these areas must cooperate to help traffic congestion. Including, but not limited to the Muni T line becoming multi-county and the addition of buses and train stops.</p> <p>Whether these improve or serve the Project Site or not this Project has far reaching implications for the entire Bay Area.</p>	LD
4.N-49 Figure 4.N-11	<p>The Bayshore Transit Center is shown as being north of the San Francisco City and County line. This diagram came from the Candlestick Point-Hunters Point Shipyard EIR, and is not part of the DSP, DSP-V, CPP, CPP-V or Alternative Energy Plan, and therefore should be removed.</p>	GA AM
4.N-50	<p><i>Bicycle Improvements</i></p> <p>Once again, it must be stated that the improvements for bicycle traffic in order to motivate bicycle use are insufficient and unsafe. Use of protected designated, separated bicycle lanes away from speeding traffic are absolutely necessary and must be implemented. These safe implementation options should be described and analyzed.</p>	LD

		AM
4.N-51	<p><i>The SF-CHAMP model is an activity-based travel demand model that has been “validated” to existing conditions, meaning that the model’s predicted travel volumes and patterns match observed travel volumes and patterns within a specified tolerance for the base year</i></p> <p>Was this validation done in Brisbane, or in the area around the project site? Traffic patterns and travel habits are different in San Francisco than elsewhere on the Peninsula. What area does “the southern periphery of the San Francisco” include? This should be more specific.</p>	GA
4.N-52	<p><i>the only substantive difference in the roadway improvements between DSP/DSP-V and CPP/PP-V scenarios is that the frontage road would not continue to provide access to Geneva Avenue under the CPP/PP-V scenarios</i></p> <p>The Geneva Avenue/Harney Way US101 onramp improvement (p. 4.N-44) and the commercial developments in the CPP can be expected to also pull traffic through this area; therefore, the frontage road should not be removed from the CPP/PP-V study.</p>	GA
4.N-59 Par. 1	<p><i>Funding for the proposed transit facilities has not been secured... Monies for this project must be secure prior to the issuance of permits or commencement of Project. [Conditions post-EIR?]</i></p>	LD AM
4.N-61 Par. 3	<p>Bioswales (according to Wikipedia) are landscape elements designed to remove silt and pollution from surface runoff water. They consist of a swaled drainage course with gently sloped sides (less than six percent) and filled with vegetation, compost...</p> <p>Pathogens typically derive from surface runoff containing animal wastes and can lead to a variety of diseases in humans and aquatic organisms.</p> <p>Bioswales may not be the best type of separation between vehicles and bicycle traffic. Bioswales containing chemical or other waste can be hazardous. Areas where vehicles or bicycles might be used or people walk should be completely cleared of contaminants. This should be listed as a necessary mitigation.</p>	LD AM
4.N-63	<p>Any areas used by pedestrians must be completely remediated to insure their safety. Reference report for BBCAG by G. Fred Lee, as to recommended adequacy of remediation prior to use or occupancy and follow those recommendations.</p>	LD
4.N-64 Par. 1	<p>Pedestrian traffic in any area of the Project must absolutely be protected not only from chemicals, but traffic of all vehicles including trains, with overpasses for the pedestrians or the trains. As mentioned before, funding has not been established for the projected transportation</p>	LD

	scenarios and must be established before commencement of any project.	
4.N-66	<i>Transportation Demand Management (TDM) Program</i> Realistically this program sounds too good to be true. Ideally, combined trips, employer relocation assistance, and jobs/housing <i>linkage</i> would be wonderful but place an unfair burden on the employers and homeowner's associations, not the developer, to make this happen. Developer must propose assurances about how they plan to create <i>linkage</i> . [???	LD
4.N-68	An Eco Pass is a good idea. Is it a good idea or fair to include it in homeowner's dues? This forces a situation that may not be used or beneficial to the homeowner. This needs further study and alternatives.	LD
4.N-68	<i>Parking Strategies Un-bundling</i> Residential parking that is not included with the purchase of a home may cause a considerable problem in the future if parking becomes an issue in any given neighborhood. Future projections, if true, will create a need for adequate parking. As in the past in Brisbane, parking was not an issue. It has become one. This issue needs an alternative to un-bundling.	LD
4.N-70	All parking in Project should conform to General Plan.	LD
4.N-71	<i>Project Site, specific parking issues such as number and location of parking spaces, ingress and egress, and internal access within parking areas would be reviewed as part of the planning review process to ensure that adequate parking is provided.</i> How can the above be ensured when below only 2 parking spaces for 3 employees are required. Parking may become a serious problem in the future with growth projections and should be generous instead of minimal. - Industrial: minimum of 2 spaces for every 3 employees on the shift having the largest number of employees, but not less than 1 space for each 1000 square feet of gross floor area	LD
4. N-76 Mode Share.c	"Travel Characteristics of Transit Oriented Development (TOD) in California (2004): ". . . survey data of residents living near three Caltrain stations: Broadway, Mountain View, and Palo Alto. . . . Based on the mode share data in the above-cited sources, mode splits for work trips and non-work trips generated by the proposed development scenarios were set for the purpose of this EIR. That is, the mode split for work trips was assumed to be 80 percent by automobiles, 15 percent by transit, and 5 percent by walking, bicycling, and other modes, and the mode split for non-work trips was assumed to be 70 percent by automobiles, 10 percent by transit, and 20 percent by walking, bicycling, and others " [bolding added] Verification is needed that these figures are applied to all DEIR sections where transportation impacts are analyzed.	AM
4.N-83	<i>Although no specific program has been developed for events at the arena, sell-out events with 17,000 attendees occurring during weekday evenings would likely be infrequent.</i>	LD

	This projection must be substantiated and mitigation planned for traffic and parking during such an event.	
4.N-85	Footnote: Projecting peak traffic using San Francisco's methodology does not work in this case as San Francisco's methodology only accounts for traffic leaving the area. New projections for peak traffic arriving and leaving must be done.	LD
4.N-90	<i>Conflict with Applicable Plan, Ordinance or Policy Establishing a Measure of Effectiveness for the Performance of the Circulation System.</i> All scenarios shown are Significant Unmitigable and unacceptable to prevent congestion. Need options to make it mitigable and eliminate congestion. Must attempt to meet at least LOS C standard.	LD
4.N-94 Table 4.N-26	Current and existing traffic are all at less than LOS D. All projections on this table show LOS D except for Geneva Avenue at Carter. LOS D is not an acceptable congestion level and mitigation measure that work better need to be found.	LD
4.N-95	<i>Impact at San Bruno Avenue & Bayshore Boulevard (Intersection 5) The unsignalized intersection of San Bruno Avenue & Bayshore Boulevard...</i> Although this intersection does not warrant a Caltrans Peak Hour Signal, any increase in traffic as a result of Project, described in this section should be addressed with mitigation by developer prior to it becoming a problem. Safety in this intersection should be a priority.	LD
4.N-95	<i>Footnote 16: As noted in Section 4.1, Land Use and Planning, each of the Project Site development scenarios are inconsistent with the General Plan in that they result in levels of service in excess of General Plan standards.</i> Excessive levels of traffic are unacceptable at any of the points of intersection and traffic flow and more needs to be done to mitigate traffic to levels consistent with the General Plan and to reduce congestion of traffic flow also taking into account future projections for traffic.	LD
TABLE 4.N-27	<i>INTERSECTION LEVEL OF SERVICE – EXISTING PLUS PROJECT WITH THE DSP-V SCENARIO NO EVENT AND SOLD-OUT ARENA EVENT – WEEKDAY PM PEAK HOUR</i> <i>Traffic associated with a sell-out event at the arena would exacerbate traffic operations at six intersections that would operate at LOS E or LOS F conditions under Existing plus Project with the DSP-V scenario without an event during the PM peak hour:</i> This kind of traffic congestion is unwanted and unnecessary. Further study of remediations must be done and implemented before this can be allowed to proceed. Perhaps the answer is a smaller arena.	LD
4.N-105-106	<i>Conclusion: Impacts at three freeway mainline segments would be significant under each of the four proposed development scenarios. To minimize the potential for an increase in Project Site</i>	LD

	<p><i>Conclusion with Mitigation: Mitigation Measure 4.N-13 would reduce the impact but not to a less-than-significant level. There is no mitigation available to reduce this impact to a less-than significant level. Therefore, impacts on freeway mainline operations would be significant and unavoidable under all four development scenarios. [bold added]</i></p> <p>Project created impacts to this level, on roadways and freeways are unacceptable. Every property owner has a right to do as much as they can to profit from their investment, however profiting at the discomfort, lost safety and health are not unwarranted. A smaller Project should be studied and proposed as mitigation for these unavoidable impacts that would change the quiet character of life in Brisbane forever. This statement holds true for all intersections that operate at less than LOS C levels.</p>	
4.N-115	<p><i>To provide the capacity to accommodate the northbound left-turn traffic, the northbound approach would be restriped by either removal of the existing median or widening to add the third left-turn pocket.</i></p> <p>Removal of the center median would create an unsafe situation, similar to the area of left turn onto San Bruno Avenue and Bayshore, with speeding traffic passing each other in both directions within feet of each other. This is mediation measure is not acceptable for safety. Widening the road would be a better solution in addition to adding medians to all of the Brisbane stretch of Bayshore and moving bicycle paths a safe distance away from traffic with additional separation through landscape etc.</p>	LD
4.N-121	<p><i>Conclusion with Mitigation: Implementation of Mitigation Measure 4.N-3f is uncertain and outside of Brisbane's jurisdiction because (1) environmental review of the interchange project is not yet complete, (2) the final Project Study Report has yet to be approved for the interchange, (3) the mitigation measure requires coordination with and action by the SFCTA, and (4) the interchange requires approval by Caltrans and is currently unfunded. [bold added]</i></p> <p>Without funding, this portion of the project needs study and funding, prior to implementation.</p>	LD
4.N-122	<p><i>Mitigation Measure 4.N-3g: Prior to the issuance of the first building occupancy permit for new development other than relocation or improvement of an existing use within the Project Site, signal timing settings at the Carter Street/Geneva Avenue intersection shall be modified by the City and County of San Francisco [bold added] to provide longer green time on eastbound/westbound permitted movements and longer cycle length.</i></p> <p>Economically, it is unfair for the surrounding cities to be burdened with costs to modify streets for the benefit of the Project. What unknown costs to the people of Brisbane are included cumulatively with this process? These costs should be passed on to the Project. If we cannot financially make these changes for the benefit of the Project, we should have a right to deny the Project in its entirety.</p>	LD

4.N-125	TABLE 4.N-33 Show traffic levels at LOS E and F in all scenarios. Of course this is unacceptable congestion that must be mitigated more reasonably to LOS C prior to Project permit issuance.	LD
4.N-126	<p><i>Conclusion with Mitigation: While implementation of Mitigation Measures 4.N-13 and 4.N-4 would reduce this impact, Mitigation Measure 4.N-4 requires participation or and decisions by agencies over which Brisbane has no authority...[bold added]</i></p> <p>Any project in Brisbane, should be under the complete control of the people of Brisbane to make decisions impacting our way of life. Mitigation measures that do not include Brisbane are unacceptable for a development in Brisbane.</p>	LD
4.N-133	<p><i>Footnote: 23 As discussed in Section 4.N.4 in relation to transit use, project site development would have a significant effect on the environment if it would: Cause an increase in transit demand that:</i></p> <ul style="list-style-type: none"> - could not be accommodated by adjacent transit capacity (i.e., would exceed 100-percent capacity), or - would necessitate changes to Caltrain operations at the Bayshore Station and on the Bayshore/Brisbane four-track rail segment, resulting in unacceptable levels of transit service; or cause an increase of more than 2 percent in transit demand on transit lines where transit demand exceeds 100-percent capacity under Existing or Cumulative Without Project conditions; or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result (e.g., require additional buses or trains due to project transit trips); or cause an onsite transit demand that would not be adequately served by adjacent transit service (i.e., project generated demand for transit service would be located more than one-third mile from transit service at the Caltrain stations). [bolding added] <p>This entire footnote describes traffic congestion, frustration and stress perfectly. It is an unacceptable result of poor planning for transportation for a project that is too large to manage the influx. This entire scenario needs to be mitigated prior to any permit issuance.</p>	LD
Note:	An additional light rail from Caltrain to Balboa Bart should be included to help with traffic congestion and ridership ease.[Note: Geneva Extension is being proposed as an express bus route from Hunter's Point/Candlestick developments.]	LD AM
4.N-139	<p><i>Conclusion: Transit ridership under all four proposed development scenarios would contribute to cumulatively significant impacts...</i></p> <p>Cumulatively significant impacts on the ease of transit ridership must be mitigated prior to issuance of permits.</p>	LD
4.N-140	<p><i>Conclusion: Project Site development would cause an increase in delays or operating costs such that significant adverse impacts on Muni transit service levels could result (i.e., additional buses or trains could be required due to Project transit trips).</i></p>	LD

	A proposed plan must be in place to avert significant delays prior to the issuance of any permits.	
4.N-141	<p><i>Conclusion: Project Site development would cause an onsite transit demand that would not be adequately served by adjacent transit service for those proposed land uses...</i></p> <p>A proposed plan must be in place to avert significant delays prior to the issuance of any permits.</p>	LD
4.N-142	<p><i>Pedestrian Access (Existing plus Project and Cumulative With Project)</i></p> <p>Any pedestrian activity must be safe from traffic and toxins. (report by Dr. F. Lee)</p> <p>Additionally some streets should be pedestrian only streets/squares with parking away from the area to create a people friendly destination.</p>	LD
4.N-143	<p><i>Sidewalks shall be provided along the Project Site frontage on Bayshore Boulevard between Sunnydale Avenue and Tunnel Avenue.</i></p> <p><i>Bicycle Access (Existing plus Project and Cumulative With Project)</i></p> <p>For pedestrian and bicycle safety, sidewalks must be separated from streets with landscaped medians preferably landscaped with native, host plants.</p>	LD
4.N-145	<p><i>Conclusion: Construction activities would result in significant impacts on existing and cumulative traffic flow and transit service and interfere with pedestrian and bicycle circulation patterns.</i></p> <p>Limits must be set on construction activities for traffic congestion, noise, dust as well as protection taken to ensure that pollution from disturbed toxins are properly contained and do not affect the health of any person working on the Project or living near the Project.</p>	LD
4.N-147	<p><i>Conclusion: Project site development would generate more than 100 vehicle trips during the AM and PM peak hours, resulting in significant existing and cumulative impacts and triggering the C/CAG requirement to mitigate the impacts of these trips.</i> [bold added]</p> <p>The projected buildout time for this Project is 20 years. Twenty years of significant and cululative impacts are absolutely not acceptable. Acceptable mitigation measures must be in place and approved by the Council, prior to issuance of any permits. Quality of life in Brisbane and surrounding areas should not suffer, especially for such a protracted time as 20 years!</p>	LD
4.N-150	<p><i>Each of the four Project Site development scenarios would include the construction of new roadways to facilitate emergency access to locations within the Project Site.</i></p> <p>The chart for this section shows, significant but mitigable impact for emergency services. Roads must be planned and accessible through each stage of development to</p>	LD

	insure public safety.	
Note:	Any scenarios that are significant but mitigable, should be mitigated prior to issuance of any permits. Any scenarios that are significant but unmitigable must be replanned to bring them to high standards of safety and public comfort, with as little intrusion into the way of life now enjoyed by the people of Brisbane.	LD
4.N-1 Introduction Footnote 1		CM
4.N-4 Local Roadways		