

From: Beth Grossman
Sent: Thursday, May 11, 2017 4:37 PM
To: Baylands
Subject: Letter to City Council: List of Unanswered Questions from the Community

List of Unanswered Questions from the Community
May 11, 2017

Dear Honorable City Council and City Manager Holstine,

The following are a collection of “unanswered questions” that I have collected from our Brisbane Community. This is far from a comprehensive list of questions. I have left them in the original words of each community member who wrote to me. I suggest that we put together a committee of Council Members, Staff and Community members to use this list as a starting point to make a comprehensive list. Then we can determine which questions will require a call for specific studies before a decision is possible.

Unfortunately, the primary focus of our community decision-making process has become politicized and monopolized by UPC Staff bringing in affordable housing advocates and union fair-wage workers. We cannot let these important deliberations become a one-issue discussion about housing.

These are some of the questions that need to be considered and researched in depth, before we can even consider housing on the Baylands.

Most importantly, I would like to emphasize that under no circumstances should the General Plan be changed. The General Plan is a detailed, well thought-out document that represents countless hours of community input, committee and Council deliberations and staff time. Please do not change it to accommodate the developer or pressures from other cities. This is our town and we must maintain the decision making power about what we choose to do with the Baylands. The General Plan protects our rights as a City.

Thank you for your consideration,
Beth Grossman

1. What are actual plans for remediation of the toxins? Is it truly safe for housing? Would we be willing to raise our children in housing on that land?

2. Is there going to be truly affordable housing? What are the plans for size and price? What income levels will be able to afford them? I have seen Lennar advertisements on BART listing Bayview “affordable” housing starting at \$600,000 per 600 sq. foot unit plus HOA.

3. What is the economic benefit for Brisbane if we have to maintain roads, police, fire, school and public works?

4. What is the liability for the City of Brisbane for future health problems or affects of earthquakes or sea level rise on the development?

5. Where is the water going to come from?
 6. How are we going to deal with the traffic and the impact of all this development on our ability to get in and out of Brisbane?
 7. How are we going to deal with the noise from the endless pile driving that will go on for year after year?
 8. What about the Tank Farm? Is there an evacuation plan in the event of earthquake or fire?
 9. What is in the dirt that is being "recycled" and piled higher on a daily basis?
 10. How is the Baylands development being coordinated with all the Candlestick/Hunters Point/India Basin/Bayview and San Francisco development just north of Recology?
 11. Why are we rushing this?
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1. Are you (the City Council) willing to accept the liability for people living on toxic land (with many known carcinogens) that has a cap that can be ruptured or penetrated by a medium sized earthquake (because it is a liquefaction zone), by sea rise or severe storms that surface the toxins that are in the water table, or by tree roots?
2. Can we get insurance that covers earthquakes, sea rise, severe storms, tree roots, allowing people to live on toxic land? If yes, how much will that cost and who will pay in perpetuity?
3. Are you willing to pass these important zoning decisions on to uninformed citizens in a public vote when we know the developer has deep pockets to pay for marketing messages that may focus on alternative facts to further their financial interests?
4. If you are willing to pass these important zoning decisions off to uninformed citizens, are you willing to pay for and provide workshops and literature that provides a fair and lanced facts?
5. Are you willing to pay for a second opinion on remediation issues, such as the reputable Dr. Lee, who we have hired in the past?
6. Why are we moving so quickly through these hearings? It feels like a race since there hasn't been time to address the questions that the public has raised in the subsequent meetings.
7. What has happened to all of those questions? Who has been recording them? Why does this have to be decided by the summer?
8. Was a request made for the truck manifest for the UPC owned soils processing business? Is there any soil form Bayview Hunters point?

9. Is the soils manifest available to the public? Has the soil been tested by an independent company, not affiliated with UPC?

10. How will Brisbane be able to maintain public lands and provide city services as housing is built? Who will pay for this?

11. CEQA requirements require specific water allocation and delivery agreements at the concept phase to guarantee that there is enough water for the specific plan - so decision makers have guarantees before they agree to make changes in things such as zoning, general plan etc. This is spelled out in CEQA Guidelines. Based upon Modesto's response, our FEIR is inadequate since there is no guarantee that the paper water can be delivered. FEIRs that are incomplete have been overturned in court, including the the CA Supreme Court. What is the staff and City Council response to this issue that was brought before you?

12. We need more financial analysis. Our consultants used old UPC numbers and admittedly, in the hearing stated that they did no analysis. How can we determine if Brisbane can sustain the costs of either of the UPC submitted plans?

13. Why is Brisbane responsible for the developer making money? They bought the land in 1989 and part of the purchase agreement included the remediation.

14. This development does not exist in a vacuum. There are 25K housing approved by SF coming online, along with hundreds of thousands of feet of commercial and retail buildings. What is our City Council doing to demand mitigation from San Francisco?

15. There are no transportation plans or funding sources for the Baylands projects. Again, UPC has provided studies and visions. How is the City Council ensuring that we won't have gridlock because visions without secured funding and plans don't fix traffic problems?

How can our lives in existing Brisbane be sustained?

Who do you represent, land speculators, or regional housing developers, or your voters?

How can you consider placing people in homes that are assaulted on three sides by noise levels in excess of 65dba (from Bayshore Blvd, from the CalTrain, and from Hwy 101?) They will also be shaken by the vibration of the CalTrain.

Will we see each council member's 2016 Form 700 (public disclosure of revenues/gifts) before the council votes on how to proceed? The forms were due early 2017 and filed with the FPPC. They are public record.

How will the fuel leaking from the tank farm effect the health of the site and people working there?

How will 20 years of pile driving affect those already leaking pipelines?

How will the cap be repaired in the eventually it fails?

Since the sides and bottom of the landfill are not sealed against bay water intrusion, what impact will sea level rise have?

Liquefaction will result from an earthquake. Will all the leachate bubble to the top?

How many hazards are too many?

More Water questions

Why does the EIR water supply assessment pretend that an OID exchange for Hetch Hetchy water is reliable when SF and Modesto have already said No to the concept?

Why are we not looking at the entire record?

For example:

- It was already explained to Brisbane in 2009 that, there would be no water for the Baylands.
- And, that SFPUC has sole discretion about water deliveries to Brisbane and Modesto about exchanging Hetch Hetchy water.
- Furthermore, proposed future exchanges for Hetch Hetchy water are superseded by the 2009 CCSF Water Supply Agreement.

So how reliable is the OID exchange when both SFPUC and Modesto have already said no?

How does the City prepared WSA (water supply assessment) meet CEQA requirements when there is no reliable water source?.

Why does the EIR say that the proposed OID agreement does not require the construction of any new facilities when SFPUC says it does?

1. What is the solution to traffic impacts in Brisbane from already approved development around us?

1. Do you have solid proof/documentation that all the toxins with potential long-term negative health effects can be removed or permanently covered up? If not, how can you approve housing on such toxic soil?

And my addition after No. 15,

2. Do you understand that the City of Brisbane has no responsibility whatsoever for the "cleanup" of the toxics in the rail yard and landfill owned by a private party and that the cost of such cleanup was part of the land acquisition price back in 1989?

What can we learn from the affordable housing toxic debacle at Midway Village?

Here is an article that is a forecast of what housing on the Baylands could look like. Midway Village, Daly City is just across from the Baylands proposed housing site, across Bayshore near Cow Palace. <http://www.sfgate.com/health/article/Daly-City-housing-complex-haunted-by-toxic-past-3170203.php>