



BRISBANE CITY COUNCIL
SUMMARY MINUTES

**SPECIAL MEETING TO DISCUSS THE BAYLANDS
WEDNESDAY, JUNE 7, 2017
BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE**

6:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Liu called the meeting to order at 6:36 p.m. and led the flag salute.

ROLL CALL

Councilmembers present: Conway, Davis, Lentz, O'Connell, and Mayor Liu
Councilmembers absent: None
Staff present: City Manager Holstine, City Clerk Padilla, Administrative
Community Development Director Swiecki

ADOPTION OF AGENDA

CM O'Connell made a motion, seconded by CM Conway, to adopt the agenda. The motion was approved 5-0.

PUBLIC HEARING

A. Brisbane Baylands Planning Applications (Baylands Concept Plans, Brisbane Baylands Specific Plan Case SP-01-06, General Plan Amendment Cases GP-01-06/GP-01-10) and related Final Environmental Impact Report (SCH##2006022136). Specific topics include Community Group Presentations; Universal Paragon Corporation, applicant; Owners: various; APN: various.

Mayor Liu invited San Francisco Trains to make their presentation.

Chris Hart, President of San Francisco Trains Inc., gave the presentation and read from his written statement. [Note: [San Francisco Trains Inc.'s presentation is available here on the City website](#). Mr. Hart's written statement is attached to these minutes.] Mr. Hart introduced Edie Epps and Walter Bowen whose fathers were machinists at the Bayshore railyard.

Edie Epps, Brisbane resident, shared the story of her father, Peter Sutti, a Brisbane resident and master machinist with Southern Pacific Railroad in Brisbane. She supported the development of a history museum and educational activities at the Roundhouse as well as other businesses related to the railyard's history.

Walter Boland, Antioch resident, shared the story of his father Fred Bowen, machinist at the Bayshore Roundhouse who worked there 52 years. Mr. Bowen shared his memories of visiting his father as a child and an adult and the large number of employees working at the site in a variety of specialized roles. He shared the importance of the Roundhouse to him and his family and the memories it inspired and the necessity to preserve and restore the Roundhouse in recognition of those memories.

The Council members shared their appreciation for Mr. Hart, Ms. Epps, and Mr. Bowen's presentations.

Mayor Liu invited Committee for Renewable Energy on the Baylands (CREBL) to make their presentation.

CREBL members Anja Miller, Deb Horen, Prem Lall, Ray Miller, Joel Diaz, Barbara Ebel, and Tony Attard gave the presentation. [Note: the presentation transcription is provided as an attachment to these minutes.]

The Council members thanked CREBL for their research and hard work.

Mayor Liu invited the Brisbane Baylands Community Advisory Group (BBCAG) to make their presentation.

Clara Johnson, BBCAG member, read from a written statement [Note: BBCAG's written statement is attached to these minutes.] Ms. Johnson yielded additional time to Ms. Dana Dillworth.

Ms. Dillworth read from her written statement. [Note: Ms. Dillworth's written statement is attached to these minutes.]

CM Lentz thanked the BBCAG members for their dedicated work to ensuring the safety of the site.

CM Davis asked speakers to respect their time limits.

Mayor Liu invited Sustainable San Mateo to make their presentation.

Adrienne Etherton, Executive Director of Sustainable San Mateo gave the presentation. [Note: [Sustainable San Mateo's presentation is available here on the City's website.](#)] She shared the organization's history and mission to create sustainable communities. She reviewed the organization's annual Indicator Report, which addresses climate, energy, housing, transportation, poverty, and water throughout the County. She reviewed the 2017 Indicator Report which focuses on cost of living, and shared statistics past and present housing costs in the County. She reviewed contributors to high housing costs, including low supply and increasing demand from job growth. She addressed statistics on the wages paid by jobs and the cost of housing, which do not always match and results in gentrification and displacement. She discussed her organization's efforts to explore solutions to the high cost of living, including increased housing development and higher density development, detailed in the 2017 Indicator Report. She said Sustainable San Mateo County does not advocate for individual development proposals and did not have a position on the applications before the Council.

CM Lentz asked why the Sustainability Framework was not recognized by Sustainable San Mateo County.

Ms. Etherton stated the Framework was considered by her organization but it was not based on approved development plans. She stated it was an admirable document and her organization looked forward to seeing it implemented.

Mayor Liu invited the California High Speed Rail Authority to make their presentation.

Ben Tripousis, Northern California Regional Director, and Regional Project Manager for the San Jose to San Francisco project section Will Gimpel, gave the presentation. [Note: [the Authority's presentation is available here on the City's website.](#)] Mr. Tripousis provided an overview of the project within the Peninsula within the existing Caltrain corridor. Service from San Francisco to Bakersfield was anticipated by 2025. Mr. Tripousis addressed the job generation and economic output from the project. He reviewed the environmental review process, which anticipates an EIR being released in the winter of 2017. Mr. Gimpel reviewed the San Francisco to San Jose project section, a 51 mile blended service corridor with Caltrain. He reviewed the two options for a light rail maintenance facility on the east or the west side of the rail line and their common impacts to the existing Bayshore Caltrain station and proposed development at the Baylands.

CM Davis asked for an explanation of light maintenance.

Mr. Tripousis explained it entailed preparation of trains for next day service, including cleaning and small repairs. Heavy maintenance would be located in the Central Valley and would include major repairs and overhauls of the trains and system components.

CM Davis asked what would determine the location of the Brisbane maintenance facility.

Mr. Tripousis said the location would depend on ongoing conversations with the property owner, community, and other stakeholders, through the ongoing environmental review process.

CM Davis asked if the Authority had a preferred location.

Mr. Tripousis said it had not, and the ongoing environmental review process would inform the eventual preferred location.

CM Davis asked how long a ride from the beginning to the end of the line would take.

Mr. Tripousis said the trip time would be 2 hours and 42 minutes. The fare would be organized by the operator, which would be a concessionaire and not the State, but the goal is for fares to be 80% of the airline fare.

CM Conway asked Mr. Tripousis for an estimate of costs for the San Francisco to San Jose segment.

Mr. Tripousis estimated about \$4 billion.

CM Conway asked about the speed differential between Caltrain and high speed rail trains.

Mr. Tripousis said current expectations are for six Caltrain commuter trains per hour per direction and 4 high speed trains per hour per direction at a blended configuration at 110 miles per hour. Most at grade crossings in the Peninsula would remain as grade separation was not required until higher speeds were reached. Secure fencing would be part of the segment construction. He noted the \$4 billion includes station improvements to existing Caltrain stations and rail alignment, as well as connections to SFO and San Jose Diridon.

CM O'Connell asked how high from current grade train tracks would be required.

Mr. Tripousis said about 20-30 feet would be required.

CM O'Connell asked if the rail line would remain at the current grade.

Mr. Tripousis said most of the existing Caltrain rail alignment would remain as is, which was the reason blended service was proposed. The Authority was working with Caltrain to explore operation of the train system without any passing tracks.

CM O'Connell asked about the bridge for the maintenance facility.

Mr. Tripousis said the current bridge at Tunnel Avenue would need to be redesigned whether the facility was on the east or west side of the rail line.

CM Lentz asked if High Speed Rail would be responsible for remediation of the landfill area where the facility might be located.

Mr. Tripousis said that would be studied by the Environmental Impact Report for both potential locations.

CM Lentz asked why the footprint increased from the initial estimate.

Mr. Tripousis said the initial footprint estimate of 40 acres was inaccurate and 195 acres is the accurate acreage.

CM Lentz asked if Cap and Trade funds were as anticipated.

Mr. Tripousis said the cap and trade auctions had been weaker than initially anticipated and the Governor and Legislature were acting to extend the cap and trade program potentially to 2050. If that is successful that extension would stabilize the program and allow for bonds to be taken against those future revenues.

CM Lentz asked if the rail yard in Gilroy was in play.

Mr. Tripousis said the site was being analyzed in the EIR but it seemed that likely both would be needed.

CM Lentz asked how significant the impact would be if the facility was not in Brisbane.

Mr. Tripousis said it would have a significant impact considering the distance between Gilroy and San Francisco, which would have a higher cost. It was necessary to have a rail maintenance facility as close to the terminus as possible. Brisbane is an attractive site considering that it is not fully built out compared to the rest of the Peninsula.

CM Lentz asked about revenue loss to the City should a maintenance facility be built and what the facility could bring to the City in terms of revenue.

Mr. Tripousis said that would be part of the ongoing conversation with the City Council and the

property owner. There was no limit to the things that could be considered but the Authority has to understand the City's priority and interests.

CM Lentz asked if the maintenance facility could incorporate solar power generation.

Mr. Tripousis said the conversation of uses has to be separate from the environmental review, but the environmental review doesn't limit the conservation from moving forward.

Mayor Liu asked Mr. Tripousis to describe what the facility would look like and what noise or light pollution impacts would be.

Mr. Tripousis said the train would be electric and the facilities would be significantly different from a traditional diesel rail yard from a noise standpoint. He said the facility design could specifically address and mitigate light or noise impacts. The initial idea is for a largely outdoor facility with a building. The Authority would work with the City and community on the preferred design.

Mayor Liu asked if the impacts for both sites were studied in the environmental review.

Mr. Tripousis confirmed. He said the preferred alternative would be identified in the fall and a draft EIR released in late 2017.

Mayor Liu asked if they knew the level of remediation required by the State for a maintenance facility.

Mr. Tripousis replied the EIR would contain that analysis.

Mayor Liu announced a break.

After the meeting reconvened, Mayor Liu invited Greenbelt Alliance to give their presentation.

Joel Devalcourt, Greenbelt Alliance, gave the presentation. [Note: [Greenbelt Alliance's presentation is available here on the City's website.](#)] He reviewed the organization's mission to preserve the greenbelt (undeveloped) in the Bay Area by reducing sprawl development and supporting smart growth projects. He shared statistics of greenbelt areas considered "at risk" throughout the Bay Area. He said providing new homes in existing cities was high priority to reduce development pressure on the greenbelt. He said new housing was needed in San Mateo County to reduce "mega commutes" into the Bay Area. He said the Baylands project was an opportunity to locate new housing adjacent to transit. He reviewed the sustainable aspects of the City of San Mateo's Bay Meadows project. He said the Greenbelt has provided independent

endorsements of private projects, and the Baylands project scored high on all scoring criteria.

Mayor Liu invited the Candlestick Preservation Association to make their presentation.

Dan Siskind and Heather Buckley, Candlestick Preservation Association, gave the presentation. [Note: [the Candlestick Preservation Association is available here on the City's website.](#)] They reviewed the Association's role as active community members and recreational users and support for the Planning Commission's recommendation. They reviewed portions of the EIR that they considered inadequate and recommended that all buildings be closer to the hills and farther from the shoreline with low building heights to minimize wind impacts.

Mayor Liu invited Friends of Caltrain to make their presentation.

Adina Levin, Friends of Caltrain, gave the presentation. [Note: [Friends of Caltrain's presentation is available here on the City's website.](#)] She addressed practices in the region to reduce traffic and transportation impacts that the City could use. She addressed Stanford's program to reduce vehicle trips on campus as required by the City of Santa Clara as a condition of campus development. She shared the City of San Mateo's Rail Corridor Plan which required 25% reduction of vehicle trips in the corridor and had 100% compliance. She discussed the Palo Alto Downtown Transportation Management Association, which collected robust data on employee origination and goals to reduce auto trips by 30%. She reviewed the City of Mountain View's North Bayshore Precise Plan establishing trip limits for large employers like Google. She shared the Menlo Park General Plan which proposes a mixed use neighborhood. She addressed the need to reduce the automobile trips in the Baylands project EIR. She reviewed the State's discontinuation of level of service (LOS) standards for CEQA review, as LOS often results in widening roads to encourage vehicle trips at the detriment of transit and pedestrian and bicycle facilities, and often leads to future congestion. She recommended the Council implement the best practices of the cities reviewed in her presentation to reduce vehicle trips associated with development in the Baylands.

CM Lentz thanked Ms. Levin for her presentation. He thanked Ms. Levin for her support of the City's successful application for an OBAG grant to make improvements to the Crocker Park Recreational Trail.

Ms. Levin said MTC and ABAG have considered through the Plan Bay Area update whether OBAG funding would be tied to housing approvals.

Mayor Liu indicated she intended to reach out to her Council member colleagues in the cities mentioned in Ms. Levin's presentation and encouraged her fellow Council members to do the same. She asked Ms. Levin to explain the "Scoop" company.

Ms. Levin stated “Scoop” was a long-distance commute carpooling share app that had been successful at Stanford and in the City of San Mateo that matches employees with common destinations.

Mayor Liu invited YIMBY Party to make their presentation.

Victoria Fierce, YIMBY Party, gave the presentation. [Note: [YIMBY Party’s presentation is available here on the City’s website.](#)] She summarized the mission and work of the organization to advocate for housing development across the Bay Area. She discussed commute patterns of employees commuting into the Bay Area from other counties. She presented a graphic showing current rental rates in the vicinity of the Baylands relative to San Francisco rents. She stated statewide building permits issued were lagging behind population growth. She shared an excerpt from the UN’s Declaration of Human Rights regarding the right to housing. She shared information on YIMBY’s activity to support housing projects and politicians in the Bay Area. She reviewed infrastructure needs for the Baylands and stated infrastructure and access in the Baylands could not succeed without cooperation with the City of San Francisco. She discussed consequences of not building housing. She stated San Francisco could withdraw from the bi-county priority development area (PDA) that includes the Baylands.

Mayor Liu invited San Francisco Housing Action Coalition to make their presentation.

Corey Smith, San Francisco Housing Action Coalition, gave the presentation. [Note: [San Francisco Housing Coalition’s presentation is available here on the City’s website.](#)] He stated the Coalition believed the Bay Area’s housing and affordability crisis is a self-created crisis. He discussed rising rental prices and falling rates of middle class households and rising rates of higher income and lower income households in the Bay Area. He stated that households in urban areas often have smaller environmental impacts compared to sprawl developments. He stated housing supply has not kept pace with demand in San Francisco and shared how other US cities have responded to increased housing demand by building new housing. He stated State laws including Proposition 13 and the California Environmental Quality Act constrained housing development. He stated there was an imbalance in housing development compared to job creation in the Bay Area. He reviewed the Coalition’s recommendations for local and regional policy changes to encourage housing approvals and development. He shared the eight criteria the Coalition uses to evaluate project proposals and stated the Baylands project scored highly. He offered the Coalition’s services to help the City Council.

Mayor Liu invited public comment from the audience.

David C. Smith, of Stice & Block, LLP, stated his firm represented the applicant. He said the

High Speed Rail maintenance yard was speculative. UPC has had and was continuing discussions with the High Speed Rail Authority about their identification of the site for their facility. He said the Authority is not subject to the zoning regulations of the City of Brisbane. He asked the Council to evaluate the merits of the proposal before the Council without being distracted by speculative matters related to what the State may or may not someday do.

Danny Ames, Brisbane resident, read from a letter he wrote to the Council in March regarding a LA Times news article about health impacts of building housing near freeways.

Tony Verreos, Brisbane resident, said the housing advocates state that Brisbane has made housing illegal, which is incorrect. Housing is not allowed in the Baylands but housing is allowed elsewhere in the City. He said the Parkside Plan is an example of how to accommodate new housing in Brisbane. He recommended the Parkside Plan be expanded to include all of Crocker Park over time without displacing businesses and creating the same benefits the housing advocates have discussed. He was troubled by discussions of filling part of the lagoon to make a walking ramp, and stated the lagoon looked fine now and should just be cleaned so recreation could occur within it. He said the Baylands project was a sprawl development and Brisbane was not a solution to the region's housing problems. He said San Francisco was responsible for the housing shortage. He supported housing adjacent to existing transit lines. He said the developer owns Schlage Lock and Executive Park which are planned for dense housing development. He said San Francisco has thousands of units in the pipeline and has to provide transportation to move those new residents. He said Brisbane residents want to maintain their current standard of living and new infill development would be accommodated without any housing on the Baylands. He said the best way to build housing on the Baylands would be similar to in Dubai and Hong Kong with one tall building with all services included in it. He said developers do not build affordable housing, unless required by inclusionary housing regulations. He said creating a park on the Baylands would be a much better project.

CM Conway moved and CM Davis seconded to close the public hearing. The motion was approved 5-0.

Mayor Liu thanked the presenters.

MAYOR/COUNCIL MATTERS

CM Lentz stated the speakers on the upcoming June 15th session would be leaders in the environmental and sustainability world. He shared an author talk on June 21st by Paul Hawken who wrote "Natural Capitalism."

Mayor Liu shared her upcoming "Latte with Lori" sessions at Madhouse on June 21, June 22,

and June 25.

A. City Council Schedule

The Council reviewed the draft schedule with the City Manager. CM Conway stated he would not be in town June 15.

WRITTEN COMMUNICATION

A. Acknowledge receipt of written communications regarding the Brisbane Baylands Project

Mayor Liu acknowledged written communications received since the last meeting from Facilities Commission for Childcare Partnership Council, Scott Houston, Evan Parker, Kara Cox, Stella Krauz, Bryan Culbertson, Kenneth Allen, Marlene Cristales, Mario Kovatchev, Paul Krupka, Lian Lee, Richard Kenney, and Tony Verreos.

ADJOURNMENT

CM Conway motioned and CM Lentz seconded to adjourn the meeting. The motion was approved 5-0 and the meeting adjourned at 10:35 p.m.

Ingrid Padilla, City Clerk

San Francisco Trains written statement

June 7 2017 script to City Council

Honorable Mayor and Councilpeople, I'm Cris Hart of 223 Mariposa Street and I'm speaking as president of San Francisco Trains, Inc., a non profit corporation registered here in Brisbane

We are restoring the 1911 State Belt #4 steam engine on the baylands by the roundhouse, Universal Paragon supports our non profit by letting us use this space at no charge. Our mission in restoring the engine and preserving associated RR artifacts is to educate and inspire, show the skills and machinery and problem-solving techniques our predecessors used, values that should not be forgotten.

Though it is beyond our control, the future of the Brisbane Bayshore Roundhouse is a major concern for us, because it is the single strongest link to the past that literally built Brisbane. It is the only building in Brisbane listed on the National Registry of Historic Places. And it seems largely lost in the huge and complicated Brisbane Baylands development discussions. We very much appreciate the City speaking in favor of protecting the Roundhouse, however, since there is no requirement to proceed with specific steps to preserve it, and then restore it, we are concerned that it will continued to deteriorate further over what could be many more years of extended debate.

We don't know yet of an angel donor, agency or national level preservation fund that would commit to rebuilding the Roundhouse. We know it could be the center piece of a RR museum complex would be a unique contribution to Brisbane, and be the start of creating a great legacy to our future generations.

The Brisbane Bayshore Roundhouse is one of only three former Southern Pacific Railroad Roundhouses left in the United States. The only brick roundhouse left in California. The tank and boiler shop building currently occupied by Lazzari Fuel, while not as unique, still retains all of its historical features unadulterated including interior patina left the way it was when workers of that craft were laid off it in the 1960's.

The rail yard complex supported the lives of many hundreds of families in Visitacion Valley, Brisbane and South San Francisco over several generations from 1917 till 1982. In 1953, 1400 workers were employed, and the yearly payroll was \$5,733,000. Many crafts were required, and all were highly skilled. Machinists and mechanics learned onsite and thru correspondence schools. In the train yard, switchmen & conductors learned a complicated linear organization of incoming railcars to deliver to sidings, then building the next train out. Carshop workers were re-wheeling the coaches that carried commuters, tourists and business travelers. Their skill and level of workmanship was the top of the industry.

In today's world 'pre cycling' and sustainability are 'best management practices'. You might be surprised to learn just how far ahead of their time the railroads were in some ways before those words were even coined. First off, EVERYTHING was FIXED. Parts were made onsite. Heavy frames were welded and machined back to original dimensions. Worn out axles would be hammered into draw bars, welders would reuse boiler flues by replacing just the worn ends. And if too old to use, they would be turned into sign posts. Railroad workers who lived in Brisbane were known to bring home wooden boxcar siding for use building their houses. They didn't condone waste. Recycling was a way of life for them.

Of all these elements: the trade skills-*inventiveness, re-use, self improvement*, are the legacy of the railroad workers. What these men and women did here should impress upon you the importance of that

culture - they were the beating heart of the railyard which was essential to the growth of the whole S.F. Bay Area. Workers formed social groups including baseball teams, bowling teams and even glee clubs.

When viewed today, these buildings, especially the roundhouse vandalized and partly burned, the average person might simply turn away and expect them to be replaced by some glass offices or predictable chain stores. I know you and many more appreciate a far more ambitious vision. One which demonstrates respect for our past and predecessors, one which preserves our rare building and history, one where essential skills are preserved, remembered and retaught.

Lets take a quick look at what some other communities have chosen to do with similar properties around the US and Canada.

Imagine our own Brisbane Bayshore Roundhouse as a shining star in the Baylands. Imagine the value to our children and future generations if it is re-born as a combination museum/cultural center, a STAR attraction, a place you want to go back to over and over, and a place where San Francisco tourists will want to add to their list of must see attractions.

San Francisco generates billions in tourist revenues annually, and Brisbane sits well positioned on the transit hub between S.F. and the airport. A new Brisbane Bayshore Roundhouse Museum would become a must see destination on the tourist circuit. Kids love trains! And in that magic age of 3 to 5 (or forever for some of us) there is a steady stream of new and repeat visitors every year.

Worldwide some RR museums are proven successful, the well planned ones make money. Needed is a steady flow

of visitors, blending of attractions such as a miniature train ride, scale model displays and runs, first class food drink and entertainment, and private or corporate venue rentals. That's the economic side. The social equity of knowledge can be shared through offering lecture series, demonstration of machines, and hands on volunteering or working vacation courses.

Keys to the success of this potential project we are advocating for include

*Enough open space around the roundhouse to minimize traffic noise while maximizing the view.

*A track connection to the main line which would serve both future construction needs of the Baylands as a whole, as well as providing for 'special moves' of railcars in and out for lease to other museums, and to prevent the exhibits from being stale.

* Possibly adequate additional space for development of convention or meeting center whose revenues would flow to the city, where additional foot traffic would sustain the Museum complex.

Therefore we ask you express your desire to make a dream come true right here in Brisbane. PREVENT the continued destruction of the Brisbane Bayshore Roundhouse, allow a process which will TURN it into a show case. Another source of city pride, the same way we feel during holidays when all the Brisbane stars are on and the Santa rides the fire truck.

(4)

Here's the three key points:

1) Allow the property owner or an agency to expedite the structural stabilization of the roundhouse, and protect it from continued vandalism or major loss.

2) Uphold the Planning Commission recommendation there be 'rail related activities' at the roundhouse.

3) Prevent development from physically cutting the Roundhouse off from any practical future track connections. We're talking just 25 feet wide, for intermittent use. This is critical - if not done, there is no future world class museum that people would go out of their way to see.

As a non profit with Bayshore associated artifacts and the locomotive under restoration we are in a unique position to help both the property owner and the city of Brisbane or other agencies or private donors. If allowed to, we can assist with design, planning, fundraising, construction, and operations. We can take this project on as a lead or in an advisory role, the bottom line is, we are here to help with this once in Brisbane's lifetime opportunity. We haven't found that angel donor or aligned the varied interests yet, but in my 25 years in railroad preservation I've seen many successes. On behalf of this organization, I ask you to look positively towards this potential and act in favor of railroad preservation at the Bayshore roundhouse in the midst of an economically and socially viable development.

Speaking next on our behalf are Edie Epps and Walter Boland, both of their fathers were machinists for the Southern Pacific Railroad working at bayshore and they have first hand knowledge of that culture.

Thank you for your service to our community and your vision for Brisbane's future.

CREBL Presentation June 7, 2017

1) I'm **Anja Miller**, Brisbane resident for 50 years. Before you today is a team of 8 Brisbane citizen volunteers who represent the Committee for Renewable Energy in the Baylands. Each of them will introduce themselves.

CREBL was formed in 2006 and has wide local support. Many of us have participated in all phases of the Baylands planning so far. Here's a video, created by **Keith Moreau**.

--- VIDEO ---

CREBL wholeheartedly supports the Commission's recommendations, above all using a large part of the toxic brownfield for a solar and wind farm. We believe the results would be truly sustainable: Fiscally sound for the City; generating clean electricity locally not only for Baylands development but for all of Brisbane and beyond; and reducing greenhouse gas emissions to implement our City's Climate Action Plan.

2) **Debbie Horen**: The CREBL plan is visionary and does not preclude development. Our main contention with the applicant plan are the "significant and unavoidable negative impacts" that you've been hearing as we've discussed the EIR. Placing solar on rooftops of the 2 applicant plans does not address these negative impacts. There are many questions before you that need to be answered before changes to the General Plan. Some questions come to mind:

1. How do these plans pencil out financially for Brisbane to pay for ongoing services?
2. Is there real transportation planning and funding to support the required infrastructure to prevent gridlock?
3. How can this land be safe for people when it is not safe for trees? Tree roots can pierce the impermeable cap. How much liability is Brisbane willing to take on from largely unknown contaminants that lie below the surface, considering the unstable geography and climate change?
4. Can we trust the regulatory agencies as the EPA is being slashed? There have been two major toxic redevelopment failures in the Bay Area that were signed off as "safe to build" by our regulatory agencies in recent years.
5. Is there sufficient deliverable water to meet CEQA requirements?

As the Planning Commission dug into these and other questions before you, they concluded that the level of detail included in the EIR was insufficient to justify the level of development proposed in the developer-sponsored plan. The CREBL plan does not have these issues.

I applaud you for all the work you've done to date. I trust that your deliberations will dig into the dirt of this land and find solid answers, ensuring the health and well-being of the community who will be really impacted by your decision for generations to come.

3) **Prem Lall**: The Baylands EIR identified the Renewable Energy Plan as the superior environmental alternative.

- It is the only concept plan designed to actually implement Brisbane's General Plan, the "constitution for our future development."
- It was found feasible by the scientific federal feasibility study and supported by not only the majority of your constituents, but also the Mayor of San Francisco, the Sierra Club, and the State Lands Commission. (1.5'?)

4) I'm **Ray Miller** - Brisbane curmudgeon

I have three points:

First, we should all review the results of the city's Baylands survey before embarking on the decision-making process. Two of the three questions in the survey that referenced renewable energy have not been mentioned yet. One asked respondents whether it was important that any new development should create enough renewable energy to cover its needs (11k). 84% thought it was important. The second asked the respondents whether they supported building renewable energy generation facilities in the Baylands (13g). 78% said yes.

Second, I would like to reiterate some points from the NREL feasibility study of solar potential on the Baylands,. The Laboratory specialists studied both the developer's proposed plan and the Renewable Energy Alternative. They investigated both the solar resources of the site and its economic feasibility using their technical models. They concluded that solar access was 90% or higher and that all the options were economically feasible. Because this team specialized in brownfields, they included remediation costs in their calculations (p. 22). The best CREBL renewable energy alternative has an estimated payback period of 10.7 years (2014 update). The system has a life span of 25-30 years. It should be noted that this analysis uses conventional market pricing. It does not take into account the positive value generated from the reduction of green house gas emissions and the associated pollution. That brings me to my third point.

The more accurate way to measure the complete benefits of renewable energy, such as solar, is to include the public ecological benefits that the market pricing system excludes. Principle 9 in the City's Sustainable Framework recognizes this important point. When people discuss the three E's of sustainability - environment, equity and economics - they sometimes overlook this crucial aspect. Environmental costs or benefits are usually not incorporated into the market calculations of the business firms, farms, or government entities. Economists recognize this omission of externalities as a market failure. Ecological economics has been developed in order to get a more accurate assessment of our impact on the earth. We should guide our decisions accordingly.

5) **Joel Diaz:**

I wanted to talk about High Speed Rail and potential impacts on the Baylands. It's a major proposed land use not yet covered by the Baylands EIR and yet to be considered by your City Council. Their plan is to locate a switching and light maintenance yard there and they are proposing to use about the same amount of land that would be required for the solar farm. So, it seems like a very compatible use. Maybe we can integrate the two together.

We've had conversations with High Speed Rail and they are very much open to supporting that, so we would like to study that and we feel there is great benefit to be achieved from that. We understand that High Speed Rail's EIR is about to come out in a couple months and we think there is a lot of data and information to be gained from studying that and reading it. We feel that it is an important step to understanding the impact and really that we should study it before making any decisions, because we just don't know how High Speed Rail will integrate with other development. There could be topography changes. The proposed development could be much higher than high speed rail, maybe we can mitigate that, maybe we can use solar. If we are trying to do an intermodal hub, it might be really nice to understand how high speed rail is going to work with this intermodal hub that we are thinking about using; and how commuter patterns might change. Will people actually be coming from the valley to our location via high speed rail? And does it really make sense to build housing next to Caltrain if housing is going to be located out in the valley? So, it might be really valuable to understand their EIR which is coming out in a couple months and I hope the council studies it, thank you.

6) Barbara Ebel: We feel that the Planning Commission was insightful to allow for the expansion of Recology and allowing for other uses and for retaining the businesses on Industrial Way while keeping in mind the possible High Speed rail yard. We applaud their preservation of Ice House Hill and planned improvements to Visitacion Creek and enhanced wetlands. Verification is needed that between the park, recreation area, creek and wetlands the total open space will meet the roughly 150 acres required under the General Plan or alternate goal of 170 acres in the Baylands Sustainability Framework.

We would like your Council to consider decreasing the 198 acres of commercial development under the Planning Commission recommendation to a level consistent with the General Plan and increase the land for renewable energy to 134 acres purposed by CREBL or greater instead of the 85.5 acres purposed by the PC, thereby making renewable energy the focus of the project.

The Planning Commission's recommendation of transit-oriented development, hotel and office space around the Caltrain station and the Round House restoration is consistent with both CREBL and the developer's vision. We feel that this would allow development to move forward quickly and reduce significant impacts, both local and regional, while still complimenting the transit hub and Schlage Lock development and help to meet Governor Brown's goal of 50% renewable by 2030 and 100% by 2040.

7) Anja Miller: Within a few years there will be 1,679 housing units built immediately north the county line and next to Caltrain. It's meant to be a transit-oriented project, but it's still projected to generate up to 3,000 added cars daily along Bayshore and Tunnel. Heavy congestion, even gridlock, will be a reality at all Bayshore intersections, including our main access at Old County Road. Our General Plan's traffic concept of LOS is still a valid and practical measure of what happens when we have to face these serious impacts, yet no mitigations have been offered by San Francisco. Actually some relief would come from extending the Muni T Line down Bayshore, maybe all the way to South San Francisco.

8) Prem Lall: Peninsula Clean Energy is a Joint Powers Authority formed by San Mateo County and its 20 cities including Brisbane. The agency now provides clean energy to most of the county's 700,000 people and most businesses. Solar and wind energy generated on the Baylands can become a major resource of what's called "distributed generation" by that non-profit agency to benefit us all. In such close proximity to the Martin substation, the power generated in the Baylands will quickly flow to the grid. Solar farms far away need hundreds of miles of transmission lines where up to 9% of energy is lost due to resistance.

9) Tony Attard: The Planning Commission's recommended plan will bring sustainable benefits to Brisbane and the region with energy positive. We ask you, Madame Mayor and Council, to use that plan as the basis for continuing planning for the Baylands. We understand that this is still a CONCEPT plan, and that the voters will have a final say.

We ask that you direct your staff and the Planning Commission to work more on this concept toward a plan that would also include traffic mitigations, Recology expansion and High-Speed Rail maintenance yard.

Thank you.

Final Draft

Brisbane Baylands Community Advisory Group

159 Lake Street Brisbane, CA 94005

June 7, 2017

Mayor Liu and Brisbane City Council

Brisbane City Hall, 50 Park Place

Brisbane, CA 94005

Dear Mayor Liu and Councilmembers

The Brisbane Baylands Community Advisory Group was established in the Spring of 2005 under the auspices of the CA Dept. of Toxic Control as provided for in California law. We have operated under the following mission statement since then.

The purpose of the Brisbane Baylands Community Advisory Group is to provide an open forum and community based input from the communities of Brisbane, Daly City and San Francisco and to advise the agencies charged with the remediation actions on three contiguous sites commonly referred to as the Brisbane Baylands.

Over the last twelve years, the speaker who exerted the greatest influence and provided us with the greatest insight into the Baylands site and how we might understand it and make comments and give advice on it to you and other regulators, has been Dr. G. Fred Lee, Phd, PE, BCEE, F.ASCE. He is both highly respected and uniquely qualified to provide guidance in the field of toxic contamination and remediation. Dr Lee has only one goal and that is to protect human health and the environment. He works to inform the public and those responsible for making decisions on both what the risks are and what the potential and unknown risks may be. His approach is comprehensive, not narrowly drawn. His approach embraces the full range of possibilities. He does not seek to promote any outcome for the sake of that result. His qualifications are fully stated on his website, www.gfredlee.com. We contracted with Dr. Lee to review and make recommendations on the Baylands. He did a remarkable job and he was remarkably generous with his time, giving us, gifting us with many times the effort that we were able to pay for. We recommend and urge you to hire Dr. G. Fred Lee as your ongoing environmental advisor on the Brisbane Baylands. It will be one of the best decisions you will

make, as a Councilmember. Dr. Lee's expertise and work ethic will assure that you will have the best and unbiased advice available whichever alternative development plan you select.

We will be happy to discuss our recommendation with you. Thank you for considering it.

I want to commend you for the extensive public input that you have pursued in the processing of this application. You have followed one of the noblest traditions of the City of Brisbane in doing so.

The BBCAG has considered the safety of this project for this site for more than a decade. Dana Dillworth petitioned the State of California to create this group of citizens who were independent of any government agency to represent the people. We have had some members for the entire duration of the effort. Some have joined along the way and we have lost many who joined us for a while. There is one thing we can say with certainty and that is, there are many uncertainties and more than a few data gaps regarding the Baylands toxic contamination. It is with these insufficiencies in mind plus the established presence of various toxic chemicals and metals that we make our recommendations to you.

Please note the selected pages from the Operations and Management Plan for Groundwater on the Schlage Site and OU1 are on the wall. Further remediation is not being required at this time. The groundwater investigation included the contamination on the OU1 site in Brisbane, as well. The pages show where monitoring wells are located and they show the amounts of the ten most threatening chemicals, CVOC's (chlorine based volatile organic compounds) in specific wells over time. There have been attempts at remediation and they have achieved some success. The problem is that the amounts in some of those wells have been bouncing around. They bounce down then they bounce up. There is sometimes an explanation but many times there isn't. This indicates to us that they don't fully understand the size of the reservoir of the toxic CVOC's. Perhaps there are other factors that are not fully understood. This is a data gap. The pages also show the areas of greatest concentration of the chemical TCE and the depth of the groundwater in two of the three types of formation that the underlay the surface. They are fill, merced formation and colma formation.

The CA Dept. of Toxic Substance Control has permitted development on this site only subject to a recorded Land Use Covenant including numerous conditions and prohibitions. The monitoring of this site will continue in perpetuity. Engineering controls to protect against soil vapor intrusion are required for all buildings. These kinds of requirements are not placed on property without careful consideration of the risk involved. We believe that the imposition of these limitation, are an indication of the risk. They are also based on laws that were developed

considering not only human health and environmental quality risks but also the costs of lowering those risks to the property owner. We believe that they don't adequately protect the public and that they should be more restrictive. Since there is an element of risk that not fully understood. There is also arsenic and lead in the form of arsenated lead on the northern railyard site. Please note that the CDC has declared "no safe lead blood level in children has been identified." The remediation of these chemicals that is proposed is to sweep them under asphalt and hope they stay there. The Remedial Action Plan (RAP) for CVOC impacted soil in OU1 has not been developed yet nor has one been developed for the arsenated lead. We believe that the groundwater directions in OU1 should be reviewed before any action is taken. We also believe that the impacts of sea level rise and intrusion into groundwater in OU1 and Schlage should be investigated and evaluated for inclusion in the decision making regarding any future remedial action plan. We must remember that the source of the CVOC's is on the Schlage site. The monitoring wells extend into OU2, the Southern Brisbane Railyard where there are two wells.

State of the art ground imaging spectography, ground penetrating radar and GIS technology should be used to better understand risks throughout the Baylands. These technologies are available now and will be cheaper soon. The development of the OU1 soil RAP is a good place to start using these tools that will help to close data gaps. They might also provide better, more detailed and reliable answers to questions about how the ground, including fill might react: in an earthquake, to sea water intrusion, to compaction efforts.

Since there have been recent lowering of the maximum contaminant level (MCL) for some chemicals e.g. Benzene, arsenic in drinking water. it is possible that the MCL for other toxic chemicals found on the Baylands will be lowered thereby revealing a greater risk than is currently understood.

OU2, the Southern portion of the Brisbane Railyard is one of the larger geographic areas of the Baylands, 180 acres. The Bay Area Regional Water Quality Control Board is responsible for overseeing OU2 and making sure that it is remediated. In the last seven years, the only mention of it on the Board's website, Geotracker are references to the fact that it is a Brownfield site and to their representative's presentations to the BBCAG. There hasn't been any substantive action on OU2 for a decade or more. There is also a confusion whether OU2 is only the Southern Railyard site or that it may include the Industrial Way site. It appears that it should only be the southern railyard site because of its description and size but UPC has shown the Industrial way site as a part of OU2. There is a second confusion on Geotracker . It says that the Southern Railyard site is identified by their ID number R2-2008-0019 but that ID

belongs to the Kinder Morgan facility when you call up the ID. These mix ups are not confidence inspiring.

It is the opinion of the Brisbane Baylands Community Advisory Group that the investigation of the OU2 portion of the Baylands is inadequate and must be improved upon in order to allow a judgment as to the degree that the area represents a risk to human health and to the environment. We have concerns regarding the “actual” southern portion of the SP Railyard and we are concerned about the area that is along Industrial Way and to the east of the North Ditch. The ditch connects the Levinson Marsh and its known toxic contamination problems to the San Francisco Bay. OU2 has been described originally as containing only the southern portion of the SP Railyard while at other times, the Industrial Way land has been included in it.

A process was begun in 2006 to develop a Remedial Action Plan (RAP) for OU2. That process stopped. A new Human Health Risk Assessment is needed and an entirely new RAP must be developed for OU2 reflecting any new investigations and all new information that has come to light from 2006 onward. We think that additional investigations are needed since so many years have passed since the last ones were done. We are particularly concerned that a community wide public meeting should be held to explain to the public all that is known about the contamination. The meeting should include discussion of: what the plan for remediation is and how it will be accomplished and when it will be done and what monitoring is planned for the residual contamination. There needs to be an explanation of whether Industrial Way properties are considered a part of OU2 or not.

The UPC Development application envisions that the area along Industrial Way will either be used as a commercial district or as a residential area. The last sampling of this area was done in 2002. It is a 15 year old report that included only chlorinated solvents and referred to other analytes that were shown on the laboratory report but not included in the Report from Burns McDonald. The Water Board’s Geotracker Case Summary report gives its case number as 41S0066. It does not provide any other information except that it mentions Lead. There needs to be further investigation that would evaluate the current level of soil contamination of the 15 VOC’s shown and all additional toxins that are present. The character of the contamination has not been established nor has the extent of the contamination. These are data gaps.

There should also be an investigation of the groundwater on this site. It isn’t clear whether the Consoildated Chemicals Bldg, the Tannery or the oil water separator (that is on the Railyard but is north and slightly upland of the sampled sites) are the possible historic sources of contamination. This is a data gap.

Other reports on OU2/Industrial Way appear to not include the sampling wells included in the 2002 Report. This contradiction needs to be resolved. This site was considered for listing as a superfund site but since there were a huge number of potential super fund sites at that time and there were a limited number that could be realistically dealt with, this site was not included. This fact does not address the level of contamination present on Industrial Way. There needs to be further investigation to understand the character and extent of the contamination before any decisions are made with regard to the degree of risk that this land represents to human health and the environment. It would be gross neglect to ignore the clear data gaps that exists in the Industrial Way toxic site and on OU2.

We also believe that the impacts of sea level rise and intrusion into groundwater in OU2, Industrial Way, The Landfill and Kinder Morgan should be investigated and evaluated for inclusion in the decision making regarding any future remedial action plans.

The Landfill occupies more than 300 acres. The Landfill Closure Plan process needs to have more than one large public meeting in order to provide an opportunity for the public to comment on the plan before it is finally decided upon. We realize that there are regulatory minimums but the public may have valuable suggestions to add.

There is an excellent report on Dr. Lee's website about post-closure issues on closed landfills. It discusses the tremendous fiscal impact of long term liabilities associated with the landfills can have on local government and how there are often inadequate provisions to protect them. He also writes, **"Local/regional/state jurisdictions that will bear the impacts of landfill failures and to which responsibility for ad infinitum landfill care will eventually fall often do not have full understanding of the truly long-term nature of the hazards posed by Subtitle D-permitted "dry-tomb" landfills."**

The only leachate found to be leaching from the Landfill is unionized Ammonia. The Natural Resources Defense Council has published a list of nine dangerous chemicals that you'll find in a municipal solid waste landfill. They are: Arsenic, Benzene, Cadmium, Nickel, Chromium, Lead, Mercury, Chloroform and Ethylbenzene. We talked about lead before but here is another dangerous toxic that has no MCL, Chloroform. It should be one microliter per liter. Chloroform and Ethylbenzene have a tendency to leak into the groundwater around landfills. Is there a circle of monitoring wells in the area around the extent of the waste? I don't think so. Do we even know the exact extent of the waste, it may be under the Lagoon on the south side? This was an unregulated landfill, a free for all of anything and everything. It deserves to be carefully and comprehensively monitored with the groundwater being a priority and we should look for more than leachate. The methane monitoring system has indicated there is methane and some

other volatile gases present. The system is old and is probably not in good shape. A new monitoring system is needed and it should not wait until the owner is ready to build on the landfill to be replaced. It should be replaced as soon as possible so that we know what is going on there.

The BBCAG recently learned that there is an airborne source of carbon tetrachloride coming from somewhere in Brisbane. It was discovered by a monitor at the VWR Scientific contamination site. Perhaps, it is coming from the Landfill. We don't know.

The people of Brisbane and our neighbors deserve to have contamination promptly and comprehensively remediated but it doesn't happen unless we fight for it. It can't just be left to regulators who are understaffed and overworked despite their good intentions. The system also tries to protect the owners of the offending property and that means it is only cleaned up to the minimum level necessary under the law and that is different from saying that it is safe. The people and government of Brisbane must be proactive and dedicated to the long term goal of providing a safe environment to protect the general welfare of our people and the environment we live and breathe in.

The Lagoon's contamination is a mystery because of inadequate studies of its sediment and its organisms. How will we cope with the sea level rise in the Lagoon and the roads that lie beside it? These are data gaps.

Kinder Morgan is low enough that sea level rise will likely impact it but the Regional Water Quality Control Board representative told us last month that she doesn't see any problem. There is an order for remediation for the tank farm and it is monitored but we have not been satisfied with answers that say it doesn't matter how much water sits on the asphalt at the front of the tank farm because the contamination is not so bad there.

VWR Scientific has a contamination problem and it is being voluntarily remediated by its new owner and the Water Board is overseeing it. We don't know how long it will be monitored when it is remediated or what its impact on the Lagoon will be.

The Brisbane Baylands Community Advisory Group recommends that you see to it that the actions mentioned in this report are taken and that you approve the project alternative that places the least intense use on the Baylands, the Renewable Energy Alternative, which is the environmentally preferred alternative and it was the recommendation that was made by the Planning Commission. There are not any credible fiscal analyses available on this mostly undescribed project application that does not have a realistic water supply. Even the renewable energy alternative has a huge amount of built space, 1 to 2 million square feet. The

other alternatives represent a nightmare alternative to the people of Brisbane and their love of our land and our relatively peaceful lives. We believe that the Final EIR does not adequately describe the project nor its environmental impacts.

There is a huge pile on Brisbane's contamination to be remediated plate and we cannot pretend that someone else is going to take care of it. Any consultants that are hired will need to be carefully overseen by the people and the government of Brisbane. That is because, as the poet Gary Snyder once said (to paraphrase) you can only trust people to make decisions about the place where they live. He also said, "Find your place on the planet. Dig in, and take responsibility from there."

The weight of this decision is a great burden to carry and we wish you wisdom and reflection on the legacy of the traditions and values of Brisbane, as you make this judgment.

Thank-you

Clara Johnson, Acting Chair and Vice Chair

BBCAG

Received 6/7/17 *DF*
Dana Bellworth

It has been 26 years since the developer was told they had an inadequate plan for housing on the Baylands and one would think that in 26 years they could get it right. Again, we are presented with a plan that has inadequate information to protect the public as noted in the public's comments as well as Dr. G.F. Lee's report.

Combined with poor and inadequate regulatory programs,

Poor and inadequate testing procedures,

Poor and inadequate monitoring,

Poor and inadequate understanding of the synergist effect of multiple chemicals,

Poor and inadequate stormwater quality management systems,

Poor and inadequate systems to identify new contaminants,

Poor and inadequate understanding of future sea-level rise, storm surges, or
earthquake impacts,

We want better, conclusions, better scientific review for safety through an open, independent advisory panel as suggested by Dr. Lee.

A minimal approach to Protecting the Public is unacceptable. Putting people's health at risk is not Acceptable.

Twenty-six years is far too long for these situations to persistently leak into the environment without anything more than a band-aid of interim protections. You should declare this land for the blight that it is, and through eminent domain develop a clean-up plan first. Then you can sell it back to willing builders, if feasible.

These landowners have not fulfilled their obligation for cleanup through these proposed plans. They are leaving the hard stuff until last, if at all, but asking to pack people around in the lesser toxic areas, at least ones we are calling safe for now.