

From: Tony Verreos
Sent: Thursday, September 29, 2016 3:29 PM
To: Padilla, Ingrid
Subject: SEP 29, 2016 RE: Baylands BCC written comments > Concrete & soil recycling operations at Brisbane Baylands
Importance: High

Att: Brisbane City Council,

Regarding the formal review process about to begin this evening, please include these written comments in the formal record for City Council review.

I understand there was some sort of process to evaluate and approve the existing concrete and dirt recycling/processing operations on UPC Baylands, however, I do not recall there being any major discussion or public notice about it at that time. If I was just unaware, and not attending meetings, my concern remains that the process was inadequate, and the parameters unreasonable. The decisions made years ago have resulted in mountains of crushed concrete and dirt which appear to approximate in excess of fifty feet above the base ground level of Tunnel Road. The question of whether these huge mountains of loose materials expose us residents to dangerous levels of particulate matter remains unanswered. However, a recent investigation of a similar concrete processing operation in San Francisco done by authorities in response to a study conducted by Golden Gate University's Law School Environmental Justice Clinic raised concerns which resulted in three San Francisco companies receiving Notices of Compliance or Violations. We Brisbane residents deserve to know that our City Council and City Staff has secured qualified professional consultants to advise the about what risks may be involved in approving these operations in our high wind area, and also how to assure the City that proper supervision is provided.

For example, I have seen maybe two water trucks out there maximum for hundreds of acres. I understand that recycled water is available at no cost from the San Francisco Sewer Dept., so there should be no obstacle to maintaining those mountains in a wet enough condition to prevent the blow off of fugitive dust, but evidence demonstrates the mountains are too high, and the water is not being applied to the majority of the surface area. The question of what contaminants are present in crushed concrete, that becomes airborne in the form of particulate matter is perhaps even more troubling. How can the City allow such operations to expose us without first receiving hard independent evidence that there is no significant risk associated with long term exposure? I'm not sure when the dirt and concrete operations began, but it seems like ten years or so now? Whatever the term, it is definitely NOT short term, temporary, or interim by most definitions I'm familiar with.

I'm not paranoid, or a hypochondriac, just concerned that after learning of a great many major failures of government on all levels to protect the public's health interests, that we and our neighbor's children should not be exposed to very serious health threats which due to the nature of the delivery system could be denied, or difficult to conclusively prove after a person becomes ill and is diagnosed. I'm sure no one wants that outcome, however, failing to do the proper studies, and mandate the proper level of scrutiny over operations, seems to invite harm. I strongly urge you all to insist on doing the proper studied now. And if there is reason demonstrated to suggest potential harm exists now, then immediately impose corrective mitigation measures, if any are deemed sufficient, and if not, revoke the permit closing down those operations if they cannot be made to safely operate near us.

I can understand the City Council granting limited authority to City Staff for matters which it deems routine, and insignificant thereby not rising to the level for which a reasonable person would expect Planning Commission review, or and EIR, however, I do not understand how that description could be applied to UPC or their tenant's current operations. As much as I appreciate our City Staff, I think they may have badly over stepped their authority in this case, or at least failed the City by not requiring a rigorous public review in advance. Was there some emergency that required that initial approval? Now after exposing residents to the particulate matter generated by those operations for many years, in addition to the noise of the truck and equipment piercing back-up beepers. And even one instance where they decided to work up to about 11:00pm where I called BPD, and the police were not quickly able to either contact the business owner's representative, or to gain access to stop the nuisance. I understand these permits are now coming up for review.

I understand the City is receiving some amount of substantial revenue from the hauling/dumping fees, however, I'd feel much better about it if we first had two or even three independent scientific studies to verify that the particulate matter being distributed by our strong winds is not exposing us to increase risk of respiratory diseases, and cancer. Further, the potential that these existing operations may actually prove to be far more profitable than building for UPC, is not something many, or perhaps most Brisbane residents would approve of if given a voice. The current operations recreate much of the negative features of the former S.F. Landfill minus the odor and seagulls.

John Swiecki told me that the temporary permit is expiring, and now up for review which will create the opportunity for Planning Commission review, and a determination of how to proceed. I understand it was thought that the Baylands

development review process made it impractical for the Planning Commission to address this sooner. No point in arguing about that now, we just need to prepare to analyze the risks and benefits of these operations going forward so that NO assumptions of safety are made. Public policy ought to be well informed by reliable science.

And IF it proves to be safe, then the City needs to demand a far larger share of the profits, perhaps by passing a new ordinance to tax these operations specifically in a manner as they have done with Kinder-Morgan, and Recology SF.

Tony Verreos
122 Warbler
Brisbane, CA 94005

415-467-9600