

**From:** Beth Grossman  
**Sent:** Tuesday, July 10, 2018 3:19 PM  
**To:** Padilla, Ingrid  
**Subject:** Letter to Council for Baylands Meeting July 12

Dear Honorable City Council Members,

I am writing you with my concerns and questions about allowing housing on the Baylands. I hope these issues will be fully addressed before a final decision is made.

1. Why are we considering amending the General Plan to include most of the Baylands areas to be zoned for mixed-use and allow housing in OU-2?
  2. If an advantage to allowing housing in OU-1 is access to public transportation, what public transportation will serve the development in the OU-2 areas?
  3. Since it was determined that 4 million sq ft of commercial development was enough to support the 2200 units of housing profitably, why has the General Plan Amendment (GPA) increased the amount of commercial development by 3 million square feet so that it is now 7 million square feet (including hotel)?
  4. If the GPA would limit the housing to 1800-2200 units, is there a limit to the amount of square footage for the up to 2200 housing units?
  5. Are we going to pursue information on the data gaps in the EIR? How will the City of Brisbane monitor the remediation promises made by the developer to comply with our conditions on the EIR?
  6. Do we know what toxins are currently in all of the areas that you are considering for mixed use? What is the level of clean-up for mixed use retail, hotel or trade commercial or warehouses? Can you explain the difference between the level of cleanup for ground floor residential verses remediation requirements for the park or other areas near housing that residents will spend time in?
  7. If the City of Brisbane grants rights to build 2200 units of housing and then High Speed Rail uses eminent domain to build their facilities on the west side of the tracks, does that preclude housing on the Baylands? And then, will we have to amend the General Plan again to allow housing on the east side of the current railroad tracks?
6. Will the Brisbane voters be granted the promised opportunity to vote on this GPA and will our decision be binding?

Please add these questions to the list of unanswered questions that I submitted to the City Council previously (included below). I maintain that these questions have not been answered or been considered sufficiently to make a decision on housing on the Baylands. This crucial decision will affect the health and well being of this entire Brisbane community, the Bay Area and the citizens and children who may inhabit this land in the future.

Thank you for your consideration,

Beth Grossman

**LIST OF UNANSWERED QUESTIONS** from Community Members interviewed by Beth Grossman. Submitted to the City Council May 11, 2017 (Revised and resubmitted on March 22, 2018.)

### **1. REMEDIATION**

What are the 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? Who is going to pay for the remediation? Who determines the standard of the remediation? Who will regulate that?

### **2. AFFORDABLE HOUSING**

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?

Lennar advertisements on BART list Bayview “affordable” housing starting at \$600,000 per 600 sq. foot unit plus HOA.

Please visit the India Basin development to get a realistic idea of what this “affordable housing” is on or near toxic sites. After over a year, many of them remain unsold and vacant.

### **3. ECONOMIC BENEFIT**

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

### **4. ECONOMIC ASSESSMENT OF THE ALTERNATIVE PLAN**

Why haven't we done an economic assessment of the Alternative Plan for Alternative Energy recommended by the Planning Commission?

### **5. LIABILITY**

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

### **6. HEALTH AND SAFETY**

What were the results of the review done by Dr. Lee? Are they available to the public?

*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>

### **7. WATER**

Where is the water going to come from? How can we approve housing without a plan or agreement in place?

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?

## **8. TRAFFIC**

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? What mass transit is proposed?

Can we require that the Geneva interchange be completed as a pre-condition?

## **9. NOISE**

How are we going to deal with the noise from the pile driving that will go on for year after year?

How can we 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?) Will they also be shaken by the vibration of the CalTrain?

## **10. TANK FARM**

What about the Tank Farm? Is there an evacuation plan in the event of earthquake or fire? We need to deal with this regardless of the development on the Baylands.

How close can we build housing to the Tank Farm and toxic burners?

## **11. SOIL RECYCLING**

What is in the dirt that is being "recycled" and piled higher on a daily basis? Was a request made for the truck manifest for the UPC owned soils processing business? Is there any soil from Bayview Hunters Point?

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

## **12. SURROUNDING AREA DEVELOPMENT**

How is the Baylands development being coordinated with all the Candlestick/Hunters Point/India Basin/Bayview and San Francisco development just north of Recology?

## **13. HIGH SPEED RAIL**

How does the High Speed Rail fit into this picture? If the Baylands are re-zoned to permit housing, why would the State Legislature want tax payers to have to pay an exorbitant price for the Baylands in the event of eminent domain?

## **14. EARTHQUAKES, SEA LEVEL RISE, PILE DRIVING, LIQUIFACTION, FAILURE OF THE CAP**

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 eventuality 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?