[Note that comments have been attributed to individuals in this draft for sake of review and discussion at the public OSEC meeting. They, and any other notes in red text, will be removed in the final submission document.]

OSEC Member/Subcommittee: [name(s)]

Chapter/Section: ES - Executive Summary

General Comments:

[Mary Rogers]

- Significant permits are required before the Baylands project can begin (ES.4.2); a timeline for their expected issuance would be helpful.
- Significant UNAVOIDABLE impacts (ES.5.1) – air quality; noise levels of which some are permanent. How will these impacts be addressed?
- A clear understanding of the staging for the Geneva Overpass and Lagoon Road expansion is critical, as both roadways currently connect to Bayshore Boulevard—an area already burdened by severe peak-hour congestion
- Where will all the construction vehicles be parked when not in use?
- Air Quality – Impact AQ-2 – Exposure of Sensitive Receptors to Substantial Pollutant Concentrations:
    - Initial risks from diesel emissions (DPM) exceeded safe level
    - Mitigation measures as stated effectively lowered those risks to acceptable levels

  DPM – Diesel Particulate Matter is the biggest source of cancer risk! How do we insure proposed mitigation measures?

- MM NOI-1b – Noise – Notification of neighbors withing 300 feet of the construction area about the estimated duration of pile driving activity at least 30 days in advance of the activity needs to be reconsidered to give ALL residents a heads up as pile driving noise extends way beyond 300 feet. Pile driving noise based on research:

    - Immediate vicinity (0–100 meters / ~0–330 feet): Sound levels can exceed 100 dB (similar to a jackhammer).
    - Moderate distance (500–1,000 meters / ~0.3–0.6 miles): Still clearly audible, typically 70–85 dB, depending on ground and atmospheric conditions.
    - Longer distances (1–5 km / ~0.6–3 miles): Can still be heard, especially in quiet or rural environments. Sound levels may drop to 50–65 dB.
    - Beyond 5 km (3+ miles): Generally faint, but still possible to hear under favorable conditions (e.g., low wind, cool air, open terrain).

[Rohendra Atapattu]

Land development will result in environmental effects due to the disturbance of the natural environment. The EIR proposes actions to mitigate effects, but nevertheless there will be environmental changes.

- Vehicle related pollution from residents has been addressed through planned EV charging infrastructure and the promotion of bicycling/pedestrian accessways. There is

no specific plan to mitigate the increased population of single driver service/delivery/ride-service vehicles to hotels, commercial and residential buildings.

[Erin Becker]

- The Executive Summary (for example in section ES.5.3) does not define “Mitigation Measures” versus “Additional Mitigation Measures.” This is confusing and should be explained early in the DEIR.

- There are numerous areas where the developer or construction companies are required to hire consultants, such as engineers, paleontologists, biologists, etc. Consultants can sometimes have a conflict of interest or dubious qualifications. Therefore, it’s imperative for the safety of our existing and future residents that the City of Brisbane be granted approval authority of all consultants to the project.

[Anthony Walker]

- The Executive Summary lays out a compelling vision for the Baylands: transforming a long-blighted, contaminated industrial area into a modern, all-electric, transit-connected, mixed-use district with substantial new housing, significant open space, and restored natural habitats. Baylands building-related emissions are likely to also be lower than the regional average because the project would achieve zero-carbon buildings, be all-electric, rely on 100 percent carbon-free electricity, meet CALGreen Tier 1 voluntary energy efficiency standards, and supply over 50 percent of on-site electricity demand with on-site solar energy production.

- This is an ambitious project that has the potential – if executed well – to serve as a model for 21st-century sustainable development, significantly advancing Brisbane’s climate goals while addressing housing needs and improving regional mobility. It establishes the promise of a landmark sustainable development that could lead Brisbane and the region into the future.

- At the same time, the summary necessarily presents these goals at a high level, often using broad terms like “carbon neutral,” “transit-oriented,” and “model of sustainable development” without delving into the specific mitigation measures, enforceable commitments, or design details required to make those promises real. It's important to acknowledge that many of the critical questions around emissions reductions, mode share, environmental remediation, affordability, infrastructure capacity, and long-term stewardship will be explored in greater detail in later chapters.

- As we review the full EIR, we will want to pay particular attention to how these high-level promises are supported by detailed, binding plans and mitigation measures. Key areas to track include the definition and scope of "carbon neutrality," strategies for VMT and mode shift reduction, the enforceability of all-electric commitments, resilience to sea-

level rise and contamination risks, long-term habitat management, and the effectiveness of integration with the existing Brisbane community.

Specific Comments:

[Erin Becker]

- [ES-6] – It's good that the Baylands will create an additional fire station, with a ladder company and firefighters assumedly trained for high rises and battery fires. But it's not clear here why the existing fire station has to move. Will the new fire station be built in the same spot as the existing station?
- [ES-9 - ES-10] – The Executive Summary of the DEIR provides an extensive list of the approvals and permits that are required for the Baylands to proceed. It would be useful to also include the likelihood and consequences of the required approvals being denied.
- [ES-14, in the first paragraph under Impact LUP-2] - Please address the typo in the first paragraph.
- [ES-16, in the last bullet that addresses impacts to Golden State Lumber] - The DEIR says that the impact to removing the ability for Golden State Lumber to receive and ship lumber by rail is only economic and therefore does not need to be addressed under CEQA. However, there are environmental impacts related to the fact that the lumber will now have to be delivered by truck, which impacts transportation/mobility, pollution and GHG increases.
- [ES-19] - Icehouse Hill provides critical habitat for endangered and special species to the area. The plan to replant needs to focus on species that are natives, not just on "non-irrigated, non-invasive vegetation." The native host-plants cannot be substituted by drought-tolerant species.
- [ES-25] – The DEIR says that the applicant shall conduct pre-construction presence/absence surveys for special-status plants. This is a conflict of interest. Instead, the applicant needs to hire an independent consultant that is approved by the City of Brisbane (and/or the sustainability manager and/or OSEC).
- [ES-26] - The last paragraph states that there will be increased horse use on the trails of Icehouse Hill, but the DEIR does not state what will happen to the existing horse pasture.
- [ES-, 25, 26, 27, 29, 30 and 32-33] - Under MM's BIO-1b, BIO-1c, BIO-1d, BIO-1e and BIO1f, it states that the applicant will hire qualified consultants (a botanist, an invertebrate biologist, an avian biologist, a bat biologist and a biologist respectfully). This is appreciated; however, we need to ensure there are no conflicts of interest. Therefore, the City needs to have approval authority over all consultants.
- [ES-27] – In subbullet 3 under BIO-1, it says that the total number of individual special-species plants shall be verified at the end of the five-year period. This is insufficient. The number needs to be maintained EVERY year, because these are host species to other critical insects and animals. A one-year drop in the host species can decimate a population of the wildlife that rely on them for food, shelter and reproduction. This is not mentioned in the DEIR ES.

- [ES-28] – The last subbullet on this page addresses non-native invasive species such as French broom and fennel. It's notable that pampas/jubata is not mentioned. Is the DEIR author aware of the existing City of Brisbane list of invasive species that must be removed from all properties within 5 years?
- [ES-35] - Please correct the typo in the middle of the second paragraph: "would reduce minimize associated…"
- [ES-35] - Impact BIO-2 discusses the impacts of the wetland loss during the construction period as well as the human encroachment after construction. However, it does not discuss the impacts of construction-related pollution, which seems like an oversight.
- [ES-36 through 38, in MM BIO-2] – The phrasing in this section is vague with respect to the "project applicants" and the "Permittee." When is the project applicant not the developer? If the "project applicant" is some future construction company, how do they know what provisions in the EIR must be abided by? Similarly, when is the "Permittee" not the city of Brisbane? And how do they know what special provisions must be satisfied? There are great mitigations documented here, and we need to ensure they are enforced.
- [ES-38] - Under MM BIO2d, the description of the Wetland Mitigation and Monitoring Plan is lacking sufficient detail. Who writes the plan and what is their level of expertise? Who approves consultants? Who approves the plan? What is strategy for gathering community feedback? Also, is there really a Wetlands Mitigation Bank?
- [ES-39] - Loss of the wetlands between the time the landfill is capped and the wetland features are re-created is a significant impact. In the mitigation measures described on page ES-39 says that minimum 10% cover is required for re-vegetation in Year-1. This is anemic and will result in a drastic habitat loss, as well as water quality impacts. The minimum percent cover needs to be higher than 10%.
- [ES-41] - In the second to last subbullet under MM BIO-2e, is says the minimum period for site monitoring and management activities is 5 years. What is the metric or success criteria that triggers the end of the period and allows them to stop monitoring?
- [ES-43] - We find it peculiar that the MM BIO-3B section of the DEIR does not mention compliance or conflicts with the Brisbane Dark Skies Ordinance.
- [ES-47] - The Impact described in BIO-4 only considers number of trees and states a Less than Significant Impact. However, the timeliness of tree planting and the tree type (for example, hardiness, size at maturity and root depth) could have impacts and should be addressed. There is the opportunity to have a positive impact on the City's future tree canopy, if we do the right thing now.
- [ES-49] - Under MM CUL-1a it states that "All non-residential development projects within 50 feet of the Roundhouse building shall be subject to City" approval. What about residential buildings?
- [ES-51] - The Applicant will hire consultants with expertise in archeology and tribal monitoring. Because of conflict of interest potential, the City should have the ability to review and approve all consultants.

- [ES-66 and 68-75] – AQ-1 is the Significant and Unavoidable Impact of Air Pollutants, and the following impact AQ-2 (page ES-76) is the related exposure of sensitive receptors to substantial pollutant concentrations. The mitigation measures AQ-1a through AQ-1l are a good start, however the intent is to rely on mitigation measure AQ-1c for the bulk of the mitigation.
    - Further, it seems that there could be further mitigation methods possible that might not be mentioned here and we would like to challenge the Developer and DEIR author to continue pursuing ways to protect our fragile community that are being developed adjacent to and on top of a Brownfield.
- [ES-67] – MM AQ-1a.ii states that contractors are responsible for maintaining clean and properly tuned equipment. Who is responsible for stipulating this to the contractor and who is in charge of enforcement?
- [ES-67] – MM AQ-1a.i states that clear signage shall be provided for construction workers at all access points." We recommend that this signage be in all languages, similar to later sections (page ES-69 paragraph f).
- [ES-67 and 69] – There is a discrepancy between MM AQ-1a and MM AQ1c. The former states that Off-Road Construction Equipment is limited to idling to less than five minutes (MM AQ-1a.i). In the latter it states that idling is limited to two minutes (MM AQ-1b.f).
- [ES-70, Table 4.9-10] – In the first row of the table that lists the Exceptions to MM AQ-1d, the non-electric equipment should only be allowed until the power is restored. Further, it should be the responsibility of the Developer to ensure that electric power is available throughout the site, and not the responsibility of the construction contractors.
- [ES-73] - MM AQ-1f proposes a conveyor system to move the soil from the eastern part of the site to the western areas for grading. This is a great reduction to soil, dust and GHG pollution.
- [ES-74] - Under MM AQ-1h.3, it says that records of diesel backup generator testing and emergency operations will be shared with the City within three months of the City requesting them. The sharing of records related to the health of the community should be mandatory and at regular intervals, for example annually. Further, it's not clear how any of these requirements are transferred to future building owners, as the installation permits are issued to the initial builder or developer, not to the subsequent owners.
- [ES-74] – MM AQ-1i describes the use of low-VOC products. Given that AQ-1 is significant and unavoidable, it seems like "encouraging the purchase of consumer products that generate lower than typical VOC emissions" is a paltry mitigation. Those products should be required upon installation prior to sale of the buildings, for example the carpets of the new residences, and everything in the office-type commercial buildings.
- [ES-76] – MM AQ-1l describes the requirement for all-electric landscaping equipment. This is commendable, but also a challenging requirement in terms of enforcement of sub-contractor equipment. Who is responsible for enforcing and what is the penalty?

- [ES-76] - The Impact AQ-2 on Exposure of Sensitive Receptors to Substantial Pollutant Concentrations relies on MM AQ-1c to reduce critical pollutants below the threshold. The problem is that the City Community Development Director has the authority to issue waivers if no suitable vehicles are available. In the event of a waiver, there should be stipulations that trigger additional mitigations for particulate emissions, rather than simply allowing them to buy more carbon offsets (page ES-82).
- [ES-82] – Table ES-6 shares the GHG emission offsets required for the project. These are huge amounts. We encourage more creative thinking on how to mitigate the emissions from the operational portion of the project.
- [ES-86 and 87] We think there is a typo or conflict in this section. In the second sentence under the Location Performance Standards paragraph (page ES-86), it says NO GHG credits shall originate from off-site, out-of-state or international areas. However, on the following page funder subbullet iv, it says that credits can come from within the United States.
- [ES-91] – The impact described in GHG-2 switches discussion of the impact between per capita values and cumulative values. This lacks transparency.
- [ES-92] Given that the GHG-1 impact is Significant and Unavoidable, it's interesting that the plan for EV parking does not meet the CALGreen Tier 2 EV requirements. Why would the developer not encourage EV use as a way of lowering the Operational GHG Emissions.
- [ES-95 and 96] – This section of the DEIR fails to consider the geography of the town and that the sound bounces off the mountain. During the Sierra Point build-out, the City of Brisbane was inundated with the constant thump of pile driving, which was jarring and especially frustrating for the people who work from home, even though it was well over 3000ft away. The pile driving noise will impact the quality of life for both the existing residents of Brisbane as well as the new Bayland's residents.
- [ES-95 and 97] – The third paragraph under Impact NOI-1 says pile driving could increase daytime noise by up to 43 dBA. However, it is assumed that this number is for one pile driver location, while multiples are possible. Further, this paragraph should include the amount of duration of this increased noise impact in years/months, given that the use of multiple pile drivers is a mitigation technique (in third bullet on page ES-97).
- [ES-97] – The second to last bullet under MM NOI-1a says that noise control blankets on buildings is a potential mitigation technique. We're curious why blankets on the pile drivers are not considered for noise reduction? They would help the entire community, rather than one adjacent building.
- [ES-98] – MM NOI-1c describes the exception permits required for nighttime construction work. We hope these permit requests will be made public prior to issuance.
- [ES-99] – Items 3 and 5 on this page says that stationary equipment and pneumatic tools used within 500 ft of a noise-sensitive land use for more than one week will require a localized barrier or exhaust muffler for noise mitigation. We believe this should be reduced to two days. This noise mitigation technique will help the city and is good for the workers.

- [ES-102] – MM NOI-2a describes the noise mitigation for truck delivery areas. In densely populated areas, noise bounces off buildings along streets and alleyways. We recommend consideration of sound-reducing windows for the taller apartment buildings.
- [ES-103] – In both MM NOI-2b and MM NOI-2c, studies are provided by a qualified acoustical engineer. Because of the potential for conflicts of interest, the City should have the ability to review and approve all consultants.
- [ES-106] – In the Reduction of Traffic Volume noise reduction, it's not clear that the DEIR considered the noise reduction resulting from increased EVs.
- [ES-107] – In the Acoustical Treatments for Existing Impacted Residences paragraph, it's not clear that the use of mitigating strategies such as use of sound-rated windows and doors will also apple to the new residences.
- [ES-108] – We think the total cumulative costs of using the quieter engineered pavement strategies should be re-assessed. While it is 26% more expensive per mile of roadway and has to be replaced more often, the number of total miles is low and the asphalt is a relatively cheap part of the overall project.
- [ES-109] – The third paragraph under Impact NOI-4 focuses on the residential impact of noise. Does the impact of the High Speed Rail noise on the recreational trails around Icehouse Hill also need to be considered?
- [ES-110] – Under Impact NOI-5, is it certain that the vibration levels in the city of Brisbane will be lower than threshhold? Many of the buildings and residences are very old construction. During the Sierra Point construction, the pile driving reverberated around town, which was likely exacerbated by the city being in the bowl-shaped area of San Bruno Mountain.
- [ES-110] - Under Impact NOI-5, is it certain that the vibration levels will not affect the stability of the underlying capped landfill?
- [ES-113] – In the first paragraph dealing with the potential damage of underground utilities during pile driving activities, the contractor's report is not due until after the pile driving is complete. The City should receive immediate notification if underground utilities have been damaged.
- [ES-113] – In the first bullet under MM NOI-5c, it says that neighbors within 500 feet of the construction site shall be notified. This should also be a public notice to the City of Brisbane, give the bounce off San Bruno Mountain. The residents who work from home may need to make other arrangements.
- [ES-114] – We believe there's an inconsistence on this page. The paragraph with the black bullet says that "All pile installation locations shall be located no closer than 8 feet to an existing utility easement." The following paragraph say that there must be vibration monitoring if pile driving "within 8 feet of a utility line right-of-way or easement."
- [ES-115] – The third to last subbullet under MM NOI-5c says that repairs will be made or compensation will be provide. Who is responsible for that? Is the permit applicant the same as the Baylands developer, or is it the construction company?

- [ES-115] – The final subbullet under MM NOI-5c says a person will be designated for registering and investigating claims of excessive vibration. The applicant should not police themselves, so we recommend this be a City employee. Further there is no mention of a record of complaints being kept, or that information being provided to the City for assessment.
- [ES-117] – In the paragraph regarding Routine Transport, Use, etc of Hazardous Chemicals, the chemicals for the water treatment facility should be included.
- [ES-117] – In the last paragraph, the pile driving on top of the closed landfill needs to be considered as an 'upset' condition.
- [ES-118] – Do the citizens of Brisbane also have a chance to review the landfill closure plan when it undergoes review as described in MM HAZ-1a?
- [ES-118] – As part of MM HAZ-1b, the Baylands Developer will hire a consultant to prepare the landfill closure plan. Because of conflict of interest potential, the City should have the ability to review and approve all consultants.
- [ES-119] - The Shooting Range Remediation plan described in MM HAZ-1e should include use of a metal detector to find bullet fragments. And the search area should be expanded because of the high projectile speeds.
- [ES-126] – The third to last subbullet on this page has a typo in the first sentence, so it's not clear what the meaning is related to prevention of waste infiltration with respect to the groundwater. This paragraph or somewhere in this section should also describe how the groundwater movement will be mitigated when the pile driving pokes through the landfill cap.
- [ES-127] – It is unknown whether the Kinder Morgan tank farm is at an elevation susceptible to the 100 year floor. The developer could address this through the site grading plan along with the mitigations described under Impact HWQ-3 for the rest of the Baylands.
- [ES-130] – Do the impacts described in GEO-2 for seismic shaking consider that the structures will be built on a landfill and at therefor at higher risk of settling-related movement?
- [ES-144 through ES-159] – Carefully study of Table ES-2 aligns with the conclusion that Alternative #7 (Reduced Density, Lower Maximum Building Height) development is the environmentally superior alternative for the Baylands meeting the project goals. It is also satisfies the state housing mandate. Given the reduction of the Significant and Unavoidable impacts to air quality, GHG emission, and noise increases both during construction and during operation of the Baylands associated with the Specific Plan proposal, we feel that Alternative #7 is the right-sized project alternative for the Baylands.

[Anthony Walker]

- The summary's presentation of ~157 acres of open space is encouraging; we should note for later review how this space is divided between natural habitat, parks, and other uses, and how stewardship will be ensured.

- References to "carbon neutral" and "transit-oriented" design set high expectations; we need to confirm how these goals are defined, modeled, and enforced in the mitigation sections.

- The mention of unavoidable impacts (GHG emissions, air quality) is important but somewhat buried; we'll want to make sure these are fully understood and sufficiently addressed in the relevant chapters.

- The Development Agreement is highlighted as a central tool for implementation; its role in ensuring sustainability commitments will need close examination.

- **Impact POP-4: Urban Decay:** Section on urban decay says that the Baylands development would not result in urban decay and impacts would be less than significant because development of the specific plan in phases is "driven by market conditions and tenant demand, so that construction would slow down to better align with demand." They say that this would mean that development timing of later phases could be pushed further out into the future. On the one hand, that does seem like a sensible approach. But at the same time, I wonder how we guard against a situation where the developer decides it isn't worth their time anymore and is able to just cut and run?

- **Biological Resources (Starts on ES-24):** No real objections to any of the substance, but the fact that we're happy to go on at great length and depth about this or that specific plant or animal species and the potential impacts, and add explicit requirements for identifying funding mechanisms for ongoing monitoring and mitigation of harms, but still don't yet seem sufficiently motivated to ask the same when it comes to GHG emissions never does sit right with me. Disturbing the ongoing stability of the biosphere and long-term habitability of the whole planet writ large would seem to be ultimately much more disruptive to *all* sensitive species (including our own…) than any one development ever could be.

- **MM AQ-1c:** Great to see that clear Zero Emissions requirements are being expected for Off-Road construction equipment, generators, etc. My one concern is that there are some loopholes – among them an ability to demonstrate that "A particular piece of Tier 4 final off-road equipment is technically or financially infeasible" (Table 4.9.10: 1.c 2). This seems like its potentially open to broad interpretation and any number of justifications could be made. I hope the Brisbane Community Development Director will take a hard line here to uphold the spirit of the Zero Emissions requirement as strictly as possible and not just fold when the developer says its too hard or too expensive.

- **GHG-1 Specific plan area greenhouse gas emissions:** This section is characterized as "significant and unavoidable" and says that the Baylands specific plan would result in a net increase in average annual greenhouse gas emissions of 51,260 metric tons of CO2e mostly attributed to vehicles and construction amortized over a 30 year period.

Even with all the on-site mitigation, that's not going to get us to net-zero. Our backup plan is buying offsets, but there's no guarantee we can find or afford enough good ones, so we're admitting it's still a big problem. Developer pays for the offsets as a condition of approval. But details of funding, timing, and enforcement would go in the Development Agreement or other conditions. Why isn't there a stronger plan to reduce VMT on-site instead of relying on offsets?

We appreciate that they're being honest about the impact being significant and unavoidable. But if the only solution is offsets that may or may not exist or may cost too much, that's not a real plan. The section feels frankly more like an effort to demonstrate that we tried so that there is an excuse when we fail, than an actual attempt at solving the problem. We need enforceable commitments, financial guarantees and a much stronger local VMT-reduction / vehicle electrification strategy built in.

I will expand on this point and others in comments on **Chapter 4.10 Greenhouse Gas Emissions.**

Chapter/Section: Chapter 1 - Introduction

General Comments:

[Anthony Walker]

- While much of the Introduction chapter reinforces themes addressed in the Executive Summary, there are a few important additional points worth tracking as we move forward:

- The introduction's explicit acknowledgment that sea-level rise (approximately 83 inches) is projected to inundate ~26 acres by 2100 (reducing the developable land area) underscores the need to ensure that adaptation and resilience planning are **real and funded**. There is mention of for example the potential of a '100 year flood' – we need to go above and beyond that. With the climate warming faster than expected, 100 year floods have become the norm, and not the exception – writing this as of July 2025 we had at least three of these in a one week period across the country. Viewing these events through this lens of this old framing is practically laughable – these events don't happen every 100 years anymore – this is just our new reality. Let's call the climate risks what they are and do our best to build to meet our new reality.

Specific Comments:

[Anthony Walker]

- **Section 1.5**
    - Outlines CEQA streamlining exemptions for residential and mixed-use projects consistent with the Specific Plan. The Baylands project still requires a full, detailed Environmental Impact Report (EIR) now because of its size, complexity, and environmental sensitivity. Section 1.5 simply clarifies that, once this EIR is certified, future site-specific housing or mixed-use projects that strictly follow the

adopted plan might qualify for limited or no further CEQA review—avoiding redundant studies. This is consistent with the spirit of existing CEQA exemptions and recent streamlining laws like SB 607 and AB 130, which aim to make infill housing approvals faster *after* thorough planning-level analysis is complete.
    - The scale of the proposed 6.5 million square feet of commercial/office/R&D space, alongside 2,200 homes, reinforces the need to examine jobs/housing balance and transportation demand management carefully.
    - The Introduction lists the City approvals (including the Development Agreement) as the vehicle for implementing mitigation and land use controls. We'll want to verify in later chapters how specifically these approvals commit to sustainability features (e.g., all-electric construction, carbon neutrality, open space management).

Chapter/Section: Chapter 2 – General Environmental Planning and Context

General Comments:

[Mary Rogers]

- Overall - The Baylands site comprises three Operable Units (OUs) with distinct contamination issues:
    - OU-SM: Managed by the California Department of Toxic Substances Control (DTSC).
    - OU-2: Overseen by the San Francisco Bay Regional Water Quality Control Board (RWQCB).
    - Landfill Area: Under the jurisdiction of CalRecycle and the San Mateo County Environmental Health Department .
    - ***Remedial Action Plans (RAPs) for these areas are in development but have not yet been approved (or have they?) by the respective agencies (per research).***
    - ***Need updates on the OUs to fully understand potential risks***
- Would like to see more risk mitigation strategies to protect against disturbance of the wildlife habitat and vegetation.
- Like the Baylands project, the combined impact of the Quarry, Candlestick Point, and High-Speed Rail developments will be significant — especially on traffic and transportation. The Quarry project alone anticipates 19,000 new workers, while Baylands, with 548 developable acres (nearly 8 times larger than the Quarry's 62 acres), will require far more. Where will they all park? Candlestick adds another 62 acres, and the High-Speed Rail site, reduced from 121 to 71 acres in 2024, adds to the pressure. Altogether, up to 743 acres — roughly 1.2 square miles — could be developed. That is an exceptionally dense footprint.

Specific Comments:

[Mary Rogers]

- **P**age 2-15 Would like confirmation on who will be providing services for water supply and wastewater collection services. This document is not very clear on what entity has agreed to the terms and conditions of the project
- Page 2-23 H. “Key habitat areas, including Icehouse Hill and Brisbane Lagoon and adjacent habitat” requesting specific habitat areas be called out and documented.
- Page 2-26 Would like confirmation that the Habitat Conservation Plan Boundary is reflected correctly in the Figure 2-8

[Erin Becker]

- [2-41] – Land use covenants in the OU-SM area (on top of the former rail yard) restrict planting of produce or vegetables for human consumption, as well as planting trees bearing edible fruit. This is great for protecting future residents. However, this covenant apparently would only go to the landowners. Is this an oversight of the DEIR? If not, we need a method to enforce that renters are notified of this restriction, rather than hoping that landlords pass it along.

- [2-48] – The landfill cap is described as a 2’ foundation layer of (possibly contaminated) soil, then a 1’ layer of clean compacted soil (to “prevent percolation of water”), then another >1’ of soil for planting the erosion-control vegetation. In this section, the landfill cap is referred to as a low-permeability layer. There are at least 26 occurrences in the DEIR where this cap is referred to as impermeable. This is FALSE advertising and will give people a sense of security, where in reality there is still the likelihood that vapors can penetrate through the landfill cap and that groundwater can slowly percolate through the cap. We recommend correcting this.

- [2-48] - The Landfill Cover Maintenance Plan requires periodic vegetation maintenance to ensure that no species will violate the root depth limit. Who is responsible for completing this periodic maintenance? Which government body is responsible for oversight that the periodic maintenance is occurring? How many years must the maintenance continue? Note on page 2-61 it says a minimum of 30 years, but that it’s expected for ONLY one year because the landfill closed in 1967.

- [2-50] - A landfill gas collection system will be installed to collect and treat the subsurface gas. Could it be used to power vehicles, similar to how South San Francisco Scavenger powers its fleet of garbage trucks using gas from their anaerobic digester?

- [2-60] - A continuous indoor methane monitoring system will be installed in buildings on the former landfill. Given the proximity to the lumber yard and proposed battery farm, these should automatically alert CalFire. Further, it’s worth noting whether the monitoring system would have a failsafe in the event of a power outage.

- [2-61] - The first paragraph on this page describes monitoring of landfill settling with time. Will the nearby pile driving affect the settling?

- [2-61] - It's abhorrent that the developer is trying to get out of the 30 year MINIMUM post-closure maintenance period for the landfill after ONLY one year, under the loophole that the landfill closed in 1967! The periodic maintenance is important for ensuring the safety of future Brisbane residents and workers. As described on page 2-49, the periodic maintenance plan includes the following items. The landfill cap needs to be

monitored periodically for leaks and other problems, especially due to potential shifting anticipated with time, which could be further exacerbated by the nearby pile driving. The landfill cap also has to be inspected for any vegetation that might violate the root depth limit. Finally, the leachate collection system (which is planned to be converted from horizontal to vertical pipes) must be monitored for sufficiency. Only performing these inspections for one year after landfill cap installation is not acceptable for the safety of our community, given that these changes to the Specific Plan area have not yet been made.

- [2-64] - The 2024 Sea Level Rise may treat Open Space as low risk, but the Open Space on top of a brownfield site, even if it's a "reformed" brownfield site should be treated as a high-risk scenario. Further, the entire landfill area should be treated as a high-risk scenario, given that there is NO cap under the landfill and the proposed cap is only "low-permeable" (see comment above) and the "groundwater… contains pollutants at concentrations above regulatory action levels as the result of the former railyard and the former Brisbane Landfill." [ref. Page 4.14-13] Further, on page 4.14-23, under letters b and d, it states that the sea level rise plan for bayfront landfills must be based on providing protection for the "medium-high" or "extreme" risk aversion scenarios. Please address this inconsistency.

Chapter/Section: Chapter 3 – Project Description

General Comments:

- No Comments

Specific Comments:

[Mary Rogers]

- Page 3.10 – Would like consistency on the Open Space/Open Area definition – per the deir:
- 51 - **Open Space**, as used in this EIR, refers to lands the Specific Plan designates for parks and recreation facilities that would be available to the public along with lands designated for the preservation or enhancement of biological resources.
  Open Area, as described in the Brisbane General Plan Land Use Element, consists of land, primarily in private ownership, which serves to soften the impacts of urban development by providing primarily green areas and a feeling of "openness" to the overall development pattern. Open areas include, but are not limited to, setbacks and easements that are landscaped or characterized by native vegetation, gardens, and landscaped vegetation. Open areas might also include golf courses, private parks, and recreation areas within private developments. An open area may consist of a combination of hardscape and landscape, typical of plazas, sculpture gardens, and gathering places. Streets, sidewalks, parking lots, and similar improvements, although not covered by structures, are not included in the definition of an "open area."
  The solar panel field is included in the open space footage but isn't mentioned in the descriptions or the table on page 3-15 — a concerning omission.

- Page 3.11 – Would like more information on the financing of this project. What happens if funding is not enough? How much is this project going to cost? Per google searches, a $1.1billion number is projected just for environmental remediation and essential infrastructure improvements. This seems rather low – what about everything else? Do we have a draft budget for this project? Don't want to be faced with "It's easier to ask for forgiveness than permission." We don't want to be faced with bankruptcy!

[Erin Becker]

- [3-10 and 3-18] – Consistency in the Open Space definition is critical. The Brisbane General Plan Land Use Element defines Open Space and Open Areas, which is what should be used in the DEIR. It should not include buildings on Open Space areas (as proposed on page 3-18).
- [3-18] – The final paragraph describes the community athletic fields. We need to ensure that the nighttime community field lighting is extinguished after play through use of timers, as described in the Brisbane Dark Skies Ordinance.
- [3-19] – The final paragraph describes the Sunnydale and Baylands parks. We need to ensure that the nighttime lighting conforms to the Brisbane Dark Skies Ordinance.
- [3-33] – In the first paragraph in the Icehouse Hill section, it says the following are *proposed*: planting of native butterfly host species and management of invasive species. Those should be required.
- [3-69] – The water recycling facility will be an asset to San Mateo County. We encourage the Developer to consider an educational component with this facility.
- [3-89] – The Utility Scale battery site is located in the same area as the High Speed Rail Light Maintenance Facility.
- [3-100] – The last paragraph describes the soil movement from the east side of the site to the west side for grading the residential area. There is a local story about a shipment of dirt from Hunter's Point that had limited records and potential radioactivity. Any soil transported to the residential area needs to be tested to calm the concerns of current and future residents. There are daily dosimetry badges and related tools that will reduce the workload of this testing.
- [3-103 and 3-104] – The soil movement is a massive undertaking! As described in the fourth paragraph on that page, the trucks will take up to 640 round-trips *daily* over the existing bridge on Tunnel Road for almost 3 years! This will impact traffic and cause a lot of dust. We need to advocate for approval of the dirt conveyor belt over Caltrain, as long as it's protected from wind.
- [3-107] – The final row of the table states that solar fields should be completed by the end of Phase 1. The completion of Phase 1 is ambiguous and also gives the city no leverage in ensuring it happens. We propose that its completion is tied to issuance of an occupancy permit, similar to the items in the Infrastructure and Amenities section of that table.

- [3-111] – The last sentence gives the Developer wiggle-room with respect timing the construction under adverse market conditions. This is fair, but it should not apply to the open space areas that are critical to species survival and migration.
- [3-113 through 3-121] – Some of us feel that reducing Bayshore Boulevard to one lane in each direction is not consistent with the italicized text taken from GP-1-18 on this page. First, in the event of an emergency such as earthquake or fire, a single lane on Bayshore Boulevard will impact our ability to leave town. This is counter to Brisbane Policy C.46 on emergency evacuation (on page 4.19-10). We will be trapped. Second, while the road diet will reduce the "desirability of the corridor for regional through traffic", it is naïve to ignore the proximity to Highway 101. When there is a standstill, the regional streets will be used as a bypass, regardless of how many lanes are available. Dropping to one lane in each direction will greatly impact the mobility of Brisbane residents.
- [3-136 through 3-137] – There is a confusing reference to "future developers" in three bullets here. Please explain who that term refers to. The instances are (1) on page 3-136 in the fifth bullet from the bottom, (2) on page 3-137 in the first bullet and (3) on page 3-137 on the second bullet.

[Anthony Walker]

- **Stormwater Drainage System Design (3-79)**
  - While the proposed drainage system accounts for both a 25-year and 100-year flood scenario, the approach may underestimate the risks posed by increasingly frequent extreme precipitation events. According to the DEIR, parks and open space areas are designed to sit at least 1 foot above the projected 2050 medium-high sea level rise of approximately 1.9 feet (23 inches), while building pads must be at least 1 foot above the 100-year flood level combined with projected 2100 medium-high sea level rise of approximately 6.9 feet (83 inches). Finished site grades would generally range from roughly 17 to 51 feet above mean sea level, with roads between 12 and 58 feet, and the Roundhouse area raised to about 18.5 feet.
  - These standards do account for sea level rise *as currently projected*, but they do not appear to address the potential for compounding effects from coastal flooding and extreme inland rainfall. Recent "100-year" flood events in California — many driven by atmospheric rivers — have dumped multiple months' worth of rain within hours, overwhelming stormwater systems designed to historic norms. As climate change increases the intensity and frequency of such events, design assumptions based solely on historic return intervals may leave the site vulnerable.

- Given the scale and long lifespan of this project, the City should consider requiring the drainage system to be tested and, if necessary, overbuilt to withstand more extreme scenarios. This should include modeling for concurrent high tide, storm surge, and intense precipitation events well above the 100-year historical baseline. This forward-looking approach would better protect the Baylands from costly retrofits, property damage, and service disruptions — and would demonstrate genuine climate resilience consistent with Brisbane's net zero and adaptation goals.

Chapter/Section: 4.1 Introduction to the Analysis

General Comments:

- No Comments

Specific Comments:

- No Comments

Chapter/Section: 4.2 Effects Found Not to be Significant and Dismissed from Further Review

General Comments:

- No Comments

Specific Comments:

- No Comments

Chapter/Section: 4.3 Land Use and Planning Policy

General Comments:

[Juli Armstrong]

- There is already very limited parking in Central Brisbane along Visitacion Avenue, and people often double park and block the single lanes in both directions to access the library and restaurants along this street. How will this be mitigated when the population is doubled?
- Motorized Bicycles in California cannot be operated on sidewalks. How will Baylands bicycle and pedestrian mobility enhancements insure safety when pedestrians share pathways with Type A and Type B motorized bicycles operating at 30 or 20 mph respectively?
- *Improvements would be constructed along Bayshore Boulevard providing safe movement onto and from the roadway, enhancing mobility for Brisbane residents and employees due to improved access to transit, commercial and employment centers, schools, parks, and public services and facilities. These improvements would also provide for ongoing through traffic movements for daily commuters along Bayshore Boulevard between San Francisco and Daly City to the north and northwest and San Mateo County and Silicon Valley to the south*[4.3-33].

Specific Comments:

[Juli Armstrong]

- [**Long Term Post Construction Operational Impacts/4.3-31**] – *The provision of shuttle systems as part of Baylands development would also enhance connectivity between the Baylands, Central Brisbane, hotels, office buildings within Sierra Point, and the Caltrain Bayshore station*. Will these have park and ride areas for access or is it assumed that all existing Brisbane residents will be able to walk to a shuttle access point?
- [**Long Term Post Construction Operational Impacts/4.3-33**] – *Improvements would be constructed along Bayshore Boulevard providing safe movement onto and from the roadway, enhancing mobility for Brisbane residents and employees due to improved access to transit, commercial and employment centers, schools, parks, and public services and facilities. These improvements would also provide for ongoing through traffic movements for daily commuters along Bayshore Boulevard between San Francisco and Daly City to the north and northwest and San Mateo County and Silicon Valley to the south*. For Central Brisbane there are no major grocery stores so current residents must go outside of Brisbane to shop for food. Traffic congestion or blocked access to Bayshore Boulevard during and after construction would greatly impact access to grocery stores. Peak commute traffic using a single lane could easily make it impossible to access the left turn lane off of
- It is not reasonable to expect people to take public transit to shop for groceries.

[Mary Rogers]

- Page 4.3-1 Definition of Existing Land Use – how will the current revision of the Open Space Master Plan get incorporated into this EIR?
- Page 4.3-4 Planning activities are crucial for the many potential projects adjacent to the Baylands which include the Bayview/Hunters Point project, High Speed Rail project, Geneva overpass project, etc. The congestion around the adjacent areas will be highly impacted.
- Footnote 97 – Impact TRA-2 – the project does not include dedicated bus lanes on the Geneva Avenue overpass. That decision is considered a significant negative impact on transit use, according to the analysis (Impact TRA-2), and would require mitigation.
- Construction on Tunnel Road will cause **major disruptions**, likely leading to traffic jams. Since Tunnel Road is a key route to existing businesses and the Caltrain station, it's essential that the Geneva Overpass is completed **before** any other construction begins.
- Table 4.3.1 specifically 4.3.38 – Referencing the for alignment on the definition of Open Space. The document references the Baylands Specific Plan, but can we also reference the updated **Open Space Master Plan**? Also the remaining open space of ~92 acres includes the Solar Farm (55 acres) of which is not Open Space and could potentially have a significant physical environmental effect. This needs to be called out on Page 4.3-46

- Table 4.3.1 specifically Item G. on page 4.3.61 – the “No” answer to the “significant physical environment effect….” is shown yet we call out that the 2025 Specific Plan project is inconsistent with this provision. Why it should be labeled as a YES:
    - **1. Habitat Loss and Ecosystem Disruption**
        - The proposed solar farm would require clearing large portions of land in a sensitive ecological area.
        - This would **disrupt wildlife habitats**, including areas used by migratory birds and other sensitive species.
        - The Baylands is one of the last remaining open space ecosystems in the region — development here is a permanent loss.

    2. Impacts on Hydrology and Flooding
        - Large-scale solar arrays and related infrastructure can **alter natural drainage and groundwater flow**.
        - This increases the risk of **flooding**, especially in a low-lying, flood-prone area like the Baylands.
        - Wetland function may also be compromised, reducing natural flood protection and water filtration.

    3. Visual and Scenic Resource Impacts
        - The industrial appearance of a large solar installation would **visually dominate the landscape**.
        - Glare, fencing, and panel rows would **diminish scenic views** from public trails and surrounding neighborhoods.
        - The Baylands is valued for its natural beauty — this project would substantially degrade that experience.

    4. Barrier to Trail Connectivity and Public Access
        - The solar farm may **block or limit access to planned trail routes**, cutting off important pedestrian and bike connections.
        - This undermines the vision of a walkable, connected Baylands that integrates open space and recreation.

    5. Permanent Industrialization of Open Space
        - Once built, solar farms are difficult to remove or relocate.
        - This project would **lock in long-term industrial use** of land that could otherwise be restored, preserved, or used more flexibly.
        - The opportunity for **future ecological restoration or public open space** would be lost.

    6. Environmental Impact Is Not Offset by Policy Consistency
        - Even if the project aligns with energy policy goals, the **physical environmental consequences remain real and significant**.
        - These impacts must be acknowledged, assessed under CEQA, and **mitigated or avoided through alternatives**.

- Page 4.3-63 Table H. Reference to the **updated Open Space Master Plan** should be noted

- Page 4.3.69 Table H Reference to Consistency of a comprehensive system of bicycle and pedestrian paths, **as well as a shuttle system. So why aren't buses allowed over the Geneva overpass? Especially to the CalTrain station? This is not consistent.**

[Erin Becker]

- [4.3-4] – The Land Use Adjacent to the Baylands Specific Plan outlines significant increase in nearby development: (1) the 1,679 dwelling units plus 46,000 sqft commercial at the Schlage Lock Factory ("Baylands North"), and (2) 10,250 dwelling units plus 6.4 million sqft commercial at the Bayview/Hunters Point. Note that 7,218 of those 10,250 will be at Candlestick Point, per that project's website. This is a tremendous increase in housing and additional development that has cumulative impacts on traffic and will impact the quality of life for all residents.
- [4.3-27] – The road diet that will reduce Bayshore Blvd to one lane in each direction is not conducive to meeting the final two bullets in Threshold LUP-1, as access to transit, commercial centers, employment centers, schools, parks or government services or facilities could be substantially diminished.
- [4.3-33] – The final bullet on this page describes the complaint process for the construction activity. The City should receive a record of all complaints received.
- [4.3-82 and 4.3-83] – While this section paints a rosy view of how the mitigation measures in the Baylands Specific Plan reduce the inconsistencies with the Brisbane General Plan, there are two areas where a density reduction to 1,800 dwelling units (as described in Alternate #7 Reduced Density, Reduced commercial) would be far superior:
    - First, General Plan LU.11 impacts will be reduced because shorter buildings will preserve scenic vistas.
    - Second, General Plan Policy 176 impacts will be reduced because the pile foundations of shorter buildings will be less impactful.

Chapter/Section: 4.4 Population & Housing

General Comments:

[Juli Armstrong]

- What will keep current Brisbane renters from being priced out of living in Brisbane due to housing demand created by Baylands employees and businesses that exceeds the housing offered within the Specific Plan Area?
- The focus on growth of jobs in San Mateo County in the Life Science Industry and demand for Life Science Office Space does not take into account the recent uptick in Layoffs from these companies. The South San Francisco headquarters of Genentech laid off 143 employees in June 2025 and 265 employees associated with Genentech's production facility in March 2023; Unity Biotechnology laid off its entire workforce in May 2025; Gilead in Foster City announced elimination of 149 positions in Foster City in April

2025. How does this affect the forecast for demand for commercial space presented in the Baylands DEIR?

- Housing Element 2.B.1 specifies that suitable sites be identified for housing seniors, persons with disabilities or other special needs, and lower-income households. The Baylands DEIR only looks at housing needs for economic segments defined by the RHNA. There is no specific provision for senior housing. The emphasis on workers and jobs does not take into account the socioeconomic challenges of the retired population in Brisbane.
- The increase in housing units and population will increase demand for e-commerce home deliveries. The increase in last-mile delivery vehicles is adding to traffic congestion and attendant greenhouse gas emissions. When the number of delivery vehicles increases, so do carbon dioxide emissions, which makes up the bulk of greenhouse gas emissions. Increased traffic could lead to a 25% increase in carbon dioxide emissions in city centers. (https://www.techtarget.com/searcherp/feature/The-environmental-challenges-of-last-mile-delivery)

[Anthony Walker]

We appreciate the assessment presented in Section 4.4 of the Draft EIR regarding the proposed Baylands development's impact on population growth and housing supply. However, we offer the following comments to express areas of concern that merit additional attention and clarification.

1. Scale and Rate of Population Growth

The DEIR anticipates that the Baylands development could result in population growth of +4,905 residents, with as many as 2,200 dwelling units. While the EIR notes that this growth can be accommodated within regional projections, we remain concerned about the rate at which this growth may occur and its implications for infrastructure, services, and environmental resilience. Rapid population growth, particularly over a condensed timeframe, could strain city resources and delay necessary mitigation.

We encourage the City to:

- Provide more detailed phasing plans that address how housing development will be staged relative to supporting infrastructure and services like water and sewer.
- Clarify contingency plans if population growth significantly outpaces infrastructure readiness or funding availability.
- Ready a contingency plan to maintain the City’s financial stability if the developer decides to pull out unexpectedly

2. Jobs-Housing Balance and Commuter Impacts

The Specific Plan proposes a potential for 19,480 new jobs in the Baylands (associated with approx. 14,537 households total) which could greatly outstrip the number of residential units provided. While a healthy economy and job base are important, this imbalance risks turning the Baylands into a commuter hub, increasing Vehicle Miles Traveled (VMT), traffic congestion, and greenhouse gas emissions unless mitigated. The plan’s timeline already prioritizes housing

development in the early phases of the project to better match anticipated job growth which is a good start.

Additionally, we recommend that the City:

- Explore inclusionary housing strategies or incentives to ensure housing availability for workers within the Baylands.
- Further integrate land use planning with sustainable transportation and TDM measures to reduce reliance on single-occupant vehicle commuting.
- Dedicated infrastructure and incentives for micromobility, last mile travel and carshare programs
- Introduce other incentives or policies to limit fossil fuel vehicle use on site, promote public transit, and aggressively promote or require the adoption of electric vehicles of all types for workers, residents and businesses

3. Affordable and Workforce Housing Requirements

The EIR does not provide specific assurances that housing affordability will be meaningfully addressed in the project. The availability of affordable and workforce housing will be critical in ensuring that growth in the Baylands supports equity, diversity, and climate resilience. Without strong requirements, the risk is high that most units will serve higher-income buyers, pushing workers to live elsewhere and commute in.

We urge the City to:

- Adopt clear and enforceable affordability targets for a range of income levels.
- Partner with regional agencies and nonprofit housing organizations to maximize funding and support for affordable housing.
- Require regular reporting and accountability mechanisms to ensure affordability goals are met throughout the buildout period.

4. Alignment with Climate and Resilience Goals

It is encouraging to see that the proposed development will not include natural gas infrastructure and that buildings are anticipated to be all-electric and supported by some degree of on-site solar and battery storage. These foundational decisions set a strong baseline for climate-aligned development.

Given this ambitious starting point, we believe there is an opportunity to go even further and position the Baylands as a national model for resilient, equitable, and future-ready housing.

We encourage the City to:

- Ensure that no residential areas are sited in zones of heightened environmental risk (e.g., floodplain, poor air quality, industrial adjacency) without strong mitigating design interventions.
- Mandate Passive House or equivalent high-performance standards for energy efficiency, occupant comfort, and resilience to extreme heat.

- Require that new residential buildings be “grid-interactive,” capable of demand response and virtual power plant participation.
- Incorporate shared energy infrastructure where feasible, such as community-scale microgrids, to enhance reliability and efficiency.
- Include community resilience hubs, cooling centers, and emergency backup systems embedded in residential neighborhoods to support public safety and climate preparedness.
- Use green infrastructure, tree canopy goals, and landscape design to reduce urban heat island effect and improve neighborhood livability.

In summary, while the Baylands presents a major opportunity to increase housing and economic activity in Brisbane, the City must take care to ensure that growth is equitable, sustainable, and resilient. Population and housing strategies should reflect not just numerical targets, but a clear vision for inclusive, zero-carbon community development that meets the needs of current and future residents.

Specific Comments:

[Juli Armstrong]

- [**Introduction**/**4.4-2**] – This section examines associated physical environmental effects that would result should proposed Baylands development (1) induce substantial unplanned population growth either directly or indirectly, or **(2) displace existing housing or people**. What will prevent Brisbane renters from being displaced by rising rents?
- [**4.4-4**] *The San Francisco Bay Area contains three of the five most expensive rental markets in the nation.* San Mateo County has seen what the influx of high tech jobs has done to housing affordability and rents in Menlo Park and East Palo Alto after Facebook occupied the Sun Campus in 2011.

[Mary Rogers]

- Page 4.4-31 Specifically table 4.4-9 – How were these estimates compiled? The source referenced “**ALH Urban and Regional Economics, The Baylands Urban Decay Analysis, July 2023 is not available for review (researched and this information is private) The $33.1M in retail sales – is this annually or over a period of time?**

Chapter/Section: 4.5 Aesthetic & Visual Resources

General Comments:

[Rohendra Atapattu]

Addresses Section 4.5 of the Draft Environmental Impact Report (EIR) for the Baylands Specific Plan, addresses aesthetic and visual resources. I recommend utilizing this report to consider specific actions to mitigate several important concerns including:

- The development would permanently obstruct views from both within and outside the Baylands.

- Risk losing view corridors
- Light pollution from new development
- Construction activity resulting in visual disruption

Note that additional subject areas were addressed in the Draft EIR that were deemed not of notable concern from the purview of OSEC. These areas are thus not addressed in this report for brevity.

- San Bruno Mountain, the Brisbane Lagoon, and the San Francisco Bay are integral to the scenic identity of Brisbane. The assessment for aesthetic and visual resources in the Draft EIR demonstrates that the development would obstruct views from both within and outside the Baylands.
- The EIR references setbacks and separations between buildings but falls short of guaranteeing preservation of view corridors.
- Brisbane's nighttime environment is distinct, offering rare views of the stars and surrounding city lights. Light pollution from new development is a serious concern. While EIR mitigation measure would reduce light trespass to a less than significant level, the total amount of permitted nighttime lighting within the Baylands would be permit some sources of nighttime lighting not to be directed downward, which could adversely affect the area's dark night sky. Thus, sky glow impacts would remain significant.
- The EIR minimizes the long-term visual impact of construction, which could span decades. During this period, visual blight, dust, and lighting from staging areas will impact views from residential neighborhoods.

[Juli Armstrong]

- The project would permanently alter the viewscape of Brisbane from its current state; Current homeowners and renters will not be compensated for the obstruction of their current eastward views
- The potential for light pollution impacting current Brisbane residential neighborhoods is high in spite of the existing Dark Sky Ordinance
- There is no assessment of the impact of tall buildings in Baylands altering natural communities by casting shade

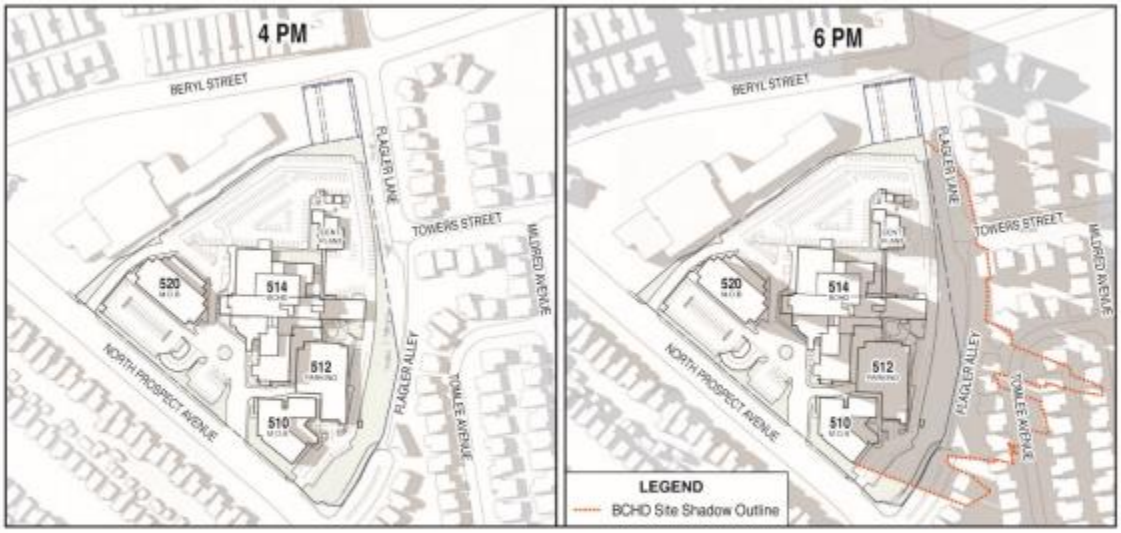
Specific Comments:

[Juli Armstrong]

- The choice of Viewpoints for Visual Simulations (Figure 4.5-2) fails to include a point in Central Brisbane's hillside geography in spite of the fact that residents there currently enjoy unobstructed views of San Francisco Bay and the Oakland Hills (4.5-5, 4.5-6: Brisbane's hillside geography also means that many residents have unobstructed views of San Francisco Bay and the Oakland Hills beyond, with the Baylands in the foreground of those views.)
- Central Brisbane is located directly west of the southern portion of the Baylands, across Bayshore Boulevard. Central Brisbane consists of both residential and commercial development. It is developed primarily with 1- to 2-story commercial buildings along

Visitation Avenue and 1- to 2-story single-family houses throughout (4.5-6). The height of the proposed Baylands buildings south of the Bayshore Basin drainage exceeds the predominant height of Central Brisbane (4.5-18: Development south of the Bayshore Basin drainage channel shall maintain a low profile permitting low- or mid-rise buildings, not to exceed 6 stories in height, in order to preserve the existing views of San Francisco and San Francisco Bay as seen from Central Brisbane, and to maximize the amount of landscape and open space or open area in this portion of the subarea. The following design approaches shall not be included in the required specific plan or any development proposal). The visual simulations do not support the conclusion that six story buildings will preserve the existing views in Central Brisbane. i. Buildings or building groups that block view corridors to the Bay or appear as “fortresses” or “walls” lining the Bayfront, the Lagoon, or any arterial street.

- There are multiple exemptions from the Dark Sky Ordinance outlined in the DEIR starting on page 4.5-22. Most outdoor lighting is required to go off after 10:00 p.m. or close of business, whichever is later. The businesses in Baylands close of business may extend well past 10 pm for commercial buildings. Construction lighting and temporary lighting not subject to city permitting are exempt from specific standards but are required to be deployed to comply with Chapter 15.88 standards ***to the greatest practical extent***. The construction in Baylands will go on for years, effectively creating a prolonged exemption from the Dark Sky Ordinance.
- The effects of shade created by buildings on the adequacy of photosynthetically active radiation (PAR) for plant growth and solar collectors are not addressed in the DEIR. Graphical simulation models exist to simulate the spatial distribution of PAR with 3D models. A shade and shadow study should be prepared to determine the extent and duration of shading given the height of the proposed buildings in the context of the surrounding topography. Also see attached publication (Assessing Permanent Shading Impacts on Riparian Plant and Aquatic Species and Habitat)



wood.

Existing Summer Solstice

FIGURE 3.1-2

https://bchd.blob.core.windows.net/docs/hlc/Appendix%20M-Shade%20and%20Shadow%20Study1.pdf

[Rohendra Atapattu]

- The EIR's visual simulations confirm that new structures—particularly 20+ story buildings—would obstruct views from both within and outside the Baylands. Mitigation Measures AES-!a and AES-1b declare building height limits in specific areas that are reported to be effective in limiting the blocking of views.
- The EIR should provide visual simulations of the same visual simulations provided in the report (Table 4.5-2a to 4.5-2r) with and without the proposed mitigation measures listed in AES-1a and AES-1b. This will provide a conclusive evidence of the level of effectiveness of the proposed mitigation, else these are purely here-say.
- The EIR analysis should identify if the Specific Plan requirements for height limits in various areas are an enforceable requirements, or development guidelines. It is recommended that the Specific Plan include making the heights as stated in the mitigation measures local building code requirements.
- Mitigation measure AES-1c relies on standards within the Specific Plan. Therefore, Specific Plan must clearly identify and map protected view corridors and ensure that massing and layout decisions do not inadvertently block these vistas. This is especially important in areas with potential for high-rise development.
- The Specific Plan mentions preservation of view corridors but provides insufficient enforceable mechanisms to guarantee this outcome over time.
- While the Baylands plan aligns with the new Dark Sky Ordinance, enforcement will be crucial. Fully shielded fixtures, motion-sensitive lighting, and lower color temperatures should be mandatory across all zones—not just encouraged.
- Section 4.5.6 (Impact AES-4): The EIR should require that all lighting within Baylands be compliant with the City's new Dark Sky Ordinance, with no exceptions for commercial facilities unless justified with detailed findings.
- Commercial lighting and signage should be regulated with curfews to minimize sky glow and preserve Brisbane's night views
- Mitigation strategies must include screening, noise buffers, and restrictions on nighttime construction lighting.

[Mary Rogers]

- **Page 4.5 – 46 The 55 acre solar field** would be visible and adjacent to the freeway. How will glare from the panels be mitigated? Will the developer perform a glint and glare study due to the fact that the panels could cause extreme glare that might distract drivers or affect nearby homes? Large solar installations can raise local temperatures – will the developer include vegetative ground cover or other cooling strategies? What visual screening will be added?

Chapter/Section: 4.6 Biological Resources

[Juli Armstrong]

General Comments:

- Chapter 4 Environmental Setting, Impacts, and Mitigation Measures: Open Space Resources Evaluation and Priorities pg. 4.6-31 incorrectly Sites Figure 3-45 in Draft EIR Chapter 3, *Project Description* as showing the proposed Bay Trail Extension, as well as other local trails within the Baylands that are identified in the Open Space Plan. The actual Figure is Figure 3-30 Baylands Pedestrian Network, pg. 3-50.
- Policy 348 of the General Plan: *Enhance the natural landform and biotic values of Icehouse Hill and preserve its ability to visually screen the Tank Farm.* The **biotic values** of Icehouse Hill are not restricted to CEQA's emphasis on Special Status species but can include rare and sensitive plant communities that include remnant California native perennial grasslands.
- The Bay Checkerspot butterfly host plant species (*Plantago erecta*) and nectar plant species (*Lasthenia californica)* both occur on Icehouse Hill yet the authors conclude that it is unlikely to be present on Icehouse Hill. Nectar plant and do not include it in the majority of discussions of impacts on special status butterfly species.
- Impacts of the construction and operation of Trails in Icehouse Hill through native grassland are hard to evaluate because the plant community maps and trail location maps are not overlain in the DEIR. The act of conducting multiple surveys for special status plants and mapping their location can itself have a negative impact on the perennial grassland habitat. The disturbance, soil compaction, and animal elimination on the trails through the grasslands may lead to increased invasion of native grassland by non-native species. The existence of litter ordinances and educational signage are no guarantee that littering will not occur in sensitive grassland habitats or that people and animals will remain on the trail. There is no enforcement for these mitigation measures. The no trail alternative is not discussed in the context of Measure JJ's directive to preserve, protect and enhance key habitat areas including Icehouse Hill. There needs to be a clear balance between creating trails and defining limited access to protect sensitive habitat.
- It isn't clear where the Funding for biological monitoring and restoration on Ice House Hill will be found and who will be authorized to conduct the surveys.
- The impact of constructing buildings on what has been a relatively flat landscape has the potential to affect the natural plant and animal communities by altering the quantity and quality of light and changing the water temperatures in riparian habitats. This is not discussed.
- The authors are overly optimistic about their ability to restore targeted species or replace 'take' of natural plant communities.

Specific Comments:

[Juli Armstrong]

- [4.6.2 Special-Status Species/4.6-5; 4.6-18; 4.6-32] –The presence of native perennial grassland on Icehouse Hill is not adequately emphasized. In the Terrestrial Vegetation Communities section, the California Goldfield-Dwarf Plantain Flower Fields could be renamed native perennial grassland and the native bunchgrass species could be identified as such. As stated under Protection of Species not on a Federal or State List of Protected Species California Environmental Quality Act Guidelines Section 15380: "CEQA also calls for the protection of other locally or regionally significant resources, including natural communities."

- It is difficult to see the individual Habitat Types in Figure 4.6-1 on Page 4.6-6 as well as the Host Plant map Figure 4.6-3 pg 4.6-53 from the Biological Resources chapter in the Specific Plan DEIR. There should be a blow up map for just Icehouse Hill with the diversity of Habitat Types occurring there at a scale similar to the other Icehouse Hill maps in the Specific Plan and DEIR. The Habitat Types could then be superimposed on Specific Plan maps such as Chapter 05 pg. 259 Figure 5.3.37 Illustrative Concept Plan - Icehouse Hill, Chapter 03, Figure 3-38 Icehouse Hill Illustrative Concept Diagram, and Figure 3-30 Baylands Pedestrian Network, pg. 3-50.
- [4.6.2 Special-Status Species/4.6-18] –The footnote defines Critical habitat and Suitable habitat, but Table 4.6-2 uses the term **Potential habitat** as if it were the same as Suitable habitat. Is there a different definition or is this simply conflating the **Potential for Species Occurrence Ranking** with Suitable habitat?
- [4.6.2 Table 4. 6 -2/4.6-20] –The table stipulates that Choris's popcorn flower, *Plagiobothrys chorisianus* var. *chorisianus* has a moderate rating for potential to occur within the specific plan and only cites its historic occurrence in Visitation Valley in 1961. *Plagiobothrys chorisianus*, cited as one of the "species of concern" that the 1982 HCP was designed to protect (cited by a previous name, *Allocarya chorisiana*) was in fact found in 2017 on San Bruno Mountain, https://www.mountainwatch.org/mountain-journal/2017/4/9/the-long-lost-artists-popcorn-flower-has-been-found. Importantly, the plant had not been seen there in 33 years. This emphasizes the importance of protecting suitable habitat even in the absence of finding a species of concern during a short-term survey.
- [4.6.2 Special-Status Species/4.6-27-28; 4.6 Wildlife Movement/4.6-31] –The argument for it being unlikely that the Bay Checkerspot butterfly are present is inconsistent with the arguments used for the other special status butterfly species. This is important because this species has had a Recovery Plan since 1998 and populations have continued to be lost to the extent that it was proposed to have its status upgraded from threatened to endangered in 2009. Habitat fragmentation due to development of butterfly habitat in private ownership was cited as one of the drivers of local population extinctions. There has been a well-documented effort to reintroduce Bay Checkerspot butterflies to habitats within San Mateo county where they had become locally extinct. Harrison (1989) observed Bay Checkerspot butterflies to disperse distances up to 3 and 5.6 kilometers from their point of release in capture/recapture studies. For the Mission Blue Butterfly, the distance between San Bruno Mountain and Icehouse Hill is considered to be well within their 0.25 mile dispersal range. It would follow that the presence of the host plant *Plantago erecta* and the fact that the distance between San Bruno Mountain and Icehouse hill is well within the 1.8 and 3.4 mile observed dispersal range for the Bay Checkerspot butterfly, it is **NOT** unlikely that these butterflies could be found in the Specific Plan area. Furthermore, the observation on 4.6-28 that the host plants for the Bay checkerspot are much more widespread than the butterfly is likely due to the local extinctions that have taken place, not an argument against protecting suitable habitat wherever it is found.
- [4.6.2 Wildlife Movement/4.6-30-31] –The conclusion that *Brisbane Baylands site is not part of an established [Butterfly] movement corridor because it does not provide a connection between different habitat areas…and is physically separated from similar habitats that occur locally, such as those at San Bruno Mountain*…stands in contradiction to the previous conclusion that for the Callippe Silverspot Butterfly *San*

Bruno Mountain offers a potential source population for habitat patches within Icehouse Hill [4.6-28]. The dispersal distance for the Bay Checkerspot butterfly is not referenced but has been documented (Harrison 1989).

For there to be a source population for Icehouse Hill, there has to be a movement corridor between the two habitats. It is not clear how the construction of multi-story buildings would impact the movement of animals between the two sites. The same would hold for movement of Bay Checkerspot butterflies from San Bruno Mountain to Icehouse Hill native grassland habitat.

- **[Specific Plan Chapter 8: Public Facilities Financing/pg. 451]** Chapter 8 of the Specific Plan pg. 451 states that Icehouse Hill improvement would also require funding from third parties or grants. These funds may or may not be available for the restoration and monitoring of grassland habitats over time. The City should have a say in the hiring of 'competent' biologists to do the surveying of plant and animal communities, and to create restoration methodologies.
- **[Specific Plan Chapter 11/4.5 Biological Resources: /pp. 4.6-40-41 citing general Plan Chapter XII: Policies and Programs by Subarea; Open Space Plan: Use and Management Policies, p 4.6-42]**

Policy BL.1 H: Key habitat areas, including Icehouse Hill and Brisbane Lagoon and adjacent

habitat as identified in the 2001 City Open Space Master Plan shall be preserved, enhanced,

and protected.

Policy BL.16: Enhance the natural landform and biotic values of Icehouse Hill and preserve its ability to visually screen the Tank Farm.

d. Native habitat restoration efforts should be undertaken where practical, in conjunction with the HCP operators, and consistent with other City policies.

i. The city recognizes that restoration, maintenance and management of natural or improved open space areas can be a significant initial and ongoing expense.

Pg. 4.6-52: *Trails placed along the boundaries of, but not within, the grassland areas that support host plants would avoid adverse effects and would also allow trail users a view of the butterflies and/or their habitat with minimal impact. Trails could also be placed through shrublands currently dominated by French broom, a non-native invasive species. Once the French broom is cleared, restoration of native plants could provide trail users with opportunities to view butterflies, assuming that enough habitat can be* ***restored, enhanced, and/or created*** *that would provide sufficient habitat to attract and support the butterfly species (see Figure 4.6-3).*

- Restoring individual grassland plant species is expensive and difficult (Weiss et al. 2020). The idea of using baseline survey data to benchmark impacts or define success of restoration of native perennial grassland does not take into account the sensitivity of the native plant populations to annual variation in the amount and timing of rainfall and temperature. Annual species have good and bad years, a reality that recovery plans

must take that into account when measuring success. Phenological variation associated with when a particular species is most easily identified in the field is not the same for all species, and can bias which species are identified on a given survey date.

Butterfly	**Host Plant on Icehouse Hill?**	**Status**	**Habitat Type**	**Icehouse Hill Potential Habitat?**
Mission Blue	N	Federally Listed Endangered Species	Grassland	Y
Callippe silverspot	Y	Federally Listed Endangered Species	Native grasslands	Y
Bay checkerspot	Y	Federally Listed Threatened Species	**California Goldfield-Dwarf Plantain Flower Fields**	Y
San Bruno elfin	N	Federally Listed Endangered Species	Scrub and bunchgrass	N

It would be nice to map the suitable habitat to the vegetation types defined earlier in this chapter so that it is clear what areas are available for proposed for restoration, enhancement or creation.

[Chapter 11/4.6 Biological Resources: MM BIO-1c/pg4.6-59] list of butterfly larval host plants excludes *Plantago erecta*. Populations of butterflies to be monitored excludes Bay Checkerspot butterflies.

Citations

Harrison, S. 1989. LONG-DISTANCE DISPERSAL AND COLONIZATION IN THE BAY CHECKERSPOT BUTTERFLY, EUPHYDRYAS EDITHA BAYENSIS. Ecology, 70(5), 1989, pp. 1236-1243

https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/OtayRanchVillage13Resort/PrePC/2019Comments/Comments/RO-4/Harrison%201989%20-%20Long-distince%20dispersal%20and%20colonization.pdf

Bay checkerspot butterfly, Bjorn Erickson/USFWS, Public Domain, https://www.fws.gov/media/bay-checkerspot-butterfly-5

The Story of the Bay Checkerspot Butterfly at Edgewood Park. 2018. Friends of Edgewood.

https://friendsofedgewood.org/wp-content/uploads/BayCheckerspotButterfly.pdf

Critical Habitat Designated for Bay Checkerspot Butterfly, Aug 26 2008, https://www.fws.gov/story/2008-08/critical-habitat-designated-bay-checkerspot-butterfly

US Fish and Wildlife Service. August 2009. Bay checkerspot butterfly (Euphydryas editha bayensis) 5-Year Review: Summary and Evaluation

https://ecos.fws.gov/docs/tess/species_nonpublish/1421.pdf

Weiss, S.B., L. Stringer and M. Chasse. 2020. RESTORING IMPERILED PLANT POPULATIONS, Fremontia 48(1); pp. 4-13.

https://cnps.org/wp-content/uploads/2020/12/Fremontia-V48N1-Restoration-for-web.pdf

Preliminary Investigation (PI-0074) Caltrans Division of Research, Innovation and System Information, Assessing Permanent Shading Impacts on Riparian Plant and Aquatic Species and Habitat, February 15, 2019, https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/preliminary-investigations/shading-impacts-on-riparian-plants-and-habitat-pi-a11y.pdf

2021 Open Space Plan for the City of Brisbane

Pg. 44

The Committee recommends preservation of maximized open areas on the southern side of Icehouse Hill, which contains an old shooting range. The latter may contain substantial amounts of lead in the soil from spent bullets and shell casings which could be a source of contamination. It should be kept as open area or dedicated as open space. The Committee recommends that other portions of Icehouse Hill should be dedicated for open space or conservation purposes, such as portions which are adjacent to Bayshore Boulevard, the eastern portions of Icehouse Hill that contain native grasslands and potential habitat for the endangered butterfly species…

Chapter/Section: 4.7 Cultural and Tribal Cultural Resources

General Comments:

- None

Specific Comments:

- None

Chapter/Section: 4.8 Transportation

[Juli Armstrong]

General Comments:

- There is a safety issue in creating pathways for shared pedestrian and bicycle/motorized bicycle use. How will the Baylands Plan both encourage non-vehicle trips and protect pedestrians from motorized scooters and bicycles?
- Not all vehicle trips can be replaced with transit. Grocery shopping is logistically difficult to do on bicycle and public transit when the shopper needs to carry multiple heavy bags of groceries.

- E commerce creates a large number of weekly delivery trips; the increased population with the housing in the Baylands Plan will necessarily greatly increase the number of daily delivery vehicle trips

[Anthony Walker]

- The Transportation chapter of the EIR outlines a well-considered approach to supporting multi-modal mobility and reducing reliance on single-occupancy vehicles. The integration of land uses, adjacency to the Bayshore Caltrain Station and Muni T-Third light rail line all speak to thoughtful transit-oriented design. These strategies reflect best practices in urban planning, including walkable mixed-use development and proximity to high-quality public transit.
- The plan also includes an internal bicycle and pedestrian network, and a fare-free local shuttle service connecting the Baylands to downtown Brisbane and regional transit hubs. These measures are commendable and align well with the project's broader climate and mobility goals.
- However, given that transportation emissions are projected to be the single largest source of operational greenhouse gas emissions associated with this project, we encourage the City and developer to explore additional urban design strategies that preemptively reduce cars and reliance on fossil fuel vehicles. These may include:
    - Car-free zones or superblocks within dense residential and commercial areas (https://youtu.be/GlXNVnftaNs?si=qC7hkVQ-iNLMLBnz)
    - Congestion pricing or limited-access vehicle zones
    - Dedicated infrastructure and incentives for micromobility, last mile travel and carshare programs
    - Incentives and programs to aggressively promote or require the adoption of electric vehicles of all types for workers, residents and businesses
    - Expanded TDM programs with enforceable targets
- By embracing these enhancements, the City and developer have the opportunity to not only meet but exceed local and regional goals for transportation sustainability and public health.
- **A note on VMT:**
    - This has also been mentioned in other comments but it seems worth mentioning again in the context of this chapter particularly the difficulties of using Vehicle Miles Traveled (VMT) as a proxy metric for transportation-related greenhouse gas (GHG) emissions and other harms related to the burning of fossil fuels. A majority of the thinking in this chapter is aimed at reducing VMT explicitly as a core goal.
    - However, this conception of VMT assumes a largely static relationship between miles driven and emissions output, even as that relationship is evolving as California transitions aggressively toward zero-emission vehicles (ZEVs). While VMT remains a valuable measure of traffic congestion, land-use efficiency, and overall vehicle activity, it can overstate future climate and health impacts if used uncritically as a surrogate for emissions.
    - It seems important to underscore that – especially when speaking of Electric Vehicles powered with an increasingly emissions-free and renewable electrical

grid – the ultimate problem is not in fact vehicle miles traveled, but vehicle miles traveled ***in internal combustion engine vehicles***.

Specific Comments:

[Juli Armstrong]

- **[4.8.5 Additional Proposed Transportation Improvements: Bayshore Mobility Plan/4/8-49]** From Geneva Avenue south to San Bruno Avenue, the Bayshore Mobility Plan would:
    - Reduce the number of travel lanes from four (two in each direction) to two (one in each direction);
    - Reduce the posted speed limit from 45 miles per hour (mph) to 35 mph;
    - The proposed reduction in lanes on Bayshore would greatly impact local trips for local residents.

[Anthony Walker]

- **4.8.4 Relevant Specific Plan Provisions - b. Active Transportation Facilities;** Comment on Shuttle Service and Active Transportation Integration.
    - We commend the inclusion of a fare-free shuttle network as a key element of the Baylands' active transportation strategy. As described in this section, the integration of shared-use paths, bicycle facilities, and pedestrian infrastructure with an internal and regional shuttle network offers an excellent opportunity to reduce reliance on single-occupancy vehicle travel travelling to, from and within the Baylands.
    - However, we encourage further specificity regarding the shuttle system's long-term design, operations, and emissions profile. This section outlines phased implementation of shuttle service and notes connections to regional transit, but does not clarify:
        - Whether the service will continue beyond the construction and early buildout phases
        - Who will pay for and manage the fleet
        - The intended vehicle type, energy source, or fleet emissions standards
    - Given the plan's stated commitment to sustainability and its project-wide TDM goal of 25% trip reduction, we believe it is essential that this shuttle network be:
        - Permanent, not temporary
        - Integrated into all phases of development as a foundational mobility service
        - Operated exclusively using zero-emission vehicles, consistent with the principles laid out in the Baylands Sustainability Framework
    - Clarifying and codifying these design intentions within the Specific Plan would help ensure that the shuttle service functions as a reliable, sustainable mobility backbone — not just a transitional or symbolic measure.

- **Significance Conclusion for Impact TRA-2 (4.8-79) & Additional Mitigation Measures -** Comment on Active Transportation and Geneva BRT Integration (TRA-2)

    - We appreciate the clear and detailed mitigation measures laid out in MM TRA-2a through TRA-2c to address the most significant transportation design concerns. These measures reflect strong alignment with the City's General Plan, the Bi-County Transportation Study, and key elements of the Bayshore Mobility Plan.

    - In particular, we commend:
        - The commitment to restore continuous dedicated bus rapid transit (BRT) lanes along the Geneva Avenue extension and bridge,
        - The attention to off-site bicycle and pedestrian improvements, especially the Sierra Point and Bay Trail connections,
        - And the mitigation steps to preserve safe pedestrian and transit access in the vicinity of Fire Station 81.
    - These mitigations collectively address many of the concerns raised in earlier comments. We encourage the City to continue treating these improvements not simply as traffic mitigations, but as climate resilience infrastructure, given that vehicle emissions represent the single largest category of projected operational GHG emissions.
    - Ensuring these improvements are prioritized early and implemented effectively will help ensure the Baylands achieves its ambitious transportation and sustainability goals.

Chapter/Section: 4.9 Air Quality

General Comments:

[Anthony Walker]

- We appreciate the detailed analysis presented in Section 4.9 of the Draft EIR, which addresses both construction-phase and operational air quality impacts of the proposed Baylands development. Given the scale, duration, and location of the project, we believe air quality concerns must be central to the City's environmental and public health considerations. Below, we highlight areas of concern and offer recommendations to ensure the project aligns with best practices and public expectations for a net-zero and health-forward development.

  1. Construction Emissions – Prioritize Electrification and Monitoring
    - The multi-decade nature of this project means that construction emissions, particularly from diesel-powered equipment and dust-generating grading operations, pose a prolonged threat to local and regional air quality. While we commend the inclusion of standard best management practices, these alone will not fully mitigate emissions of PM10 and PM2.5, both of which are linked to significant health harms.
    - We urge the City to require the use of zero-emission or hybrid-electric construction equipment wherever feasible and to phase in progressively stricter

emissions standards over time. Additionally, the City should require real-time air quality monitoring during construction, with public-facing dashboards and responsive protocols when thresholds are exceeded.
    -

2. Operational Emissions – Reduce Mobile Sources and Reinforce Zero-Emission Transit

- The DEIR correctly identifies mobile sources as the largest contributor to operational emissions, particularly NOx and PM. This reinforces the importance of achieving substantial mode-shift away from single-occupancy internal combustion vehicles. We support the proposed fare-free shuttle network, but we are concerned by the lack of a requirement that it be electric from the outset.
- We reiterate our recommendation that all shuttle and local transit services associated with the Baylands be required to use 100% zero-emission vehicles. Additionally, we urge the City to explore the following:
- Car-free zones or superblocks within dense residential and commercial areas (https://youtu.be/GlXNVnftaNs?si=qC7hkVQ-iNLMLBnz)
- Congestion pricing or limited-access vehicle zones
- Dedicated infrastructure and incentives for micromobility, last mile travel and carshare programs
- Incentives or policies to limit fossil fuel vehicle use on site and aggressively promote or require the adoption of electric vehicles of all types for workers, residents and businesses
- Expanded TDM programs with enforceable targets and regular reporting

3. Cumulative Health Risk and Environmental Justice

- The Baylands lies adjacent to several existing sources of toxic air contaminants, including US-101, Caltrain, and legacy industrial uses. When combined with new project-related emissions, there is concern for increased cumulative cancer risk and long-term exposure to respiratory hazards.
- We request that the City provide greater transparency regarding cumulative health risk modeling and make that information readily accessible to the public. Where elevated risks are identified, additional mitigations or reconfiguration of land use planning (e.g., buffer zones or enhanced filtration standards) should be considered to protect sensitive receptors.

4. Exposure of Future Residents to Existing Pollution

- We are especially concerned about the potential for the project to place new residents, including children and seniors, into areas already burdened by poor air quality. Environmental justice principles suggest that communities should not be created in zones known to have higher pollution exposure without substantial design interventions.
- We encourage the City to:
- Prioritize placement of residential areas away from highways and industrial zones
- Require high-performance air filtration for all buildings
- Use green buffer infrastructure and landscape design to reduce pollutant infiltration

5. Diesel Backup Generators – Incompatible with Clean Energy Vision

- These concepts are addressed in greater detail in commentary on ***Chapter/Section: 4.10 Greenhouse Gas Emissions: Stationary Sources***, but in the context of air quality too, the continued allowance for diesel backup generators undermines the City's stated goals around clean energy and public health. With grid-scale battery storage proposed on site and commercial battery backup widely available, there is no compelling justification to permit new diesel generators for either residential or commercial uses.
- We strongly recommend that the City prohibit new fossil-fuel-powered backup generators in the Baylands, and instead support solar-plus-storage solutions for resilience. Doing so will align this development with modern best practices and reinforce its status as a forward-looking, climate-aligned community.
- In summary, while we appreciate the scope of the air quality analysis in the DEIR, we believe a higher standard is both necessary and achievable for a development of this scale. Prioritizing electrification, zero-emissions mobility, and protection for both current and future residents will help ensure that the Baylands contributes positively to the region's air quality and public health outcomes for decades to come.

Specific Comments:

[Anthony Walker]

- **Chapter VI: Conservation (4.9-45)**
  - While conservation has historically played an important role in resource management—particularly in the context of the 1970s energy crisis—it is critical to recognize that in the 2020s, efficiency alone is not sufficient to meet the urgent demands of climate action.
  - Our central problem is not that we're using fossil fuels inefficiently, but that we are still using them at all in 2025. There is no level of insulation that will bring a building's operational emissions to zero without switching its fuel source. No improvement in miles-per-gallon will eliminate a vehicle's emissions without transitioning to zero-emission propulsion. Fossil fuels are fundamentally unsustainable – full stop.
  - If Brisbane and the Baylands project are really serious about achieving decarbonization somewhere within the 2040–2050 timeframe—consistent with local, state, national, and international targets—then the policy and planning emphasis must shift from conservation *as the end goal* toward **swift and equitable elimination of fossil fuel use**.
  - Conservation can still have a role as a **short-term bridge measure** in sectors where full decarbonization is currently prohibitively difficult or expensive. This can help reduce emissions in the interim while zero-carbon solutions become more affordable and scalable. However, conservation should never be seen as the ultimate long-term solution. We have seen this dynamic before with hybrid vehicles—originally introduced in the 1990s as a bridge to full electrification. The bridge served its purpose, but you cannot keep building the bridge forever; eventually, you must arrive at your destination.

    - Conservation and efficiency measures should be reframed as supporting strategies that extend the benefits of zero-carbon systems (reducing costs, easing grid demand, increasing comfort), but never as a substitute for full fuel-switching. Aligning our approach in this way ensures that "significant and unavoidable" emissions are not baked into the project by relying on outdated efficiency-centric paradigms.
- **Brisbane Climate Action Plan (4.9-48)**
    - The DEIR notes that Brisbane's Climate Action Plan (CAP) originally targeted a 15% reduction in GHG emissions from 2005 levels by 2020, and that as of the 2023 GHG inventory, the City has achieved a 15.72% reduction—slightly exceeding the original modest goal. While that milestone is worth recognizing – and this part of the DEIR is probably worth updating since the information is out of date – it is essential also to place it in context.
    - In 2021, the City adopted far more ambitious targets: a **66% reduction by 2030** and **carbon neutrality by 2040**. As of 2025, we are less than five years away from the 2030 target and only 15 years from the 2040 deadline—yet we have closed less than one-quarter of the emissions gap toward the 2030 goal. This indicates that our current pace of implementation is not nearly sufficient.
    - Meeting these targets will require an accelerated and coordinated approach that prioritizes deep decarbonization strategies, immediate scaling of zero-emission infrastructure, and aggressive phase-out of fossil fuel use in all sectors. Without a significant increase in both the speed and scope of our actions, the City risks falling irreversibly behind on its stated climate commitments.
- **Emergency Fuel Tanks at the Corporation Yard (4.9-58)**
    - The proposal to install a 2,000-gallon diesel or ethanol storage tank and two 1,000-gallon propane tanks at the Corporation Yard to support emergency generators is fundamentally at odds with Brisbane's stated climate goals and public health objectives. While the DEIR notes that stored fuel itself does not emit substantial TACs, this sidesteps the reality that the purpose of this fuel is to run fossil-fuel-powered generators — which *do* emit harmful pollutants.
    - With grid-scale battery storage proposed for the Baylands and commercially available battery backup solutions already widely deployed, there is no compelling justification for new diesel or propane generators in 2025 – let alone 2030, 2043 or beyond. Battery systems paired with solar can provide equal or greater reliability, eliminate air and noise pollution, and reduce long-term maintenance and fuel costs. Unlike combustion-based systems, battery storage poses no fuel spill risks, and its use completely avoids the local air quality and health concerns associated with generator operation.
    - **We recommend that the City prohibit new fossil-fuel-powered backup generators within the Baylands, requiring instead solar-plus-storage solutions where resilience is needed.** This development is a once-in-a-generation opportunity to create a model 21st-century community, and permitting outdated backup systems risks undermining its clean energy leadership.
    - **We further recommend that the City adopt a citywide policy prohibiting the installation of new fossil-fuel-powered backup generators for all new or relocated municipal facilities — including the proposed relocation of the firehouse to central Brisbane.** Emergency services are critical, but in 2025,

proven zero-emissions alternatives can meet operational needs affordably without locking in decades of pollution, fossil fuel dependence, and climate misalignment.

- If Brisbane is serious about meeting its 2030 and 2040 climate targets, it cannot afford to be installing technology in 2025 that would have looked right at home in 1983. A development intended to serve residents in 2043 should be equipped for 2043 — not built around the outdated assumptions of the last century. By setting a clear standard now, the City can ensure every new investment moves Brisbane closer to its climate goals, rather than further away.

Chapter/Section: 4.10 Greenhouse Gas Emissions

General Comments:

[Anthony Walker]

- This chapter is one of the most critical sections of the entire DEIR because it addresses one of Brisbane's core policy commitments: carbon neutrality by 2040. And it's here that the project's most serious environmental impact—its massive GHG footprint—is acknowledged as "significant and unavoidable."
- The EIR estimates net additional emissions from the Baylands Development of approximately 51,260 MTCO□e annually driven mainly by new transportation demand and including construction emissions amortized over 30 years. For context, that is an increase of approximately 72% of Brisbane's existing total emissions (71,222 MTCO2e) as of the most recent 2023 emissions inventory.

Annual Emissions	Total MT CO2e	MT CO2e Added	MT CO2e Reduced	Percent Reduced	Percent Increased
Brisbane 2005 baseline	84,511				
Brisbane GHG Inventory 2019	75,302		9,209	10.9%	
Brisbane GHG Inventory 2021	72,969		11,542	13.66%	
Brisbane GHG Inventory 2023	71,222		13,289	15.73%	
Baylands Annual Emissions Projection	122,482 *	51,260			45%

* Assumes stasis at 2023 levels for simplicity + Baylands emissions compared to the 2005 baseline

- Even with a wide-reaching and positive package of proposed on-site measures—including electrification of buildings, a substantial on-site solar farm and battery storage system, preferred EV parking, low-GWP refrigerants, renewable-fuel shuttles, and recycled water facilities—the residual emissions remain far above the city's articulated net-zero threshold. This on-site renewable energy is credited in the model and does reduce building operational emissions significantly – which is highly commendable – but it cannot address the dominant transportation emissions component that remains the major driver of the project's footprint. The EIR admits that “the only remaining feasible measure” to close this gap is the purchase of offset credits. More on that later.

Table 4.10-5 Anticipated Operational Emissions at Full Specific Plan Buildout (4.10-32) + Percentages Added

Source	Annual GHG Emissions (MTCO2e)	% of Operational	% of Total
Area (Landscape equipment + refrigerant emissions)	228	0.466%	0.444%
Energy Use	15	0.030%	0.029%
Emergency Generators	984	2.014%	1.919%
Mobile (Vehicles)	45,428	93.023%	88.622%
Waste	1,749	3.581%	3.412%
Water	134	0.274%	0.261%
WRF Wastewater	166	0.339%	0.323%
Refrigeration	131	0.268%	0.255%
Subtotal Operational Emissions	48,835	100%	95.3%
Amortized Construction Emissions	2,425		4.7%
Total	51,260		100%

- In fairness, it is important to recognize that the annual net emissions estimate of ~51,260 MTCO□e is appropriately conservative for the purposes of CEQA review. The modeling assumes current regulatory trajectories but does not fully credit anticipated widespread EV adoption, fleet turnover, or continuing decarbonization of California’s electricity grid

over the next several decades—a caution that is methodologically sound but could easily diverge from reality quite drastically. This conservative approach highlights a key policy challenge: unless the City develops a way to track actual transportation fuel use and EV adoption rates over time, we risk imposing unnecessarily large offset requirements on the developer – and over estimating our own emissions even as real-world emissions decline due to broader systemic shifts.

- This also underscores a long-running critique of using Vehicle Miles Traveled (VMT) as a proxy metric for transportation-related greenhouse gas (GHG) emissions. VMT assumes a largely static relationship between miles driven and emissions output, but that relationship is evolving as California transitions aggressively toward zero-emission vehicles (ZEVs). While VMT remains a valuable measure of congestion, land-use efficiency, and overall vehicle activity, it can overstate future climate impact if used uncritically as a surrogate for emissions.
- That said, it's important to note that the EMFAC model used in this analysis does incorporate some assumptions about fleet electrification and fuel economy improvements, meaning the link between VMT and GHGs is already partially decoupled in the modeling. However, we believe the electrification assumptions used here — for example, projecting only a roughly 12.7% share of zero-emission vehicles in San Mateo County by 2043 — are excessively conservative, especially given the State's legally binding targets of 100% ZEV sales by 2035 and statewide carbon neutrality by 2045.
- We recommend the City acknowledge both the limitations and assumptions baked into this modeling approach and commit to integrating real-world fuel mix and EV adoption data into future project-level monitoring and GHG reporting to ensure alignment with Brisbane's stated 2040 net zero goal.
- **Energy Use (4.10-26)**
    - The Baylands development is planned to include solar powered infrastructure estimated at 92,445 MWh of annual electricity generation + 30MWh of distributed storage + an additional 250MWh of utility scale storage with the goal of covering around 53% of energy needs for the entire complex with this onsite infrastructure. This is 100% the right track – love to see it!
    - However, the emission estimates associated with energy use are also operating on the assumption that the grid is still not 100% *renewable since "GHG emission factors for electrical demand for Phase 1 operations (2038) and full buildout at 2042 were calculated based on PG&E's power content label for 2022" (4.10-28)*
    - However this would seem to be something of an overestimation given that PG&E has reported it was running 100% GHG emissions free in 2023 & 2024. As this is the case, the projected electricity emissions levels represented in the EIR may in fact be fairly negligible.
- **MM GHG-1e: GHG Offset Credits**
    - A further systemic concern is the DEIR's reliance on offsets as a primary solution. Offset markets only function if there are enough real, verifiable emissions reductions available to sell as credits. As society transitions more broadly to a net-zero economy, the pool of viable offset projects is expected to shrink significantly—many analyses predict rising prices and even a risk of market collapse if demand exceeds supply. This type of acute pinch or collapse scenario seems increasingly likely as various regional and national carbon neutrality goals begin to converge.

    - For context, Brisbane is targeting 2040, the State of California 2045, and the United States National target is 2050. Short term political winds may well shift, but regardless of what specific scenarios play out, long term commitments have been made, and it seems fair to assume that by the time the Baylands development is estimated to be completed (30+ year time horizon = somewhere in the early to mid 2040s at the earliest) the offset market is likely to be under immense stress.

    - It is therefore risky to treat offsets as a guaranteed, perpetual solution without also investing in direct local reductions, enforceable VMT-reduction strategies, and contingency funding mechanisms to ensure Brisbane retains control over its climate commitments even if the offset market fails to deliver at scale. While the EIR is commendably direct about the fact that full mitigation to net-zero within the site boundaries is impossible with the currently proposed measures, its reliance on a large-scale offset program as the only feasible mitigation measure raises substantial concerns about certainty, enforceability, cost, and local benefit.
    - As currently written, the offset strategy is both highly constrained and highly uncertain:
        - It prioritizes (appropriately) local and regional offsets (City, County, Bay Area, State), but the EIR itself acknowledges that sufficient local credits may not exist, and that there is no guarantee of either availability or affordability. Add to that the fact that only three specific offset registries (ACR, CAR, Verra) are permitted as sources, which narrows supply even further and may limit flexibility acutely.
- As of the time of the writing of this commentary (7/2025) we reached out to all three carbon registries explicitly approved in the Baylands EIR—ACR, Climate Action Reserve, and Verra—to ask about local offset availability. All confirmed that:
    - No existing carbon offset projects existed in Brisbane, and only one was available in San Mateo County. Most were State of California at best. Only Climate Action Reserve had three Bay Area projects, in Sonoma, Napa & San Mateo County.
    - All three registries confirmed that offsets must be purchased through third-party project developers—the registries themselves do not sell credits directly.
    - They each maintain searchable databases – links and summaries below
    - All acknowledged that sourcing a large volume of offsets geographically constrained in the manner required by the Baylands EIR may prove difficult or infeasible going forward.
    - While it's technically possible to develop new offset projects locally – that is to say offset projects could theoretically be developed in Brisbane to service this need – it involves a lengthy and complex process of documentation, validation, and verification.
    - Concerns about the long-term viability and supply of carbon offsets were validated, especially as demand increases in the transition to a net-zero economy.
- As a thought experiment, we asked ourselves "If we were to try to meet these requirements today, what would that look like?" To answer that question we reviewed the

current contents of each of the three approved registries as of 7/2025. Below are a summary those results:

- **ACR (American Carbon Registry):**
  - https://acr2.apx.com/myModule/rpt/myrpt.asp?r=111
  - As of 7/21/2025, there were currently 906 projects in the US and abroad of which 6 projects were registered (available) in California:
  - Brisbane = 0
  - Bay Area = 0
  - California = 6
  - All California projects involve either Improved Forest Management (IFM) on Non-Federal U.S. Forestlands or Wetland restoration. Emissions offset volume would suffice (854,412 in total), but it is difficult to say if a similar program of an equal scale would be readily available or affordable in a subsequent year as urgency and competition increase.
- **Climate Action Reserve:**
  - https://thereserve2.apx.com/
  - As of 7/21/2025, there were currently 1133 projects in the US and abroad of which 54 projects were registered (available) in California:
  - Brisbane = 0
  - Bay Area = 4 (Sonoma, Napa & San Mateo Counties – 2,003,866 in total)
  - California = 54
  - All California projects involve either Improved Forest Management (IFM), Conservation based forest management, Reforestation or Livestock. Emissions offset volume would suffice, but it is difficult to say if a similar program of an equal scale would be readily available or affordable in a subsequent year as urgency and competition increase.
- **Verra (VCS Registry):**
  - https://registry.verra.org/app/search/VCS
  - As of 7/21/2025, there were currently 39 registered (available) projects in the US:
  - Brisbane = 0
  - Bay Area = 0
  - California = 2
  - Both of the California Projects involve Foam Stabilized Base and Emulsion Asphalt Mixtures in Pavement to repair highways (apparently parts of Interstate 580). Emissions offset volume would suffice (96,740 in total), but it is difficult to say if a similar program of an equal scale would be readily available or affordable in a subsequent year as urgency and competition increase.

Conclusion and Recommendations on Offsets

- While the EIR's analysis is legally thorough in acknowledging the Baylands' GHG emissions as "significant and unavoidable," this should not be interpreted as a license to approve business-as-usual emissions on the assumption that a theoretical offset mechanism will close the gap. Brisbane has declared a climate emergency and committed to achieving net-zero emissions by 2040. A development of this scale — which could nearly double the city's population —

must be accompanied by a real, enforceable plan to make the community whole when it comes to emissions impacts.
    - Relying exclusively on offsets risks outsourcing Brisbane's climate responsibilities. It treats mitigation as a financial transaction rather than prioritizing direct, local, funded and permanent emissions elimination strategies. While the EIR prioritizes sourcing credits from local or regional projects, it concedes that there is no guarantee such credits will be available or affordable — especially given rising demand from other Bay Area cities adopting similar offset-reliant approaches. This could result in intense competition for a shrinking supply of high-quality local credits, driving up prices and undermining the feasibility of this mitigation pathway.
    - Offset markets are also expected to face increasing stress as jurisdictions across California and the U.S. converge on net-zero targets between 2040 and 2050. As the Baylands buildout stretches into the mid-2040s and beyond, the availability and/or affordability of credible offsets may become severely constrained — particularly for high-emitting projects like this one. It is therefore risky to treat offsets as a guaranteed, perpetual solution.
    - We therefore recommend the City reframe offsets as a solution of last resort — reserved for only the hardest-to-abate sectors — and instead rewrite this section to allow us to be flexible enough to leverage more than just the three registries narrowly and explicitly allowed. It is our view that we must be flexible enough to adapt to the many changes in the coming decades and prioritize and fund direct, enforceable local reductions programs and other flexible mitigation strategies first and foremost. Some solutions might include but are not limited to:
- **Climate Mitigation and Resilience Fund**
    - Require the developer to contribute to a dedicated local fund to offset the project's net GHG emissions if sufficient qualifying offsets cannot be procured. Such a fund would support any number of local programs or initiatives with a measurable emissions reduction impact, such as EV purchase incentives, zero-emissions public transit, active transportation infrastructure, direct electrification assistance, distributed renewable energy installations, and energy efficiency upgrades to name just a few.
- **Clear Enforcement and Verification**
    - Establish transparent processes for verifying contribution/offset credit sufficiency — including registry approval, project location, certification standards, and public disclosure — prior to key project milestones. The City must explicitly retain authority to deny permits if contribution requirements are not being met.
- **Stronger On-Site Commitments**
    - Maximize all feasible direct reductions before turning to offsets. For mobile emissions (vehicles) in particular, require enforceable mode-share targets, robust EV charging infrastructure (e.g. Level 2 or higher across a majority of parking spaces throughout the development), strong TDM programs, and coordination with residents, workers, businesses and transit agencies to aggressively decarbonize fleets and improve access and service to zero emissions vehicles.
    - In summary, the offset strategy appears fundamentally misaligned with the source of the problem it seeks to address. The overwhelming majority of the Baylands' GHG footprint is expected to come from vehicle use — a local, mobile

emissions challenge. Yet the mitigation approach proposed here relies heavily, and explicitly, on purchasing offset credits from projects that will almost certainly be located elsewhere, and are most likely forestry projects. While such projects may have global climate value, they do nothing to directly reduce the vehicle miles traveled, tailpipe emissions, or transportation inequities within Brisbane and its immediate surroundings. It is difficult to justify sending significant sums of money out of the community to address a global emissions problem indirectly, when the same resources could be invested in aggressive, enforceable local strategies to reduce vehicle emissions at their source and bring us closer to our 2040 net-zero goals. This is not only more consistent with the City's declared climate emergency but would also yield tangible, co-beneficial improvements to air quality, mobility, and public health for Brisbane residents.

- Ultimately, a credible climate mitigation strategy must remain grounded in real-world constraints. Offsets may play an important supporting role, but they cannot be the cornerstone. Brisbane should retain flexibility and control by requiring direct local action first — ensuring long-term accountability and alignment with our city's net-zero goals.

- **Waste and Wastewater**
  - The EIR states:
  - "GHG emissions would be generated by non-electrical processes of the water recycling facility. Anaerobic digesters produce methane-rich biogas, which is typically combusted on site." (4.10-28) This is a possible generation source – has any thought been put into additional onsite co-generation and/or attached battery storage so that this natural byproduct of the treatment process can be put to good use? Same question for solid waste emissions.
- **Stationary Sources**
  - The inclusion of emergency diesel generators in a development marketed as all-electric and net zero is a deeply concerning inconsistency that undermines the integrity of the project's stated goals. With an estimated 92,445 MWh of annual solar generation, 30 MWh of distributed storage, and 250 MWh of utility-scale battery storage already planned, the Baylands has every opportunity to meet its emergency energy needs cleanly and responsibly — yet the EIR proposes adding new fossil fuel infrastructure – even including an 80HP diesel generator literally attached to the solar farm (?!). This contradiction is very difficult to justify.
  - Brisbane has committed to achieving net zero emissions by 2040. California's statewide carbon neutrality goal is 2045, and the United States' national target is 2050. By the EIR's own timeline, the Baylands project will not even be fully constructed until 2043 — only two years before the State's deadline, and seven years before the national target. In other words: we will be finishing this project in the era of battery-powered everything, yet installing equipment that belongs in 1983. This is not forward-thinking design; it's locking in outdated technology at the exact moment we should be racing toward the clean energy finish line.
  - The choice of diesel generators also introduces unnecessary environmental risks, such as fuel spills and localized air pollution, while directly contradicting the project's all-electric design. The emissions alone are significant: emergency generators are estimated to emit 984 MTCO□e per year — more than double the annual carbon sequestration capacity of Brisbane's entire existing tree canopy.

Even with the proposed 30% canopy expansion, generator emissions would still vastly outstrip our local offsetting potential.
    - This infrastructure decision is especially puzzling given the availability, declining cost, and financial attractiveness of battery alternatives. One Tesla Megapack, for example, offers 3.9 MWh of capacity — more than sufficient for typical emergency backup needs — and can be scaled modularly to meet higher demand. Federal *Investment Tax Credit* (ITC) incentives currently provide a base 30% cost offset for standalone battery storage, with potential bonus credits pushing total incentives to **50% or more** for projects meeting certain criteria. For an installation of this scale, that could represent **tens of millions of dollars in savings**, turning battery storage into not just the cleaner choice, but also the clear financial winner.
    - And unlike diesel generation, battery storage can also provide multiple other ongoing revenue streams and benefits: time-of-use arbitrage, clean emergency power, and seamless integration with the site's existing solar infrastructure. Maintenance and safety risks are dramatically reduced, and greenhouse gas emissions are eliminated altogether.
    - Given the city's climate commitments and the clear feasibility — and financial sensibility — of a cleaner alternative, we urge the City to revisit this choice. If diesel generators must remain part of the current design for existing legal, permitting or operational reasons, the Development Agreement should at a minimum include the flexibility — if not a requirement — to transition to battery-based backup as soon as practicable. Net zero emissions must be more than a slogan; it must be a guiding principle embedded into every aspect of the project's design.
- **A note for scale and context:** based on our recent PlanIT Geo Urban Tree Canopy survey, our existing canopy in Brisbane is capable of sequestering 903,467.5 lbs CO□/year ≈ 409.7 MTCO□e/year. A recent initiative proposes adding an additional 30% to the canopy, which would result in an estimated additional 12,588 lbs of CO□ annually, or a total carbon sequestration capability of 415.56 MTCO□e/year. Emergency generators alone are estimated to emit 984 MTCO□e/year – more than double what our local tree canopy can actually handle.
- **Comment on EV Charging Infrastructure Shortfall**
    - The DEIR states:
    - "The applicant provided an estimate of proposed off-street EV charging spaces, both with and without all necessary charging equipment to qualify as an electrical vehicle charging station (EVCS). A comparison of these estimates with the CALGreen Tier 2 voluntary EV charging requirements indicates that, while the project would meet Tier 2 requirements with respect to single family housing, it would be below the requirements for multifamily residential and non-residential uses. Thus, Specific Plan development would not be consistent with BAAQMD CEQA thresholds in relation to EV charging spaces." (4.10-50)
    - This unfortunate and unnecessary shortfall – especially given the project's long buildout timeline and the state's aggressive push toward transportation electrification – is a massive missed opportunity. The City has committed to achieving net zero emissions by 2040 — and since mobile sources are the single largest contributor (88%+) to this project's long-term GHG footprint, every

opportunity to reduce or eliminate these emissions on-site should be pursued aggressively.
    - Investing in more robust EV charging infrastructure now — particularly in multifamily and non-residential settings — is not only a matter of long-term sustainability, but also basic cost-effectiveness. The more we can support early and widespread EV adoption among residents, employees, businesses and visitors, the less the project will ultimately need to rely on expensive and uncertain offset market purchases to meet its climate obligations.
    - Moreover, EV infrastructure has a crucial equity dimension. For homeowners, Level 2 home charging is what allows them to charge inexpensively overnight — eliminating concerns around charging times and realizing the vast majority of the cost savings over gasoline that make EVs so compelling. Renters, by contrast, often lack access to any charging infrastructure at all and must rely on expensive public fast chargers, eroding potential savings and presenting a major barrier to adoption. Without reliable charging where they live and work, many renters will delay or decline switching to EVs entirely. Ensuring strong multifamily and workplace charging access is therefore a key strategy for an equitable and inclusive transition.
    - Further, the City and developer should consider proactive integration of EV infrastructure with solar generation, such as through solar canopies over parking lots. This would support grid resilience, reduce operating emissions, and offer a visible, future-forward signal of Brisbane's commitment to clean energy.
    - While CALGreen Tier 2 provides a valuable benchmark, it should be treated as a minimum — not a ceiling. We strongly urge the City to condition approval on compliance with or exceeding CALGreen Tier 2 standards across all building types, and to explore opportunities to go further—especially in areas with high anticipated parking demand or long dwell times, where charging access will be most impactful.

General Comments:

- No Comments

Chapter/Section: 4.11 Energy Resources

General Comments:

[Anthony Walker]

- The Energy Resources chapter reflects a commendable and forward-looking approach to sustainability, and it's worth celebrating the many ways in which this plan sets a high bar for responsible development. In particular, we applaud the commitment to developing a "net zero energy" project through the elimination of on-site natural gas use, implementation of all-electric construction, and incorporation of a substantial solar photovoltaic (PV) system and battery energy storage. The plan anticipates that "the majority of electricity demand would be met through on-site generation," and notes that buildings would be designed to meet or exceed California Energy Code requirements through passive design strategies, energy-efficient lighting and appliances, and robust

thermal envelopes. Together, these elements demonstrate an admirable commitment to reducing operational emissions and increasing long-term energy resilience.

- The scale and ambition of the proposed on-site renewable energy infrastructure — including solar farm and building rooftops, solar canopies over parking area, as well as battery energy storage — will help reduce strain on the grid, manage peak demand, and offer potential future resilience benefits in the face of climate-driven disruptions. These are precisely the types of integrated design strategies Brisbane should be encouraging for new development.
- We also appreciate the project's stated intention to pursue a Tier 2 designation under CALGreen voluntary measures, which includes enhanced performance targets across energy and sustainability categories. This aligns well with the City's own climate and energy goals.
- One area that warrants additional attention, however, is the energy impact of construction itself. While the chapter focuses primarily on operational energy demand, it's important to acknowledge that construction phase emissions and energy use — from diesel-powered equipment, materials transport, and other site activities — are substantial and occur upfront. The EIR notes that as regulations tighten and cleaner equipment becomes more widespread, future construction phases are likely to be significantly less carbon-intensive. That is encouraging, but even today, meaningful steps can and should be taken to reduce construction-related energy use and emissions. This includes requiring the use of electric or hybrid construction equipment where feasible, limiting engine idling, providing on-site charging from renewable sources, and favoring low-embodied-carbon building materials.
- We also wish to highlight concerns related to mobile energy use and stationary diesel generators. These concerns were called out in more detail in comments on previous chapters (See comments on Chapter/Section: 4.10 Greenhouse Gas Emissions) but Mobile sources — particularly vehicles — remain the largest contributor to the overall GHG footprint of the project, and while transportation energy is discussed primarily in the context of emissions, it is also a substantial factor in total energy demand. Stronger commitments to transit access, mode shift, and zero-emissions vehicle adoption can meaningfully reduce this impact over time.
- Similarly, the continued inclusion of diesel-powered backup generators appears fundamentally misaligned with the project's otherwise forward-looking energy strategy. As noted in the GHG Emissions chapter, emergency generators alone are estimated to emit 984 MTCO□e per year — more than twice the annual carbon sequestration capacity of Brisbane's entire urban tree canopy. This is particularly troubling in a project that also already includes substantial battery storage. With the state moving rapidly toward grid decarbonization and the City pursuing net zero emissions by 2040, it is both feasible and necessary to explore clean backup power alternatives, including additional battery storage powered by renewable energy. We strongly urge the City to re-evaluate the inclusion of new diesel generators in a plan that likes to tout the 'elimination of on site fossil fuel use' and consider requiring clean backup systems of an equal capacity as a condition of approval.
- With these small but meaningful refinements, the energy strategy outlined here can become an even stronger model for climate-aligned development.

Specific Comments:

[Anthony Walker]

- **Electricity (4.11-3)** Especially coming right off of the State-Wide Energy profile that goes into all sources, it seems worth going into more detail about PG&E's sources and not just mentioning the percentage of renewables.
    - They may not have been 100% *renewable*, but in 2023 and 2024 PG&E's power label was 100% GHG emissions free. This differs from the statewide numbers and is noteworthy and important. And Since emissions estimates in this report appear to be based on PG&E's 2022 numbers (95% GHG emissions free), this fact could materially affect the intensity of emissions projections from electricity use.
      https://www.pge.com/assets/pge/docs/account/billing-and-assistance/bill-inserts/1224-power-content-label.pdf
      https://www.pge.com/assets/pge/docs/account/alternate-energy-providers/PCE_ElectricPowerGenerationMix.pdf

- **Relevant Specific Plan Provisions (4.11-4)**
    - A comment on Battery Storage Ownership and Revenue Participation. The EIR appropriately highlights the integration of battery energy storage — both distributed and utility-scale — as a key component of the project's net-zero energy strategy. Battery storage associated with each building, and a utility-scale system adjacent to the on-site solar farm, would allow for improved energy management and resilience. This is a forward-looking and commendable inclusion.
    - However, the EIR does not address several important operational and equity considerations that arise at this scale of deployment. In today's energy landscape, battery storage — especially at the utility scale — is not merely a backup power source. The majority of this report seems primarily concerned with energy consumption, however these assets can actively participate in bidirectional grid services such as demand response, energy arbitrage (e.g., Tesla's Autobidder platform), as well as virtual power plant (VPP) programs, providing substantial ongoing economic value through direct market participation.
    - As an example, the Hornsdale Power Reserve in South Australia is now a similarly sized grid-scale battery installation (slightly smaller at 194MWh capacity) connected to a 315MW wind farm (99 turbines – the Baylands total solar would be 59.8MW as planned). For scale, this is equivalent capacity to a typical small to medium sized peaker plant.
    - Now this is a different configuration than what is planned for the Baylands and different energy markets etc. to be sure, but the Hornsdale Reserve is estimated to earn about $18 million /yr. for its operators and the initial pre-expansion installation (129MWh) is said to have paid for itself in the first two years of operation.
    - And this is all completely ignoring the additional 30MWh of distributed storage planned throughout the Baylands development that would be attached to smaller buildings and residences and capable of similar types of market participation.

    - Setting aside any specific numbers for a moment, it does seem clear that at this scale BIG potential profits would be in play for somebody here – and we need to clarify what the contours of a deal this size look like for Brisbane.
    - We recommend the City seek clarification and stronger commitments in the Development Agreement regarding:
- **Ownership and operational control:** Clarify who will own and operate the distributed and utility-scale storage systems — the utility, the developer, a third party, the City, or individual residents themselves?
- **Access and data transparency:** Will residents or business owners have app-based access to monitor and/or control their building's solar and storage systems? How will data privacy and transparency be handled?
- **Revenue sharing or reinvestment:** If/when grid participation generates revenue, how will it be distributed? We strongly encourage structuring the project so that proceeds from these energy services are returned to directly benefit the community — either through reduced utility bills, reinvestment in public programs or infrastructure to reduce GHG emissions, or contributions to a City Climate Resilience Fund.
- **Brisbane Electric:** given that the developer presumably will not be a permanent fixture in the city after construction is completed, it may be necessary that some entity manages the ongoing operations, management and upkeep of all battery and solar infrastructure. Does the formation of a new municipal electric utility to provision and manage these assets under the direction of the city make sense?
- **Vehicle to Grid (V2G) / Vehicle to Load:** previous plans and claims about this development included mention of a shared vehicle fleet and Vehicle-to-Grid (V2G) as part of the overall energy makeup. In a V2G configuration, Vehicles would effectively become additional stationary battery storage, contributing power back to the grid or to other localized battery storage when not in use, but any mention of it is missing from this chapter. Has this idea been discarded completely? If not, how it will be handled in terms of ownership and operational control should also be discussed.
    - Given the project's scale and ambitions, this is a unique opportunity to align technological innovation with public benefit – but the specifics need to be clarified. Ideally, if Brisbane will be hosting solar and battery storage on this scale it should not only serve resilience and sustainability goals, but also contribute to financial equity and long-term community prosperity.
- **Local Transit (4.11-38)**
    - Comment on Local Transit Shuttle Emissions. The EIR notes that while the Baylands Sustainability Framework sets a target for using electric (renewable energy) shuttles, the Specific Plan "does not include a requirement for its proposed shuttle system to use zero-emission vehicles." Given the scale and visibility of this project — and its stated commitment to sustainability — this omission is significant.
    - We strongly recommend that the City require all shuttle services associated with the Baylands development to operate using 100% zero-emission vehicles from the outset. A fare-free local transit network is an excellent step toward mode-shift and mobility equity, but allowing fossil fuel-powered shuttles would undermine the

project's climate goals, add to local air pollution, and run counter to the spirit of the net-zero energy vision outlined elsewhere in the plan.
    - Additionally, it is unclear whether this shuttle service is intended as a permanent fixture or only during the construction phases. If the City is serious about reducing mobile source emissions and increasing access to transit, the service must be permanent and designed as a long-term mobility solution — not just a temporary mitigation measure during site buildout.

Chapter/Section: 4.12 Noise & Vibration

[Mary Rogers]

General Comments:

- Many tables shown in this chapter includes areas outside of Brisbane (i.e. Desmond Street, Wheeler Avenue, Lathrop Avenue, etc in San Francisco. Have these residents been notified of the DEIR?
- 4.12 33 – Per Section 8.28.060 of the Brisbane Municipal Code, construction activities are to be maintained between 7:00 a.m and 7:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m on weekends and holidays. This is if all activities are going according to plan and no hiccups. The likelihood of these operating hours will go beyond the time-limits in order to stay within timelines. The community could experience noise levels around the clock. For example, pile driving throughout the night due to other factors such as road closures, etc.
- Construction outside Brisbane's allowed hours would violate local code and result in a significant environmental impact, primarily due to noise, legal non-compliance, and degradation of community well-being and quality of life.
- If the Baylands Specific Plan doesn't manage noise and vibration, nearby communities may experience:

Noise Impacts

- NOI-2: Excessive Equipment/Facility Noise
    - Stationary sources (like HVACs, pumps, or generators) could exceed:
        - 5 dBA above ambient noise at homes or sensitive sites, or
        - Brisbane's Municipal Code limits.
    - Impact: Disruptive background noise affecting comfort and livability.
- NOI-3: Increased Traffic Noise After Development
    - Project-generated traffic could raise ambient noise levels:
        - +5 dBA in quiet areas
        - +3 dBA in moderate areas
        - +1.5 dBA in loud areas

- Impact: Noticeable and potentially harmful increases, especially near homes, schools, or parks.

- NOI-4: Unsafe Noise Exposure for Baylands Residents
  - New housing or hotels could be exposed to:
    - 65+ DNL from freeways/railroads
    - 65+ CNEL from aircraft
    - 45+ DNL indoors, exceeding California Title 24 standards
  - Impact: Poor living conditions and potential health effects for future residents or guests.

Vibration Impacts

- NOI-5: Harmful Vibration from Construction or Operations (especially pile driving for foundations and pile driving for the solar panel field AND the Soil Stabilization – deep dynamic compaction)
  - Annoyance Thresholds:
    - 72 VdB at homes (if >70 daily events)
    - 80 VdB at businesses
  - Damage Risks:
    - Historic structures at 0.25 in/sec
    - Modern structures at 0.5 in/sec
    - Underground utilities at 4.0–10.0 in/sec (per AASHTO)
  - Impact: Human discomfort, structural damage, and utility disruption.
- NOI-6: Building in Vibration-Prone Zones
  - New homes/hotels would experience:
    - 80 VdB or more (fewer than 30 events/day), or
    - 72 VdB or more (70+ events/day)
  - Impact: Persistent vibration problems for new residents.

Bottom Line:

Without strict mitigation, the Baylands development could result in:

- Persistent noise disturbances

- Traffic-related sound increases
- Unsafe living conditions
- Structural damage and utility risk
- Reduced quality of life for Brisbane residents

Specific Comments:

- No Comments

Chapter/Section: 4.13 Hazards and Hazardous Materials

[Michele Salmon]

Reminder:

Site remediation and Title 27 final landfill closure will be undertaken pursuant to the regulatory oversight of the Department of Toxic Substance Control (DTSC), San Francisco Regional Water Quality Control Board (RWQCB), and San Mateo County Environmental Health Services as the local enforcement agency for landfill closure. As a result, **site remediation and landfill closure activities undertaken pursuant to the regulatory oversight of state and regional agencies that are prerequisites to Baylands development are not part of the 2025 Specific Plan project** and are not analyzed in this EIR. However, site grading activities subject to a City grading permit that would result in building pads for Specific Plan development are part of the Specific Plan project and are analyzed in this EIR. Page 4.13-1

NOTE: This chapter keeps referencing Section 2.7.2 Site Remediation. It is Section 2.5.2

NOTE: This chapter keeps referencing (Geosyntec 2021a) and (Geosyntec 2021b) and I cannot find either of these documents.

NOTE: This chapter keeps referencing the 2018 Data Gap Investigation

All of these documents should be in the Appendices if they are referred to in the DEIR/EIR

General Comments:

- Section 4.13.1 Page 4.13.1 **Brisbane General Plan** policy requires site remediation and landfill closure to be undertaken pursuant to the regulatory oversight of state and regional agencies prior to development permitted by the Specific Plan. When, exactly will this **prerequisite work** be initiated and completed?
- Section 4.13.1 Pages 4.13.2-4 **Definitions** – It is very important that in reviewing this section, we clearly understand that "**Constituent of concern, chemical of concern, or contaminant of concern is a hazardous material** that has the potential to cause damage to human health or the environment and create a "risk" to human health and the environment." All of these stated definitions are very important to understand in common terms. Terms such as exposure pathway, exposure route, extremely hazardous

substance, etc. are serious euphemisms used throughout the document substituted for terms considered to be too harsh or unpleasant. For example: **Exposure route is the way a chemical or pollutant enters the organism after contact. Four exposure routes are recognized in risk evaluation methods: ingestion, inhalation, dermal (skin and eye), and injection.** Now substitute poison for chemical, child for organism, and eat for ingestion. How many kids love to eat dirt? These more benign euphemisms and many others are used throughout this section and the entire document to obfuscate and calm the reader to the real inherent dangers that are NOT adequately able to be safely mitigated to prevent not only environmental harm, but grievous harm to human health.

- The Brisbane Baylands is bordered on one side by Bayshore Boulevard and on the other by U.S 101. Lead deposition along highways is primarily a legacy of leaded gasoline use, with significant amounts of lead accumulating in roadside soil and vegetation. While the use of leaded gasoline has been phased out in many regions, the lead previously deposited remains, posing potential risks to human health and the environment. Nowhere did I find these heavily trafficked roadways listed as a source of contamination, yet the literature is quite clear on the dangers of lead, especially to children. There has to be lead deposition along these major transportation corridors from decades of exhaust from leaded gasoline. Also, there is increasing evidence of the dangers of diesel exhaust. This definitely needs to be addressed, especially with a planned middle school site adjacent to the Bayshore Blvd corridor.

Specific Comments:

Section 4.13.2 Types of Hazardous Materials Found within Baylands Specific Plan Area

- Pages 4.13-5 & 6 – List of known hazardous materials is incomplete. There is also evidence of barium, copper, zinc, benzene, trichloroethane (TCA), tricholoroethylene (TCE), dichloroethylene (DEC), and vinyl chloride.
- Section 4.13.2 Existing Contamination and Assessments within the Specific Plan Area Page 4.13.7 – “The Baylands contains two primary areas where past hazardous materials releases have occurred: the former Brisbane Landfill and the former Brisbane Railyard…” This statement is false. In addition to the Brisbane Landfill and the former Railyard, there is contamination from Schlage Lock plume (mentioned), Lazzari Fuel Company (Operational from 1963 until destroyed by fire in 2024), Stauffer Chemical, the hide and glue plant (called the Boneyard and generated horrible smells up until the 1960’s), other long-term tenants on Industrial Way, Van Waters & Rogers (aka VWR) along the Brisbane Lagoon that began operation in 1961, and Midway Village, located across Bayshore Boulevard along Main Street in Daly City, CA.

The contamination at the Midway Village Housing Complex originated from a former manufactured gas plant and is especially egregious.

Specifically:

- **Former Gas Plant:** From approximately 1906 to 1916, a manufactured gas plant operated on the adjacent Pacific Gas and Electric Company (PG&E) site.

- **Toxic Byproducts:** This plant produced gas from oil, and in doing so, generated waste materials containing **polycyclic aromatic hydrocarbons (PAHs)**, including tars and lampblack.

- **Contaminated Fill Material:** In 1944, the US Navy purchased parts of the PG&E site to construct housing. During this process, contaminated soils were moved and used as fill material in low-lying areas of the site.

- **Midway Village Constructed on Contaminated Land:** In 1976, the Navy housing was demolished, and the Midway Village Housing Complex was built on the same site, which was now filled with the contaminated soil.

In essence, the initial pollution source was the manufactured gas plant, and the contaminated soil was subsequently spread and built upon during the development of the Navy housing and later, Midway Village. The site is now being reconfigured again with high-rise low-income housing. **There needs to be an investigation into the very real possibility of a contamination plume that has made its way across Bayshore into the Baylands Project Area.**

Polycyclic aromatic hydrocarbons (PAHs) are mentioned on page 4.13-9 as chemical that may have been used or generated on the former railyard site, but no investigation has been published to explore and/or categorically deny that the presence of PAHs on the Railyard site may have originated from the nearby Midway Village site either from removal and relocation of contaminated material and/or from a contaminated plume originating at that site and passing through the Railyard on its flow toward the bay. **Midway Village site is less than 1 mile from the Roundhouse site in the former Railyard.**

The 2018 Data Gap Investigation indicted the presence of PAHs in shallow fill soil at elevated concentrations in some areas of the OU-SM and OU-2 sites.

PAHs are a group of chemicals formed during the incomplete burning of organic matter like coal, oil, gas, and wood. They are also found in products like coal tar and asphalt. PAHs can exist in the environment as gases and/or persist attached to small particles in the air, soil, and water.

This bears further investigation as many PAHs, or polycyclic aromatic hydrocarbons, are known to be carcinogenic and can cause cancer, other health issues and death as they have for three generations on the Midway Village site.

Lazzari Fuel Company, who operated in a large facility at 11 Industrial Way from 1963 until it was destroyed by fire in 2024, is another highly likely source of PAHs and other contamination. They produced mesquite charcoal. The operations complete destruction by fire also created additional contamination on that site and there is NO mention of that.

Section 2.5.2 (**error on page 4.13-12 lists Section 2.7.2**) suggests multiple remediation methods of on-site treatment of soil including the placement of a soil cap. As we learned from Midway Village, at the cost of human life and health, a cap was insufficient protection for the residents.

- Section 4.13 page 12 and page 17 Baseline Health Risk Assessment (**BHRA**) for OU-SM and for OU-2

Please note that the BHRAs were prepared under the assumption that NO remediation or mitigation would be implemented.

Using this assumption, the HRAs for OU-SM and OU-2 found that present site conditions are protective for then current populations (i.e., site visitors, commercial/industrial workers at neighboring facilities, and residents of adjacent neighborhoods) and under different land use scenarios. Where are the revised HRA for these areas now that there will be commercial/industrial workers, construction workers, and residents (including children at a potential school) at the sites under a high-intensity, mixed-use redevelopment scenario? Why were revised HRAs not incorporated in the Specific Plan DEIR? Would not the revised HRAs trigger a need for new FS/RAPs that would need to be approved by DTSC and RWQCB as a prerequisite to Baylands development?

- Section 4.13 Pages 12-13 Operable Unit OU-2

Paragraph two states:

*The properties along Industrial Way have been occupied by various commercial/industrial tenants over the last approximately 150 years. The former hide and glue plant located at 200 Industrial Way from approximately 1878 to 1962 was evaluated in **1987** by the USEPA. Based on this evaluation, the USEPA concluded that the property did not meet the criteria for inclusion on the CERCLA National Priorities List. According to the evaluation, **there were no documented releases, the quantities of waste generated and discharged were unknown, and there was not a target population that would have been affected by historical releases at the site.** To date, none of the Industrial Way properties have been included on the CERCLA National Priorities List (Geosyntec 2021b). Aerial photographs of the OU-2 site taken between 1935 and 1991 are provided in Appendix A of the FS/RAP (Geosyntec 2021b).*

The site was evaluated in 1987. At that time, there was no target population to be effected AND there was no intent to have housing in that area. There was also no **documentation** of toxin releases but that does not mean that they did not happen.

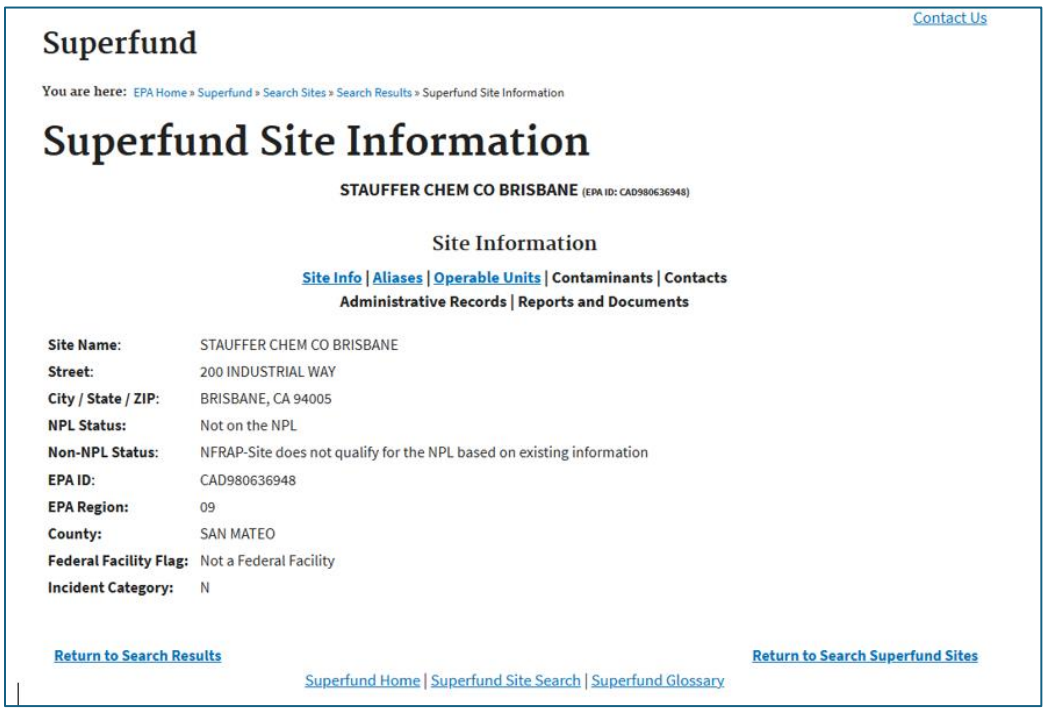
The Superfund program, established by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, is the federal government's program to clean up the nation's most serious uncontrolled or abandoned hazardous waste sites.

The site of Stauffer Chemical, a prominent, known polluter nationally, was slated to become a Superfund Site, however, because the area was **not populated and NOT zoned for housing or commercial use**, it was not included on the CERCLA National Priorities List (NPL). It was zoned for industrial use only.

National Priorities List (NPL) is the official list of these high-priority hazardous waste sites that are eligible for long-term cleanup under the Superfund program.

In essence, a site needs to be on the NPL to be considered for federally funded, long-term cleanup under the Superfund program. The EPA uses a Hazard Ranking System (HRS) to evaluate the potential risks posed by a site to human health and the environment, and a site scoring above a certain threshold (currently 28.5) may be placed on the NPL.

Based on existing information in 1987, the Stauffer Chemical site and the surrounding contamination, it did not qualify. Unfortunately, this part of the OU-2 site was grossly mischaracterized and must be reevaluated for current planned uses.



Contact Us

Superfund

You are here: EPA Home » Superfund » Search Sites » Search Results » Superfund Site Information

Superfund Site Information

STAUFFER CHEM CO BRISBANE (EPA ID: CAD980636948)

Site Information

Site Info | Aliases | Operable Units | **Contaminants** | **Contacts**
Administrative Records | **Reports and Documents**

Site Name:	STAUFFER CHEM CO BRISBANE
Street:	200 INDUSTRIAL WAY
City / State / ZIP:	BRISBANE, CA 94005
NPL Status:	Not on the NPL
Non-NPL Status:	NFRAP-Site does not qualify for the NPL based on existing information
EPA ID:	CAD980636948
EPA Region:	09
County:	SAN MATEO
Federal Facility Flag:	Not a Federal Facility
Incident Category:	N

Return to Search Results | Return to Search Superfund Sites

Superfund Home | Superfund Site Search | Superfund Glossary

- Page 4.13-14 *Historical Use Summary*
  Former Railyard

"Tank and Boiler Shop – constructed in 1922 and retired in 1963, this shop repaired water tanks and boilers for steam locomotives. The building was used by Lazzari Fuel Company until it was destroyed by fire in April 2024."

As mentioned above, Lazzari Fuel Company made mesquite charcoal. Mesquite charcoal is made by heating mesquite wood in a low-oxygen environment, a process called pyrolysis. This process removes volatile compounds like water, methane, and tars, leaving behind a carbon-rich product, the charcoal. Byproducts, such as pyroligneous acid, are condensed from the smoke released during the carbonization process.

These are mainly composed of:

- Aliphatic, aromatic, and naphthenic hydrocarbons
- Oxygenated compounds such as alcohols, aldehydes, ketones, furans, acids (including acetic and formic acid), phenols, and ethers
  Other byproducts include:

- **Tar:** A dark, viscous liquid that separates from the condensed smoke.
- **Bio-oil:** Also obtained through the thermochemical pyrolysis process

Lazzari Fuel Company was completely destroyed in a fire in 2024. The building itself was a total loss and all of their stockpiles of wood and charcoal were destroyed in the fire, as well.

Persistent byproducts of burning mesquite charcoal include:

Soot (Carbon Particulates): Solid carbon particles resulting from incomplete combustion, which can pose respiratory risks and contribute to air pollution.

Volatile Organic Compounds (VOCs): Including substances like benzene, toluene, formaldehyde, and PAHs, which can be emitted during charcoal combustion and may pose health risks.

Creosote (when burning wood): A tar-like, highly flammable substance that can build up in chimneys or flues when wood is burned in fireplaces or wood stoves. While charcoal is primarily carbon, burning mesquite wood as a fuel can produce creosote.

This area should now be considered a toxic hotspot above what was originally considered.

Industrial Way Properties

This area has known to have been in use for approximately 150 years and is one of the few areas that is not primarily landfill. This area needs further investigation. It has not been adequately assessed for toxins and contaminates as should have been warranted by it long industrial history. Because it was not zoned for housing or commercial use in 1987, it did not make the cut for NPL – National Priorities List – for Superfund site clean-up status. Impact to human health was considered low because it was not being used for uses with high human habitation.

Page 4.13-16

“Site remediation completed to date includes the removal of underground storage tanks (USTs) and the safe removal of hydrocarbon-impacted soil associated with the USTs adjacent to Industrial Way (Geosyntec 2021b).”

Where are the manifests of what was removed and where was the impacted soil removed to?

There is also concern that this area, especially closer to Main St, could be impacted by a potential contaminated plume from the Midway Village site.

Page 4.13-17

Baseline Health Risk Assessment

“**A Baseline Health Risk Assessment (HRA) for OU-2 was prepared under the assumption that *no remediation or mitigation would be implemented.*** Using this assumption, the HRA evaluated potential risks to current and future populations that could be exposed to compounds of potential concern (COPCs) at the site under different land use scenarios. The results of the HRA found that present site conditions are protective for site users, but future action to

remediate or mitigate potential exposure to COPCs in soil and soil vapor is warranted to protect future users under a high-intensity, mixed-use redevelopment scenario (Geosyntec 2021b)."

In light of the above, the FS/RAP that was approved by the RWQBC needs to be thoroughly reviewed and most likely revised to meet the current Specific Plan development goals.

Page 4.13-18 under **Former Brisbane Landfill**

"In 1967, the Easly and Brassy Company ceased to operate at the landfill, and the landfill has not accepted waste since then. The waste has since been covered with fill and inert debris. No records of the hydraulic properties or thickness of the fill were identified. A total estimated volume of 12½ million cubic yards of waste was disposed at the landfill. An estimated 73 percent of this waste was produced by residential and commercial activities. Inert fill accounts for approximately 25 percent, and the remaining 2 percent was assumed to be liquid waste (RWQCB 2001, as cited in ENGEO 2022)."

The landfill site also includes a tire dump, cars, refrigerators, and whatever waste came from San Francisco, including possible contamination from Hunter's Point. To get a good view of what went into this dump circa 1964, watch KRON's amazing documentary, **No Deposit, No Return**. https://diva.sfsu.edu/collections/sfbatv/bundles/204264

Page 4.13-20 Surface Conditions

There is some mischaracterizations and omissions in this section.

For one, an interim use after dumping ceased, was Champion Speedway. It is not possible to talk about drag racing in Northern California without mentioning Jim McLennan. An inductee to the Bay Area Sports Writers' Hall of Fame and the National Hot Rod Association's Hall of Fame, Jim McLennan's contribution to the sport of drag racing is immeasurable. In 1963, Jim McLennan turned his attention to a most ambitious project-building Champion Speedway in Brisbane. On the site of an old landfill just south of Candlestick Park, Jim constructed a ½ mile oval track, later adding a 1/8 mile drag strip on the speedways straightaway. This NHRA-sanctioned facility was the mainstay of the Bay Area auto racing scene until its closure in 1979.

Champion Speedway was in use from 1963 to 1979 for drag racing, destruction derbies, and even Nascar racing.

Destruction derbies, while exciting, pose a number of environmental concerns in California due to the pollutants released during the event itself and from the resulting debris.

Pollutants from the derbies that may persist long after the closure of Champion Speedway:

- **Combustion emissions:** As cars crash and engines are pushed to their limits, they release a variety of pollutants from fuel combustion. These include nitrogen oxides (NOx), which are precursors to ozone formation, volatile organic compounds (VOCs), which also contribute to ozone formation, particulate matter (PM2.5 and PM10), and carbon monoxide (CO).
- **Diesel Particulate Matter (DPM):** If diesel vehicles are involved, DPM is a concern, as it's a major contributor to air pollution-related cancer risk.

- **Metal and plastic fumes:** The burning and smashing of vehicles release fumes from metals and plastics, potentially containing harmful substances like asbestos (from older vehicle components), lead paint, and battery residue.
- **Hazardous Waste:** The remains of the vehicles become a mixed bag of hazardous materials, including:
    - **Asbestos:** Found in older vehicles, this can cause severe respiratory issues.
    - **Lead:** Present in older paints and batteries, lead can lead to neurological problems.
    - **Battery Acid/Exploding Batteries:** Damaged batteries, particularly lithium-ion batteries in electric vehicles, can release toxic gases or explode, creating hazardous conditions.
    - **Household Chemicals & Fuels:** If derbies involve vehicles containing items like paint thinners, propane tanks, or pesticides, these are released into the environment, creating a toxic mix.
    - **Heavy metals:** From various vehicle components, these can contaminate soil and water.
- **Water Contamination:** Heavy metals and other chemicals from vehicle wreckage can seep into groundwater and contaminate surface water, making drinking water unsafe and harming ecosystems.
- **Soil Contamination:** The debris can contaminate the soil at the derby site, making the land unusable and requiring extensive cleanup efforts.

There has been no investigation into the contamination from this activity.

The current characterization of “The rest of the site is covered with stockpiles that are covered with seasonal grasses” is patently false. Much of the site is now covered in the extremely invasive Pampas grass. Pampas grass (Cortaderia jubata or Cortaderia selloana) is considered invasive in many areas, particularly in California. **Jubata grass is on Brisbane’s invasive species list.** It is a large perennial grass that can quickly form dense stands, displacing native plants and creating fire hazards. Jubata grass is known for its sharp leaf blades, which can cause injury to humans and animals.

Here's why Jubata grass is problematic:

- **Outcompetes native plants:**

Jubata grass readily establishes in disturbed areas and can outcompete native plants for resources like water and nutrients.

- **Creates fire hazards:**

The dense, dry foliage of Jubata grass can accumulate and create a fire hazard, especially in areas with dry summers.

- **Impacts biodiversity:**

By displacing native plants, Jubata grass can reduce overall biodiversity in an area.

- **Sharp leaves:**

The sharp, serrated edges of the leaves can cause injury to humans and wildlife.

- **Rapid spread:**

Jubata grass produces large numbers of seeds that are easily dispersed by wind, allowing it to spread quickly once established.

For larger infestations, herbicide application, particularly glyphosate-based products, can be used, but it's important to follow label instructions carefully and avoid harming desirable plants and amphibians if it gets into the water.

Other open areas of the former landfill have unhealthy looking shrubbery and trees along Tunnel Road and Lagoon Way.

While this may not seem like a hazard in comparison to the underlying toxins, it certainly is as Jubata is not only a highly invasive species, it can serve as an "**exposure pathway**" (see page 4.13-2) as can the trees and shrubbery that have grown and will need to be removed with the moving of the dirt around site.

Page 4.13-21 Groundwater and Leachate

Please note that in the first paragraph, "The most recent Summer-Fall (August) 2021 Monitoring Report (Geosyntec 2021, as cited in ENGEO 2022) has reported groundwater and leachate monitoring well data to be consistent with historical data and indicated that the **groundwater gradient is generally toward the south and east** with a local component of flow toward Visitacion Creek (see Figure 4.13-3)."

The three sources of leachate at the landfill are surface infiltration, upward flow of pore water from Young Bay Mud consolidation, and upward flow from settlement and decomposition of waste. As described in the WDRs (Water Discharge Requirements), leachate contains dissolved metals, elevated ammonia, VOCs, and SVOCs within the shallow and deep aquifer within the Brisbane Landfill. Landfill leachate is brackish to saline. The Brisbane Landfill is following a Leachate Monitoring Plan (LMP) that is in accordance with the WDRs (ENGEO 2022).

The leachate identified from the Schlage Lock site has migrated about a mile or more. Why has the potential leachate from Midway Village not been investigated? The Midway Village site is less than a mile from the OU-SM and OU-2.

Page 4.13-23 Surface Water and Seeps

"There are two surface water stations located along Visitacion Creek, five seeps along the southern border of the landfill (near the Brisbane Lagoon), and three seeps along the eastern border of the landfill (along US Highway 101). The two surface water stations along Visitacion Creek and the five seeps along the Brisbane Lagoon are included in semi-annual sampling and quarterly perimeter observations, in accordance with the WDRs (RWQCB 2001, as cited in ENGEO 2022). **Based on the Summer-Fall 2021 Monitoring Report** (Geosyntec 2021, as cited in ENGEO 2022), two surface water samples and two seep samples were collected, and the following results were reported…"

"**In 2021, Geosyntec observed interior stations that were dry, with no odors, no ponded water, and no evidence of cover erosion or daylighted waste. The perimeter stations also were observed to be generally dry, without odors, and no liquid was seen entering or**

leaving the landfill at the 16 perimeter stations. No significant exceedances were reported (ENGEO 2022)."

Well, that sounds great, right? But the problem with just looking at one Monitoring Report is that it does not give a very complete picture. If you look at the historical rainfall charts for San Francisco, (https://ggweather.com/sf/monthly.html), you will note that the sampling was done during an extended extremely dry period and is NOT representative of the overall picture. There was almost no rainfall in 2021 from April to September followed by an unusual 7" in October.

San Francisco Rainfall

			Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Season
2017	-	2018	0	0.01	0.1	0.31	2.83	0.15	5.21	0.42	4.54	3.91	0.04	0.01	**17.53**
2018	-	2019	0	0	0	0.21	3.56	2.18	5.13	7.94	4.33	0.43	1.94	0	**25.72**
2019	-	2020	0	0	0.12	0.01	1.46	4.91	2.45	0	1.44	0.72	0.59	0	**11.7**
2020	-	2021	0.03	0.01	0	0.01	0.49	2.07	2.83	1.71	1.62	0.17	0.02	0.01	**8.96**
2021	-	2022	0	0.05	0.07	7.04	1.28	7.84	0.61	0.04	0.48	1.08	0.02	0.23	**18.74**
2022	-	2023	0.09	0	0.34	0	1.36	11.6	8.89	3.46	6.99	0.24	1.21	0	**34.18**
2023	-	2024	0	0	0.11	0.23	1.8	4.65	6.57	6.27	4	1.16	1.01	0	**25.82**
2024	-	2025	0.01	0.04	0	0.11	4.56	5.53							
			Jul	**Aug**	**Sep**	**Oct**	**Nov**	**Dec**	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**Season**

[We think] that this invalidates the conclusions drawn on page 4.13-24

"Groundwater monitoring data from August 2020 indicate that COC **concentrations are generally low** and are highest in the southern (downgradient) portion of the Brisbane Landfill. Of the inorganic COCs, TDS, TOC, and sulfate are highest in shallow wells, and nitrate is highest in deep groundwater. Of the dissolved metals, concentrations of arsenic, barium, lead, nickel, and selenium are uniformly low in shallow and deep wells. The VOCs methyl tert-butyl ether (MTBE), chlorobenzene, 1,4-dichlorobenzene, and cis-1,2-dichlorobenzene are **present at low levels in shallow groundwater**, whereas acetone was the only organic chemical detected above the reporting limit in deep groundwater. The SVOCs acenaphthene and n-nitroso diphenyl were detected above reporting limits in shallow groundwater, but none were detected in deep groundwater. Neither organochlorine pesticides (OCPs) nor PCBs were detected above the reporting limit in shallow or deep groundwater (BKF 2023)."

[We think] that extended monitoring dataset should be presented, including up to the present, to give a better picture of where we are with the remediation of the Schlage Lock contamination plume and if there are any other sources appearing with the heavy winters subsequent to 2021.

The same holds true for the Conclusions in the Semiannual Groundwater Monitoring Report, **July 1 to December 31, 2010**, prepared for Kinder Morgan. Do we not have datasets for the next 15 years?

What is the point of ongoing monitoring if you are only going to use your most favorable dataset?

Page 4.13-28 to 33 Database Research Records

"Environmental Risk Information Services (ERIS) performed a computerized public records search of government hazardous materials databases in December 2022. The database search was conducted for **all sites located within 1 mile from the center of the Specific Plan area**,

depending on the database. Table 4.13-1 lists, for each database, the number of hazardous sites located within the Specific Plan area vicinity. Although the agency lists are updated regularly, there may be contaminated sites that have not yet been identified and, therefore, are absent from the databases."

"As shown in Table 4.13-2, the existing Martin Substation is listed twice as a hazardous materials site pursuant to Government Code Section 65962.5. This site is certified with land use controls and ongoing operation and maintenance of remedial measures."

And yet, we are completely ignoring Midway Village – a known contaminated site that is less than a mile from the perimeter of the Specific Plan area. We know how far the Schlage Lock plume has traveled. Would a 100-year contamination plume not warrant investigation regardless of the arbitrary 1-mile radius from the CENTER of the Specific Plan Area. **This is untenable especially in light of the site proposed for a middle school in proximity to the extension of Main Street.**

Pages 4.13-34 and 35 USEPA Superfund and Contingency Planning Regulations

Please note:

"The law authorizes two kinds of response actions: (1) short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and (2) long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life threatening."

"SARA also required the USEPA to revise the Hazard Ranking System to ensure that it accurately assessed the relative degree of risk to human health and the environment posed by uncontrolled hazardous waste sites that may be placed on the National Priorities List. As shown in Table 4.13-1, the environmental database records search conducted for the Specific Plan area include the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database and the CERCLIS No Further Remedial Action Planned (NFRAP) database. ***The Baylands was once considered for inclusion but was not ultimately designated a Superfund site.***"

Why, you might ask? It is certainly contaminated and poses a threat to human health!

"The National Priorities List is the list of sites of known or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. The National Priorities List is intended primarily to guide the USEPA in determining which sites warrant further investigation. The Hazard Ranking System is the principal mechanism that the USEPA uses to place uncontrolled waste sites on the National Priorities List. **It is a numerically based scoring system that uses information from initial, limited investigations**—the preliminary assessment, the site inspection, and the expanded site inspection if necessary—**to assess the relative potential of sites to pose a threat to human health** or the environment.

The threat to human health was not high enough BECAUSE the area was NOT zoned for housing or any other high human exposure like offices, so…

“There are no sites within or in the vicinity of the Baylands included on the National Priorities List (USEPA 2022).”

This absolutely needs to be re-evaluated now that the Specific Plan is calling for housing, a middle school, community gathering places and high-density work environments. This is a huge problem with the remediation plans.

Remediation Requirements for the Baylands

In reviewing this section, remember that the Feasibility Study/Remedial Action Plan (FS/RAP) establishes remedial action objectives consisting of site-specific, quantitative goals that define the extent of cleanup required to achieve the appropriate level of protectiveness for human health and the environment.

What is considered an appropriate level of protectiveness for human health?

The California Department of Toxic Substances Control (DTSC) establishes specific levels of protectiveness for human health based on the type of health effect:

- For **carcinogenic (cancer-causing) risks**, DTSC aims for an incremental excess lifetime cancer risk to an individual of **1 x 10^{-6}** (one in a million). This means that for every one million people exposed over a lifetime, no more than one additional case of cancer is expected due to the exposure.
- For **noncancer risks**, the DTSC uses a **Hazard Index (HI) of 1**. An HI of 1 or lower indicates that estimated lifetime exposure to a contaminant or mixture of contaminants at the screening level is not expected to cause harmful, noncancer health effects.

These values serve as the basis for **risk-based screening levels and remediation goals** at hazardous waste and hazardous substance release sites in California.

In essence, the DTSC's approach is designed to ensure that exposure to contaminants is minimized to levels that are considered safe and protective of human health, taking into account both cancer and noncancer effects.

Pages 4.13-42 – 43

Remedial Action Plan for Operable Unit-SM (OU-SM)

Throughout this section, euphemistic phrasing is often used. For example:

- “Prevent exposure to soil with constituents of concern exceeding clean up levels by eliminating the exposure pathway for future receptors, which include incidental ingestion, inhalation of windblown dust particles, and dermal contact.”
- “…by either demonstrating through a site-specific risk assessment that no significant risk is present, or by blocking or minimizing the vapor intrusion pathway from CVOCs in soil vapor…”
- “…by eliminating inhalation risks through the vapor intrusion pathway where significant risk exists, preventing ingestion and dermal contact through the use of groundwater for potable and agricultural purposes, and minimizing dermal exposure of CVOCs and metals in groundwater…”

Sounds good but the reality is this:

“In areas where impacted soil cannot be capped in-place with hardscape or a minimum of 5 feet of clean fill, such as along Bayshore Boulevard, the impacted soil will be excavated and either relocated on-site beneath a cap (e.g., roadways, building foundations, concrete areas, asphalt parking lots, or 5 feet of clean soil) or transported off-site to an appropriate disposal facility.”

The definition of **hardscape** in construction refers to the non-living elements as roadways, walkways, driveways, patios, retaining walls, and other structures made from materials like stone, concrete, brickwork or pavement.

So basically, just gather it up and cover it up. That hasn’t worked so well for other contaminated sites. Midway Village is a great example where covering it up (twice) has not worked to mitigate the harm to human health.

Transporting toxic contaminates (soil, etc.) off-site has its own inherent problems that makes this an unlikely, risky, and very expensive alternative.

This is a very complicated issue and one that bears further investigation and additional safeguards.

Page 4.13-44 **Land Use Restrictions**

“One or more land use covenants will be recorded on the title to the properties within OU-SM with restrictions to limit human exposure to contaminants. The Land Use Covenant(s) will include the following restrictions…”

Who or what entity is going to enforce these covenants? Now and 30 years from now? Brisbane been down this road before and has not enforced the restrictions that were placed on the Northeast Ridge Development. What makes us think that we will do better here? Who enforces this currently at Sierra Point?

In the November 2012 to January 2013, Google employees at the Google office complex in Mountain View were exposed to excessive levels of a hazardous chemical after workers disabled a critical part of the ventilation system at the company’s new satellite campus on a Superfund toxic waste site, records show.

Unaware of the covenants and restrictions, some well-meaning workers decided to shut off the HVAC and open the windows – after all, that would save money and be more environmental, right? People started mysteriously getting sick in two buildings. As it turned out, the HVAC system was part of the remediation plan to keep the buildings’ internal air pressure high enough to prevent the landfill vapors from seeping into the building. Full story here: https://revealnews.org/article/google-employees-face-health-risks-from-superfund-sites-toxic-vapors/

Operations and Maintenance (O&M) states: “Site inspections are to be conducted on an annual basis to evaluate the effectiveness of the cap and ensure compliance with the Land Use Covenant(s). The O&M program will be detailed in an O&M Plan to be approved by DTSC and will generally consist of annual inspections to verify that the soil cap is not eroding, that engineered cap materials are in good condition, that unauthorized wells providing access to

restricted groundwater or unauthorized excavations into impacted soil have not been constructed, and that vapor intrusion mitigation systems are operating as designed."

Who exactly will be responsible for this, how are they compensated, and what is the length of the term of responsibility? If it is DTSC, what happens if they are defunded as so many other public agencies are being dismantled? How can we ensure that we do not have an incident like Google did?

Page 4.13-45 ***Remedial Design and Implementation Plan*** **(RDIP)**

"…The RDIP(s) will include design drawings, a health and safety plan, **procedures for minimizing fugitive dust emission**, the program for monitoring air and dust during remedial construction, procedures for managing stormwater during remedial construction, an adaptive management strategy for sea level rise that provides technical justification for year 2100 protective strategies, **a traffic plan for the import and off-haul of soil**, and a plan for restricting OU-2 site access to authorized personnel only."

The Baylands development site is in "more than forecast" windy area created by the Geneva Gap. The topography forces westerly winds off the ocean to flow between San Bruno Mountain and McLaren Park and then the remains of Candlestick Hill. The Venturi effect causes the wind to speed up as it goes through the Geneva Gap. Before the giant dirt pile appeared on the eastern side of the Baylands, this made for great windsurfing on the Bay between Brisbane and Candlestick.

That same great wind now makes it very difficult to manage fugitive dust on the Baylands. If you look at the log for the Bay Area Air Quality Control Board, you will note many, many calls complaining about fugitive dust coming off of both the soils processing and the soils stockpiling on the Baylands over the years, as well as from areas west of the train tracks when the Google parking facility was in operation. All of these sites had fugitive dust emission plans in place and failed miserably at actually containing fugitive dust. Huge clouds of dust would swirl off the piles and out across Tunnel Road and also the Bayshore Freeway and the SF Bay.

There are the similar concerns with the Remedial Action Plan for OU-2 as there is for OU-SM, being adherence, oversite and responsibility for compliance.

Page 4.13-61 **Lead within the Former Police Shooting Range on Icehouse Hill**

"The United States Environmental Protection Agency (USEPA) reports that lead can be introduced into the environment at shooting ranges in one or more of the following three pathways, each of which is site-specific and may or may not occur at any given range:

- Lead oxidizes when exposed to air and dissolves when exposed to acidic water or soil.
- Lead bullets, bullet particles, or dissolved lead can be moved by stormwater runoff.
- **Dissolved lead can migrate through soils to groundwater**.

Some types of ammunition can also release toxic metals, such as mercury, into the environment.

Run-off from this lead-polluted area goes into the groundwater below Ice House Hill where the Specific Plan intends to put public ballfields. This is an environmentally sensitive area at the foot of Ice House Hill. In addition to the lack of space to accommodate parking, the lead deposition from being adjacent to Old Bayshore and the railroad tracks, and the historical Brick Ice House building, the possible lead contamination from the shooting range is yet another reason that this is NOT a good site for public-use ball fields.

Page 4.13-66 and 67 **Baylands Construction and Post-Construction Activities**

Construction and post-construction activities associated with Baylands development is are first point of extreme vulnerability to toxic exposure, especially since we really do not know what lies beneath the surface and where. As mentioned, site grading, trenching for underground utilities, building pad construction, and landscape installation will most likely expose contaminated soils within the western portion of the site and the waste matrix within the former Brisbane Landfill. Have all of these processes and mitigation measures been used and proven to be successful? Can you site specifics, please?

Even with all of the mitigation measures in place and performed to the best standard, the vulnerability during this multi-year phase is very high.

Of particular concern is the realignment of Lagoon Rd.

• Realignment of Lagoon Road and demolition/removal of the existing roadway along with site grading and construction of lagoon shoreline improvements in the vicinity of existing underground Kinder Morgan fuel lines.

Future improvements at the lagoon waterfront may require additional material to be placed on top of the existing fuel lines to accommodate Baylands site grading and provide waterfront protection. Baylands development could also generate settlement that could encroach into the Kinder Morgan fuel pipeline easement.

As dire as these concerns are, they are not the only concerns with this demolition and realignment of Lagoon Road. The Lagoon is a vital and highly sensitive habit for many species besides humans.

Some notable rare and endangered species potentially found in or near the Brisbane Lagoon, California area include:

Birds

- Marbled Murrelet: An endangered seabird species that breeds in the area.
- Ridgway's rail: An endangered shorebird that can be found at Ravenswood and Stevens Creek Shoreline.
- Western snowy plover: A threatened shorebird.
- California Least Tern: An endangered species.
- Burrowing owl: A candidate for listing under the California Endangered Species Act (CESA).

Mammals

- Salt marsh harvest mouse: An endangered species found in the area.
- San Francisco dusky-footed woodrat: Makes houses in the area.

Amphibians

- California red-legged frog: A threatened frog species. Populations were depleted due to habitat loss and overhunting.
- California tiger salamander: Listed as Least Concern, but the subspecies is Vulnerable and found only in California. Under threat from habitat loss and collection for the introduced species. Has been showing declining trends.

Plants

- San Mateo thorn-mint: A rare plant found on serpentinite soils.
- Franciscan onion: Found on clay and volcanic soils, often on serpentinite.

Note: This is not an exhaustive list. The presence and status of these species can fluctuate based on **ongoing conservation efforts, habitat changes, and other environmental factors.** For the most up-to-date information, consult with local environmental agencies and organizations dedicated to preserving California's biodiversity, such as the California Department of Fish and Wildlife and Midpeninsula Regional Open Space District.

No mention is made of contamination of the Brisbane Lagoon both from the unlined bay fill dump to the north of the lagoon (OU-2) and the southern shore and surrounding area of the lagoon from decades of vile toxins released by Van Waters and Rogers aka VWR during their long-term occupancy from 1961 to 2010. In 2010, VWR decided to close its unionized Brisbane, CA distribution center, moving operations to a non-unionized Visalia, CA facility. VWR refused to take ANY employees with them. You might want to delve into **why**. For example, many past employees were already sick - most likely from exposure to chemical toxins – presenting signs of an actionable cancer cluster. https://greenaction.org/wp-content/uploads/2023/04/Shoreline-Contamination-and-Sea-Level-Rise-in-the-San-Francisco-Bay-Area.docx-2.pdf

Any disturbances, including imminent sea level rise, could upset the delicate balance of the Lagoon. Planned “recreational” activities around the Lagoon should be passive only and form the shore as a precaution for both people and all other species that will be impacted.

Please note that the Lagoon is the last place that San Bruno Mountain actually makes direct contact with the waters of San Francisco Bay.

Page 4.13-76 **Impact Assessment**

Location of a School within One-Quater Mile of a Site That Would Handle or Emit Hazardous or Acutely Hazardous Materials, Substances, or Waste

“The Baylands Specific Plan includes development of a middle school to be constructed on an approximately 5- to 7-acre site along Main Street east of Bayshore Boulevard (see Figure 3-9 *B10* and Figure 3-10 *C2*). The area within which the school might be constructed is more than 0.25 mile from the Kinder Morgan Tank Farm, and ***there are no other existing facilities within 0.25 mile of the school site that would handle or emit hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of the site.***” Not true.

Snips from Chapter 3:

“A middle school (grades 6–8) site is proposed in the vicinity of Main Street within the Bayshore School District portion of either Block 6, 9, or 10, or to the south of Main Street within the Icehouse Hill District.”

Figure 3-9: Roundhouse District Development Plan

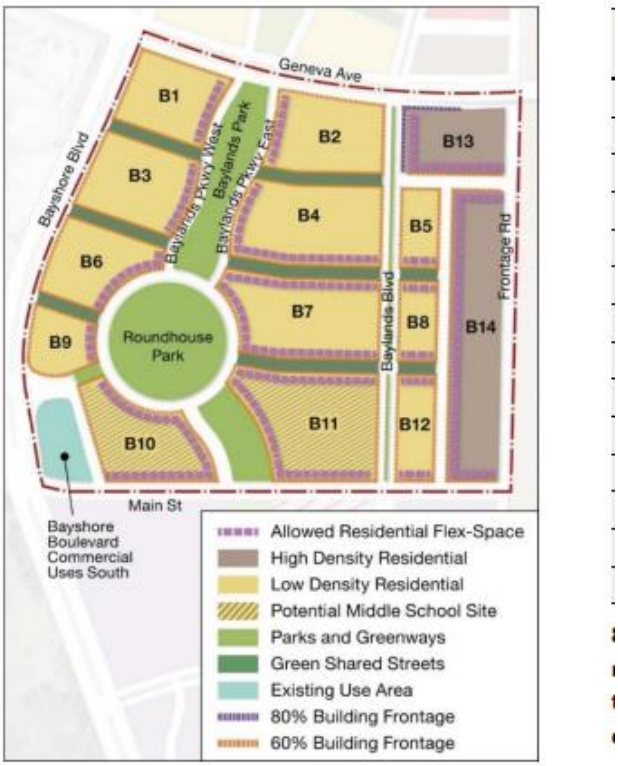
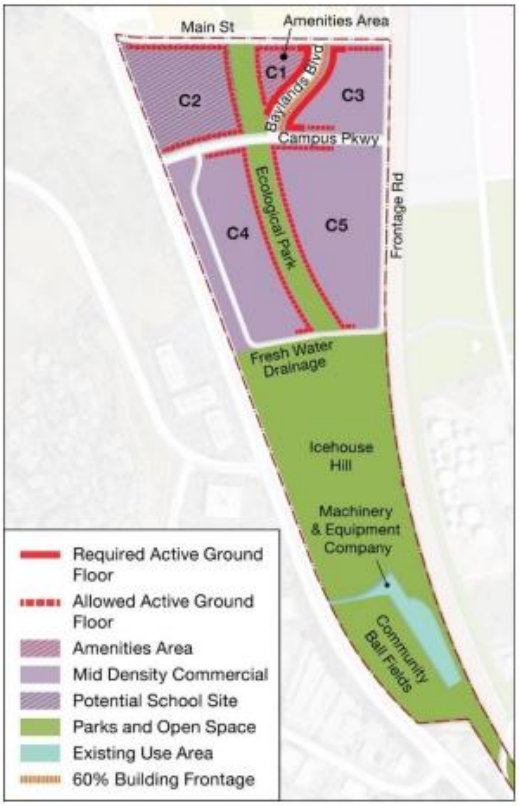


Figure 3-10: Icehouse Hill Development Plan



Unfortunately, there **are other existing facilities within 0.25 mile of the school site** that could or would handle or emit hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of the site. The site illustrated in Figures 3.9 and 3.10 are immediately adjacent to Bayshore Boulevard, a major transportation roadway since before the automobile was even invented.

Lead deposition along highways is primarily a legacy of past use of leaded gasoline, with vehicle emissions being a major source. While leaded gasoline is no longer used, lead remains in the environment and can be resuspended and deposited through various processes, including runoff and wind. This deposition can impact soil, water, and potentially human health.

Lead is a developmental neurotoxin. Children are most commonly exposed and they are most vulnerable. Lead exposure has been associated with many cognitive and motor deficits, as well as distractibility and other characteristics of attention deficit hyperactivity disorder.

There is no safe level of lead exposure for children, and even low levels can cause harm, particularly to brain development. For adults, while some sources suggest levels above 40-50

µg/dL can cause noticeable symptoms, the CDC and others emphasize that lead accumulates in the body and can cause long-term health issues, even at lower levels.

Diesel exhaust poses significant health risks due to its complex composition of gases and particulate matter, particularly diesel particulate matter (DPM). Exposure can lead to a range of problems, from immediate irritation to long-term diseases like cancer. Diesel exhaust is classified as a known carcinogen, and prolonged exposure can increase the risk of lung cancer and other respiratory illnesses.

That that is not enough to reconsider the safety of this site, Midway Village, a known source of contamination and leachate is less than one mile away and the PG&E substation, another known past source of contamination, is directly across Bayshore Boulevard.

The site is also adjacent to the site of where Lazzari Fuel Company operated since 1963 making mesquite charcoal before burning to the ground in 2024 created a double source of toxins and contaminants. (See earlier comment for details)

Some things you can mitigate for and others are beyond the boundary of acceptability. This is that.

Chapter/Section: 4.14 Hydrology and Water Quality

[Erin Becker]

General Comments:

- The site grading timeline is not articulated in a way that's easy for a reader to understand. On page 4.14-45, it says that soil will be hauled from the eastern portion of the western portion of the Baylands for an approximate 2 yr period (which is inconsistent with page 3-103 where it says 2yrs and 10 months), but this doesn't add the time to move the soil around the eastern part of the site to complete the landfill closure (up to 10 years, or maybe ten additional years). There will be erosion control measures in place, but the severity of our storms is increasing and this is a long time for the site to rely on them. If the phasing were better articulated in the DEIR, it would be easier for reviewers to understand the impacts.

Specific Comments:

- [4.14-13] – The first paragraph on this page states that CalWater operates five groundwater production wells on the unadjudicated Westside Basin to supply SSF. Per Google: "*An unadjudicated water basin is a groundwater or surface water basin where the legal rights to the water have not been formally determined by a court. In simpler terms, it means there's no official, legally binding decision on who owns the water rights within that basin and how much water each person or entity is allowed to extract or use. In these basins, there's no such court-defined allocation. Water users within the basin may have claims to the water, but these claims haven't been legally established or prioritized by a court decree.*" While that might seem far-fetched, the Cumulative Impacts chapter (#7) states that in a single drought year there will be 40% less water supply than demand. What happens to the Baylands residents and businesses if CalWater were to lose their claim to this water?

- [4.14-25] - The 2024 Sea Level Rise may treat Open Space as low risk, but the Open Space on top of a brownfield site, even if it's a "reformed" brownfield site should be treated as a high-risk scenario. Further, the entire landfill area should be treated as a high-risk scenario, given that there is NO cap under the landfill and the proposed cap is only "low-permeable" and the "groundwater… contains pollutants at concentrations above regulatory action levels as the result of the former railyard and the former Brisbane Landfill." [ref. Page 4.14-13] Further, on page 4.14-23, under letters b and d, it states that the sea level rise plan for bayfront landfills must be based on providing protection for the "medium-high" or "extreme" risk aversion scenarios. Please address this inconsistency.
- [4.14-41] – The last bullet on this page states that existing use areas adjacent to the applicant's ownership are to remain at their current elevations. That's reasonable, but the statement does not follow on to say that the Bayland's development will intend to do no harm in their grading. If elevating the Baylands makes the neighbors lower in elevation, they will have an increased risk of flooding.
- [4.14-66] - Per MM HWQ-1, a pest control plan for minimizing pesticide use is required prior to issuance of an occupancy permit for site-specific development. However, there is no mention of whether that requirement is passed to future building owners, renters or operators.
- [4.14-69] - The third subbullet states that the acreage of the Landfill does not have to be counted in the Bayland's loss of pervious surface for groundwater recharge because the landfill closure is under a different plan (Title 27). If this is true, why aren't the Landfill closure impacts included in the cumulative impacts (Chapter 7 page 97)? This affects our environment and needs to be included somewhere in the DEIR.
- [4.14-71] - The second to last paragraph mentions the flood risk of basement parking garages along the west side of the Caltrain right of way, as well as the basement areas along the Frontage Road. How will this risk be conveyed to land owners, future land purchases and renters?

Chapter/Section: 4.15 Geology, Soils, and Seismicity

[Erin Becker]

General Comments:

- No Comments

Specific Comments:

- [4.15-5] - The last paragraph under letter a, which describes the Baseline environmental setting, says that the site remediation and landfill closure activities are not part of this EIR. On page 4.15-15 it says that seismic settling will be 2-3 inches and areas close to the *historic* shoreline could have settlement up to 4.5 inches. The landfill will exacerbate this settling, so the Bayland's should plan for greater than 4.5 inches of settling for the former landfill area. However, this is not included in the cumulative impacts (Chapter 7 pages 103-104). This affects our environment and needs to be included somewhere in the EIR.

- [4.15-28] – It's good to see that the City has approval authority over soil testing requirements prior to issuing an grading permit (per GP-1-18, 3(K) in the second sublet on this page). There is a local story about a shipment of dirt from Hunter's Point that had limited records and potential radioactivity. Any soil transported to the residential area needs to be tested in order to calm the concerns of current and future residents. Whether the rumor is true or not, the only way to be sure is to test the soil. Radiation detection equipment exists for mounting on haul trucks, which would minimize the resident's concerns without impacting the timing of the development project. This should be included somewhere in the mitigations.
- [4.15-43] - Please address why the proposed water recycling facility is not included in the assessment of Impact GEO-7.

Chapter/Section: 4.16 Utilities, Service Systems, and Water Supply

[Mary Rogers]

General Comments:

- Water Supply – A MUST – WATER PLANNING STEPS MUST BE APPROVED BEFORE OVERALL PLAN APPROVAL
- Cal Water must commit to supplying the project and detailed water planning steps before approval. No approval to date has been communicated.

Specific Comments:

- No Comments

Chapter/Section: 4.17 Public Services and Facilities

General Comments:

- No Comments

Specific Comments:

- No Comments

Chapter/Section: 4.18 Parks, Open Space & Recreation

[Juli Armstrong]

General Comments:

- Brisbane is an **AARP Age-Friendly Community**; the Brisbane Senior Center and Community Pool are both important resources for seniors and are not specifically addressed as being vulnerable to overuse when the population doubles; Table 4.18-1 does not include the Senior Center

- **Impact REC-1** specifies that only a portion of the total Open Area/Open Space for Baylands will be completed in phase with the housing buildout within the Baylands.

Specific Comments:

- [4.18.2 PHYSICAL ENVIRONMENTAL SETTING/4.18-3] – *The analysis also recognizes that Brisbane's existing inventory of park and recreational facilities consists not only of park acreage but also includes community recreational facilities such as a community center and meeting rooms, active sports fields, tennis courts, basketball courts, volleyball courts, skateboard facilities,* ***and a pool.*** *Depending on the types and extent of recreational facilities that would be provided by the Specific Plan to accommodate its projected 4,905 residents, overuse of existing community recreational facilities could occur that would result in substantial deterioration.* Parking is very limited for both the **Community Pool** and **Senior Center**; it isn't clear what the impact of doubling of the existing population of Brisbane would be on these two facilities and it cannot be assumed that there would be no impact by simply comparing the aggregate Open Space/Open Area acres per capita as was done for **Impact REC-1** on page 4.18-24..
- [4.18.6 Project Impacts and Mitigation Measures/4.18-22-24] –How will the delay in achieving the Specific Plan's 64.8 Acres of Open Space/Open Area and Park Improvements affect the impact of the increased city population due to Baylands housing on existing Brisbane park and recreational facilities? There were no EIR Mitigation Measures proposed in the event that there are significant impacts.

Chapter/Section: 4.19 Wildland Fire

General Comments:

[Erin Becker]

- The impact assessment for this section ignores a few critical aspects of the project.
    1. The 'road diet' that will reduce Bayshore Blvd to one lane in each direction will significantly impact the emergency evacuation for existing residents of Brisbane and Visitacion Valley, and possibly also the new Baylands residents.
    2. The Battery Storage 'farm' has multiple safety impacts that should be considered. It will emit tremendous heat if it catches fire, which should be considered with respect to nearby land use. It will release toxic gasses if it catches fire. Finally, it is adjacent to (and higher grade than) the stormwater detention area and Visitacion Creek wetlands, which is a downstream pollution concern.

Specific Comments:

- No Comments

Chapter/Section: 4.20 Significant Unavoidable Environmental Effects

General Comments:

[Mary Rogers]

- **Given the designation of a 'significant and unavoidable impact,' it is imperative that we exercise heightened diligence in assessing the long-term consequences. Furthermore, it is prudent to develop a robust contingency plan to address potential outcomes and mitigate unforeseen challenges:**
    - AQ-1 net increase in emission of non-attainment pollutants
    - GHG-1 Increase in total greenhouse gas
    - NOI-1 Increased noise during construction – this will last for **YEARS**
    - NOI-2 Increased noise for all stationary noise sources will be ongoing
    - NOI-3 Increased noise from traffic during construction of roadways – this will last for **YEARS**

[Erin Becker]

- It's frustrating to have read through the mitigation measures in the previous sections on chapter 4 and identified more that could be done on these "Significant and Unavoidable" impacts, such as reducing NOI-1 by lower building height and using jackets around pile drivers; reducing NOI-3 by using the quieter asphalt.

Specific Comments:

- No Comments

Chapter/Section: 4.21 Program EIR Mitigation Measures

General Comments:

- No Comments

Specific Comments:

[Mary Rogers]

4.21-7 - 4.21-11 Nighttime lighting

- Please confirm that the Nighttime lighting EIR Mitigation Measures comply with the current Dark Skies Ordinance. There is no mention of this ordinance in the revisions. ***Can the Dark Skies Ordinance be called out in this document?***

4.21-5 Program EIR Transportation Mitigation Measures

- While the EIR calls out specific mitigation measures for the Baylands project, there isn't a contingency plan if multiple large development projects are running in parallel. The

Geneva overpass is critical to be approved and constructed BEFORE construction begins.

- The NOP says to expect 19,000 workers! Some may live in the Baylands or Brisbane, but many will commute from other areas. The Bayland's TOD fails to recognize that the Bayshore Caltrain station is only available on Local routes (meaning there is no express service) and that Caltrain (and BART) have limited coverage across the Bay Area. The impact of this is that commuters are pushed to cars instead of public transportation. Please also note that the number of workers is likely lower than documented as multiple projects will likely be running in parallel (i.e 19,000 ++). Also, staffing for the City of Brisbane will likely increase 4X. Parking will definitely be an issue as well as charging station availability.

4.21-9 Routine use, storage, transport, and disposal of hazardous materials

- There's no mention of how solar panels/batteries will be disposed of?

[Erin Becker]

- [4.21-76] – The following (in italics below) was NOT carried forward from the Program EIR 4.J-2c, but the justification isn't clear as to why: "*Underground utilities surveys shall be submitted to the City for review and consultation with affected utilities a minimum of two weeks prior to commencement of construction activities.*" When combined with the fact that the Contractor does not have to notify the City if utilities are damaged until AFTER pile driving is complete (from page ES-113), it is a concern that the Contractor may take shortcuts and we won't know until it's too late.

Chapter/Section: Chapter 5 - Irreversible Environmental Effects

General Comments:

- No Comments

Specific Comments:

[Rohendra Atapattu]

Section 5.3.2 Fossil Fuels

- It is recommended that the EIR should propose that the Plan engage urban planners and traffic engineers to recommend a means to mitigate the impact from service/delivery vehicles and/or single passenger ride-services (typical of Uber). The extensive planning of the community with mass transit and alternative transport options (such as bikeways) will be ineffective if there is a large uptick of single-driver ride services circulating in the community. Lessons from the failure of San Francisco Municipal bus services following growth of ride-services should be used to engineer a means of discouraging this fate.

Chapter/Section: Chapter 6 – Growth-Inducing Effects

General Comments:

- No Comments

Specific Comments:

- No Comments

Chapter/Section: Chapter 7 – Cumulative Impacts

General Comments:

[Erin Becker]

- It's worth pointing out the significance of the final sentence on page 7.6: "*Specific Plan development represents 10.7 percent of the 20,629 cumulative units and 22.6 percent of the cumulative 28,722,643 square feet (s.f.) of commercial/office space*" of the projects considered, which are shown on the maps as being located between Bayview in SF, Daly City and San Bruno (near SFO). If the Baylands is only 10.7% of the increased residential and 22.6% of the increased commercial, there are so many impacts to consider that are broader than the scope of just the Baylands, not just environmental but also economic. The entire supply/demand balance is going to shift for the housing, retail and commercial sectors, and also have major impacts for critical services, such as water and power, as well as access to parks and transportation/emergency egress. Additionally, it's worth noting that the 2200 residential units off the Baylands are part of 17,042 residential units anticipated within 2.5 miles of the Baylands in Daly City and lower SF areas (per # 6-11,51-55 in Table 7-2). Further, p7-31 states that *"Baylands and cumulative development would generate more demand for retail space than such projects propose to provide."* Planning for this much development that doesn't materialize could bankrupt the City.
- High Speed Rail LMF is included in the Cumulative project assessment. It would be nice to have a better map and/or description of how that project would displace or negate the plans for the area east of the Caltrain right-of-way as described in the Specific Plan (i.e. Water recycling facility and water retention basin).

[Anthony Walker]

- Most of the specifics of this chapter have already been addressed in previous comments so we won't rehash the same points over again.
- Suffice it to say, we acknowledge the Draft EIR's conclusion that some cumulative environmental impacts of the Baylands development are deemed "significant and unavoidable." However, we believe this framing is overly fatalistic and risks discouraging proactive solutions. While it may be true that Brisbane cannot control the entire region's

growth and emissions, we absolutely have the ability—and responsibility—to take decisive, proactive action within our own jurisdiction.

- The City should not accept "significant and unavoidable" as a final answer when local choices, policies, and design standards can mitigate these impacts meaningfully. Our forward-looking strategies must reflect accelerating trends in vehicle electrification, clean energy generation, and sustainable urban design. For example, PG&E has been GHG emissions-free for the past two years, and EV adoption is growing at a pace that suggests majority market penetration well before the Baylands buildout concludes in 2043. Using VMT alone as a proxy for emissions, without accounting for these transformative shifts, is unnecessarily conservative.
- We must reject the notion that we are powerless to influence outcomes. If we don't try, we will surely fail. Conversely, by exceeding baseline requirements and leading by example, Brisbane can prove that local action matters and inspire broader regional change.

Specific Comments:

[Erin Becker]

- [7-3] – Minor typo on this page. "Geology, Soils and Seismicity" is listed both in the bullets of Cumulative impacts that will be addressed in this chapter, as well as in the footnote of effect that are not included.
- [7-30] – The projected demand/supply of office/life science development ratio for 2050 is a warning to Brisbane City Planners and Counsel. The DEIR concisely states that parts of the Baylands Development would not move forward until market conditions favor more development. The CIty needs to have authority to force the Baylands to execute on some of the promised improvements in a timely fashion (such as capping the landfill, finishing the Icehouse Hill park, finishing the wetlands renovation at Visitacion Creek and along the edge of the lagoon). This could be especially detrimental to local species populations if there is a loss of habitat or impact to migration corridors for longer than expected.
- [7-33 through 7-3] - Given that Baylands North (project #6) is only 0.2 miles north of the Baylands, it seems like it will contribute to the impacts of AES 1, AES-2, AES-4 and AES-5. Why isn't it included in the narrative?
- [7-73] - The fifth row (Geneva Avenue Extension from Bayshore Boulevard to US 101 ramps) states that the cumulative impact will add 71.6 dBA to the local noise level, but doesn't count it as a cumulative impact because the road doesn't currently exist. This is a math error to the detriment of the local residents. The cumulative impact should be 71.6 plus zero (equal to 71.6) dBA.
- [7-78] - This figure would be far more useful if it applied to ALL noise sources (or there were individual figures for each type of source) AND the noise perimeters could be outlined. For example, what is the likely ring of pile driving impacts overlaid with the LMF noise impacts ring further overlaid with the stationary sources ring?

- [7-97] - The third subbullet states that the acreage of the Landfill does not have to be counted in the Bayland's loss of pervious surface for groundwater recharge because the landfill closure is under a different plan (Title 27). Why aren't the Landfill closure impacts included here as a cumulative impact?

- [7-108] - The cumulative impacts of inadequate water supply cannot be ignored. While the numbers are reasonable in a normal water year, the CalWater supply is ~40% too low in a single dry year IF the Bay-Delta Plan Amendment is implemented (which is a best-case scenario). California droughts can last six or seven years. The dry year statistics are dire and a reason for Brisbane City Council to consider the lower residential option proposed in the DEIR.

Chapter/Section: Chapter 8 – Alternatives

General Comments:

[Erin Becker]

- In this chapter, the threat of State-mandated increases in residential zoning tied to the 2031 Housing Element update looms over the reduced residential density alternatives (#5, #6 and #7). Sorry Chicken Little, the sky is NOT falling. First, the 1800 units of these plans is still hundreds more than required by the state. Second, the Baylands is going to take 20 years to build, so if we come to a point in 5 years (2031) where we need to increase the zoning allowance, there is still time to do so.

- It's worth noting that Alternates #5 and #6 say that an expanded solar farm will offset the reduction of commercial density. This is both a blessing and a curse. California currently has a huge capacity of solar power. Currently, more storage is needed than additional solar arrays.

- Alternate #7 for the win! Reduced Density, Lower Building Height reduces five of the Significant impacts associated with the Specific Plan (AQ-1, GHG-1, NOI-1, NOI-2, and NOI-3) while still meeting the project objectives.

[Anthony Walker]

- After reviewing the Alternatives presented in Chapter 8 of the Draft EIR, we are not persuaded that any of the options represent a preferable or more effective path forward than the proposed project—provided that the proposed project is strengthened in the key areas already identified in our previous comments.
- Brisbane has a once-in-a-generation opportunity to demonstrate what a 21st-century city can be: zero-carbon, climate-resilient, equitable, and economically vibrant. The alternatives considered here largely feel like partial measures—plans that either sacrifice too much of the site's transformative potential or fail to address long-term resilience and sustainability in a comprehensive way.
- While we recognize the political and legal reality that the State's housing goals are a central driver for this project, we also see conceptual value in one alternative element: large-scale solar generation and grid-scale energy storage. A pure "clean energy + grid services" use of the Baylands—without residential or commercial development—could, in theory, provide a safer long-term strategy given the site's remediation challenges,

flood and sea level rise vulnerabilities, and liquefaction risks. These environmental hazards could disproportionately impact children, families, and other members of the community who would live and work in the area. A clean energy–focused plan would not only avoid placing people in harm's way, but could also prove to be a stable and potentially lucrative economic engine for the City.

- We therefore recommend that the City:
    - Treat large-scale renewable energy generation, advanced energy storage, and microgrid infrastructure as *non-negotiable core features* of the final plan, not just optional add-ons.
    - Integrate the strongest climate, resilience, and equity measures from our prior comments into the proposed plan rather than scaling back ambition to fit one of the lesser alternatives.
    - Lead by example—show that it is possible to meet housing and economic goals while simultaneously setting a national benchmark for sustainable, resilient development.
- If we do not push ourselves to seize this opportunity, we will have squandered both the climate imperative and Brisbane's unique chance to lead. If we do push, the Baylands could serve as a blueprint for cities of the future for decades to come.

Specific Comments:

[Erin Becker]

- [8-26 through 8-28] – Including a column for the Specific Plan in Table 8-5 would be helpful for the readers.
- [8-26] – We're curious why an alternative similar to #5 (LMF facility) but with reduced building heights is not included in this analysis.
- [8-80 through 8-81] Alternative 3 is <u>not</u> good. While reducing building height seems like a good idea for noise and safety reasons, the following confirms that reduced height needs to be coupled with reduced density. *"Because the Specific Plan's land use plan does not include room for additional buildings, lowering the height of the tallest proposed buildings requires increasing the height of the shortest buildings within the Baylands… Lowering the heights of taller buildings while retaining the Specific Plan's overall development intensity would require increasing the heights of lower density buildings, which would likely necessitate pile foundations for more buildings than the Specific Plan."*
- [8-158] The No Project-No Build Alternative says that the impacts will be higher due to the landfill not being capped. Throughout the DEIR, the landfill closure impacts have been ignored, with the justification that it will be done under Title 27. It's disingenuous to include them here when comparing the alternatives.

Chapter/Section: Chapter 9 – Subsequent EIR Analysis

General Comments:

- No Comments

Specific Comments:

- No Comments

Chapter/Section: Chapter 10 – EIR Preparation Staff & Resources

General Comments:

- No Comments

Specific Comments:

[Erin Becker]

- [10-6] – EKI prepared the Water Supply Analysis under contract to the California Water Service Company (per letter b at the top of the page). They also peer reviewed the Brisbane Baylands Infrastructure Report (per letter c). It seems like a potential conflict of interest, unless another group peer reviewed their Water Supply Analysis.