

I believe that this project should not be built because it is too large and the traffic and air quality impacts cannot be mitigated and represents a risk to public health. The project destroys the small town character of Brisbane. It is an inappropriate level of use on this land that was once underwater and shall be underwater soon again. There has been a longstanding assumption that there would be solar power and wind power generation on this site and you have apparently abandoned that idea. There should be the equivalent of 100 acres of solar power generation on the site. It can be placed on land, on roofs and on exterior building walls.

Brisbane has a reputation for and has taken pride in its independent spirit. This project puts that proud history to rest. This version of the Baylands Project is the result of the City Council's capitulation to the bullying and intimidation of the California Legislature. My reaction is shame on them and shame on you.

There should be an entity that is funded that oversees the implementation of the Mitigation Monitoring Plan and the requirements of the regulatory Agencies. It would provide liaison with the regulatory agencies. Its membership would include members of the public representing different community elements and it would require some paid staff. The City does not have personnel that it dedicates solely to this type of oversight and would therefore not be able to do an adequate enforcement role.

On Page A1 of attachment A, item 3 A 1)

I realize that you stated there could be other regulatory agencies, nonetheless, the Bay Area Air Quality Management District should be mentioned. It has jurisdiction over the landfill gas emissions and the emissions from Kinder Morgan as well as any other emissions that might occur from remediation efforts.

Page A2 item 3J.

The protection provided should be from a 500 year flood. The Union of Concerned Scientists projects higher sea levels sooner than previously thought.

MMRP Matrix Page B188

Aesthetics and Visual Resources, 4A-1a, Required Documentation:

Add: Use computer generated geo-spatial GPS based 3D views of the Bay and San Bruno Mountain ridgeline to verify that the objective is achieved.

PB189-190 4A-3

The mitigation measure lacks definition. What do you mean by usable space? You could define it as a percentage of the group of buildings it serves. You could describe what uses you have in mind. This mitigation is vague and therefore unenforceable. It reads like boiler plate. It is subject to wide range of interpretations. The articulation is specific enough but is it for the whole height of the building or part

of it? These are mostly vague standards not mitigations. That is the goal to create 2 or 3 large masses instead of one?

Page B194 Measure 4.A4b under compliance verification

There should be an authority that reviews this item in addition to the Community Development Dept. There is a need for more specific expertise than what is available in house.

Air Quality Pg B196

Cannot be mitigated to a less than significant level

Measure 4B-1

Five to ten percent of the vehicles used in construction should be powered by electric motors

Measure 4B-4 Page B198-B199.

Rather than using a standard that is six years out of date now and will be a decade or more out of date when building takes place, why not apply this to employers of 50 employees or more. The dire traffic circumstances will justify it.

Add: Install solar panels on all buildings

Biological Resources

Measure 4C-1b Pg. B202

Rather than Orange fencing in a natural area, why not use split rail fencing and informational signage to discourage walkers from trampling these plants. Orange fencing is ugly.

Measure 4C-1g Pages B210 and B212

Add to the last of "measures" the following: The City will use a hydrologist with expertise in maintaining natural, existing drainage patterns and natural vegetation impacts to review the development plan and to state whether the plan fits with the topography, the soils and the existing drainage patterns. The hydrologist will also review the plan to determine if hazardous chemicals on site will be distributed to new locations by the grading and excavating for the plan.

The last bullet: The monitoring standards should be higher. And will include monitoring at the first draw of stormwater plus in the middle of the season and at the end of the season.

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Measure 4C-4b Page B219-B220

The compliance verification on this Measure should be reviewed by: The state Dept of Fish and Game(Wildlife), US Fish and Wildlife Service and BCDC

The following change should be made: The Habitat Protection Plan must be implemented prior to construction of site specific development not concurrent with that development

Measure 4C-4g

This measure regarding Bats should be submitted to the State Dept of Fish and Game(Wildlife) and the US Fish and Wildlife Service for their comments on its adequacy and therefore the agency names should appear in the compliance verification section.

Cultural Resources**Measure 4D-1a Page B226-B227**

The City has ordered the stabilization of the Roundhouse in the past and the applicant has not stabilized it and has not suffered any consequences. The wording in the measure would allow them to put off any action for years in the future. This situation is irresponsible and action should be required by the applicant within 90 days of the approval of the resolution approving the agreement associated with the FEIR and these mitigations. For all the requirements in this Measure, there must be an enforcement standard applied and followed. which will require an entity outside the Community Development Dept to make it happen.

Geology, Soils and Seismicity**Measure 4E-2a Page B 232**

In the list of items included in the final design geotechnical report, there should be additional items. First, The impact of grading on the contaminated groundwater plumes should be assessed and second, the risk analysis of slope and cut stability should be peer reviewed before the City Engineer's review and approval.

Measure 4E-4b Page B236

Ongoing Slope Maintenance will be required including retention devices and landscaping. A written report will be made every six month outlining deficiencies, recommendations and a schedule for repair with follow up required to verify repair is done.. The MMR Oversight Committee will forward the documentation to the City Engineer

Hazards and Hazardous Materials**Measure 4G-2a Page B237-B238**

The list of Regulatory Agencies should include BAAQMD

In the Monitoring Responsibility/Frequency Section, The City Engineer shall inspect grading operations *weekly or more often depending on the scale and speed of the grading operations* instead of the word periodically to verify compliance. Periodically is not a stringent enough standard.

Measure 4G-2c Page 239

Any demolition permit should contain a provision for the investigation of sub-surface residual chemicals and metals of concern and should require DTSC or RWQCB approval subject to the regulations at the time the action is being taken. The two agencies should appear in the Compliance Verification column and a determination from one of those agencies should appear in the Required Documentation Column

Measure 4G-2h Page B243 and B244

Please note that neither OU1 nor OU2 are overseen by the County LEA or Cal Recycle or that is my impression. It would be DTSC or RWQCB that is responsible. Who is the operator? I think that you have combined the Landfill with OU1 and Ou2 and that is not appropriate or accurate.

Measure 4G-2i Page B244

This is insufficient. There should be a requirement to use the most up to date version of the EPA Circular mentioned and there should be a report of the actual outcome of the investigation of this site. Is use of this Circular appropriate for a shooting range. There needs to be a written report quantifying the results of the attempted lead clean up that states how much residual lead is on the site. I don't believe that proper lead containment procedures have been followed at this shooting range and that may lead to liability risk for the City.

Measure 4G-2j Page B246

Regarding contamination on Industrial Way : Prior to any demolition of the Stauffer Chemical Bldg or the rendering plant, the building being demolished should be tested for residual chemicals of concern and metals of concern. It must be determine d what safety measures are needed for the protection of the workers and bystanders

Measure 4G-2k Page B246

In the second line add: after soils "and groundwater" Add: under compliance verification , RWQCB.

Measure 4G-3 Page 248

The area, OU2 is overseen by RWQCB and they should be informed. The way this measure is written casts doubt on whether it applies to OU2 including Industrial Way. It should be made clearer. There are multiple red flags for school siting on the Baylands. Kinder Morgan for pipeline, air emission and fire danger, the Caltrain tracks, the chemicals and metals of concern contamination, the excessive noise and vibration. They should all be addressed more fully as to how the risks will be mitigated, if they can be.

Surface Water, Hydrology and Water Quality**Measure 4H-1a Page B249**

The site specific SWPPP requires clear articulation of all chemicals and metals of concern that could potentially reach the Bay. The Compliance Verification Column should include RWQCB.

Measure 4H-1b Pages B249 and B250

When stating the applicable regulatory permitting agencies both Bayshore Sanitary District and RWQCB should be listed. Instead of "or", it should be "and". All chemicals of Concern and metals of concern present and potentially a threat to Bay waters must be listed on the permit applications.

Measure 4H-1c Page B251

The Stormwater Management Plan should list all the chemicals and metals of concern that are present in soil and groundwater in order to assure awareness of the risk.

Measure 4H-4a Page B251

This requirement is undersized in light of climate change and the risk of sea level rise. It should be a 100 year storm event to be prudent.

Measure 4H-4b Page 252

This measure is inadequate in light of climate change and sea level rise. It should be changed to a 500 year peak storm event. Just ask the people who live in Florida and Houston.

Measure 4H-4c Pages B252-B253

This measure is inadequate in light of climate change and sea level rise. It should be changed to a 500 year peak storm event. Just ask the people who live in Florida and Houston.

Measure 4H-5 Page B253

The plan for pest control should be changed from low toxicity to very low toxicity and in addition to trying to minimize the use of pesticides, the plan should have the goal of eliminating pesticides and the human health and environmental risk that they represent.

Mitigation 4H-8 Page B254

Sea Level Rise

The Baylands shall incorporate protection measures that demonstrate ability to handle the flood levels expected by late (instead of mid) century, exceeding the SF Bay Plan. Scientist now expect higher flood levels sooner.

Land Use and Planning

4j-1

This project should not be built. There are no credible overriding considerations.

Noise and Vibration

Measure 4j-1a Pages B255-B256

It is incredible that you believe that you can reach a level of 65 DNL outside when the noise sources of Hwy 101, Bayshore Blvd., Cal Train and Aviation Noise, each are close to or exceed that level

I attended a meeting where a San Mateo County Planning Official stated that the only thing that would stop sound would also stop a bullet. So, you will need some thick wall all over the Baylands.

Measure 4J-2a pages B256-257

Can you provide an example where a method succeeded in avoiding vibration in excess of 72Vdb Where the soil was fill underlain by Bay Mud. What authority confirms that this is feasible? Is 72VGdb low enough to not cause stress in humans? What does research show. The may be unfeasible and therefore is not mitigating.

Last bullet, What if the characteristic of the vibration waves occurring here are not the ones that are stopped by the isolation techniques? Shouldn't you find out if this would apply by investigating whether the train vibrations are stopped by this technique before you call it a mitigation.

Measure 4N-1B Page 267

There is no tunnel only a Tunnel Road.

Utilities, Services Systems and Water Supply

Mitigation 4.O-1a Page B287

Under Required Documentation column. After the words...Conveyance Agreement add "including signed agreements by agencies providing conveyance e.g. SFPUC, Modesto Irrigation District.

Mitigation 4.O-1c Page 288

Please note: We are paying for this water then we are paying for this water to the OID and then we are paying with this water to satisfy an obligation of the SFPUC to maintain the meadow .

Energy Resources

Mitigation 4P-1 Page 289

2nd bullet, Use electric motor powered equipment for 40% of the equipment used, if available.

6th bullet, Use electric motor powered construction equipment for 30% of construction equipment, if available.

Construct power generating solar panel arrays equivalent to 100 acres on ground surface or on roofs and building exterior walls.

Thank you for your attention.

Clara Johnson