



**San Bruno Mountain Watch** • PO Box 53, Brisbane, CA 94005

[www.mountainwatch.org](http://www.mountainwatch.org) • [sanbruno@mountainwatch.org](mailto:sanbruno@mountainwatch.org) • 415-467-6631

SBMW is a non-profit 501c3 corporation

## **SBMW Baylands DEIR Comments**

Please record these comments in the EIR.

### **General Comments:**

1. There are many impacts discussed in this EIR with many complex mitigation measures designed to remediate the impacts. These mitigations will only have their desired outcomes if they are carefully enforced and paid for. **Monitoring, enforcement and funding are themselves, therefore, mitigations that should be covered in this EIR.**
2. Since this is a large complex project projected to take 20+ years to complete, chances are great that new conditions will develop -- or be discovered -- during the life span of the project that will impact the environment. **A mechanism for adjusting to these changing conditions should be an additional mitigation for the project.** Such a mitigation should include planned review periods, provisions for emergency reviews, and plans for paying the costs of these reviews.

Chapter 4. Environmental setting, impacts and mitigation measures.

### **Air Quality**

#### Page 4.B-6

"The current attainment status for the San Francisco Bay Area Air Basin, with respect to federal standards, is summarized in Table 4.B-2. In general, the Bay Area Basin experiences low concentrations of most pollutants when compared to federal standards, except for ozone and particulate matter (PM10 and PM2.5), for which standards are exceeded periodically."

**Comment:** This may be changing -- the Bay Area has had 18 Spare the Air days this winter. Warmer winters, with more high pressure days may increase the number of high pollution days. How will the EIR adjust for conditions that change?

**Comment:** Not all dust is the same. Because of the landfill, Baylands dust may contain more contaminants. How is this addressed?

#### Page 4.B-23

**Comment:** The history of the revisions for air quality standards illustrates of how standards are evolving. How does the EIR address possible future changes?

#### Page 4.B-26

Mitigation Measure 4.B-2a: To reduce construction vehicle emissions, the following provisions shall be incorporated into construction specifications for all projects on the Baylands:

**Comment:** Reducing engine idle times and keep up with a stringent vehicle maintenance schedule -- these mitigations may be difficult to enforce. For example, most large diesel truck drivers leave motors running though standards already call for them to be turned off.

**Comment:** This impact is inconsistent with the 2010 Clean Air Act -- this in itself is an impact.

Page 4.B-30

**Comment:** Table 4.B-8 through 4.B-12: None of the tables take into account background pollution as a result of the landfill. Nowhere are the cumulative effects of pollution considered.

Page 4.B-48

“Because all four of the proposed development scenarios would result in significant construction or operational emission impacts even with implementation of all feasible mitigation measures (**Mitigation Measures 4.B-2, 4.B-4, and 4.B-9**), Project Site development would be considered to be inconsistent with *2010 Clean Air Plan*, and the resulting impact would be considered to be significant and unavoidable.”

**Comment:** Though the air quality section ends on this note, this points to a significant problem with all for plans in the DEIR that have received the most scrutiny. The citizen’s renewable energy alternative should be given more scrutiny in light of this finding

#### **4.C Biological Resources**

**Comment:**

Even though the Baylands represent degraded habitat, life has found a ways to use the limited resources there to the best advantage. The various species that use the Baylands should be encouraged. Habitat should be enhanced whenever possible. Present habitat, though in poor condition should be discounted.

Page 4.C-1

On March 2, 2007, June 20, 2007, April 20, 2011, and April 19, 2013 reconnaissance-level field surveys covering the entire Project Site were conducted by ESA biologists. The 2011 survey confirmed that site conditions in terms of biological resources remain consistent with no appreciable changes in distribution or condition of existing habitats between 2007 conditions and 2011, and also consistent with the earlier site surveys described above.

**Comment:** The number of trips to the Baylands for observations of species seems quite inadequate.

Page 4.C-2

“2The Project Site was originally an estuarine ecosystem supporting tidal marshes, tidal mud flats, and open Bay waters. The estuarine habitat was filled in with debris and refuse, beginning with the advent of the railroad and the need to dispose of debris from the 1906 earthquake.”

**Comment:** Though the original habitat was destroyed, nature has had several decades to recolonize the site and many species use it despite the degraded conditions.

Page 4.C General Comment

Birds (and other animals)make heavy use of the Baylands, especially the waterways like Visitacion Creek. The description of Visitacion Creek as bird habitat is inadequate.

Page 4.C-4

**Comment:** Lupinus sp., a Mission Blue butterfly host plant, is found on Icehouse hill.

Page 4.C-5

**Comment:** At least one wetlands area has been omitted or mischaracterized: There area wetlands near the former railroad yard.

**Comment:** Native plants are distributed among non-natives on a lot of the Baylands. It would be helpful to have a complete vegetation map and plant list so that a strategic plan for expanding existing native plant habitat could be developed.

Page 4.C-9

“The freshwater emergent wetlands on the Project Site typically lose surface water or completely dry up during the summer months...”

**Comment:** During normal rainfall years, there are some freshwater wetlands that last throughout the year. These should be distinguished from the truly seasonal wetlands. Both are valuable.

Page 4.C-14

**Comment:** There is no mention of Stickle Back Fish -- these were seen in the Baylands within the last 6 years.

Page 4.C-19

**Comment:** Four disparate days is not enough time for biologist to do surveys for the following species that could be present: Garter Snake, San Francisco Damsel Fly, Stickle Back, Mountain Salt Marsh Mouse and the California Red-Legged Frog.

Page 4.C-37 ; 4.C-39

Mitigation measure 4.C-1b states: “If the City determines that disturbance or mortality is unavoidable, special-status plants shall be restored onsite in either the annual grassland or coastal scrub habitat located on Icehouse Hill.”

**Comment:** *Viola pedunculata* has not been cultivated successfully on San Bruno Mountain. It will not work to mitigate for habitat loss by planting this viola. Therefore, there is no acceptable mitigation for destroying any Callippe silverspot habitat.

**Comment:** If a water tank is required for this project, where else besides Icehouse Hill, could it be placed? While trails may be found that avoid Callippe habitat, this would not be the case for a water tank? Are other options for location, for example, on sensitive habitat elsewhere on San Bruno Mountain, being considered and if so, what are the impacts of that?

Page 4.C-60

**Comment:** If habitat is removed and not replaced, the result will NOT be less than significant.

Mitigation measure 4.C-4g should include replacement of habitat.

**Comment:**

There are a number of significant impacts on the biological resource and therefore there are a number of mitigations proposed to lessen or eliminate the impacts -- I counted 19.

The impacts and mitigations should be listed in a table. The table should include the timeline for each mitigation, its estimated cost, the agency responsible for overseeing and enforcing each mitigation, and the consequences if the mitigations are not followed through on.

Money should be placed in escrow to cover all these costs before the action creating the impact is allowed.

## **Chapter 6: Impact Overview, Growth Inducement and Cumulative Impacts**

### **Page 6-1**

In Table 6-1 displays that only the CPP-V scenario has significant and unavoidable impacts for Impacts 4.C-1. This contradicts page 6-20 where all projects display an LCS impact.

### **Page 6-13**

**Comment:** Figure 6.1B. It appears that only projects within approximately an eight mile radius were considered. Give the average mobility of Bay Area workers, a larger area should be considered for these impacts. A reasonable area would be 12-24 miles for housing, population and traffic.

<http://blogs.kqed.org/newsfix/2013/03/05/san-francisco-bay-area-nations-capital-for-megacommuting/>

### **Page 6-19**

**Comment:** A larger area is needed for considering cumulative impacts of air pollution and greenhouse gases, since they are airborne. -- The Bay Area is being impacted by air pollution from China, and the East Bay is often impacted by pollution generated on the Peninsula.

### **Page 6-21**

**Conclusion:** The continuing loss of upland habitat that would occur as part of Project Site development, in combination with other past, present, and reasonably foreseeable projects would result in a significant cumulative impact."

**Comment:** Because of its size and the nature of the DSP (many housing units), the Baylands development would encourage and influence development of the surrounding open space, such as the Levinson Property. Therefore, this EIR should consider the Baylands development project impacts on uplands adjacent to the Baylands.