



RECEIVED

JAN 24 2014

Comm. Dev. Dept. Brisbane

January 23, 2014

John A. Swiecki, AICP
Community Development Director
City of Brisbane
50 Park Place
Brisbane, CA 94005
e-mail: jswiecki@ci.brisbane.ca.us

Re: Recology's Comments to the Draft EIR for the Brisbane Baylands

Dear Mr. Swiecki:

Recology appreciates the opportunity to comment on the draft EIR for the Brisbane Baylands.

The draft EIR evaluates the following four Concept Plans: *Developer Sponsored Plan (DSP)* – proposes total new development of 12.1 million square feet of residential, office/retail, industrial, and institutional on 684 acres. Recology's 44.2-acre site is excluded; *Developer Sponsored Plan – Entertainment Variant (DSP-V)* – this is the same 684-acre area of DSP but replaces retail and office/R&D uses with a variety of entertainment uses; *Community Proposed Plan (CPP)* – Includes the 684-acre site of DSP plus Recology's existing 44.2-acre area. New development is reduced to 7.7 million square feet with no residential development; and *Community Proposed Plan – Recology Expansion Variant (CPP-V)* – This plan differs from the CPP by expanding the Recology site by 21.3 acres to a total of 65.5, and allows for the expansion and modernization of Recology's existing facility by replacing CPP's hotel and R&D uses with Recology's uses.

Most of Recology's comments are directed at the environmental analysis, findings and conclusions related to the DSP and DSP-V project scenarios ("DSP projects") which exclude Recology's property and proposed expansion project. These comments, prepared with assistance of engineers and other expert consultants, focus on the DSP projects' incompatibility with Recology's land use, the lack of analysis of DSP projects negative impacts on Recology's existing facility and operation, and the DEIR's inadequate analysis of traffic and its impacts on Recology and on greenhouse gas (GHG) emissions relating to Recology's proposed expansion.

In determining the adequacy of the DEIR's analysis it is important to recognize the vital public service provided by Recology's facility at Tunnel and Beatty Avenues in solid waste collection, transfer, recycling and resource recovery for the City and County of San Francisco. In addition, San Francisco is now dependent on the modernization and expansion

In determining the adequacy of the DEIR's analysis it is important to recognize the vital public service provided by Recology's facility at Tunnel and Beatty Avenues in solid waste collection, transfer, recycling and resource recovery for the City and County of San Francisco. In addition, San Francisco is now dependent on the modernization and expansion of Recology's facility, included in the CPP-V project, to provide the infrastructure for the resource recovery facilities needed for San Francisco to achieve its zero waste goal. As discussed below, there also exists the potential, for Recology's expansion project, to assist the City of Brisbane in achieving one of its project objectives "to maximize solid waste diversion with the goal of achieving zero waste." (DEIR, K. at p. 2.7.)

A. DEIR's Inadequate Analysis of DSP Projects' Impacts on Recology's Existing Facility

The DEIR does not adequately analyze the potential impacts on Recology's existing operation and use from the proposed DSP projects which would border Recology's site to the south and west. The Draft Brisbane Baylands Specific Plan shows that these projects propose to develop high density residential, retail, commercial, and entertainment land uses adjacent to Recology. It is Recology's position that the DSP projects' proposed land uses are incompatible with the General Plan designation and zoning on the Recology property and would negatively impact Recology's operation and use.

1. Recology's Existing Facility and Land Uses

Recology's existing 44.2-acre facility, which straddles the Brisbane/San Francisco boundary, has approximately 232,888 square feet of building, and a fleet of 558 vehicles. The DEIR describes the uses as being "waste transfer, materials recovery, public disposal and recycling, vehicle weighing and maintenance, organics transfer, fueling, temporary hazardous materials storage, fleet parking, cart and container maintenance and storage and administration activities." (DEIR at p. 3-17.) The Recology site has a long history in solid waste disposal, transfer and resource recovery. Recology's predecessor used the site for landfill back in the 1930s and beginning in the 1970s the operation moved towards waste transfer and recycling resource recovery.

Recology's use conforms to Brisbane's General Plan. The property is located in the Beatty Subarea and is designated Heavy Commercial which is described in the General Plan as providing "for the bulk sales, offices, meeting halls, vehicle storage and equipment maintenance. It also allows outside storage of vehicles and equipment." (DEIR at p. 4.1-9.)

General Plan Policy 374 states: "Development in the subarea shall have as its primary purpose the accommodation of Heavy Commercial uses that need large areas of land to accommodate goods and equipment and may involve outdoor storage of goods and equipment."

The zoning of the Recology site of Heavy Commercial (C-3) is consistent with the General Plan. The purpose of the C-3 District is to “provide for heavy commercial uses that need large areas of land to accommodate outdoor storage of goods and equipment. (DEIR at p. 4.1-11). In 2005, Brisbane granted Recology a conditional use permit allowing for organics reload operation. For that portion of the Recology site located in San Francisco, the site is similarly zoned for Light Industrial with a Light Industrial General Plan designation (DEIR at p. 4.1-12).

Recology is located in the only area in Brisbane which is designated and zoned for Heavy Commercial use.

2. DSP Land Uses Are Incompatible with Heavy Commercial Land Uses and Recology’s Use.

To evaluate the potential environmental impacts from the DSP projects, the Brisbane City Council and the community need the DEIR to fully disclose and analyze the issue of land use incompatibility and the potential negative impacts the DSP’s residential, retail and commercial uses may have on existing and future industrial and commercial businesses located in the Heavy Commercial (C-3) district. For the Heavy Commercial use to survive in Brisbane, it must be protected from the encroachment and intrusion of residential, office and retail uses as proposed by DSP which are not compatible with the industrial-related uses allowed in the Heavy Commercial district. This analysis is in accord with CEQA Guidelines section 15125 subd. (a) which provides in pertinent part: “An EIR must include a description of the environment in the vicinity of the project as it exists before the commencement of the project” The environmental analysis should generally compare the impacts of a project against existing physical conditions. The reason for this is if there is an inadequate description of the environmental setting for the project, a proper analysis of project impacts is impossible. (*Galante Vineyards v. Monterey Peninsula Water Management District* (1997) 60 Cal.App.4th 1109, at 1122.

While the DEIR includes a general description of Recology’s facilities and the uses, it does not compare the impacts of DSP project against the existing physical conditions of Recology’s site. The existing physical condition of Recology’s land use must be considered in analyzing the DSP’s projects’ potential impacts. The DEIR should analyze whether the presence of DSP’s more sensitive land uses next to the Heavy Commercial District would impose more regulatory burdens and restrictions on these industrial-related business operations as to noise, air quality, traffic and hours of operation which would negatively impact the businesses. The DEIR should specifically analyze the potential impacts the DSP projects may have on Recology’s operation, creating inefficiencies which may have environmental impacts such as increasing landfilling and truck hauling.

The impact of the non-compatible DSP project uses on the adjacent Heavy Commercial property uses are environmental issues, not solely economic issues, as they may result in physical changes which reduce or restrict businesses like Recology which depend on the Heavy Commercial zoning. The burden of the project on the neighboring industry is potentially a CEQA significant impact (Guidelines 15064(d) and (e)). An EIR is required to analyze the economic and social impacts of a project if it causes a physical impact (Guidelines 15064(e)). In *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal.App.3d 433, 445, the court held that the City's environmental review was flawed for failure to evaluate the potential impact of rezoning of a parcel for commercial manufacturing uses in the loss of business and physical deterioration of existing businesses in the downtown, and that was an impact that had to be analyzed in the EIR. (See also *Christward Ministry v. Superior Court* (1986) 184 Cal.App.3d 180, 197 when a waste management facility was proposed next to a religious retreat center, CEQA required a study whether the physical impacts associated with the new facility would disturb worship in the natural environment of the retreat center caused by increased project traffic and noise.) The 6th District Court of Appeal, in *Galante Vineyards v. Monterey Peninsula Water Management District*, *supra* 60 Cal.App.4th at 1122-1124 held inadequate the EIR's description of the environmental setting for the project which failed to address viticulture or wineries in the surrounding areas finding that an EIR must consider the economic impacts from a district water supply project on the local viticulture industry, particularly in the areas of traffic, air quality, and climate.

3. DSP and CPP Projects' Traffic Impacts on Recology's Operation

The DSP and CPP projects would negatively impact Recology's operations by increasing traffic at key intersections to an unacceptable level of service creating traffic congestion and resulting in increased route times and increased emissions from Recology's collection trucks, negatively impacting air quality and increasing Greenhouse Gas (GHG) emissions. Increased route times (i.e., reduced collection system efficiency) would result in increased costs to San Francisco's refuse ratepayers (as well as Brisbane's refuse ratepayers, should Recology become the provider for the Baylands zone).

The DEIR should explain that as to the CPP-V project, the degradation of the level of service at the intersections shown in DEIR Table 4.N-25 is principally caused by the development in the Baylands from the DSP and CPP projects, not Recology's expansion project. The increase in Recology's traffic flow from existing to the expansion project is due to assumptions of a 20% growth in the waste stream over the coming decades. This waste stream growth and resulting increased traffic will occur regardless of Recology's expansion project. In fact, the Recology expansion would consolidate operations from Pier 96 and would reduce outgoing long-haul truck trips because the volume of the organics shipped to compost is reduced through onsite dewatering. These increases in efficiency will help offset trip increases associated with growth in the waste stream.

We recommend the development of an expanded southern entrance to the Baylands site to reduce reliance on Intersection #9, Intersection #10, and Geneva Avenue. Given the size of the proposed project, it is inappropriate to concentrate the traffic impacts on just the northern side of the site. Furthermore, existing land uses are present along the northern side of the site, while the southern side is undeveloped. The existing land uses to the north are bearing most of the traffic impacts from the project. A southern entrance would reduce impacts on the land uses to the north and shift traffic to an area that has no adjacent land uses.

Recology's additional comments to the DEIR's traffic analysis are as follows:

Page 4.N-44

The DEIR lists the Geneva Avenue/Harney Way Extension as one of the "Improvements assumed in the Cumulative Without Project" analysis. However, it appears that extension of Geneva Avenue from Bayshore Boulevard to at least Sierra Point Parkway is a fundamental part of the Project (as shown in Figures 3-11 and 3-12 for the DSP and DSP-V scenarios, respectively). The EIR should clarify which segments of the Geneva Avenue Extension are included as part of the Project.

Page 4.N-54

It is not clear from Figure 4.N-12 how the roadway network will be configured in the vicinity of the Geneva Avenue crossing of US-101. The EIR should illustrate more clearly how the roadways and intersections will be configured in the Existing With Project and Cumulative With project conditions for each alternatives.

Page 4.N-55

Figure 4.N-14 should show Tunnel Avenue continuing north of the Geneva Avenue Extension along the west side of the Recology Site. The analysis should have taken this into account.

Page 4.N-62

The Bay Trail alignment shown on Figure 4.N-17 is incompatible with the CPP-V Alternative. This figure shows the trail passing through the proposed Recology Site.

Page 4.N-78

The EIR analysis includes a number of significant assumptions for internalization of trips and mode share that substantively affect the analysis results. There DEIR describes the general methodology used to generate these assumptions, but no supporting calculations are provided. As a result it is not possible to review the applicability of these assumptions.

Page 4.N-91

Intersection #9 (Beatty/Alana/US 101 SB Ramps) currently operates at LOS B in the AM peak hour and LOS A in the PM peak hour. It is projected to operate with LOS F in the AM and PM peak hours under Existing With Project conditions. As stated on page 4.N-98, Mitigation 4.N-1c would improve operations to acceptable levels (LOS C) for the DSP and DSP-V scenarios, however operations under the CPP and CPP-V scenarios would remain at LOS E. This intersection is the principal point of access for to the Recology site. Unacceptable levels of congestion at this intersection will negatively affect Recology operations.

Intersection #10 (Harney/Alana/Thomas Mellon Drive) currently operates at LOS A in both AM and PM peak hours. It is projected to operate with LOS F in the PM peak hours under Existing With Project conditions. As stated on page 4.N-98, Mitigation 4.N-1c would improve operations to acceptable levels (LOS C) for the DSP and DSP-V scenarios, however operations under the CPP and CPP-V scenarios would remain at LOS F. This intersection is on a major service route from the Candlestick Point/Hunters Point Area. Unacceptable levels of congestion at this intersection will negatively affect Recology operations.

Page 4.N-98

Mitigation 4.N-1c is described as “legally infeasible”. However without this mitigation measure, unacceptable levels of congestion at this intersection will negatively impact Recology operations under all four Project scenarios.

Page 4.N-103

Mitigation 4.N-1.g states that “Should full-access intersections along the Geneva Avenue extension with spacing of less than 1,200 feet be proposed, a microsimulation of all proposed intersections along the extension shall be undertaken.” Figures 4.N-12, 4.N-13 and 4.N-14 show intersection spacing less than 1,200 feet. If these intersections are proposed to provide full access, a microsimulation analysis should be completed as part of the EIR in order to adequately assess the traffic circulation impacts. If the intersections are not proposed to provide full access (i.e. if they are proposed as right-in/right-out only), then this should be stated explicitly.

Page 4.N-105

Table 4.N-28 indicates that US 101 SB between Third/Bayshore and Harney Way will operate at LOS F in the AM peak hour under Existing + Project conditions. It also indicates that US 101 NB between Harney Way and Third/Bayshore will operate at LOS F in the PM peak hour under Existing + Project conditions. As stated on page 4.N-106, “There is no mitigation available to reduce this impact to a less-than-significant level”. This segment of freeway is on the principal route of access between the Recology site and its service area. Unacceptable levels of congestion at this intersection will negatively affect Recology operations.

Page 4.N-109

Intersection #6 (Sierra Point Parkway/US 101 NB Ramps) is projected to operate with LOS F in the AM peak hours under Cumulative With Project conditions. As stated on page 4.N-119, the intersection would still operate at LOS F even with mitigation measure 4.N-3c. This intersection is an important secondary access to the Project from the site from the south, serving as an alternative route to the proposed Geneva/Harney interchange and would allow site traffic to exit the congested freeway sooner. Additional mitigation measures should be planned for this location, including additional traffic lanes to improve LOS to acceptable levels.

Intersection #19 (Tunnel Avenue/Geneva Avenue) is listed as an intersection that “would operate acceptably under Cumulative With Project conditions during both AM and PM peak hour”. This is inconsistent with the results for this intersection in Table 4.N-32.

Pages 4.N-111 and 4.N-113

Tables 4.N-31 and 4.N-32 provide results for the intersection #19 (Tunnel Avenue/Geneva Avenue) with the CPP-V scenario. However, supporting capacity analysis calculations are not included in the document. As a result it is not possible to review the accuracy of these results.

Page 4.N-123

Mitigation 4.N-1.g states that “Should full-access intersections along the Geneva Avenue extension with spacing of less than 1,200 feet be proposed, a microsimulation of all proposed intersections along the extension shall be undertaken.” Figures 4.N-12, 4.N-13 and 4.N-14 show intersection spacing less than 1,200 feet. If these intersections are proposed to provide full access, a microsimulation analysis should be completed as part of the EIR in order to adequately assess the traffic circulation impacts. If the intersections are not proposed to provide full access (i.e. if they are proposed as right-in/right-out only), then this should be stated explicitly.

Page 4.N-145

Impact 4.N-12 states that “Construction activities would result in significant impacts on existing and cumulative traffic flow”. The Construction Management Plans identified in Mitigation 4.N-12 should be developed in coordination with Recology as any disruption in access to its existing facility would negatively affect solid waste collection in San Francisco.

B. DSP Projects are Inconsistent with Brisbane's General Plan Policies

The EIR must include a discussion of any inconsistency between the proposed project and applicable general plans, specific and regional plans. (CEQA Guidelines § 15125.) As discussed in the DEIR, the primary inconsistency of the DSP projects is to General Plan Policy 330.1 which prohibits housing on the Baylands. The DSP project proposes the construction of 4,434 housing units within the Baylands subarea.

Recology believes there is another significant inconsistency between DSP projects and the General Plan as to Policy 338, which seeks to lessen the problems that may arise between incompatible land uses. Policy 338 states: "Buffer Development from the Heavy Commercial use in the Beatty Sub Area." Recology disagrees with the DEIR's conclusion that the DSP projects provide for adequate buffer.

The DEIR in support of its finding of consistency, states that the DSP "... scenarios propose less sensitive uses such as parking, service access and storage of commercial uses north of Geneva Avenue to buffer office and residential uses to the south and west of the Beatty Subarea." (DEIR at p. 4.1-38.) The land use maps in the Draft Brisbane Baylands Specific Plan do not show these other less sensitive uses. And, no other detail is given in the DEIR which would inform the decisionmakers, the public and Recology as to the specifics of these proposed buffer uses, their locations and configuration, and how effective they would be in providing a buffer to Recology's existing facilities and operation to which they are adjacent.

C. Incomplete Accounting in DEIR's Analysis of the GHG Emissions of the CPP-V Project

It is our opinion, based on the analysis done by our consultant ARUP that DEIR Section 4.F (GHG) does not holistically account for local and regional GHG reductions that will occur as a result of certain activities associated with Recology's expansion project and that the inclusion of these activities in the DEIR should result in emissions below the significance threshold for the CPP-V project. In order to aid the clarity of this comment, some of the clarifications below have been incorporated into the attached *Comment C: Supporting Calculations*. The supporting calculations use the DEIR tabulated data, scaled and translated based on DEIR data, to demonstrate how some of the clarifications below reduce the emissions below the significance threshold for the CPP-V project. The elements Recology would expect to see clarified in the GHG analysis are as follows (some, but not all of which, are included in the supporting calculations).:

- *Increased energy efficiency and on-site renewable energy production, including recovery and local reuse of energy from the material stream.*

Section 4.F-15 of the DEIR acknowledges that the installation of photovoltaic generation results in “negative” GHG emissions, but it appears the renewable energy sources planned at the Recology site were not fully included in the DEIR calculations.

The expanded Recology site is planned as a zero net energy facility, fully self-powered by renewable energy. It includes highly passive and energy efficient buildings (which already include several of the proposed mitigation measures listed in section 4.F-18). The low energy buildings are then supplied by several roof-mounted photovoltaic installations, as well as heat and electricity generated from wastestream-based biogas using clean fuel cell generators. The net zero GHG emissions resulting from the operation of the project should be included in the “unmitigated” calculation results as they will occur as part of the base Recology site master plan. Additionally, since the current EIR analysis only considers net increases in building square footage and because this action by Recology will reduce the emissions from the entire Recology facility (including existing buildings remaining and to be replaced), the EIR should fully account for the resulting reduction in GHG emissions across the site.

Lastly, regarding the baseline for comparison, it appears that 400,000 kWh equivalent of natural gas was not included in existing usage due to units of measurement confusion. The EIR should account for this energy sum, as it increases GHG reductions represented by the CPP-V. It also appears that the EIR analysis did not account in the baseline for Recology operations that are outside of the Brisbane site boundaries (i.e. adjacent property in San Francisco, consolidated Recology sites presently in San Francisco but being relocated to the Beatty site). The EIR should account for all impacted operations in buildings not under the long term control of Recology.

- *Reduction in potable water use and water import.*

While the URBEMIS/BGM models address the GHG emissions associated with the water use, it is not clear that Recology has been credited with full supply of all its own nonpotable water. Recology will do this through dewatering of organics digestate, essentially squeezing water from the organics waste stream. Recology will not only meet its own nonpotable water demands, but will produce surplus water that can be treated to significantly reduce water use in the rest of the CPP-V project. These savings should be estimated and included in the DEIR GHG assessment. The DEIR has assumed a non-potable water treatment plant in the DSP. The DEIR should provide additional information on the certainty of the plant and the timing of its completion.

Further GHG reductions will occur as a result of dewatering the organic stream and the ensuing reduction in the volume and mass of trucked material. However, this volume reduction was accounted for in the Recology trip generation estimate, so it is assumed that this has been accordingly counted already in the DEIR.

- *Reduction in vehicle miles traveled (VMT) through operation consolidation.*

Section 4.F-13 of the DEIR suggests that default URBEMIS 2007 trip lengths for urban land-uses are used to estimate vehicle mobile combustion emissions. However, consolidation of Recology operations is one of the primary drivers for site expansion, and will result in a reduction of trip lengths for Recology owned and leased vehicles. In addition, Recology commute VMT are expected to decrease, which should result in a reduction in the non-Recology travel-related GHG emissions, since Recology commutes have been lumped into that category. Proper accounting of these reduced trip lengths should be included in the “unmitigated” calculation results as they will occur as part of the base Recology site master plan.

- *Reduction in vehicle emissions through conversion of fleet to low carbon fuels.*

Section 4.F-13 of the DEIR suggests that vehicle mobile combustion emissions are calculated using Pavley vehicle fuel emission standards. The DEIR therefore acknowledges that lower-carbon fuel results in lower GHG emissions, but does not capture the truly low carbon nature of the fuel that is to be used in Recology owned vehicles as a result of site expansion.

Recology will fully convert its collection truck fleet vehicles to natural gas (from bio-diesel) by 2025. Since the current EIR analysis only considers net increases in fleet vehicles and because this action by Recology will reduce the emissions from the entire Recology fleet, the EIR should fully account for the resulting reduction in GHG emissions across the fleet.

Additionally, site expansion will enable Recology to recover CNG as a 100% renewable biofuel from the material stream for use in its fuel-converted vehicles. Bio-CNG originating from food and landscape waste is a net zero carbon fuel because the amount of carbon released when it is used is equal to the carbon absorbed over the life of the plants upon which it is based. The combination of CNG vehicle conversion and bio-CNG made possible by the Project will result in “unmitigated” GHG emissions for the Recology fleet much lower than that currently captured and reported in the DEIR. Since the current EIR analysis only considers net increases in fleet vehicles and because this action by Recology will reduce the emissions from the entire Recology fleet, the EIR should fully account for the resulting reduction in GHG

emissions across the fleet. Lastly, it appears that the energy value of AD derived biogas has been applied to offset only electricity rather than fleet vehicle emissions. Because electricity is less GHG intensive than bio-diesel, Recology should be credited with GHG reductions from bio-diesel fuel elimination for all biogas-derived CNG proposed for use in fleet vehicles.

- *Reduction in landfill and reduction in organic material going to landfill (also see Section F. of this document).*

Section 4F-14 of the DEIR acknowledges the GHG emissions resulting from landfill disposal of operational solid waste, but the DEIR does not holistically account for the reduction in landfill disposal that will occur as a result of Recology site expansion.

Currently, the “black can” fraction of the material stream passing through the Recology site is sent entirely to landfill. Site expansion will enable on-site treatment and diversion of black can materials away from landfill, converting the Recology site into a “resource recovery station” whose construction is a critical step to achieving the City of San Francisco and Brisbane goals of zero waste. Therefore, the diversion of the majority of San Francisco’s black can waste stream from landfill would be directly attributable to this project. Thus, the Recology expansion variant should account for the full GHG emissions reduction associated with diversion of the served waste stream.

A further reduction in GHG emissions will occur due to the secondary effect of the on-site treatment and increased landfill diversion, in that most organic materials will be removed from the landfill stream. Since organic materials are the primary source of methane emissions from landfills, the resulting GHG emissions per ton of residual landfill material will be significantly lowered from the assumed rate noted in the DEIR.

In the Recology variant (CPP-V), it is also likely that all “black can” materials produced by the rest of the CPP-V projects would be treated and diverted on the expanded Recology site. In all other scenarios, these materials are assumed to be sent to landfill so the resulting emission reduction should be included in the CPP-V as additional “negative emissions.” If a franchise agreement between Recology and Brisbane is concluded before the final EIR, the GHG analysis should be updated to credit the CPP-V with the additional solid waste diversions for the served area.

Together, these three elements will result in a diversion rate and GHG emissions step change, which should be reflected in the “unmitigated” calculation results as they will occur as part of the base Recology site master plan.

D. Recology’s Purchase of the Van Arsdale-Harris Property

The DEIR identifies the property at 595 Tunnel Avenue to be owned by Van Arsdale-Harris Lumberyard. (Figure 3-8 at p. 3-17.) Recology purchased the property at 595 Tunnel Avenue in October 2013. As a result of Recology’s purchase, a portion of the DSP, DSP-V and CPP projects include land now owned by Recology. There will be no relocation of the Van Arsdale lumberyard. The DEIR needs to be revised to reflect this ownership change.

E. Correction Needed on Significant Unavoidable (SU) Biological Resources Impact 4.C-1

The DEIR concludes that as to Biological Resources Impact 4.C-1, the impact with mitigation is reduced to a less than significant level for all four projects, DSP, DSP-V, CPP and CPP-V. (DEIR at p. 4.C-35 and Table 2-1 at p. 2-24.) But, Table 6-1 and pages 5-11 and 12 incorrectly state that there is a SU impact on 4.C-1, biological resources for the CPP-V scenario. These pages in the DEIR need to be corrected to conform to the findings of Chapter 4.C.

F. Brisbane’s Establishment of Solid Waste Collection Zones

The DEIR’s discussion on Non-Hazardous Solid Waste (DEIR at pp. 4.0-18-4.0-20) should include information on Brisbane’s recent establishment of solid waste collection zones.

In May 20, 2013, the City of Brisbane adopted Ordinance No. 581 amending Chapter 8.24 of the Municipal Code to allow for the establishment of multiple solid waste collection zones in the City and the award of separate franchise agreements for each zone. As a result of the creation of new collection zones, Recology will be applying to the City of Brisbane for the franchise of the new Baylands collection zone. An award of the franchise to Recology will assist Brisbane with its project objective to maximize waste diversion with the goal of achieving zero waste. (DEIR Section 2.5.1 at p. 2.7)

CONCLUSION

The CEQA Guidelines provide that: “An EIR should be prepared with sufficient degree of analysis to provide decisionmakers with information which enables them . make a decision which intelligently takes account of environmental consequences.” (Guidelines §15151.)

The Baylands DEIR fails as an informative document because there is no detailed evaluation of the impacts of the DSP projects on the actual physical environment of Recology's existing facilities and uses, which provide a vital public service to San Francisco in the collection, recycling, and diversion of its waste stream. It is Recology's position that the information and considerations identified in this document must be added to the DEIR before it is used for decisionmaking purposes.

Yours truly,



John A. Legnitto
Vice President & Group Manager
San Francisco Region

Emission Category	Emissions (metric tons of CO ₂ e per year)	Arup Comments	Revised Emissions (metric tons of CO ₂ e per year)
Construction (Amortized Annual)	1,656	Not changed	1,656
Motor Vehicle Trips (non-Recology "Fleet")	64,219	The DEIR proposes the number represent the differential emissions from additional vehicle miles traveled (excluding Recology "fleet" vehicles) resulting from the project. However, the consolidation of Recology operations from 3 sites to a single more centrally site will mean that Recology employees will drive less overall (both in trips and VMT given majority south to north morning commute assumption). Additional differential emissions from this category are 4,634 metric tons VMT is assumed.	62,207
Recology Vehicle Trips (excluding employee vehicles)	748	The DEIR proposes the number represent the differential emissions from additional Recology fleet trips resulting from the project. However, the project will enable full fleet conversion from diesel to natural gas and will therefore have no emissions associated with their energy use. Additionally, these buildings will largely replace existing buildings which would result in a credit in emissions as the existing buildings are replaced with net zero energy for better buildings. Assumes that the new buildings replace 60% of the existing buildings on site. Recology also has other buildings that are being replaced with net zero energy for better buildings, and this category represents 10% of the total of all of the CPP-V buildings that result in net zero energy buildings. Additional differential emissions from this category are 4,634 metric tons VMT is assumed.	(1,700)
Electricity	10,839	The DEIR proposes the number represent the differential emissions associated with the use of gas in newly built buildings. However, the Recology project buildings will be net zero energy buildings for better buildings and will therefore have no emissions associated with their energy use. Additionally, these buildings will largely replace existing buildings which would result in a credit in emissions as the existing buildings are replaced with net zero energy for better buildings. Assumes that the new buildings replace 60% of the existing buildings on site. Recology also has other buildings that are being replaced with net zero energy for better buildings, and this category represents 10% of the total of all of the CPP-V buildings that result in net zero energy buildings. Additional differential emissions from this category are 4,634 metric tons VMT is assumed.	8,056
Natural Gas	4,974	The DEIR proposes the number represent the differential emissions associated with the use of gas in newly built buildings. However, the Recology project buildings will be net zero energy buildings for better buildings and will therefore have no emissions associated with their energy use. Additionally, these buildings will largely replace existing buildings which would result in a credit in emissions as the existing buildings are replaced with net zero energy for better buildings. Assumes that the new buildings replace 60% of the existing buildings on site. Recology also has other buildings that are being replaced with net zero energy for better buildings, and this category represents 10% of the total of all of the CPP-V buildings that result in net zero energy buildings. Additional differential emissions from this category are 4,634 metric tons VMT is assumed.	3,624
Solid Waste	24,824	The DEIR proposes the number represent the differential emissions from solid waste going to landfill as a result of the development. However, the project will enable Recology to expand its operations and achieve an increase in landfill diversion from current (~47,518) to future (80%-85%) and will use net zero emissions from landfill not only for the development, but for the whole city of San Francisco. These emissions are a transfer from existing operations, and a credit will be applied for the net zero emissions from the development. Additional differential emissions from this category are 4,634 metric tons VMT is assumed.	(3,241,200)
Other Sources (i.e., air, air sources, water/wastewater)	1,336	Recology will not only meet its own renewable water demand, but will produce more water that can be recycled to significantly reduce water use in the rest of the City's project. Additional differential emissions from this category are 4,634 metric tons VMT is assumed.	949
Existing Land Uses to be removed (Industrial/Park)	-2,762	Not changed	(2,762)
Renewable Energy Generation (non-Recology PV)	-3,136	The DEIR proposes the number to reflect open power production outside of the Recology use, and a credit for all projects. Not changed.	(3,116)
Recology Renewable Energy	-1,022	Adjusted to account only for the predicted renewable electricity output (based on electricity and gas reductions assumed above from PV and biogas). 24,700kWh	(3,236)
Total Mitigated Operational GHG Emissions	91,690		(1,172,207)
BAAQMD Efficiency Threshold	5.7		(73)
Significant (Yes or No)?	Yes		4.6
			No