CITY OF BRISBANE

PUBLIC SCOPING MEETING

BRISBANE BAYLANDS SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT

JANUARY 4, 2011

EXCERPT:

PUBLIC COMMENTS

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E X C E R P T

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MS. L. SALMON: Good evening. First of all, I was once again dismayed when I saw the new UPC-Tuntex proposal -- is this on? Yeah? Okay -- for 4400-plus houses -- yeah, for 44-plus, you know, how they're trying to slip it in at the last minute and say, "Okay, now the agency said they only have one month during Christmas to respond." That's not going to fly.

First of all, housing is not -- I'll put my glasses on, I guess -- housing -- housing is not an acceptable use of any land located in the Brisbane Baylands and is specifically disallowed by the current General Plan voted upon by the citizens of Brisbane. And we are not going to even consider any proposal of 4,434 housing units on extremely sensitive marshland habitat, which is not only contaminated, another Love Canal in the making, but is land that will liquefy in any sizeable quake, and is further subject to floods and rising sea levels. Therefore, we cannot consider such an option in any form. Even the possibility of such an option cannot be entertained for the EIR purposes lest UPC and Tuntex folks get the wrong idea and think that we might someday, under some condition, allow this, which we won't.

If the current City Council cannot support the will of the people and stand up for our rights in the face of UPC and Tuntex, then we will need to get a new City Council government that does honor the will of its people.

We know why the applicant is claiming that such housing is necessary to make any of their schemes viable. They need it in order to saddle us with the bondage of reclamation and redevelopment monies from the state to finance the infrastructure because they cannot afford to do so on their own. The answer to that is simply no. We will not be bamboozled by such schemes. We learned our lesson on the Waldo-Kerwin-Myers Sierra Point boondoggle. No more.

Further, there is no alternative project without a Geneva Avenue exchange freeway running through the Baylands. Note that Brisbane will not tolerate the additional noise and pollution that will be shown by a proper EIR to be caused by such a freeway. At the time the 101 extension was shoved down our throats, we were not a city and had very little to say about it, but now we do. And we will not carry the burden of San Francisco's San Jose Avenue and Alemany-280 exchange traffic to be routed onto the 101 via this new proposed Geneva Avenue freeway extension. We all know perfectly well that to open that door would be opening the door to widening the 101 freeway as well as Bayshore Boulevard, which would only mean losing more of our bay and our mountain.

And, of course, when we do get around to doing the EIR and we actually have a plan -- we'll come back to that to begin with -- we need to talk about the viewshed. The applicant's activities have already cost us the San Francisco skyline. When

you stand on Lagoon Road, you can no longer see the San Francisco skyline. It's all about saving the bay and its marshes. We have native plants and animals that need contiguous habitat.

We have an incredible potential for the loss of our night sky for all of us, people, animals, and plants here in Brisbane, not to mention the containment of any parked vehicles, not only for the viewshed, but for their oil and other pollutants that would add to the combined plume.

However, most importantly, once again, even though we now have more detailed ideas on land use from the applicant on what they want to do with this land, specifically, to make more San Francisco in our front yard, however, we still do not have an actual specific plan, which must include actual proposed buildings, architectural drawings, elevations, et cetera. We, the people of Brisbane, are not so foolish as to give this applicant carte blanche to build roads so they can put up whatever kind of structures they like without a real review to know if such will be acceptable to us.

I can tell you right now they are very much mistaken if they think they're going to build more of those butt-ugly square townhouses they're proposing to build in Visitacion Valley. So the whole idea of setting out the EIR is totally and completely premature from a legal standpoint.

Just because some people want to call this new executive summary of the project description a specific plan and

consider it under some newfangled program of the EIR does not make it so.

We will not be hoodwinked by this posturing of the emperor's new clothes. This does not work for the City of Brisbane. The General Plan -- the General Plan that is in existence right now very, very specifically says that a real specific plan must be laid out for approval. We -- in its entirety. We are not going to approve this in piecemeal.

The reason the FAR's are the way they are, when I sat on the Planning Commission and we finished that General Plan in 1994 or whenever that was, okay, is because we want real architecture, real buildings, on a large scale so we don't have a bunch of little roads and a bunch of little automobiles. It's only transit-oriented. We're not talking this new urbanism junk of building another city in our front yard. That is not the use that we're looking at and we're looking for. And we have done our best to communicate this with the project people, the applicant, UPC and Tuntex, and they are not listening.

We went ahead with these people for the proposed alternatives. This is really not our proposed alternative. This whole thing is a sham. I totally object to this process, to having to come down here once more and say, "Okay, for the EIR we have to do this and this and this," when we still don't have a real specific plan. And the General Plan is very specific about that.

Thank you.

(Applause)

MODERATOR: Can you just make sure -- clarify your name when you begin speaking?

MS. MILLER: Anja Miller, speaking for the Committee for Renewable Energy in the Baylands.

AUDIENCE MEMBER: And she's speaking tonight for the whole group.

MS. MILLER: Can you hear me now? Okay.

Anyway, we have been verbally assured that the renewable energy alternative that we've prepared and has wide support in the community would be considered equally with the developer's plan and the so-called community preferred alternative. But it doesn't appear so from the NOP, and I think, again, that the EIR consultants confirmed that it would be just a supplemental paragraph or two compared to the main plan.

So we have a letter we'd like to submit. I have six points, and I'd like to read it for the record in response this whole thing.

(Ms. Miller reads January 3, 2011 letter from CREBL to Mr. John Swiecki into the record.)

(Applause)

MODERATOR: Ken?

MR. McINTIRE: Ken McIntire, San Bruno Mountain Watch. I think I'll just read my questions and comments into the record.

MR. McINTIRE: So I have a couple -- one general question, one that you already answered.

(Mr. McIntire reads document from San Bruno Mountain Watch titled "Scoping Comments for the Brisbane Baylands EIR" into the record.)

MR. McINTIRE: Thank you.

(Applause)

MODERATOR: Michele Salmon.

MS. M. SALMON: Michele Salmon, Brisbane resident.

First of all, I'd like to say something about the community alternative plan. I attended at least one of those planning sessions, and I was very put off by the process because it was extremely contrived. It left no room for people to express what they really wanted out there. There were a certain amount of elements that you had to place in the plan, et cetera. And every time you call it the community-approved plan, it makes me feel a little bit sick because, really, I don't know anybody in the community who actually approved that plan and embraced it. So I personally embrace the alternative energy plan.

I am concerned about the program EIR versus a specific project EIR, and I will continue to be concerned about that. And I expressed that concern during this entire process.

Also, I am concerned about the elimination of the agricultural and mineral parts not being included in the EIR. And I know it sounds ridiculous, but that is an agricultural

asset because it is an area that receives a lot of sun. It is possible to grow food there using, you know, above-ground containers like earth boxes, and also it could be an area where we could grow algae for biofuels. So I do think that that does need to be looked at and should not be eliminated just because. And there was also talk about mining the minerals from the landfill that was deposited there.

And then one of the things that I'd like also is a definition of open space versus natural space when you're doing the EIR process. I have great concern that you consider a plaza that's paved over as open space. I don't consider that open space. I consider that uncovered, developed space. And there's quite a difference between developed space that doesn't have a roof and open space. In my heart, that's very different.

One of the really grave concerns I have and I'm not sure how you're going to address is actual build-out process. I have lived here all my life and have gone through various build-out processes. Just a few -- short while ago, the citizens of Brisbane were subjected to the pile-driving when they replaced the bridge over the railroad tracks. It was quite intolerable for many people. The sound and the vibrations are amplified in the natural bowl shape of Brisbane, and you can actually, you know, feel it. And I remember very clearly when they built the Kinder-Morgan tank farm. And we put up with that pile-driving for six months or more. It was horrible. It was awful. It was

horrendous. Your teacup would bounce on the table when they were pile-driving.

And I -- that is just a small sampling of what not only the people of Brisbane and the surrounding areas will be subjected to during the build-out phase of this project, but also all of the animals and sea life and fish and mammals that are in the area, including birds and eggs and everything like that. And that really, really needs to be addressed. There was a report recently that came to light where, you know, sonic vibrations really affected sea life. And there's a fragile comeback of birds in the lagoon. It's a rare migratory area. And the actual building process of building out the Baylands really needs to be taken into account.

They are going to be penetrating landfill that's toxic in order to pile-drive. You are going to be creating incredible sound and vibratory -- I don't know what you call it. It's going to be really loud and really shaky when you pile-drive the hell out of that place in order to put piers down, enough to support the structures that all of these plans are talking about. That really needs to be taken into account.

All of the pollution, all of the traffic, all of the construction, what is the impact of that on the environment, not just the people, but the animals and the plants and the birds and the sea life? Those vibrations from pile-driving can transfer across miles and miles. We saw how vibrations can travel through

the earth with the Loma Prieta earthquake. Who would have ever imagined that it could bring down a piece of the Bay Bridge when it was, you know, fifty miles away?

And so, those are really big concerns of mine. I'd like not just what it's going to be like when it's done and how much traffic there's going to be and how many houses and how much electricity it's going to use. I'm sure you have plenty of pat answers for all of that, because this is -- you know, development happens all over the world. But what's the true impact of actually building the development the way that it's planned right now? That is significant. It will have -- just the building process will have an incredibly major effect on this area, an untold impact. And I don't see that addressed in any of these, in any of these scoping documents or anything. And so, that's something that is a real concern to me.

Even if you go out and look at the Kinder-Morgan tank farm, you can see where they did pile-driving. You can see the subsidence of the -- on the surface level from that time till now. And, yeah, it was a long time ago and yeah I'm getting old. And, you know, I probably won't be around, you know, fifty or a hundred years from now to see what it looks like now.

But what about the dirt that they have to bring in after the fact to bring it up so that everything's level and you don't have a six-foot drop-off from the building? I mean, look at the City maintenance building. I mean, that building should

be condemned. It's -- it's eight feet above the surface level now. There was eight feet of subsidence, just in, you know, what? Thirty years? How long has the Kinder-Morgan tank farm been there? Thirty, thirty-five years?

And then also, I'd really like to see in the plan some flexibility for the future, because we're looking at it in a kind of static view of where we're at right now. And you said it yourself about that, that's why we're doing a program EIR, to -- because the build-out's going to take thirty years or fifty years or ten years, or however long it's going to take. But if we don't have flexibility in the environmental impact review, constant flexibility to address constant changes of things that are happening right now that we don't even know about -- I mean, just in the last four years, people are starting to acknowledge that global warming is not fantasy, that sea level rise is not fantasy. It wasn't something that the Democrats invented, you know, to support Al Gore; it's a reality. I learned about it in college, you know, a really long time ago.

And so, these are things that are concerning for me when I look at this environmental path, review, scoping. And they really do need to be addressed. And this is cutting-edge stuff because this is the largest brown earth development, probably in the western world, and maybe even in the whole world.

We have an opportunity here to do something remarkable and something horrible. So we really need to make a choice of

what it's going to be. And a lot of that hinges on how it's going to affect the current environment and the future environment.

You know, when they were filling it with garbage, I never would have believed that I would be standing here this many years later saying, "Wait a second; you want to put houses there? Do you know what's in there?" You know, and -- and so, it is really a scary thing, you know. And it's not something I'm quite -- oh, you want comments in ten days? You want comments in thirty days? I'm sorry, but this is a lifelong process that we're looking at. And so, don't -- I don't want us to take it lightly and not address the things that weren't really addressed.

Thank you.

(Applause)

MODERATOR: Dana Dillworth.

MS. DILLWORTH: Dana Dillworth, resident of Brisbane.

My -- I have comments that I submitted to the City questioning whether the 30-day notice was adequate, requesting an extension for submission of documents and proper circulation of this notice. I'm not going to read all the material, but I did want to say that this represents a different plan. This is a new plan. This is not the plan that we had presented to us in 2006, so we have new information, new uses, new numbers of people that just mean more people at risk, more exposure to toxins, and more false claims about sustainability.

So, really, if you wanted to know, "Should you review this document?," the answer is no, because it has not a chance in hell to be an acceptable plan for the City. And in CEQA, that's clearly one of the things. Public acceptance is clearly one of the things that you need to address. And so, one could cut it to the chase right now and say this is unacceptable, it's not legal because it doesn't represent the will of the people, we voted on it.

Stop wasting our time. I have been involved with this for 21 years, since 1991, when under a negative declaration -- when you say "negative declaration," they were going to rezone the dump for housing. So do not look in our face with any sincerity to tell us that future mitigated negative declarations or future negative declarations will be legitimate ways to move forward.

About the community preferred alternative, it is yet to be decided as to whether it's a preferable alternative. And I don't want you to get me wrong, because there are some absolutely wonderful things, but they're overshadowed by the impacts that are adjacent to their uses, such as the toxic waste burner from the dump, the toxic waste burner from Kinder-Morgan, and any other toxic waste burners that might be required as a mitigation measure. You have not looked into that issue.

And so, the -- how can any of these plans be preferred, when you haven't looked at the toxic waste burner right here and

the toxic waste burner right there? How in the world are you going to pack people in those areas, to live and breathe on a daily basis?

So, one of the things that I haven't finished about the community preferred alternative is that we never, ever, ever, ever were legitimately asked about square footage for those uses. They were slipped into a page that we didn't receive in the mail. It was like Page 4, but we received Pages 1 through 3. So it needs to be maintained on the record that the square footage of the so-called community preferred plan has never been -- we've never had an opportunity to say whether we prefer it or not. It's all happening behind the -- behind closed doors.

When it was last presented to the public, it was roughly at about 7.5 million square feet. Today it's 8.3. If we don't say, "Stop!" -- why didn't we say "stop" at 2.57 million square feet? Why didn't we say "stop" at 7.2 million? Why haven't we said "stop" at 11., whatever? It -- it's like -- it's not the square footage; it's the exposure, the number of people that you will bring to this dump and expose to the toxins. That's the question, not "Is housing okay?" It's not okay.

And so, one of the things that I was going to say is, when we were going through the workshops, the community workshops, we got all energized by James Wines and said, "Oh, wonderful! There are some alternatives out there." We got -- I went to one of the Universal Paragon-sponsored things down at the

Brisbane Village, and there was a consultant who talked about public planning from the watershed point of view. And I walked to him and I said, "You just shot Universal Paragon in the foot." And he said, "I'm not being asked as a consultant for their planning; I was just being asked to tell you about planning, good planning practices."

And so, his object of being a good planner is to start looking at the watershed. Even if it's all covered over, look at your watershed because your watershed will tell you just exactly what uses go where. You avoid the riparian areas. And if that were the case, the community preferred alternative would open up Sunnydale, because we know the community wants to daylight the creek at Sunnydale. This would be open, Geneva would be open. We would be finding other ways, making new lagoons, if we were to think positively about the environmental community. Environmental community, I repeat.

Some of the things in this plan -- I'll tell you what we do not prefer, but they continue to be carried forward. We do not prefer the continued industrial uses. In 1991 when they were going to rezone the dump for housing, they declared it was to get rid of the industrial use. And yet, industrial use keeps showing up again and again. That is not a preferred alternative to the residents of Brisbane.

We do not prefer a water treatment plant that could impact our local flora and fauna. So I personally, I'm the one

who's been shouting, "Arcata, Arcata, Arcata," but what it looks like to me, you're going to take this and you're going to dump wastewater treatment into our watershed. And, no, you don't get to do that. You need to keep your water treatment separate from the environment, because we all know what overflows are all about.

The other thing, one thing we do not prefer is a plan that ignores the watershed migratory bird populations, because the plans that have been submitted have improper planting, plants, and materials, and it bisects open space by roads and soccer fields. We do not prefer putting grids. We do not prefer lots of roads. And somehow, that has not gotten through and has not been articulated.

So, what we do prefer -- oh, also, we will not -- I personally, who've been involved in this for 21 years, will not sit back for another 21 years waiting for contamination remediation. I have sat in meetings for years where they say, "Oh, Dana, control yourself because we have a willing developer." Well, twenty fricking years later, this willing developer is willing to put a little asterisk into your program that says, "We may not accomplish any of this because it's subject to market conditions."

It's my understanding that the -- that they -- in fact, I brought it to the Water Board's attention -- they have active -- still have active leaks. Universal Paragon could be charged

$5,000 a day. That's $1,825,000 a year. And for the 22 years that I've waited for them to clean up, that will be $40 million that could have been collected in fees for the clean-up. But, no, we sit back and go, "Oh, let's try to figure out what we can do. Let's figure out how we can make this manageable." Manageable is clean up the fricking stuff, period.

So, we do not prefer to sit back and wait. We do prefer to have the developer take full responsibility for the health impacts to the lagoon and to our watershed, and to develop a plan looking at positive environmental contributions rather than offering the most toxic land for open space and then include the little asterisk that says -- I can give the exact words, but -- "Acreages and other proposed land uses may decrease as a result." So guessing -- does that mean our open space is the first land use that's going to decrease in order to do anything else out there? No fricking way! Our open space should be open space, not open area. Stop playing the game with the definition, because some of us are getting quite ready to stop being --

MS. DILLWORTH: Okay. Anyway, I am tired of giving leeway to somebody who just doesn't get it.

Almost ten years ago, I made public records requests at the Water Board. I found out decisions were being made that even the citizens of Brisbane did not know were being made. And that's why I petitioned the state to set up the community advisory group, because we were not being informed. And we are

still being treated like donkey doo, that we are not being informed of the truth of issues.

And so, in closing, I had wanted to say -- oh, also, we need to acknowledge that there's a deadly mold problem out on the Baylands, that the fire station is not usable because of a deadly mold, that the Unocal building is not usable because of a deadly mold, that a lot of the buildings along Industrial Way probably are not usable because of the deadly mold. And part of that comes from the fact that the water below the Baylands is saturated with water. It receives impacts from the sea, from the Bay, and everybody looks the other way. But that's the reason I say they need to look at the records of Kinder-Morgan, because they looked at the water flow and they concurred that the wells at Kinder-Morgan are receiving tidal action. So everyone else out on the Baylands is receiving tidal action. But we just pretend like it's nice, solid land.

And so, these are some things that haven't had a consulting firm that would say, "Start all over; you need to look at the environment; you needed to look at the impacts first, and then you can choose what uses we will do," rather than the other way around, where we sat through program after program after program. "What do you want? What do you want?" "Oh, I want this, I want that." And we never said what is safe.

And so, I personally think this all should be thrown back to wherever you throw garbage -- you can leave it on the

dump -- and start all over again, be sincere in your effort, or you have a group of citizens that are just getting angry as heck. And we aren't -- it's been 21 years for me, thirty or forty for some other people in this room.

MS. DILLWORTH: We're sick and tired of it. We want to see some change. I'm sick and tired of you calling this a specific plan, but there's no specific plan available.

MS. DILLWORTH: Stop the games, stop the bullshit, and clean the fricking place up!

Thank you.

MODERATOR: Mr. Heinz?

MR. HEINZ: Tom Heinz, 22-year resident.

I understand your desire to confuse us by mixing things like apples and oranges. Please use all square footage or all acres, or use both, but half your numbers are in acres and half are in square footage. You know, I just can't do that mental calculation in my head any more.

A program-level EIR opens the doors that would not be opened if using project-level. It is one project.

If the original NOP is so old and there are so many new changes, then why not just start over?

The applicant says they cannot do this project without housing. When this project started -- I'm not sure of the exact date, but Dana mentioned '91 -- I told the applicant then that they bought a lemon, and that they should cut their losses and

back out now. And here we are, ten years later, and we're still confused, there's still no progress. Whatever you've been promised by City Hall cannot be kept. We control City Hall.

Finally, this document that we have tonight looks like it was just coming out of somebody's head and no real thought was put into it. It calls -- it says -- it says the -- the north-south direction is bisected by the railroad, the north-south direction bisected by the railroad. No, it doesn't go that way. It's the east-west direction bisected by the railroad.

Thank you.

MODERATOR: Is there anyone else who would like to comment who didn't fill out a green card? Or is that all?

Danny.

MR. YEUNG: I'm Danny Yeung. I'm a resident of Daly City, actually in the Bayshore neighborhood, which is adjacent to the project site. I'm talking because I saw that there were no comments submitted by Daly City in 2006, and I'm not even sure if they are submitting any comments this year for the project. So I'm going to try to represent my neighborhood here, just talking about the program EIR.

I'd like to -- I'd like the EIR to include discussion or analysis about the increase in traffic along Geneva Avenue. I think that the Bayshore neighborhood and the neighborhoods, for example, and -- oh, and then also the potential change in level of service and upgrades necessary along Geneva Avenue, and, for

example, like the Geneva-Bayshore interchange, and also future truck traffic along or exiting the proposed Geneva interchange at Geneva and 101, where -- because there might be a lot of truck traffic going into -- going off that interchange, passing Geneva Avenue and Bayshore Boulevard from -- directly to that proposed -- that -- what's this area called, the industrial area along Valley Drive, I think? Since most of the traffic now comes from -- I think it was the Bayshore exit off-ramp. So there would be an increase of new truck -- heavy truck traffic along that intersection there.

And then, let's see, for public services, I'd like the EIR to include a discussion on the increase of calls in the community from the Bayshore area, specifically North County Fire, or the Fire Station Number 93, the increase in its service levels -- were affecting service levels, and -- because the fire can pass through our neighborhood to get -- to service the new proposed development.

For the noise and vibration section, noise impacts in the Bayshore neighborhood, I looked at the noise study taken by the noise modeling and samples of the Bayshore area, the Cow Palace area, and any effects caused by the new development, including construction, along with the pile-driving that Michele mentioned earlier during construction, and the potential of that going off San Bruno Avenue. And as Michele mentioned earlier, the ground-borne vibration is the technical term for it, I

believe. For the land use and planning element, the entertainment variant studied for an alternative should include an impact on the Cow Palace and local business that could be affected because of a -- it could draw away business from the Cow Palace and local businesses and could result in those businesses shuttering, which is a physical impact on the environment.

And then, also, the effect on Daly City's existing land use plans for the area, the Bayshore area, and for the Geneva corridor plans.

And then, for the hazardous materials, I'd like the no-impact alternative to include analysis of the potential for release of hazardous materials if nothing is done on the project site, possibly during earthquake over a long-term period.

Those are my comments for the EIR.

MODERATOR: Thank you very much, sir.

Anyone else like to comment?

MS. PARKER: My name is Carolyn Parker. I would like to see an overview map of all the approved future housing and other building that's going to be around the Baylands that's not currently being built so that we have a general idea of what else is going to be out there on the Baylands. I feel that I can't see the Baylands just by itself; I need to know what else has been approved. And I -- I haven't seen anything like that. And I think that should be considered in the EIR, because there's water -- my understanding, I don't know for sure, but my

understanding is that there's approval of 12,000 additional housing around the Baylands. So, I'd like to see a lot more about what the traffic conditions will be, where the water's going to be coming from, what else has been approved for the electrical grid. I just feel that we're looking at the Baylands in an -- just by itself, and I don't think it should be by itself. It needs to be included because there's an awful lot of growth that's going to be occurring in that area, and really adjacent to the Baylands.

And I think that's not holistic. It's sort of like we're looking at, you know, at an arm -- you know, the Baylands is the arm, but you know what? We have to look at everything.

Thank you.

MODERATOR: Anyone else who would like to speak? More speakers?

MR. HOWARD: Personally, I think --

MODERATOR: Robert, would you start with your name?

MR. HOWARD: Robert Howard, Brisbane resident.

Personally, I think the Geneva Avenue extension is a really bad idea. It's going to totally distort traffic patterns in the region, and I mean all the way across Geneva Avenue down to Mission and beyond -- and it may end up with people, you know, end up -- going to be more cars on the 101. The 101 is now filled to capacity as it is. And it will just lead to gridlock. It's a terrible idea. It really needs somebody who can analyze

the situation who really understands traffic management, traffic flow, and will treat it as a regional concept, not as just a little area with respect to here but for the whole region.

The other thing is the high-speed rail authority is planning on putting more tracks in there for high-speed rail. They're also planning on paying for the electrification of Caltrain as part of the deal. It may not happen immediately, but it will happen sometime in the future. So that will alter the usable amount of land.

My understanding of their EIR is being done in the next few months, and it's supposed to be approved this year or the beginning of next year that's the Caltrain project for this area.

And this is one of the things we're trying to decide on. And the question is what effect that will have out there. So, in some ways, some of the plans are premature with the high-speed rail authority and Caltrain plan because they have power of eminent domain given to them by the state. And it seems like -- almost like a rush to get through the -- down here to up-zone this, which is not really a good idea. Those of you think you know something about organizations, they can end up doing something with this piece of land.

Another big concern is water, as Carolyn talked about. Where is the water going to come from? Where is sewage going to come from -- and where does the sewage go to be cleaned?

You know, do -- also, there's -- as Dana probably could

tell you in more detail, there are a number of migratory bird species that are covered -- it's my understanding they're covered by the migratory bird treaty -- that over-winter in parts -- in the seasonal wetlands out on the Baylands. Those haven't been taken account of. Those can't be moved. It's my understanding the migratory bird treaty, that the international treaty, it's enforced by a number of different agencies, both governmental and nongovernmental. And one of those agencies that is non-governmental is actually going to sue quite vigorously when they hear about migratory birds' habitats being disturbed. And it's -- this treaty, you know, if it's one -- it's organizations that you supported. So, anyways, so there are a lot of problems out there that need dealing with.

Thank you.

MODERATOR: Thank you.

MR. HOWARD: And you mentioned some of the others too. People have already talked about them.

Thank you.

MODERATOR: Okay. Just -- I want to see if there's anyone else who hasn't spoken who wants to speak. Be sure to state your name.

MS. M. SALMON: Michele Salmon, round two.

One of the things that I think is really important to remember, I know a lot of times when we do an environmental impact review, you look at studies from other areas and apply

that data to our area and different sets of things that happen. I've seen this numerous times. But I do think it's very important that we look at our unique area and the unique circumstances here.

In the past, we've had studies about, you know, diesel fumes and air pollution and noise levels, and they've used, you know, air pollution studies from the airport instead of here in Brisbane, and they've used noise level things from other places. But Brisbane has some very unique geographical considerations, such as the bowl shape. I can remember being at home on a Sunday night and my husband saying, "Wow! The 23 Club is really rocking. Maybe we should go down there and see what's going on." It turned out to be a concert of Metallica at Candlestick, and they sounded like they were playing on our porch. All right. And that -- that's the nature of Brisbane.

We have -- we live on a rare mountain of endangered species. And so, I think that as you do your work, it is really, really important that you look at our circumstances here, that you do original research for what's going on here, in our place, and not just apply those studies that happened in, you know, some other place, like they did with the Northeast Ridge, where, "Oh, well, they're just a butterfly; all butterflies are alike." Well, no, not all butterflies are alike. Not all fish are alike. Not all plants are alike. Not all geographical circumstances are alike.

And you can just imagine, here's a little nest out on the Baylands with two little eggs next to each other, getting ready to hatch, and all of a sudden the pile-driver goes (bangs) and the eggs hit each other and break, you know. I mean, that's something that's a reality in this circumstance, in our circumstance here. We have little endangered species.

I mean, this is -- I guess you get the point, is that we really need to look at our circumstances here and this dotted line that's around on all of these maps for the project area, I'm sorry, but we live in an integrated world. We don't live in isolation any more. This is not a little pocket out on an island in the middle of the South Pacific. We are an integrated, heavily populated area with some very fragile environment that's still existing, like the mountain and the bay. And so, you cannot just look at this project in isolation.

Dana brought up some really good points about that, you know. Danny brought up points, Tom -- everybody brought up points. You have to look at it -- Carolyn, -- you have to look at is as an integrated part of the fabric of the Bay Area, and not just, "Here's our little project, and we want our dollar out of it," you know, "And screw the rest of the world." You need to look at our circumstances here and look at it not just locally, but regionally and globally. And do original studies, and don't just think you can apply a set of data from somewhere else to the circumstances here, because that really doesn't work in our town.

Thank you. And remember that "EIR" stands for "environmental impact review," what really is happening to the environment. I get so sick of people saying "EIR," "EIR," and never stopping to think about what it really is, an environmental impact, total environmental impact.

Thank you.

(End of excerpt)

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