California Regional Water Quality Control Board
San Francisco Bay Region

Linda S. Adams
Acting Secretary for Environmental Protection

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Edmund G. Brown, Jr.
Governor

Date: January 3. 2011
CIWQS Place ID: 210333

Sent Via Email:

City of Brisbane Community Development Dept.
Attn: Mr. John Swiecki
Email: jswiecki@ci.brisbane.ca.us

Subject: Comments to the Revised Notice of Preparation for the Brisbane Baylands Specific Plan- Draft Environmental Impact Report

Dear Mr. Swiecki:

This letter provides comments with respect to the scope and content of the revised Notice of Preparation (NOP) for the Brisbane Baylands Specific Plan. The landowner and Project Applicant, Universal Paragon Corporation ("Project Applicant") has submitted a specific plan application to the City of Brisbane consisting of a mixed-land use development, including commercial, industrial, and residential development and about 205 acres of open space. A community preferred plan has also been proposed that includes the above uses minus residential development and 330 acres of open space.

The Regional Water Board does not approve or disapprove of development proposals. This is usually the jurisdiction of a local agency, usually the local planning department. The Regional Water Board also does not necessarily require completion of site cleanup prior to redevelopment.

The Regional Water Board will evaluate the project by making sure the final Specific Plan is consistent with state regulations and policies and is protective of human health and the environment. While the Regional Water Board does not approve or disapprove specific development projects, we are often asked if a proposed future use is compatible with residual site contamination.

Based upon the known residual concentrations remaining at the site, we recommend that an environmental risk assessment be conducted prior to development once future uses have been finalized. The need for additional investigation and possible additional remediation should be determined based on the results of the environmental risk assessment. A risk management plan may also be required to manage any significant residual pollution. Possible elements of a risk management plan include: a deed restriction prohibiting supply wells or sensitive site uses (e.g. residential use), requirement for vapor barriers and passive ventilation systems to mitigate possible vapor migration into new buildings (generally not allowed for residential use), and a health and safety plan for construction workers who will be doing subsurface work at the site.

If you have any questions, please contact me at (510) 622-2403 or by email at VPal@waterboards.ca.gov .

Sincerely,

Vic Pal, P.E.
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Vic Pal, Project Manager, P.E.
Groundwater Protection Division

cc: Dana Dillworth, Brisbane CAG (earthhelp@earthlink.net)
Jason Lin, Universal Paragon (JLin@universalparagoncorp.com)