CITY of BRISBANE

Open Space and Ecology Committee Meeting Agenda

Wednesday, July 23, 2025 at 6:30 PM • City Hall 50 Park Place, Brisbane, CA 94005

The public may observe/participate in Committee meetings using remote public comment options or attending in person. Committee members shall attend in person unless remote participation is permitted by law. The Committee may take action on any item listed in the agenda.

TO ADDRESS THE COMMITTEE

IN PERSON

Location: 50 Park Place, Brisbane, CA 94005, Community Meeting Room

Masks are no longer required but are highly recommended in accordance with California Department of Health Guidelines. To maintain public health and safety, please do not attend in person if you are experiencing symptoms associated with COVID-19 or respiratory illness.

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CALL TO ORDER

ROLL CALL

A. Consider any request of a committee member to attend the meeting remotely under the "Emergency Circumstances" of AB 2449

ADOPTION OF THE AGENDA

ORAL COMMUNICATIONS

APPROVAL OF THE MINUTES

B. Minutes of June 25, 2025

OLD BUSINESS

C. Review submitted OSEC Baylands DEIR comments, assignments and deadline

NEW BUSINESS

D. RECON Environmental Proposal for Brisbane Acres Vegetation Management

STAFF UPDATES

SUBCOMMITTEE REPORTS

CALENDAR ITEMS

CHAIR AND COMMITTEE MEMBER MATTERS

NEXT MEETING: August 27, 2025 6:30 p.m.

ADJOURNMENT

File Attachments for Item:

B. Minutes of June 25, 2025

CITY of BRISBANE

Open Space and Ecology Committee Meeting Minutes

Wednesday, June 25, 2025 at 6:30 P.M. • Hybrid Meeting 50 Park Place, Brisbane, CA

CALL TO ORDER – 6:30 PM

ROLL CALL

A. Consider any request of a committee member to attend the meeting remotely under the "Emergency Circumstances" of AB 2449

Committee members present: Armstrong, Atapattu, Becker, Ebel, Rogers, Walker. Salmon is attending remotely, using the Just Cause provision of AB 2449.

Staff members present: Deputy Director of Public Works, Kinser; Management Analyst, Brown; Sustainability Fellow, De La Cruz

ADOPTION OF THE AGENDA

Rogers moved to adopt the agenda and Becker seconded; the motion was adopted unanimously.

ANNOUNCEMENTS – Armstrong reported that the frogs at the Crocker Trail Frog habitat are thriving and that the latest display on frogs is now viewable at Brisbane Public Library. Ebel resigned from the Committee, effective immediately.

ORAL COMMUNICATIONS – none.

APPROVAL OF THE MINUTES

B. Minutes of May 28, 2025 - Atapattu motioned to approve the minutes and Rogers seconded. The motion was adopted unanimously.

PRESENTATION

C. Alejandra Posada, Program Manager, Residential Programs for Peninsula Clean Energy (PCE) presented remotely on new programs available for the public
   - PCE is a local public agency that provides clean energy to residents at lower rates, and services San Mateo County, among others, and per state law, everyone is automatically enrolled
   - PCE generates clean energy (solar/wind) at rates 10% lower than PG&E on the electricity side
   - Posada introduced the topic of home upgrade services for helping residents electrify their homes (i.e. replace gas appliances like stoves, space and water heaters and gas dryers with electric alternatives)
   - Posada mentioned that electric appliances often have enhanced features, use less energy, and are safer and better for air quality within the home, and barriers include lack of awareness, cost, and complexity

- PCE offers rebates ($2,500 on heat pump water heaters and $1,500 on heat pump space heating and cooling) and financing (zero-interest loans for five years up to $10,000), both of which can be combined, as well as personal advising and support, full-service installation which includes appliances for income qualified residents at no cost to them, and emergency water heater replacement. These rebates include special offers for income-qualified residents
- Posada mentioned that PCE service includes advice and support, full-service installation (free for income qualified, and incentives and pricing for all other residents)
- To have full-service installation one must be a PCE residential customer, an owner, have a single-family home (or up to a four-plex), and you must install at least a heat pump water heater or a heat pump HVAC replacing gas equipment, and there are additional requirements for no-cost upgrades. These services do not include rentals or new construction
- Rogers to give a summary of the presentation to provide to Brisbane residents, and a potential library display on home electrification in the future

OLD BUSINESS

D. Baylands DEIR Comments – Review

- Rogers gave a background on her comments on the draft EIR; these included the permits required, and lack of timelines for them, concern for the term "significant and unavoidable" impacts for topics such as noise and air quality, and a clear understanding of the staging for Geneva overpass and Lagoon Road, construction parking, and diesel emissions
- Becker mentioned that one lane South and two lanes North on Bayshore might be a better option for the transportation issue
- Atapattu mentioned blocking of the views of the Baylands development from Brisbane residents as it stands now, with mitigation measures such building height limits, and would like to see modeling images of these measures, and brought up the lighting ordinances are stated as "recommended", but should be mandatory
- Becker mentioned that the Committee should include comments regarding compliance with seismicity and concerns with the development being built on a compacted landfill, and vapor mitigation and the soil within it
- Becker to take on review of previously shared chapters with Ebel
- Staff to send a link to Measure JJ to Committee

E. Progress Report on Open Space Element comments

- Kinser mentioned that Ken Johnson from the Planning Department made changes based on feedback, for the Inclusion, Diversity, Equity, Accessibility Committee and forwarded changes for review by OSEC, and there will be another document for review in August

- Armstrong mentioned comments were addressed in the changed document
- Chair Salmon would like to address the document in future meetings
- Rogers would like the definition of Open Space to be the same as the definition in the Baylands DEIR
- Kinser suggested the Committee send written comments to Staff, to be forwarded to Johnson for review and inclusion, optimally in September

NEW BUSINESS – none

STAFF UPDATES – Kinser announced her upcoming retirement, with the last work day of August 22, 2025 and the movement of the Sustainability Division to the City Manager's Department; Assistant City Manager Christina Fernandez will take over Kinser's role

SUBCOMMITTEE REPORTS AND REORGANIZATION

- Events (Becker, Salmon) – to organize Day in the Park, introduce new Staff to Subcommittee
- Education and Outreach (Armstrong, **Rogers**, Walker) – no updates
- Climate Action Planning (Atapattu, Walker) – Kinser requested another meeting before her departure, with Becker to temporarily join, and Walker to send documents to Staff on previous meetings to keep them up to speed
- Open space plan update (Becker, Rogers, **Salmon**)– no updates
- *Crocker Trail Frog Habitat (**Armstrong**, **Rogers**, Salmon) – Staff to look into a public contribution fund for the habitat, and possibly informational signage along the trail
- Tree Issues (Rogers, **Salmon**) – Kinser mentioned a meeting with Battalion Chief Whitner for defensible space and the outreach around it, and OSEC to align messaging in the overall goal increase tree canopy on city and private property responsibly. Fire Department to cooperate with OSEC on tree canopy goal and provide tips and literature to minimize fire issues. Next steps will be to provide messaging for residents on tree management, planting/removal with considerations for fire mitigation. Kinser to look into Becker's question about amendments to the tree management plan/permit process that would entail planting a tree for every removal, or in lieu fees to fund tree planting on other City spaces. Kinser mentioned staff has made a Tree Management Plan budget request for funds for tree removal and maintenance of unhealthy or dead trees.
- Baylands Specific Plan subcommittees – no updates
- Sierra Point Park Planning – Salmon to replace Ebel
- Liaisons – no updates
- PCA Grant – no updates

CALENDAR ITEMS – Dark Skies Walk August 11, Baylands DEIR comments for July meeting review due July 15, Coastal Cleanup in September followed by Day in the Park, and broom cleanup on Ice House Hill Habitat Day in the Winter with Brown and Fernandez to coordinate with Baylands.

Rogers and Armstrong mentioned a frog habitat cleanup near the tunnel along Crocker Trail in August, which was put on the calendar as a maintenance reminder - the events sub-committee to coordinate with Paul Bouscal to organize the event. Kinser mentioned the Vegetation Management Plan which is pending and should be on the agenda for next month.

CHAIR AND COMMITTEE MEMBER MATTERS – none

NEXT MEETING: July 23, 2025

ADJOURN – 8:39

File Attachments for Item:

C. Review submitted OSEC Baylands DEIR comments, assignments and deadline

[Note that comments have been attributed to individuals in this draft for sake of review and discussion at the public OSEC meeting. They, and any other notes in red text, will be removed in the final submission document.]

OSEC Member/Subcommittee: [name(s)]

Chapter/Section: ES - Executive Summary

General Comments:

[Mary Rogers]

- Significant permits are required before the Baylands project can begin (ES.4.2); a timeline for their expected issuance would be helpful.
- Significant UNAVOIDABLE impacts (ES.5.1) – air quality; noise levels of which some are permanent. How will these impacts be addressed?
- A clear understanding of the staging for the Geneva Overpass and Lagoon Road expansion is critical, as both roadways currently connect to Bayshore Boulevard—an area already burdened by severe peak-hour congestion
- Where will all the construction vehicles be parked when not in use?
- Air Quality – Impact AQ-2 – Exposure of Sensitive Receptors to Substantial Pollutant Concentrations:
    - Initial risks from diesel emissions (DPM) exceeded safe level
    - Mitigation measures as stated effectively lowered those risks to acceptable levels

  DPM – Diesel Particulate Matter is the biggest source of cancer risk! How do we insure proposed mitigation measures?

- MM NOI-1b – Noise – Notification of neighbors withing 300 feet of the construction area about the estimated duration of pile driving activity at least 30 days in advance of the activity needs to be reconsidered to give ALL residents a heads up as pile driving noise extends way beyond 300 feet. Pile driving noise based on research:

    - Immediate vicinity (0–100 meters / ~0–330 feet): Sound levels can exceed 100 dB (similar to a jackhammer).
    - Moderate distance (500–1,000 meters / ~0.3–0.6 miles): Still clearly audible, typically 70–85 dB, depending on ground and atmospheric conditions.
    - Longer distances (1–5 km / ~0.6–3 miles): Can still be heard, especially in quiet or rural environments. Sound levels may drop to 50–65 dB.
    - Beyond 5 km (3+ miles): Generally faint, but still possible to hear under favorable conditions (e.g., low wind, cool air, open terrain).

[Rohendra Atapattu]

Land development will result in environmental effects due to the disturbance of the natural environment. The EIR proposes actions to mitigate effects, but nevertheless there will be environmental changes.

- Vehicle related pollution from residents has been addressed through planned EV charging infrastructure and the promotion of bicycling/pedestrian accessways. There is

no specific plan to mitigate the increased population of single driver service/delivery/ride-service vehicles to hotels, commercial and residential buildings.

[Erin Becker]

- After reading the Executive Summary (for example in section ES.5.3), it's not clear why there are "Mitigation Measures" followed by "Additional Mitigation Measures" and this confusion carried through the entire DEIR. Are the Additional Mitigation Measures optional? Or were they added after the previous DEIR? This should be explained somewhere in the DEIR.
- There are numerous areas where the developer or construction companies are required to hire consultants, such as engineers, paleontologists, biologists, etc. Consultants can sometimes have a conflict of interest or dubious qualifications. Therefore, it's imperative for the safety of our existing and future residents that the City of Brisbane be granted approval authority of all consultants to the project.

[Anthony Walker]

- The Executive Summary lays out a compelling vision for the Baylands: transforming a long-blighted, contaminated industrial area into a modern, all-electric, transit-connected, mixed-use district with substantial new housing, significant open space, and restored natural habitats. This is an ambitious project that has the potential – if executed well – to serve as a model for 21st-century sustainable development, significantly advancing Brisbane's climate goals while addressing housing needs and improving regional mobility. It establishes the promise of a landmark sustainable development for Brisbane.
- At the same time, the summary necessarily presents these goals at a high level, often using broad terms like "carbon neutral," "transit-oriented," and "model of sustainable development" without delving into the specific mitigation measures, enforceable commitments, or design details required to make those promises real. It's important to acknowledge that many of the critical questions around emissions reductions, mode share, environmental remediation, affordability, infrastructure capacity, and long-term stewardship will be explored in greater detail in later chapters.
- As we review the full EIR, we will want to pay particular attention to how these high-level promises are supported by detailed, binding plans and mitigation measures. Key areas to track include the definition and scope of "carbon neutrality," strategies for VMT and mode shift reduction, the enforceability of all-electric commitments, resilience to sea-level rise and contamination risks, long-term habitat management, and the effectiveness of integration with the existing Brisbane community.

Specific Comments:

[Erin Becker]

- [ES-6] – It's good that the Baylands will create an additional fire station, with a ladder company and firefighters assumedly trained for high rises and battery fires. But it's not clear here why the existing fire station has to move. Will the new fire station be built in the same spot as the existing station?
- [ES-9 - ES-10] – The Executive Summary of the DEIR provides an extensive list of the approvals and permits that are required for the Baylands to proceed. It would be useful to also include the likelihood and consequences of the required approvals being denied.
    - For example, the first bullet in the list addresses that SFPUC needs to agree to provide the water supplies to CalWater for the Baylands. At a city meeting in 2024, a representative from SFPUC said that there is no agreement to provide water to the Baylands. The state faces severe drought many years, so without water agreements, the consequences of this could be dire.
- [ES-14, in the first paragraph under Impact LUP-2] - Please address the typo in the first paragraph.
- [ES-16, in the last bullet that addresses impacts to Golden State Lumber] - The DEIR says that the impact to removing the ability for Golden State Lumber to receive and ship lumber by rail is only economic and therefore does not need to be addressed under CEQA. However, there are environmental impacts related to the fact that the lumber will now have to be delivered by truck, which impacts transportation/mobility, pollution and GHG increases.
- [ES-19] - Icehouse Hill provides critical habitat for endangered and special species to the area. The plan to replant needs to focus on species that are natives, not just on "non-irrigated, non-invasive vegetation." The native host-plants cannot be substituted by drought-tolerant species.
- [ES-25] – The DEIR says that the applicant shall conduct pre-construction presence/absence surveys for special-status plants. This is a conflict of interest. Instead, the applicant needs to hire an independent consultant that is approved by the City of Brisbane (and/or the sustainability manager and/or OSEC).
- [ES-26] - The last paragraph states that there will be increased horse use on the trails of Icehouse Hill, but the DEIR does not state what will happen to the existing horse pasture.
- [ES-, 25, 26, 27, 29, 30 and 32-33] - Under MM's BIO-1b, BIO-1c, BIO-1d, BIO-1e and BIO1f, it states that the applicant will hire qualified consultants (a botanist, an invertebrate biologist, an avian biologist, a bat biologist and a biologist respectfully). This is appreciated; however, we need to ensure there are no conflicts of interest. Therefore, the City needs to have approval authority over all consultants.
- [ES-27] – In subbullet 3 under BIO-1, it says that the total number of individual special-species plants shall be verified at the end of the five-year period. This is insufficient. The number needs to be maintained EVERY year, because these are host species to other critical insects and animals. A one-year drop in the host species can decimate a population of the wildlife that rely on them for food, shelter and reproduction. This is not mentioned in the DEIR ES.

- [ES-28] – The last subbullet on this page addresses non-native invasive species such as French broom and fennel. It's notable that pampas/jubata is not mentioned. Is the DEIR author aware of the existing City of Brisbane list of invasive species that must be removed from all properties within 5 years?
- [ES-35] - Please correct the typo in the middle of the second paragraph: "would reduce minimize associated…"
- [ES-35] - Impact BIO-2 discusses the impacts of the wetland loss during the construction period as well as the human encroachment after construction. However, it does not discuss the impacts of construction-related pollution, which seems like an oversight.
- [ES-36 through 38, in MM BIO-2] – The phrasing in this section is vague with respect to the "project applicants" and the "Permittee." When is the project applicant not the developer? If the "project applicant" is some future construction company, how do they know what provisions in the EIR must be abided by? Similarly, when is the "Permittee" not the city of Brisbane? And how do they know what special provisions must be satisfied? There are great mitigations documented here, and we need to ensure they are enforced.
- [ES-38] - Under MM BIO2d, the description of the Wetland Mitigation and Monitoring Plan is lacking sufficient detail. Who writes the plan and what is their level of expertise? Who approves consultants? Who approves the plan? What is strategy for gathering community feedback? Also, is there really a Wetlands Mitigation Bank?
- [ES-39] - Loss of the wetlands between the time the landfill is capped and the wetland features are re-created is a significant impact. In the mitigation measures described on page ES-39 says that minimum 10% cover is required for re-vegetation in Year-1. This is anemic and will result in a drastic habitat loss, as well as water quality impacts. The minimum percent cover needs to be higher than 10%.
- [ES-41] - In the second to last subbullet under MM BIO-2e, is says the minimum period for site monitoring and management activities is 5 years. What is the metric or success criteria that triggers the end of the period and allows them to stop monitoring?
- [ES-43] - We find it peculiar that the MM BIO-3B section of the DEIR does not mention compliance or conflicts with the Brisbane Dark Skies Ordinance.
- [ES-47] - The Impact described in BIO-4 only considers number of trees and states a Less than Significant Impact. However, the timeliness of tree planting and the tree type (for example, hardiness, size at maturity and root depth) could have impacts and should be addressed. There is the opportunity to have a positive impact on the City's future tree canopy, if we do the right thing now.
- [ES-49] - Under MM CUL-1a it states that "All non-residential development projects within 50 feet of the Roundhouse building shall be subject to City" approval. What about residential buildings?
- [ES-51] - The Applicant will hire consultants with expertise in archeology and tribal monitoring. Because of conflict of interest potential, the City should have the ability to review and approve all consultants.

- [ES-56] – The DEIR states that “No Program EIR Mitigation Measures are being carried forward.” What does this mean?
- [ES-66 and 68-75] – AQ-1 is the Significant and Unavoidable Impact of Air Pollutants, and the following impact AQ-2 (page ES-76) is the related exposure of sensitive receptors to substantial pollutant concentrations. The mitigation measures AQ-1a through AQ-1l are a good start, however the intent is to rely on mitigation measure AQ-1c for the bulk of the mitigation.
    - Further, it seems that there could be further mitigation methods possible that might not be mentioned here and we would like to challenge the Developer and DEIR author to continue pursuing ways to protect our fragile community that are being developed adjacent to and on top of a Brownfield.
- [ES-67] – MM AQ-1a.ii states that contractors are responsible for maintaining clean and properly tuned equipment. Who is responsible for stipulating this to the contractor and who is in charge of enforcement?
- [ES-67] – MM AQ-1a.i states that clear signage shall be provided for construction workers at all access points.” We recommend that this signage be in all languages, similar to later sections (page ES-69 paragraph f).
- [ES-67 and 69] – There is a discrepancy between MM AQ-1a and MM AQ1c. The former states that Off-Road Construction Equipment is limited to idling to less than five minutes (MM AQ-1a.i). In the latter it states that idling is limited to two minutes (MM AQ-1b.f).
- [ES-70, Table 4.9-10] – In the first row of the table that lists the Exceptions to MM AQ-1d, the non-electric equipment should only be allowed until the power is restored. Further, it should be the responsibility of the Developer to ensure that electric power is available throughout the site, and not the responsibility of the construction contractors.
- [ES-73] - MM AQ-1f proposes a conveyor system to move the soil from the eastern part of the site to the western areas for grading. This is a great reduction to soil, dust and GHG pollution.
- [ES-74] - Under MM AQ-1h.3, it says that records of diesel backup generator testing and emergency operations will be shared with the City within three months of the City requesting them. The sharing of records related to the health of the community should be mandatory and at regular intervals, for example annually. Further, it’s not clear how any of these requirements are transferred to future building owners, as the installation permits are issued to the initial builder or developer, not to the subsequent owners.
- [ES-74] – MM AQ-1i describes the use of low-VOC products. Given that AQ-1 is significant and unavoidable, it seems like “encouraging the purchase of consumer products that generate lower than typical VOC emissions” is a paltry mitigation. Those products should be required upon installation prior to sale of the buildings, for example the carpets of the new residences, and everything in the office-type commercial buildings.

- [ES-76] – MM AQ-1l describes the requirement for all-electric landscaping equipment. This is commendable, but also a challenging requirement in terms of enforcement of sub-contractor equipment. Who is responsible for enforcing and what is the penalty?
- [ES-76] - The Impact AQ-2 on Exposure of Sensitive Receptors to Substantial Pollutant Concentrations relies on MM AQ-1c to reduce critical pollutants below the threshold. The problem is that the City Community Development Director has the authority to issue waivers if no suitable vehicles are available. In the event of a waiver, there should be stipulations that trigger additional mitigations for particulate emissions, rather than simply allowing them to buy more carbon offsets (page ES-82).
- [ES-82] – Table ES-6 shares the GHG emission offsets required for the project. These are huge amounts. We encourage more creative thinking on how to mitigate the emissions from the operational portion of the project.
- [ES-86 and 87] We think there is a typo or conflict in this section. In the second sentence under the Location Performance Standards paragraph (page ES-86), it says NO GHG credits shall originate from off-site, out-of-state or international areas. However, on the following page funder subbullet iv, it says that credits can come from within the United States.
- [ES-91] – The impact described in GHG-2 switches discussion of the impact between per capita values and cumulative values. This lacks transparency.
- [ES-92] Given that the GHG-1 impact is Significant and Unavoidable, it's interesting that the plan for EV parking does not meet the CALGreen Tier 2 EV requirements. Why would the developer not encourage EV use as a way of lowering the Operational GHG Emissions.
- [ES-95 and 96] – During the Sierra Point build-out, the City of Brisbane was inundated with the constant thump of pile driving. This section of the DEIR fails to consider the geography of the town and that the sound bounces off the mountain and impacts the existing resident's quality of life. While the sound isn't especially loud, it's jarring and especially frustrating for the people who work from home.
- [ES-95 and 97] – The third paragraph under Impact NOI-1 says pile driving could increase daytime noise by up to 43 dBA. However, it is assumed that this number is for one pile driver location, while multiples are possible. Further, this paragraph should include the amount of duration of this increased noise impact in years/months, given that the use of multiple pile drivers is a mitigation technique (in third bullet on page ES-97).
- [ES-97] – The second to last bullet under MM NOI-1a says that noise control blankets on buildings is a potential mitigation technique. We're curious why blankets on the pile drivers are not considered for noise reduction? They would help the entire community, rather than one adjacent building.
- [ES-98] – MM NOI-1c describes the exception permits required for nighttime construction work. We hope these permit requests will be made public prior to issuance.
- [ES-99] – Items 3 and 5 on this page says that stationary equipment and pneumatic tools used within 500 ft of a noise-sensitive land use for more than one week will require

a localized barrier or exhaust muffler for noise mitigation. We believe this should be reduced to two days. This noise mitigation technique will help the city and is good for the workers.

- [ES-102] – MM NOI-2a describes the noise mitigation for truck delivery areas. In densely populated areas, noise bounces off buildings along streets and alleyways. We recommend consideration of sound-reducing windows for the taller apartment buildings.
- [ES-103] – In both MM NOI-2b and MM NOI-2c, studies are provided by a qualified acoustical engineer. Because of the potential for conflicts of interest, the City should have the ability to review and approve all consultants.
- [ES-106] – In the Reduction of Traffic Volume noise reduction, it's not clear that the DEIR considered the noise reduction resulting from increased EVs.
- [ES-107] – In the Acoustical Treatments for Existing Impacted Residences paragraph, it's not clear that the use of mitigating strategies such as use of sound-rated windows and doors will also apple to the new residences.
- [ES-108] – We think the total cumulative costs of using the quieter engineered pavement strategies should be re-assessed. While it is 26% more expensive per mile of roadway and has to be replaced more often, the number of total miles is low and the asphalt is a relatively cheap part of the overall project.
- [ES-109] – The third paragraph under Impact NOI-4 focuses on the residential impact of noise. Does the impact of the High Speed Rail noise on the recreational trails around Icehouse Hill also need to be considered?
- [ES-110] – Under Impact NOI-5, is it certain that the vibration levels in the city of Brisbane will be lower than threshhold? Many of the buildings and residences are very old construction. During the Sierra Point construction, the pile driving reverberated around town, which was likely exacerbated by the city being in the bowl-shaped area of San Bruno Mountain.
- [ES-110] - Under Impact NOI-5, is it certain that the vibration levels will not affect the stability of the underlying capped landfill?
- [ES-113] – In the first paragraph dealing with the potential damage of underground utilities during pile driving activities, the contractor's report is not due until after the pile driving is complete. The City should receive immediate notification if underground utilities have been damaged.
- [ES-113] – In the first bullet under MM NOI-5c, it says that neighbors within 500 feet of the construction site shall be notified. This should also be a public notice to the City of Brisbane, give the bounce off San Bruno Mountain. The residents who work from home may need to make other arrangements.
- [ES-114] – We believe there's an inconsistence on this page. The paragraph with the black bullet says that "All pile installation locations shall be located no closer than 8 feet to an existing utility easement." The following paragraph say that there must be vibration monitoring if pile driving "within 8 feet of a utility line right-of-way or easement."

- [ES-115] – The third to last subbullet under MM NOI-5c says that repairs will be made or compensation will be provide. Who is responsible for that? Is the permit applicant the same as the Baylands developer, or is it the construction company?
- [ES-115] – The final subbullet under MM NOI-5c says a person will be designated for registering and investigating claims of excessive vibration. The applicant should not police themselves, so we recommend this be a City employee. Further there is no mention of a record of complaints being kept, or that information being provided to the City for assessment.
- [ES-117] – In the paragraph regarding Routine Transport, Use, etc of Hazardous Chemicals, the chemicals for the water treatment facility should be included.
- [ES-117] – In the last paragraph, the pile driving on top of the closed landfill needs to be considered as an 'upset' condition.
- [ES-118] – Do the citizens of Brisbane also have a chance to review the landfill closure plan when it undergoes review as described in MM HAZ-1a?
- [ES-118] – As part of MM HAZ-1b, the Baylands Developer will hire a consultant to prepare the landfill closure plan. Because of conflict of interest potential, the City should have the ability to review and approve all consultants.
- [ES-119] - The Shooting Range Remediation plan described in MM HAZ-1e should include use of a metal detector to find bullet fragments. And the search area should be expanded because of the high projectile speeds.
- [ES-126] – The third to last subbullet on this page has a typo in the first sentence, so it's not clear what the meaning is related to prevention of waste infiltration with respect to the groundwater. This paragraph or somewhere in this section should also describe how the groundwater movement will be mitigated when the pile driving pokes through the landfill cap.
- [ES-127] – It is unknown whether the Kinder Morgan tank farm is at an elevation susceptible to the 100 year floor. The developer could address this through the site grading plan along with the mitigations described under Impact HWQ-3 for the rest of the Baylands.
- [ES-130] – Do the impacts described in GEO-2 for seismic shaking consider that the structures will be built on a landfill and at therefor at higher risk of settling-related movement?
- [ES-144 through ES-159] – Carefully study of Table ES-2 aligns with the conclusion that Alternative #7 (Reduced Density, Lower Maximum Building Height) development is the environmentally superior alternative for the Baylands meeting the project goals. It is also satisfies the state housing mandate. Given the reduction of the Significant and Unavoidable impacts to air quality, GHG emission, and noise increases both during construction and during operation of the Baylands associated with the Specific Plan proposal, we feel that Alternative #7 is the right-sized project alternative for the Baylands.

[Anthony Walker]

- The summary's presentation of ~157 acres of open space is encouraging; we should note for later review how this space is divided between natural habitat, parks, and other uses, and how stewardship will be ensured.

- References to "carbon neutral" and "transit-oriented" design set high expectations; we need to confirm how these goals are defined, modeled, and enforced in the mitigation sections.

- The mention of unavoidable impacts (GHG emissions, air quality) is important but somewhat buried; we'll want to make sure these are fully understood and sufficiently addressed in the relevant chapters.

- The Development Agreement is highlighted as a central tool for implementation; its role in ensuring sustainability commitments will need close examination.

- **Impact POP-4: Urban Decay:** Section on urban decay says that the Baylands development would not result in urban decay and impacts would be less than significant because development of the specific plan in phases is "driven by market conditions and tenant demand, so that construction would slow down to better align with demand." They say that this would mean that development timing of later phases could be pushed further out into the future. On the one hand, that does seem like a sensible approach. But at the same time, I wonder how we guard against a situation where the developer decides it isn't worth their time anymore and is able to just cut and run?

- **Biological Resources (Starts on ES-24):** No real objections to any of the substance, but the fact that we're happy to go on at great length and depth about this or that specific plant or animal species and the potential impacts, and add explicit requirements for identifying funding mechanisms for ongoing monitoring and mitigation of harms, but still don't yet seem sufficiently motivated to ask the same when it comes to GHG emissions never does sit right with me. Disturbing the ongoing stability of the biosphere and long-term habitability of the whole planet writ large would seem to be ultimately much more disruptive to *all* sensitive species (including our own…) than any one development ever could be.

- **MM AQ-1c:** Great to see that clear Zero Emissions requirements are being expected for Off-Road construction equipment, generators, etc. My one concern is that there are some loopholes – among them an ability to demonstrate that "A particular piece of Tier 4 final off-road equipment is technically or financially infeasible" (Table 4.9.10: 1.c 2). This seems like its potentially open to broad interpretation and any number of justifications could be made. I hope the Brisbane Community Development Director will take a hard line here to uphold the spirit of the Zero Emissions requirement as strictly as possible and not just fold when the developer says its too hard or too expensive.

- **GHG-1 Specific plan area greenhouse gas emissions:** This section is characterized as "significant and unavoidable" and says that the Baylands specific plan would result in

a net increase in average annual greenhouse gas emissions of 51,260 metric tons of CO2e mostly attributed to vehicles and construction amortized over a 30 year period. Even with all the on-site mitigation, that's not going to get us to net-zero. Our backup plan is buying offsets, but there's no guarantee we can find or afford enough good ones, so we're admitting it's still a big problem. Developer pays for the offsets as a condition of approval. But details of funding, timing, and enforcement would go in the Development Agreement or other conditions. Why isn't there a stronger plan to reduce VMT on-site instead of relying on offsets?

We appreciate that they're being honest about the impact being significant and unavoidable. But if the only solution is offsets that may or may not exist or may cost too much, that's not a real plan. The section feels frankly more like an effort to demonstrate that we tried so that there is an excuse when we fail, than an actual attempt at solving the problem. We need enforceable commitments, financial guarantees and a much stronger local VMT-reduction / vehicle electrification strategy built in.

Chapter/Section: Chapter 1 - Introduction

General Comments:

[Anthony Walker]

- The introduction's explicit acknowledgment that sea-level rise (approximately 83 inches) is projected to inundate ~26 acres by 2100 (reducing the developable land area) underscores the need to ensure that adaptation and resilience planning are **real and funded**. There is mention of for example the potential of a '100 year flood' – we need to go above and beyond that. With the climate warming faster than expected, 100 year floods have become the norm, and not the exception – writing this as of July 2025 we had at least three of these in a one week period across the country. Viewing these events through this lens of this old framing is practically laughable – these events don't happen every 100 years anymore – this is just our new reality. Let's call the climate risks what they are and do our best to build to meet our new reality.
- The scale of the proposed 6.5 million square feet of commercial/office/R&D space, alongside 2,200 homes, reinforces the need to examine jobs/housing balance and transportation demand management carefully.
- The Introduction lists the City approvals (including the Development Agreement) as the vehicle for implementing mitigation and land use controls. We'll want to verify in later chapters how specifically these approvals commit to sustainability features (e.g., all-electric construction, carbon neutrality, open space management).

Specific Comments:

[Anthony Walker]

- While much of the Introduction chapter reinforces themes addressed in the Executive Summary, there are a few important additional points worth tracking as we move forward:

- The introduction's explicit acknowledgment that sea-level rise (approximately 83 inches) is projected to inundate ~26 acres by 2100 (reducing the developable land area) underscores the need to ensure that adaptation and resilience planning are **real and funded**. There is mention of for example the potential of a '100 year flood' – we need to go above and beyond that. With the climate warming faster than expected, 100 year floods have become the norm, and not the exception – writing this as of July 2025 we had at least three of these in a one week period across the country. Viewing these events through this lens of this old framing is practically laughable – these events don't happen every 100 years anymore – this is just our new reality. Let's call the climate risks what they are and do our best to build to meet our new reality.
- **Section 1.5** Outlines CEQA streamlining exemptions for residential and mixed-use projects consistent with the Specific Plan. The Baylands project still requires a full, detailed Environmental Impact Report (EIR) now because of its size, complexity, and environmental sensitivity. Section 1.5 simply clarifies that, once this EIR is certified, future site-specific housing or mixed-use projects that strictly follow the adopted plan might qualify for limited or no further CEQA review—avoiding redundant studies. This is consistent with the spirit of existing CEQA exemptions and recent streamlining laws like SB 607 and AB 130, which aim to make infill housing approvals faster *after* thorough planning-level analysis is complete.
- The scale of the proposed 6.5 million square feet of commercial/office/R&D space, alongside 2,200 homes, reinforces the need to examine jobs/housing balance and transportation demand management carefully.
- The Introduction lists the City approvals (including the Development Agreement) as the vehicle for implementing mitigation and land use controls. We'll want to verify in later chapters how specifically these approvals commit to sustainability features (e.g., all-electric construction, carbon neutrality, open space management).
-

Chapter/Section: Chapter 2 – General Environmental Planning and Context

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

[Mary Rogers]

- **P**age 2-15 Would like confirmation on who will be providing services for water supply and wastewater collection services. This document is not very clear on what entity has agreed to the terms and conditions of the project
- Page 2-23 H. "Key habitat areas, including Icehouse Hill and Brisbane Lagoon and adjacent habitat" requesting specific habitat areas be called out and documented.
- Page 2-26 Would like confirmation that the Habitat Conservation Plan Boundary is reflected correctly in the Figure 2-8

- Overall - The Baylands site comprises three Operable Units (OUs) with distinct contamination issues:
    - OU-SM: Managed by the California Department of Toxic Substances Control (DTSC).
    - OU-2: Overseen by the San Francisco Bay Regional Water Quality Control Board (RWQCB).
    - Landfill Area: Under the jurisdiction of CalRecycle and the San Mateo County Environmental Health Department .
    - ***Remedial Action Plans (RAPs) for these areas are in development but have not yet been approved (or have they?) by the respective agencies (per research).***
    - ***Need updates on the OUs to fully understand potential risks***
- Would like to see more risk mitigation strategies to protect against disturbance of the wildlife habitat and vegetation.
- Like the Baylands project, the combined impact of the Quarry, Candlestick Point, and High-Speed Rail developments will be significant — especially on traffic and transportation. The Quarry project alone anticipates 19,000 new workers, while Baylands, with 548 developable acres (nearly 8 times larger than the Quarry's 62 acres), will require far more. Where will they all park? Candlestick adds another 62 acres, and the High-Speed Rail site, reduced from 121 to 71 acres in 2024, adds to the pressure. Altogether, up to 743 acres — roughly 1.2 square miles — could be developed. That is an exceptionally dense footprint.

Chapter/Section: Chapter 3 – Project Description

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

[Mary Rogers]

- Page 3.10 – Would like consistency on the Open Space/Open Area definition – per the deir:
- 51 - **Open Space**, as used in this EIR, refers to lands the Specific Plan designates for parks and recreation facilities that would be available to the public along with lands designated for the preservation or enhancement of biological resources.
  Open Area, as described in the Brisbane General Plan Land Use Element, consists of land, primarily in private ownership, which serves to soften the impacts of urban development by providing primarily green areas and a feeling of "openness" to the overall development pattern. Open areas include, but are not limited to, setbacks and easements that are landscaped or characterized by native vegetation, gardens, and landscaped vegetation. Open areas might also include golf courses, private parks, and recreation areas within private developments. An open area may consist of a combination of hardscape and landscape, typical of plazas, sculpture gardens, and

gathering places. Streets, sidewalks, parking lots, and similar improvements, although not covered by structures, are not included in the definition of an “open area.”

The solar panel field is included in the open space footage but isn't mentioned in the descriptions or the table on page 3-15 — a concerning omission. Page 3.11 – Would like more information on the financing of this project. What happens if funding is not enough? How much is this project going to cost? Per google searches, a $1.1billion number is projected just for environmental remediation and essential infrastructure improvements. This seems rather low – what about everything else? Do we have a draft budget for this project? Don’t want to be faced with “It’s easier to ask for forgiveness than permission.” We don’t want to be faced with bankruptcy!

[Erin Becker]

- [3-10 and 3-18] – Consistency in the Open Space definition is critical. The Brisbane General Plan Land Use Element defines Open Space and Open Areas, which is what should be used in the DEIR. It should not include buildings on Open Space areas (as proposed on page 3-18).
- [3-18] – The final paragraph describes the community athletic fields. We need to ensure that the nighttime community field lighting is extinguished after play through use of timers, as described in the Brisbane Dark Skies Ordinance.
- [3-19] – The final paragraph describes the Sunnydale and Baylands parks. We need to ensure that the nighttime lighting conforms to the Brisbane Dark Skies Ordinance.
- [3-33] – In the first paragraph in the Icehouse Hill section, it says the following are *proposed*: planting of native butterfly host species and management of invasive species. Those should be required.
- [3-69] – The water recycling facility will be an asset to San Mateo County. We encourage the Developer to consider an educational component with this facility.
- [3-89] – The Utility Scale battery site is located in the same area as the High Speed Rail Light Maintenance Facility.
- [3-100] – The last paragraph describes the soil movement from the east side of the site to the west side for grading the residential area. There is a local story about a shipment of dirt from Hunter’s Point that had limited records and potential radioactivity. Any soil transported to the residential area needs to be tested to calm the concerns of current and future residents. There are daily dosimetry badges and related tools that will reduce the workload of this testing.
- [3-103 and 3-104] – The soil movement is a massive undertaking! As described in the fourth paragraph on that page, the trucks will take up to 640 round-trips *daily* over the existing bridge on Tunnel Road for almost 3 years! This will impact traffic and cause a lot of dust. We need to advocate for approval of the dirt conveyor belt over Caltrain, as long as it’s protected from wind.
- [3-107] – The final row of the table states that solar fields should be completed by the end of Phase 1. The completion of Phase 1 is ambiguous and also gives the city no leverage in ensuring it happens. We propose that its completion is tied to issuance of an

occupancy permit, similar to the items in the Infrastructure and Amenities section of that table.

- [3-111] – The last sentence gives the Developer wiggle-room with respect timing the construction under adverse market conditions. This is fair, but it should not apply to the open space areas that are critical to species survival and migration.
- [3-113 through 3-121] – Some of us feel that reducing Bayshore Boulevard to one lane in each direction is not consistent with the italicized text taken from GP-1-18 on this page. First, in the event of an emergency such as earthquake or fire, a single lane on Bayshore Boulevard will impact our ability to leave town. This is counter to Brisbane Policy C.46 on emergency evacuation (on page 4.19-10). We will be trapped. Second, while the road diet will reduce the "desirability of the corridor for regional through traffic", it is naïve to ignore the proximity to Highway 101. When there is a standstill, the regional streets will be used as a bypass, regardless of how many lanes are available. Dropping to one lane in each direction will greatly impact the mobility of Brisbane residents.
- [3-136 through 3-137] – There is a confusing reference to "future developers" in three bullets here. Please explain who that term refers to. The instances are (1) on page 3-136 in the fifth bullet from the bottom, (2) on page 3-137 in the first bullet and (3) on page 3-137 on the second bullet.

Chapter/Section: 4.1 Introduction to the Analysis

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.2 Effects Found Not to be Significant and Dismissed from Further Review

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.3 Land Use and Planning Policy

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

[Mary Rogers]

- Page 4.3-1 Definition of Existing Land Use – how will the current revision of the Open Space Master Plan get incorporated into this EIR?
- Page 4.3-4 Planning activities are crucial for the many potential projects adjacent to the Baylands which include the Bayview/Hunters Point project, High Speed Rail project, Geneva overpass project, etc. The congestion around the adjacent areas will be highly impacted.
- Footnote 97 – Impact TRA-2 – the project does not include dedicated bus lanes on the Geneva Avenue overpass. That decision is considered a significant negative impact on transit use, according to the analysis (Impact TRA-2), and would require mitigation.
- Construction on Tunnel Road will cause **major disruptions**, likely leading to traffic jams. Since Tunnel Road is a key route to existing businesses and the Caltrain station, it's essential that the Geneva Overpass is completed **before** any other construction begins.
- Table 4.3.1 specifically 4.3.38 – Referencing the for alignment on the definition of Open Space. The document references the Baylands Specific Plan, but can we also reference the updated **Open Space Master Plan**? Also the remaining open space of ~92 acres includes the Solar Farm (55 acres) of which is not Open Space and could potentially have a significant physical environmental effect. This needs to be called out on Page 4.3-46
- Table 4.3.1 specifically Item G. on page 4.3.61 – the “No” answer to the “significant physical environment effect….” is shown yet we call out that the 2025 Specific Plan project is inconsistent with this provision. Why it should be labeled as a YES:
    - **1. Habitat Loss and Ecosystem Disruption**
    - The proposed solar farm would require clearing large portions of land in a sensitive ecological area.
    - This would **disrupt wildlife habitats**, including areas used by migratory birds and other sensitive species.
    - The Baylands is one of the last remaining open space ecosystems in the region — development here is a permanent loss.

      2. Impacts on Hydrology and Flooding

- Large-scale solar arrays and related infrastructure can **alter natural drainage and groundwater flow**.
- This increases the risk of **flooding**, especially in a low-lying, flood-prone area like the Baylands.
- Wetland function may also be compromised, reducing natural flood protection and water filtration.

3. Visual and Scenic Resource Impacts

- The industrial appearance of a large solar installation would **visually dominate the landscape**.
- Glare, fencing, and panel rows would **diminish scenic views** from public trails and surrounding neighborhoods.
- The Baylands is valued for its natural beauty — this project would substantially degrade that experience.

4. Barrier to Trail Connectivity and Public Access

- The solar farm may **block or limit access to planned trail routes**, cutting off important pedestrian and bike connections.
- This undermines the vision of a walkable, connected Baylands that integrates open space and recreation.

5. Permanent Industrialization of Open Space

- Once built, solar farms are difficult to remove or relocate.
- This project would **lock in long-term industrial use** of land that could otherwise be restored, preserved, or used more flexibly.
- The opportunity for **future ecological restoration or public open space** would be lost.

6. Environmental Impact Is Not Offset by Policy Consistency

- Even if the project aligns with energy policy goals, the **physical environmental consequences remain real and significant**.
- These impacts must be acknowledged, assessed under CEQA, and **mitigated or avoided through alternatives**.

- Page 4.3-63 Table H. Reference to the **updated Open Space Master Plan** should be noted
- Page 4.3.69 Table H Reference to Consistency of a comprehensive system of bicycle and pedestrian paths, **as well as a shuttle system. So why aren't buses allowed over the Geneva overpass? Especially to the CalTrain station? This is not consistent.**

[Erin Becker]

- [4.3-4] – The Land Use Adjacent to the Baylands Specific Plan outlines significant increase in nearby development: (1) the 1,679 dwelling units plus 46,000 sqft commercial at the Schlage Lock Factory ("Baylands North"), and (2) 10,250 dwelling units plus 6.4 million sqft commercial at the Bayview/Hunters Point. Note that 7,218 of those 10,250 will be at Candlestick Point, per that project's website. This is a

tremendous increase in housing and additional development that has cumulative impacts on traffic and will impact the quality of life for all residents.

- [4.3-27] – The road diet that will reduce Bayshore Blvd to one lane in each direction is not conducive to meeting the final two bullets in Threshold LUP-1, as access to transit, commercial centers, employment centers, schools, parks or government services or facilities could be substantially diminished.
- [4.3-33] – The final bullet on this page describes the complaint process for the construction activity. The City should receive a record of all complaints received.
- [4.3-82 and 4.3-83] – While this section paints a rosy view of how the mitigation measures in the Baylands Specific Plan reduce the inconsistencies with the Brisbane General Plan, there are two areas where a density reduction to 1,800 dwelling units (as described in Alternate #7 Reduced Density, Reduced commercial) would be far superior:
    - First, General Plan LU.11 impacts will be reduced because shorter buildings will preserve scenic vistas.
    - Second, General Plan Policy 176 impacts will be reduced because the pile foundations of shorter buildings will be less impactful.

Chapter/Section: 4.4 Population & Housing

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

[Mary Rogers]

- Page 4.4-31 Specifically table 4.4-9 – How were these estimates compiled? The source referenced "**ALH Urban and Regional Economics, The Baylands Urban Decay Analysis, July 2023 is not available for review (researched and this information is private) The $33.1M in retail sales – is this annually or over a period of time?**

Chapter/Section: 4.5 Aesthetic & Visual Resources

General Comments:

[Rohendra Atapattu]

Addresses Section 4.5 of the Draft Environmental Impact Report (EIR) for the Baylands Specific Plan, addresses aesthetic and visual resources. I recommend utilizing this report to consider specific actions to mitigate several important concerns including:

- The development would permanently obstruct views from both within and outside the Baylands.
- Risk losing view corridors
- Light pollution from new development
- Construction activity resulting in visual disruption

Note that additional subject areas were addressed in the Draft EIR that were deemed not of notable concern from the purview of OSEC. These areas are thus not addressed in this report for brevity.

- San Bruno Mountain, the Brisbane Lagoon, and the San Francisco Bay are integral to the scenic identity of Brisbane. The assessment for aesthetic and visual resources in the Draft EIR demonstrates that the development would obstruct views from both within and outside the Baylands.
- The EIR references setbacks and separations between buildings but falls short of guaranteeing preservation of view corridors.
- Brisbane's nighttime environment is distinct, offering rare views of the stars and surrounding city lights. Light pollution from new development is a serious concern. While EIR mitigation measure would reduce light trespass to a less than significant level, the total amount of permitted nighttime lighting within the Baylands would be permit some sources of nighttime lighting not to be directed downward, which could adversely affect the area's dark night sky. Thus, sky glow impacts would remain significant.
- The EIR minimizes the long-term visual impact of construction, which could span decades. During this period, visual blight, dust, and lighting from staging areas will impact views from residential neighborhoods.

Specific Comments:

- The EIR's visual simulations confirm that new structures—particularly 20+ story buildings—would obstruct views from both within and outside the Baylands. Mitigation Measures AES-!a and AES-1b declare building height limits in specific areas that are reported to be effective in limiting the blocking of views.
- The EIR should provide visual simulations of the same visual simulations provided in the report (Table 4.5-2a to 4.5-2r) with and without the proposed mitigation measures listed in AES-1a and AES-1b. This will provide a conclusive evidence of the level of effectiveness of the proposed mitigation, else these are purely here-say.
- The EIR analysis should identify if the Specific Plan requirements for height limits in various areas are an enforceable requirements, or development guidelines. It is recommended that the Specific Plan include making the heights as stated in the mitigation measures local building code requirements.
- Mitigation measure AES-1c relies on standards within the Specific Plan. Therefore, Specific Plan must clearly identify and map protected view corridors and ensure that massing and layout decisions do not inadvertently block these vistas. This is especially important in areas with potential for high-rise development.
- The Specific Plan mentions preservation of view corridors but provides insufficient enforceable mechanisms to guarantee this outcome over time.

- While the Baylands plan aligns with the new Dark Sky Ordinance, enforcement will be crucial. Fully shielded fixtures, motion-sensitive lighting, and lower color temperatures should be mandatory across all zones—not just encouraged.
- Section 4.5.6 (Impact AES-4): The EIR should require that all lighting within Baylands be compliant with the City's new Dark Sky Ordinance, with no exceptions for commercial facilities unless justified with detailed findings.
- Commercial lighting and signage should be regulated with curfews to minimize sky glow and preserve Brisbane's night views
- Mitigation strategies must include screening, noise buffers, and restrictions on nighttime construction lighting.

[Mary Rogers]

- **Page 4.5 – 46 The 55 acre solar field** would be visible and adjacent to the freeway. How will glare from the panels be mitigated? Will the developer perform a glint and glare study due to the fact that the panels could cause extreme glare that might distract drivers or affect nearby homes? Large solar installations can raise local temperatures – will the developer include vegetative ground cover or other cooling strategies? What visual screening will be added?

Chapter/Section: 4.6 Biological Resources

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.7 Cultural and Tribal Cultural Resources

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.8 Transportation

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.9 Air Quality

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.10 Greenhouse Gas Emissions

General Comments:

[Anthony Walker]

- This chapter is one of the most critical sections of the entire EIR because it addresses one of Brisbane's core policy commitments: carbon neutrality by 2040. And it's here that the project's most serious environmental impact—its massive GHG footprint—is acknowledged as "significant and unavoidable."
- The EIR estimates net additional emissions from the Baylands Development of approximately 51,260 MTCO□e annually driven mainly by new transportation demand and including construction emissions amortized over 30 years. For context, that is an increase of approximately 72% of Brisbane's existing total emissions (71,222 MTCO2e) as of the most recent 2023 emissions inventory.

Annual Emissions	Total MT CO2e	MT CO2e Added	MT CO2e Reduced	Percent Reduced	Percent Increased
Brisbane 2005 baseline	84,511				

Brisbane GHG Inventory 2019	75,302		9,209	10.9%	
Brisbane GHG Inventory 2021	72,969		11,542	13.66%	
Brisbane GHG Inventory 2023	71,222		13,289	15.73%	
Baylands Annual Emissions Projection	122,482 *	51,260			45%

* Assumes stasis at 2023 levels for simplicity + Baylands emissions compared to the 2005 baseline

- Even with a wide-reaching and positive package of proposed on-site measures—including electrification of buildings, a substantial on-site solar farm and battery storage system, preferred EV parking, low-GWP refrigerants, renewable-fuel shuttles, and recycled water facilities—the residual emissions remain far above the city's articulated net-zero threshold. This on-site renewable energy is credited in the model and does reduce building operational emissions significantly – which is highly commendable – but it cannot address the dominant transportation emissions component that remains the major driver of the project's footprint. The EIR admits that “the only remaining feasible measure” to close this gap is the purchase of offset credits.
- In fairness, it is important to recognize that the annual net emissions estimate of ~51,260 MTCO□e is appropriately conservative for the purposes of CEQA review. The modeling assumes current regulatory trajectories but does not fully credit anticipated widespread EV adoption, fleet turnover, or continuing decarbonization of California’s electricity grid over the next several decades—a caution that is methodologically sound but could easily diverge from reality quite drastically. This conservative approach highlights a key policy challenge: unless the City develops a way to track actual transportation fuel use and EV adoption rates over time, we risk imposing unnecessarily large offset requirements on the developer – and over estimating our own emissions even as real-world emissions decline due to broader systemic shifts.
- This also underscores a long-running critique of Vehicle Miles Traveled (VMT) as a proxy metric for transportation emissions. VMT assumes a static relationship between miles driven and GHG output, but as the state aggressively transitions to zero-emissions vehicles, that link will weaken dramatically. While VMT remains a useful measure of congestion and land-use efficiency, it can overstate actual climate impact in the future if used uncritically as a GHG surrogate. We recommend the City acknowledge this modeling limitation and commit to integrating real-world fuel mix and EV adoption data into future project-level monitor and GHG reporting going forward.
- A further systemic concern is the reliance on offsets as a solution. Offset markets only function if there are enough real, verifiable emissions reductions available to sell as credits. As society transitions more broadly to a net-zero economy, the pool of viable offset projects is expected to shrink significantly—many analyses predict rising prices and even a risk of market collapse if demand exceeds supply. This type of acute pinch or

collapse scenario seems increasingly likely as various regional and national carbon neutrality goals begin to converge.

- For context, Brisbane is targeting 2040, the State of California 2045, and the United States National target is 2050. Short term political winds may well shift, but regardless of what specific scenarios play out, long term commitments have been made, and it seems fair to assume that by the time the Baylands development is estimated to be completed (30+ year time horizon = somewhere in the mid 2050s) the offset market is likely to be under immense stress.
- It is therefore risky to treat offsets as a guaranteed, perpetual solution without also investing in direct local reductions, enforceable VMT-reduction strategies, and contingency funding mechanisms to ensure Brisbane retains control over its climate commitments even if the offset market fails to deliver at scale. While the EIR is commendably direct about the fact that full mitigation to net-zero within the site boundaries is impossible with the currently proposed measures, its reliance on a large-scale offset program as the only feasible mitigation measure raises substantial concerns about certainty, enforceability, cost, and local benefit.
- As currently written, the offset strategy is both highly constrained and highly uncertain:
- It prioritizes (appropriately) local and regional offsets (City, County, Bay Area, State), but the EIR itself acknowledges that sufficient local credits may not exist, and that there is no guarantee of either availability or affordability. Add to that the fact that only three specific offset registries (ACR, CAR, Verra) are permitted as sources, which narrows supply even further and may limit flexibility acutely.
- If enough local/regional credits cannot be sourced, the program is designed to expand outward geographically, eventually to any US-based project—potentially losing the local environmental justice co-benefits that justify offsetting as a solution in the first place.
- As a result, while these geographic priorities are commendable in theory, they may prove functionally impossible to implement at the scale required (~50,000+ MTCO□e/year), especially given that many other Bay Area cities are adopting similar offset-reliant mitigation strategies. This risks creating fierce competition for scarce, high-quality local credits, driving up prices and undermining the program's certainty and feasibility.
- While the EIR's analysis is legally thorough in acknowledging these emissions as "significant and unavoidable," this should not be treated as a green light to approve business-as-usual emissions so long as a theoretical (but practically infeasible) offset mechanism is on paper. Brisbane has declared a climate emergency and committed to net-zero emissions by 2040. A development of this scale—effectively doubling the city's population—cannot be allowed to blow through those goals without a real, enforceable plan to make the community whole.
- This approach effectively outsources Brisbane's climate responsibilities, treating offsets as a financial transaction rather than ensuring direct, local, permanent emissions reductions strategies. We strongly recommend the City address these concerns with enforceable commitments in the Development Agreement that explore or leave the door open to other more direct solutions as well.
- **Climate Mitigation and Resilience Fund:** Require the developer to contribute to a dedicated local fund sized to offset the project's net GHG emissions if sufficient qualifying offsets cannot be procured. Such a fund could support any number of direct GHG reduction programs in areas deemed most effective at lowering local emissions:

EV purchase incentives, local zero-emissions transit funding, bike/ped infrastructure, electrification incentives, renewable energy generation and storage installations, low or no interest solar and electric appliance loans, to name just a few potential programs.

- **Clear Enforcement and Verification:** Define transparent processes for verifying offset credit sufficiency, including registry, location, certification, and public disclosure before permit approvals. The City should explicitly retain its authority to deny building permits if offsets cannot be demonstrated in sufficient quantity and quality.
- **Stronger On-Site Commitments:** Pursue all feasible local reductions before relying on offsets. For transportation emissions, this means enforceable mode-share targets, EV infrastructure requirements beyond minimums (including Level 2 or higher for most spaces), aggressive TDM programs, and integration with transit agencies to improve service and access.
- **Construction Emissions Accounting:** The practice of amortizing construction emissions over 30 years may make the numbers look smaller, but in reality these emissions will be incurred up front as each phase is completed. The City should require detailed accounting, enforce mitigation measures for construction practices, and consider requiring the purchase of offsets for these emissions prior to building permit issuance.

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.11 Energy Resources

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.12 Noise & Vibration

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.13 Hazards and Hazardous Materials

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.14 Hydrology and Water Quality

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.15 Geology, Soils, and Seismicity

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.16 Utilities, Service Systems, and Water Supply

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.17 Public Services and Facilities

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.18 Parks, Open Space & Recreation

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.19 Wildland Fire

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

[Erin Becker]

- [4.19-12] – The Operations section of this page ignores the Battery Facility, which is near to and higher than the stormwater detention area and wetlands around Visitacion Creek. In the event of a fire at the Battery Facility, there will be a huge downstream pollution concern.

Chapter/Section: 4.20 Significant Unavoidable Environmental Effects

General Comments:

[Mary Rogers]

- **Given the designation of a 'significant and unavoidable impact,' it is imperative that we exercise heightened diligence in assessing the long-term consequences. Furthermore, it is prudent to develop a robust contingency plan to address potential outcomes and mitigate unforeseen challenges:**
    - AQ-1 net increase in emission of non-attainment pollutants
    - GHG-1 Increase in total greenhouse gas
    - NOI-1 Increased noise during construction – this will last for **YEARS**
    - NOI-2 Increased noise for all stationary noise sources will be ongoing
    - NOI-3 Increased noise from traffic during construction of roadways – this will last for **YEARS**

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: 4.21 Program EIR Mitigation Measures

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

[Mary Rogers]

4.21-7 - 4.21-11 Nighttime lighting

- Please confirm that the Nighttime lighting EIR Mitigation Measures comply with the current Dark Skies Ordinance. There is no mention of this ordinance in the revisions. ***Can the Dark Skies Ordinance be called out in this document?***

4.21-5 Program EIR Transportation Mitigation Measures

- While the EIR calls out specific mitigation measures for the Baylands project, there isn't a contingency plan if multiple large development projects are running in parallel. The Geneva overpass is critical to be approved and constructed BEFORE construction begins.
- The NOP says to expect 19,000 workers! Some may live in the Baylands or Brisbane, but many will commute from other areas. The Bayland's TOD fails to recognize that the Bayshore Caltrain station is only available on Local routes (meaning there is no express service) and that Caltrain (and BART) have limited coverage across the Bay Area. The impact of this is that commuters are pushed to cars instead of public transportation. Please also note that the number of workers is likely lower than documented as multiple projects will likely be running in parallel (i.e 19,000 ++). Also, staffing for the City of Brisbane will likely increase 4X. Parking will definitely be an issue as well as charging station availability.

4.21-9 Routine use, storage, transport, and disposal of hazardous materials

- There's no mention of how solar panels/batteries will be disposed of?

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: Chapter 5 - Irreversible Environmental Effects

General Comments:

- [general point 1]

- [general point 2]

Specific Comments:

[Rohendra Atapattu]

Section 5.3.2 Fossil Fuels

- It is recommended that the EIR should propose that the Plan engage urban planners and traffic engineers to recommend a means to mitigate the impact from service/delivery vehicles and/or single passenger ride-services (typical of Uber). The extensive planning of the community with mass transit and alternative transport options (such as bikeways) will be ineffective if there is a large uptick of single-driver ride services circulating in the community. Lessons from the failure of San Francisco Municipal bus services following growth of ride-services should be used to engineer a means of discouraging this fate.

Chapter/Section: Chapter 6 – Growth-Inducing Effects

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: Chapter 7 – Cumulative Impacts

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: Chapter 8 – Alternatives

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: Chapter 9 – Subsequent EIR Analysis

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

Chapter/Section: Chapter 10 – EIR Preparation Staff & Resources

General Comments:

- [general point 1]
- [general point 2]

Specific Comments:

- [Section/page reference] – [insert comment]
- [Section/page reference] – [insert comment]

File Attachments for Item:

D. RECON Environmental Proposal for Brisbane Acres Vegetation Management

Brisbane Acres Vegetation Management

Submitted to:
City of Brisbane
Public Works Department
Karen Kinser P.E.
kkinser@brisbaneca.org

Submitted by:
RECON Environmental, Inc.
875 75th Avenue
Oakland, CA 94621
(925) 330-4347

Tim Buonaccorsi –
Restoration Director

July 16, 2025

RECON Overview

Corporate Office:	RECON Environmental, Inc. (RECON) 3111 Camino del Rio North, Suite 600 San Diego, CA 92108 (619) 308-9333
Local Office and Point of Contact:	Tim Buonaccorsi, Northern California Habitat Restoration Director 875 75th Avenue, Oakland, CA 94621 (925) 330-4347; tbuonaccorsi@reconenvironmental.com
Company Type:	RECON is an employee-owned corporate entity, founded in 1972 and incorporated under the laws of the state of California in 1977.
Business Size:	U.S. Small Business Administration and California Department of General Services Small Business Enterprise
Services:	RECON specializes in the following habitat restoration and maintenance tasks: • Invasive Plant Control/ Vegetation Management • Adaptive Management • Herbicide Application • Brush Clearance/Fuel Modification • Plan Preparation and Implementation • Site Selection • Ongoing Site Maintenance • Fence Installation and Repair • Stormwater Pollution Protection Plan Compliance • Seed Collection • Plant Propagation • Plant Salvage and Translocation • Pest Control • Erosion Control • Irrigation Installation and Repair • Plant and Wildlife Surveys • Biological Monitoring • Vegetation Monitoring • Mitigation Compliance
Credentials:	California C-27 Landscaping Contractor License, #986458 California Qualified Applicator Licenses, multiple California Pest Control Business License, #45241 Contra Costa County Pest Control Business License Certified Ecological Restoration Professional, #0269 International Society of Arboriculture Certified Arborist, #WE-8496A Pesticide Handler Safety Training U.S. Fish and Wildlife Service 10(A)1(a) Permit, TE-797665 CDFW Scientific Collecting Permit/Endangered Species Plant Voucher 40-hour Occupational Safety and Health Administration Training Course in Construction Safety and Health CPR and First Aid Training

1.0 Statement of Qualifications

RECON's in-house restoration division provides the full range of habitat creation, restoration, and enhancement services—from site planning to seed collecting and plant propagation to implementation and maintenance, monitoring, and reporting. We have specialized experience working with local, state, and federal agencies to successfully comply with mitigation requirements and have successfully developed and implemented numerous large-scale revegetation and mitigation plans for a variety of natural preserves and conservation lands throughout California. We have specific knowledge of northern California vegetation types including grassland, chaparral, marsh, oak woodland, and riparian habitats through our work on numerous large and small habitat restoration projects in the Bay Area over the past five years. Our highly trained and knowledgeable field crew readily identify native and non-native plant species and have extensive experience working across a variety of work conditions and in difficult terrain and can seamlessly adjust methods to accommodate specific site conditions.

RECON has the qualified staff and commitment from key personnel to ensure this project is successful and has selected northern California habitat restoration director, Tim Buonaccorsi, as the project manager for this project. Mr. Buonaccorsi is an ideal candidate for this assignment because he is knowledgeable in all aspects of habitat restoration, is responsive to client needs, and can manage both small and large and complex projects. As a project manager, Mr. Buonaccorsi will approach each specific task with a strategic set of principles that focuses on the coordination of staff, scheduling to meet milestones, proactively developing plans, and maintaining a constant line of communication with the City of Brisbane project manager. This set of principles allows Mr. Buonaccorsi to assess the progress of the overall project towards ensuring that goals are being achieved, that schedules are being met, and that the project is within budget. Mr. Buonaccorsi will maintain an open and direct line of communication with the client and provide any required routine progress reports to ensure all stakeholders are aware of the project's progress.

In support of Mr. Buonaccorsi on this project is a team of professionals that are devoted towards making all aspects of this project successful. Daniel Cain will lead the team and play an integral role in supporting all aspects of this project. Mr. Cain will use his prior experience working on the Brisbane Acres projects to ensure all planning, implementation, maintenance, and monitoring are approached with techniques that have proven successful in the past.

Safety

The safety of our employees is of paramount importance. RECON's policy is to meet or exceed applicable environmental, health, and safety laws and regulations and to facilitate open discussion to address standards and practices where laws and regulations do not exist. This policy is given to each employee during trainings, signed by the employee, and part of the Employee Handbook. To further promote safety, RECON has weekly safety tailgate meetings with the field staff to update and add additional safety measure for projects as issues are observed. RECON field directors and crew chiefs regularly monitor and correct potential safety situations in the field and welcome feedback from all crew members to ensure a safe and successful project.

Quality Assurance

Quality of work is a core value at RECON. Quality assurance requires careful execution of each stage of the restoration process, which is why project managers and field crew members are trained to prioritize quality rather than speed. Quality relies upon proper application of principles learned from years of experience, from methods of plant installation to watering frequency and proper site preparation and maintenance practices. All aspects of RECON's habitat restoration process are established to increase long-term survivability and create a self-sustaining native vegetation community.

The quality of our habitat restoration work begins with knowledgeable field crews who can readily identify native and non-native plant species, who have experienced working across a variety of work conditions and in difficult terrain, and who can adjust methods to accommodate specific site conditions. After 25 years of habitat restoration, RECON has a broad experience base and a large skill set to build upon. Systematic processes already in place at RECON provide the team with consistency and reliability that are a necessary component of successful habitat restoration. The Habitat Restoration Team consists of project managers and the field crew personnel who work together on habitat restoration projects, often from beginning of implementation to the completion of project maintenance.

2.0 Approach

2.1 Implementation

Site Activity Permit

Prior to implementation all requirements to obtain the Site Activity Permit will be identified. A qualified RECON biologist will perform the required surveys and work with the project manager to ensure the permit application is accurate and submitted in a timely manner to the San Mateo County Parks Department. It is understood that a qualified RECON biologist will be working on-site during all activities to ensure sensitive species are identified and their locations marked to avoid disturbance.

Invasive Species Treatment

Non-native invasive species (NNIS) treatment will be performed using foliar or cut stump herbicide applications on target species. NNIS treatment events will occur during treatment windows optimized for the target species. The RECON project manager will communicate with the City of Brisbane project manager to identify priority treatment sites and species. For every restoration and maintenance project we have managed, effective invasive species management has been a critical component of our continued success.

RECON's field crew members are trained in the control and removal of non-native plant species in sensitive habitats through various methods ranging from bare hands and hand tools to line

trimmers, mowers, and herbicide application. Our field technicians have successfully performed the removal of invasive non-native species on thousands of acres and dozens of mitigation sites throughout California. They are trained to distinguish invasive from native species in all phases of growth, including a wide variety of sensitive plant species. This practice allows for early detection and prompt and effective treatment while preserving the native species. All herbicide applications are conducted under the direction of our in-house and State of California Qualified Licensed Applicators. RECON stays abreast of current invasive species management techniques in order to identify the method(s) that will be most effective for a particular species under the existing site conditions and always utilizes the practices of integrated pest management. This approach balances cost, overall effectiveness, and environmental risk in selecting the best treatment(s) to use for the target weed species.

Reporting

A RECON biologist will create a report summarizing all activities performed on-site. The report will be presented to the Brisbane Citizen Advisory Committee. The report will include a summary of work completed on-site, sensitive species observed, and any other notable information as requested by the client. The report will include images and a map to better understand the work performed.

3.0 Cost Proposal

Table 1 describes the estimated total cost for the Brisbane Acres Vegetation Management Project.

Table 1: Cost Proposal

Task #	Site Name/ Services	Schedule	Staff Category	Labor Rate	Labor Hours	Cost
1	East Harold Road Site					
	Herbicide treatment and mapping of target invasive species. Site monitoring for new species of concern and populations.	Summer–Fall 2025	Field Director	$115.00	8.00	$920.00
			Field Crew Chief	$85.00	20.00	$1,700.00
			Field Specialist Technician	$80.00	48.00	$3,840.00
			Expenses (Herbicide)	$100.00		$100.00
	Total					**$6,560.00**
2	Brisbane Central - Humboldt Water Tank Sites					
	Herbicide treatment and mapping of target invasive species. Site monitoring for new species of concern and populations. Work areas include City-owned parcels between Harold Road and Margaret/Upper Paul Ave sites (Brisbane Central).	Summer–Fall 2025	Field Director	$115.00	8.00	$920.00
			Field Crew Chief	$85.00	24.00	$2,040.00
			Field Specialist Technician	$80.00	64.00	$5,120.00
			Expenses (Herbicide)	$100.00		$100.00
	Total					**$8,180.00**
3	West - Margaret/Upper Paul Avenue Sites					
	Herbicide treatment including foliar and cut-stump treatment and mapping of target invasive species. Site monitoring for new species of concern and populations.	Summer–Fall 2025	Field Director	$115.00	8.00	$920.00
			Field Crew Chief	$85.00	24.00	$2,040.00
			Field Specialist Technician	$80.00	64.00	$5,120.00
			Expenses (Herbicide)	$100.00		$100.00
	Total					**$8,180.00**

4	Reporting/Permits					
	Perform required surveys and submit permit application to obtain the Site Activity Permit. Preparation and presentation of project summary report for the Open Space Committee.	Summer–Fall 2025	Restoration Director	$185.00	4.00	$740.00
			Field Director	$115.00	2.00	$230.00
			Field Crew Chief	$85.00	10.00	$850.00
			Total			**$1,820.00**
			Total Cost			**$24,740.00**