

**REGIONAL WATER QUALITY CONTROL BOARD OPERABLE UNIT OU-2 REMEDIAL
ACTION PLAN NOTICE OF DETERMINATION**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF DETERMINATION**

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Subject: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OF THE PUBLIC RESOURCES CODE

Project Title: Southern Pacific Brisbane, also known as UPC Operable Unit – Two (UPC OU-2)

State Clearinghouse Number:

Project Location: Geneva Avenue and Bayshore Boulevard, Brisbane

County: San Mateo

Project Applicant: Baylands Development, Inc.

Project Description: The project consists of approval by the San Francisco Regional Water Quality Control Board (Water Board) of a Feasibility Study/Remedial Action Plan (FS/RAP) for the UPC OU-2 (Site) prior to its development. The Water Board's oversight of the project and approval of the FS/RAP is being undertaken pursuant to the regulatory authority granted under Chapter 6.8, Division 20 of the Health and Safety Code. The purpose of the FS/RAP, which constitutes the project subject to approval by Water Board, is to mitigate potential risk to human health and the environment from contaminants of concern in the soil, soil gas, and groundwater at the Site, which was formerly used as a railroad switching yard and storage tank area. Anticipated future land use for the Site is mixed residential and commercial.

Cleanup activities to be conducted pursuant to the FS/RAP include the following:

- excavate approximately 20,000 bank cubic yards (24,000 bulk cubic yards), subject to finalization of the Remedial Design Implementation Plan (RDIP), of soil from the OU-2 Site, approximately half of which may be relocated and capped onsite, and the other half to be transported off-site to an appropriately permitted waste disposal facility;
- In situ remediation of groundwater and post-remediation groundwater sampling is also required;
- Conducting soil vapor testing prior to constructing occupied structures and installing soil vapor mitigation systems, if necessary, to protect indoor air;
- Land use restrictions include prohibiting the use of groundwater and strict soil management protocols.
- Import approximately 1,240,000 bulk cubic yards, subject to finalization of the RDIP, of clean fill placed over existing fill with geotextile fabric or similar demarcation material between clean fill and existing fill;
- Capping of contaminated soil with hardscape or clean soil cap (minimum five-foot thick) and creating clean utility construction corridors.

As Responsible Agency under the California Environmental Quality Act (CEQA), The Water Board approved the above-described project on December 17, 2021 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made in the City approved EIR as a condition of project approval.

The administrative record for this project is available to the public by appointment at the following location:

San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 9461294710

Additional project information is available on EnviroStor:
https://geotracker.waterboards.ca.gov/profile_report?global_id=T10000000103

Contact Person
Vic Pal

Contact Title
Project Manager

Phone Number
510-622-2403

Approver's Signature:

Keith E. Roberson

Date:
June 9, 2022

Approver's Name

Keith Roberson

Approver's Title

Senior Engineering Geologist
Groundwater Protection Division

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR:

OPERABLE UNIT OU-2 REMEDIAL ACTION PLAN APPROVAL RECORD

San Francisco Bay Regional Water Quality Control Board

December 17, 2021
Geotracker ID: T10000000103

Mr. Howard Pearce
Baylands Development, Inc.
150 Executive Park Boulevard, Suite 4000
San Francisco, CA 94134
hpearce@bdisf.com

CONCURRENCE WITH THE FEASIBILITY STUDY/REMEDIAL ACTION PLAN FOR BRISBANE BAYLANDS OPERABLE UNIT 2

Dear Mr. Pearce:

The San Francisco Bay Regional Water Quality Control Board (Water Board) staff has reviewed and concurs with the Draft Final Feasibility Study/Remedial Action Plan (FS/RAP) for the Brisbane Baylands Operable Unit 2 (OU-2), located in Brisbane, California (Site). The FS/RAP, dated September 19, 2019 and most recently revised on September 17, 2020, was prepared and submitted by Geosyntec Consultants, Inc. (Geosyntec) on behalf of Universal Paragon Corporation (UPC), now called Baylands Development, Inc. (BDI). The alternative selected in the FS/RAP includes the following elements:

- Capping of contaminated soil with a durable cover of a minimum of five feet of clean soil or installation of hardscape (e.g., roads, building foundations) to break the pathway between impacted soil and future site users across the entire Site;
- Excavating impacted soil where a durable cover cannot be placed and either consolidating the impacted, excavated soil in a new location at the Site under a protective cover or safely disposing of it off-Site;
- Excavating VOC-impacted soil and disposing of it off-Site;
- Treating groundwater and soil to break down VOC and petroleum-related contaminants;
- Testing soil vapor prior to building construction and installation of vapor mitigation systems where needed;
- Enacting enforceable land use restrictions and ongoing monitoring and maintenance of the protective covers, groundwater and any vapor mitigation system installed; and
- Maintaining financial assurance mechanisms to guarantee the ongoing monitoring and maintenance obligations.

The FS/RAP was circulated for public comment from October 28, 2020 to December 18, 2020 and the comment period was extended to January 31, 2021 at the request of

the community. A virtual public meeting was also held on November 18, 2020.

Enclosed is a copy of the Responsiveness Summary that addresses the comments received during the comment period. These documents should be added to the FS/RAP and an electronic copy of the FS/RAP in PDF format, marked final, needs to be provided to SFRWQCB within **seven days of the date of this letter**.

The FS/RAP also requires the development of engineering-level, parcel specific Remedial Design and Implementation Plans (RDIPs) to address the design details of the requirements, and plans, including but not limited to, those establishing soil import criteria and truck routes, health and safety measures to protect Site workers who will implement the remedy, and air quality monitoring during Site remediation. Water Board staff anticipates receiving drafts of the RDIPs for review starting in 2022.

If you have any questions, please feel free to contact Vic Pal at (510) 622-2403 or Vic.Pal@waterboards.ca.gov.

Sincerely,

Keith E. Roberson

Keith Roberson
Senior Engineering Geologist
Groundwater Protection Division

cc: Mr. Randy Brandt, Geosyntec, Inc., RBrandt@geosyntec.com
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