



California Regional Water Quality Control Board

San Francisco Bay Region



Terry Tamminen
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

Date: **JUN 17 2004**
File No. 2119.1185 (CSF)

Heidi Vonblum
ESA
225 Bush St., Suite 1700
San Francisco, CA 94104

Caron Parker
City of Richmond Planning Department
1401 Marina Way South
Richmond, CA 94804

Subject: April 23, 2004 Notice of Preparation of Draft Environmental Impact Report for Campus Bay Project and Proposed Corresponding Zoning, General Plan and Specific Plan Amendments, Richmond, Contra Costa County

Dear Ms. Vonblum and Ms. Parker:

Regional Board staff have reviewed and provided comments below to the Notice of Preparation (NOP) for the proposed Campus Bay Project and Proposed Corresponding General Plan and Specific Plan Amendments. The NOP includes an initial study and environmental checklist for items to be covered in the draft Environmental Impact Report (EIR).

The Regional Board is the lead agency providing oversight of cleanup at the Cherokee Simeon Venture, LLC (CSV) property, which includes the former Zeneca cleanup site. Regional Board staff, with input from other agencies, is also evaluating the feasibility of utilizing the site for residential use, such as that described in the NOP.

It is important that the EIR evaluate the effects of site contamination on the proposed residential development. Residential development, if approved, will require establishment of acceptable cleanup thresholds, risk management and mitigation measures, institutional controls, financial assurance agreements, contingency actions, post-development monitoring, and maintenance and reporting requirements. Other requirements may also be necessary. Formal agreements between multiple agencies, dischargers, site developers, and current and future property owners will be necessary to insure that site redevelopment does not interfere with site cleanup. The current site cleanup plans, feasibility of residential site use, and appropriate agreements are currently being evaluated by Regional Board staff.

Our primary concerns with the NOP are that the EIR sufficiently address: 1) the effect of redevelopment on site remedial actions implemented in order to protect water quality; 2)

potential human health exposure to contaminants during construction; and, 3) potential human health exposures under a residential scenario. It appears, from the NOP, that these issues will be covered in the draft EIR.

Water Board staff concerns pertaining to water quality and human health are listed below (following the NOP enumeration):

3.g. Approvals Required: The following agencies are working with the Regional Board on cleanup of the site; these agencies may be interested in providing input to the EIR:

- US Fish and Wildlife Service
- US EPA
- US Army Corps of Engineers
- Bay Conservation and Development Commission
- California Department of Toxics Substances Control
- Contra Costa County Department of Environmental Health
- East Bay Regional Parks District
- Bay Area Air Quality Management District.

III. Air Quality: There is potential for human receptors to be exposed to airborne contaminants located at the site (VOCs, PCBs, metals, pesticides, and petroleum hydrocarbons). Exposure scenarios include inhalation of dust and vapors by construction workers and neighboring workers during redevelopment construction, and inhalation of vapors by future site residents, maintenance workers, and construction workers. The EIR should specify the methods utilized to prevent such exposures to contaminants of concern.

IV. Biological Resources, XI. Noise, and XIV. Recreation, XV Transportation/Traffic: Cleanup and restoration of Stege Marsh, located adjacent to the proposed development, has been required of Zeneca under Regional Board order No. 01-101. A portion of the Stege Marsh cleanup has already been implemented. Because Stege Marsh provides valuable habitat for the endangered clapper rail and other marsh wildlife, the EIR for the proposed Campus Bay development should evaluate the negative impacts to Stege Marsh from increased noise, traffic, pets, children, and human recreational activities.

VI. Geology and Soils and XVI. Utilities: Remedial measures implemented at the site include stabilization of low pH/metals contamination in soil and groundwater, installation of an impermeable cap, and installation of a biologically active permeable barrier wall (BAPB). It is important that the development does not negatively impact the remedial measures. Items which may potentially impact site cleanup and should thus be evaluated in the EIR include, at a minimum:

- building piles
- subgrade structures
- underground utilities which may provide a conduits for vapors or groundwater contamination
- dewatering systems
- compaction, relocation, and import of soil
- landscaping and irrigation
- stormwater drainage
- seismic events which may impair effectiveness of the cap or BAPB

VII. Hazards and Hazardous Materials:

1. **Item VII.a:** To the question, "Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?", the appropriate answer would be "potentially significant impact".
2. **Note to item VII.b:** The note refers to future work in the upland area of the site. ~~Additional work includes reduction of VOC concentrations in groundwater in the western portion of the site. It must also be considered that Regional Board staff have not determined whether final cleanup levels for the upland area of the site should be modified, given the proposed change from commercial development to residential development.~~
3. **VII.c:** Regarding hazardous materials sites and schools: It is our understanding that there are plans for a daycare facility to be included in the development; this should be evaluated in the FIR

VIII. Hydrology and Water Quality: The items described under VI and VII above apply to this section.

IX. Land Use and Planning: The EIR should recognize that the final design and delineation of the marsh, marsh/upland transition area, and the freshwater lagoons area will be determined by the Regional Board, USFWS, USACE, BCDC, and EBRPD. The design of the Campus Bay development must incorporate a footprint which does not intrude upon, or interfere with remediation in the marsh, marsh/upland transition area, and the freshwater lagoon area.

If you have any questions regarding this letter, please contact Cecilio Felix at (510) 622-2343 or via e-mail at csf@rb2.swrcb.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Curtis T. Scott". The signature is fluid and cursive, with the first name "Curtis" being more prominent than the last name "Scott".

Curtis T. Scott
Chief, GWP Division
San Francisco Bay Regional Water Quality
Control Board

cc. Mailing List

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