

APPENDIX K.6

**BRISBANE BAYLANDS LANDFILL CLOSURE PLAN APPROVAL
RECORD**

**REGIONAL WATER QUALITY CONTROL BOARD LANDFILL CLOSURE PLAN
NOTICE OF DETERMINATION**

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth St., Rm. 113
Sacramento, CA 95814

From: San Francisco Bay Regional Water Quality Control Board
1515 Clay St., Ste. 1400
Oakland, CA 94612

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

Project Title: Brisbane Baylands Project—Brisbane Landfill Closure Plan

State Clearinghouse Number: 2006022136

Project Location: The Brisbane Class III Landfill site is located south of Beatty Drive, east of Tunnel Avenue, north of Lagoon Way, and west of U.S. Highway 101 in Brisbane, California.

County: San Mateo

Project Applicant: Baylands Development, Inc.

Project Description: The San Francisco Bay Regional Water Quality Control Board has oversight of the portion of the Brisbane Baylands Project that relates to the Brisbane Baylands Landfill Closure Plan (“Closure Plan”). The Closure Plan shall be effective upon the City of Brisbane’s (“City”) approval of the Discharger’s Plan of Development and is consistent with Provision 8 of the Waste Discharge Requirements for the Brisbane Class III Landfill, San Francisco Bay Regional Water Quality Control Board (San Francisco Bay Water Board) Order Number 01-041 (“WDRs”) (April 26, 2001).

The San Francisco Bay Water Board’s oversight of the closure of the landfill and approval with conditions of the Closure Plan is being undertaken pursuant to the WDRs, as it may be amended, and Title 27. The purpose of the Closure Plan is to assure mitigation of potential risk to public health, safety, and the environment under post-development landfill conditions, as provided by the WDRs. New (post-development) project conditions are anticipated to include the following: commercial structures with associated utilities; roadways; sidewalks; solar-field area; energy storage; and open space, including water features and water detention areas. These new conditions will be identified in the City of Brisbane approved Plan of Development.

Closure activities to be conducted pursuant to the Closure Plan include the following, which shall be implemented in alignment with redevelopment:

- Earthwork site preparation, which will include removal of uncompacted, non-waste fill to not less than 5 feet above the top of the waste or above the groundwater table. Removed fill will be stockpiled for reuse on-site and on adjacent parcels.

- Performance of deep dynamic compaction of waste or other means, as necessary, to reduce settlement of the landfill cap, landfill control systems, and the proposed future development.
- Placement of engineered fill, landfill cover, and, as necessary, surcharge fill. As provided under Title 27, the landfill cover will include a foundation layer, a low-hydraulic conductivity layer with a hydraulic conductivity of 1×10^{-6} centimeters per second (cm/sec) or less, as well as erosion resistance via a vegetation layer or a mechanical erosion and ultraviolet light-resistant layer per Title 27 requirements, or alternative cover consistent with Title 27 subject to approval by the San Francisco Bay Water Board.
- Installation of new leachate collection and transmission and landfill gas extraction systems, as well as new groundwater monitoring wells and erosion control measures to protect human health, the environment and public safety. Existing landfill systems will either be demolished and reinstalled or modified to provide ongoing landfill control and protection.

The San Francisco Bay Water Board, acting as a responsible agency, approved the Closure Plan with conditions on February 28, 2025. The Closure Plan does not address potential effects of surface water bodies on the closure design. As such, the Closure Plan may not be relied upon for closure activities that affect the surface water bodies without further analysis and review by the San Francisco Bay Water Board under Title 27 of the California Code of Regulations, the WDRs, and applicable laws and regulations.

As a Responsible Agency under the California Environmental Quality Act (CEQA), the San Francisco Bay Water Board independently considered the Programmatic Environmental Impact Report, the “Brisbane Baylands EIR,” certified by the City of Brisbane on July 19, 2018, before approving the Closure Plan with conditions. The City of Brisbane analyzed the effects of the landfill closure in the Brisbane Baylands EIR and adopted Findings of Fact and a Statement of Overriding Considerations. Approval of the Closure Plan with conditions will not result in any new significant effects on the environment or substantially increase the severity of significant effects identified in the Brisbane Baylands EIR.

In approving the Closure Plan with conditions, the Water Board made the following determinations:

1. The City of Brisbane prepared the Brisbane Baylands EIR for the Brisbane Baylands Project (Project).
2. As identified in the Brisbane Baylands EIR, the Project will have a significant effect on the environment.
3. The City of Brisbane included mitigation measures for the Project in the Brisbane Baylands EIR.
4. The City of Brisbane adopted a mitigation reporting or monitoring plan for the Project
5. The City of Brisbane adopted a Statement of Overriding Considerations for the Project.
6. The City of Brisbane adopted findings pursuant to CEQA for the Project.

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 94612

Additional project information is available on Geotracker:

http://geotracker.waterboards.ca.gov/profile_report?global_id=L10001853784

Contact Person	Contact Title	Phone Number
Vic Pal	Project Manager	(510) 622-2403

Approver's Signature

Date:

[x]   Digitally signed by Ross Steenson
Date: 2025.03.05 10:53:17 -08'00'

[x] March 5, 2025

Approver's Name

Approver's Title

Ross Steenson

Assistant Executive Officer

(For Executive Officer Eileen White)

**REGIONAL WATER QUALITY CONTROL BOARD LANDFILL CLOSURE PLAN
CONDITIONAL APPROVAL LETTER**



San Francisco Bay Regional Water Quality Control Board

February 28, 2025

Baylands Development Inc.
Attn: Stephanie Shakofsky
Senior Vice President of Governmental Affairs
2201 Bayshore Blvd.
Brisbane, CA 94134
Sent via email only: sshakofsky@thebaylands.com

**Subject: Approval with Conditions of the Brisbane Baylands Landfill
Volume I: Final Closure Plan**

Dear Ms. Shakofsky:

This letter approves with conditions the Brisbane Baylands Landfill Volume I: Final Closure Plan, as revised January 8, 2025 (Closure Plan), submitted pursuant to Regional Water Board Order No. 01-041, Waste Discharge Requirements for the Brisbane Class III Landfill (WDRs). The Closure Plan includes a proposed landfill closure design for approximately 319 acres of the 364-acre landfill. The landfill currently has, and is anticipated to continue to have under proposed future redevelopment, surface water bodies on it, including seasonal wetlands and a creek (water bodies). The Closure Plan does not yet fully address that issue with the specificity required for final approval of construction activities affecting the water bodies, and this letter describes a process for Baylands Development Inc. to do so.

The Closure Plan does not yet fully analyze the specific design of the water bodies and consequently the potential effects of proposed surface water bodies on the closure design. Rather, it documents application of the standards established under Title 27. As a result, the plan may not be relied upon for closure design that affects the water bodies without further analysis and review by the Regional Water Board under Title 27, the WDR, and applicable laws and regulations. Potential analyses include, but are not necessarily limited to, shear stress analyses, hydrology, consideration of boundary conditions where water is flowing onto or off of the cap, wetland and creek planting palettes, plant rooting depths and needed conditions for plant survival, potential lateral creek movement over time, and potential changes from anticipated climate change.

The water bodies on the landfill are waters of the state and all or a portion may also be jurisdictional waters of the United States. As such, work in those waters will require review and authorization by the Regional Water Board and may require review and authorization by other state and federal agencies. You have begun conversations with

ALEXIS STRAUSS HACKER, CHAIR | EILEEN M. WHITE, EXECUTIVE OFFICER

February 28, 2025

the potentially involved agencies, in part by presenting at the December 12, 2024, U.S. Army Corps of Engineers Interagency meeting. Thank you as well for acknowledging the need for necessary authorizations and agency reviews, including potential changes to the proposed closure design related to the water bodies, including in your letter of February 13, 2025, and our meetings on February 10 and 21, 2025.

The analysis of potential effects of proposed surface water bodies on the closure design have the potential to require significant modifications to the Closure Plan. As examples, it may be appropriate or necessary to “clean close” portions of the landfill below the surface waters, to modify proposed surface soil depths to provide sufficient rooting depth and hydrology for herbaceous or woody plants, and to modify the cap design, for example to allow the creek room to move or to adapt to anticipated climate change.

Before the landfill closure activities proceed in ways that affect the water bodies, we will need to receive and approve documentation that addresses the final construction design and associated analyses. This documentation may require an amendment or addendum to the Closure Plan.

In your letter of February 13, 2025, you indicated that you expect to submit permit applications to agencies later in 2025. The closure design that affects the water bodies should be updated with the outcomes of the application processes and associated analyses and submitted to the Regional Water Board for review and approval prior to closure activities.

We look forward to continuing to work with you on the landfill closure, redevelopment, and subsequent post-closure maintenance activities. Given the interplay among the laws governing the water bodies and landfill closure, we are committed to assist with the necessary coordination. Please contact Regional Water Board staff with any questions regarding the above.

Sincerely,



Digitally signed by Ross
Steenson
Date: 2025.02.28 14:43:35
-08'00'

for Eileen M. White, P.E.
Executive Officer

Copy to:

Nicholas Targ, Holland & Knight, Nicholas.Targ@hklaw.com

Keith Lichten, Regional Water Board, Keith.Lichten@waterboards.ca.gov

Elizabeth Morrison, Regional Water Board, Elizabeth.Morrison@waterboards.ca.gov

Jessica Watkins, Regional Water Board, Jessica.Watkins@waterboards.ca.gov

Keith Roberson, Regional Water Board, Keith.Roberson@waterboards.ca.gov

Vic Pal, Regional Water Board, Vic.Pal@waterboards.ca.gov

SAN MATEO COUNTY LANDFILL CLOSURE PLAN CONDITIONAL APPROVAL LETTER

Sichun Zhang

From: Dawson Coblin <dcoblin@smcgov.org>
Sent: Thursday, January 16, 2025 1:31 PM
To: Stephanie Shakofsky
Cc: Sichun Zhang; Nicholas.Targ@hklaw.com; Leroy Chan; Allen Chiu; Liliana Mejia; Pal, Vic@Waterboards; Stephen Fallon
Subject: RE: Closure Plan

Hi Stephanie,

Thank you for the opportunity to review the resubmittal.

The Brisbane Landfill Closure Plan (Volume I) submitted on January 9th, 2025 (Revised by ENGEO on January 8th, 2025, named: 1727000002_2023-01-25_rev2025-01-08_Baylands Closure and Post Closure Maintenance Plan Volume 1.pdf) has been reviewed and is Approved.

Please provide confirmation, as we discussed in the phone call yesterday, that the language that will be included in the perimeter monitoring network plan and maintenance plan will consist of and memorialize the justification and rationale for not placing perimeter monitoring probes south of Lagoon Rd, East along 101, and North of the property.

To be clear: the work plan will provide adequate justification for instances where it does not explicitly comply with the CCR27 Code Section 20923(a)(2)(E) for the perimeter monitoring network.

Regards,

Dawson Coblin, MPH
Environmental Health Specialist III

San Mateo County
Environmental Health Services
2000 Alameda De Las Pulgas, San Mateo
Hours: Tuesday-Friday, 7 AM-6 PM
c-650-208-8989
main-650-372-6200

From: Dawson Coblin
Sent: Friday, January 10, 2025 8:41 AM
To: Stephanie Shakofsky <sshakofsky@thebaylands.com>; Stephen Fallon <SFallon@engeo.com>
Cc: Sichun Zhang <szhang@thebaylands.com>; Nicholas.Targ@hklaw.com; Leroy Chan <lchan@engeo.com>; Allen Chiu <achiu@smcgov.org>; Liliana Mejia <lmejia@smcgov.org>
Subject: RE: Closure Plan

Received!
I will be in touch mid-next week. Thanks, everyone!

Regards,

Dawson Coblin, MPH
Environmental Health Specialist III

San Mateo County
Environmental Health Services
2000 Alameda De Las Pulgas, San Mateo
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From: Stephanie Shakofsky <sshakofsky@thebaylands.com>
Sent: Thursday, January 9, 2025 9:28 AM
To: Dawson Coblin <dcoblin@smcgov.org>; Stephen Fallon <SFallon@engeo.com>
Cc: Sichun Zhang <szhang@thebaylands.com>; Nicholas.Targ@hklaw.com; Leroy Chan <lchan@engeo.com>; Allen Chiu <achiu@smcgov.org>; Liliana Mejia <lmejia@smcgov.org>
Subject: Re: Closure Plan

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Hi Dawson,
We are pleased to present the Final Closure Plan which incorporates the LEA's Final Comment Summary (<https://app.box.com/s/o2ecqytm92d4w0lteim92u78o5o8uid9>).
The link contains three documents:

1. Engeo's Summary Response to the LEA's Final Comment and Correctness Review.
2. Final and signed clean copy of the Closure Plan incorporating the LEA's Final Correctness Comments.
3. Redlined version of the above.

We appreciate your timely consideration and thank you again for your time and commitment to this important project. Please do not hesitate to call me or Steve Fallon at Engeo if there are any remaining questions regarding the Final Closure Plan. Best,
Stephanie Shakofsky

From: Dawson Coblin <dcoblin@smcgov.org>
Sent: Friday, December 20, 2024 5:02 PM
To: Stephen Fallon <SFallon@engeo.com>
Cc: Stephanie Shakofsky <sshakofsky@thebaylands.com>; Sichun Zhang <szhang@thebaylands.com>; Nicholas.Targ@hklaw.com <Nicholas.Targ@hklaw.com>; Leroy Chan <lchan@engeo.com>; Allen Chiu <achiu@smcgov.org>; Liliana Mejia <lmejia@smcgov.org>
Subject: RE: Closure Plan

Hello all,
Attached is the final comment summary determination letter; please let me know if you have any questions.
Regards,

Dawson Coblin, MPH
Environmental Health Specialist III

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From: Dawson Coblin
Sent: Thursday, December 12, 2024 2:57 PM
To: Stephen Fallon <SFallon@engeo.com>
Cc: Stephanie Shakofsky <sshakofsky@thebaylands.com>; Sichun Zhang <szhang@thebaylands.com>;
Nicholas.Targ@hklaw.com; Leroy Chan <lchan@engeo.com>; Allen Chiu <achiu@smcgov.org>; Liliana Mejia
<lmejia@smcgov.org>
Subject: RE: Closure Plan

Good afternoon, everyone.
Thank you all for your patience with this review. The draft version of the LEA response letter is currently being reviewed by the rest of the team for concurrence.
We anticipate the final letter will be sent for review and acceptance of conditions by Baylands very shortly.

Regards,

Dawson Coblin, MPH
Environmental Health Specialist III

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From: Stephen Fallon <SFallon@engeo.com>
Sent: Friday, November 8, 2024 8:04 AM
To: Dawson Coblin <dcoblin@smcgov.org>
Cc: Stephanie Shakofsky <sshakofsky@thebaylands.com>; Sichun Zhang <szhang@thebaylands.com>;
Nicholas.Targ@hklaw.com; Leroy Chan <lchan@engeo.com>; Allen Chiu <achiu@smcgov.org>; Liliana Mejia
<lmejia@smcgov.org>
Subject: RE: Closure Plan

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Dawson,
Thank you for this update. I think that is it. We are all just waiting on CalRecycle. Have a fantastic trip! Cheers~

Regards,

Stephen Fallon
Senior Engineer



ENGEEO Inc
2010 Crow Canyon Pl, #250
San Ramon, CA 94583
M (925) 483 6854
F (888) 279-2698
www.engeeo.com



CONNECT WITH ENGEEO:

From: Dawson Coblin <dcoblin@smcgov.org>
Sent: Friday, November 8, 2024 7:42 AM
To: Stephen Fallon <SFallon@engeeo.com>
Cc: Stephanie Shakofsky <sshakofsky@thebaylands.com>; Sichun Zhang <szhang@thebaylands.com>;
Nicholas.Targ@hklaw.com; Leroy Chan <lchan@engeeo.com>; Allen Chiu <achiu@smcgov.org>; Liliana Mejia
<lmejia@smcgov.org>
Subject: RE: Closure Plan

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Hi Stephen,
Thank you for taking some time to talk with me yesterday.
Thank you for completing the questions below, I appreciate you taking care of that!
As of this email, I have contact Calrecycle and requested the submittal be forwarded to Liliana and Allen in my absence;
no messages from them since last week.

Below is the link for resubmittal, the link will remain active for 30 days (expires 12/9/24):
<https://smcgov.box.com/s/w0y67veu8slrpzi94i8z0npowlp9linc>

Additionally, I'll be in touch around EOD to wrap up any loose ends you.
Did I miss anything?

See you-all on the other side, cheers!

Dawson Coblin, MPH
Environmental Health Specialist III

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From: Stephen Fallon <SFallon@engeeo.com>
Sent: Thursday, November 7, 2024 3:25 PM
To: Dawson Coblin <dcoblin@smcgov.org>; Allen Chiu <achiu@smcgov.org>
Cc: Stephanie Shakofsky <sshakofsky@thebaylands.com>; Sichun Zhang <szhang@thebaylands.com>;
Nicholas.Targ@hklaw.com; Leroy Chan <lchan@engeeo.com>
Subject: RE: Closure Plan

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Dawson,
Per our conversation, please see my notes below in **BLUE**. Cheers~

Regards,

Stephen Fallon
Senior Engineer



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CONNECT WITH ENGEEO:



From: Stephen Fallon
Sent: Thursday, November 7, 2024 2:29 PM
To: Dawson Coblin <dcoblin@smcgov.org>; Allen Chiu <achiu@smcgov.org>
Cc: Stephanie Shakofsky <sshakofsky@thebaylands.com>; Sichun Zhang <szhang@thebaylands.com>;
Nicholas.Targ@hklaw.com; Leroy Chan <lchan@engeeo.com>
Subject: Closure Plan

Dawson,
I wanted to check in with you on the Baylands Closure Plan. I called and left a message, as well. We understand that you are headed out soon, so have the following questions.

1. Do you have any updates regarding CalRecycle's comments?

There was no update from CalRecycle. Dawson will reach out to them to get an update.

2. In your absence, how will we get CalRecycle's comments?

Dawson will let CalRecycle to include the greater LEA team on their response. Allen will send us the comments if they come in after tomorrow.

3. In your absence, can we coordinate with Allen to submit the plan (post-revisions)?

Dawson will set up a link tomorrow before he leaves that we can submit the Closure Plan through. ENGEEO will notify Allen when we submit the plan.

We hope you have an amazing trip. Please let us know before you go, so we can make sure to continue to make progress on the CP. Thank you~

Regards,



Stephen Fallon • Senior Engineer

ENGEO Incorporated

2010 Crow Canyon Place, Suite 250, San Ramon, CA 94583

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