

Re: Comments on University of California Berkeley  
2020 LRDP Draft EIR

LETTER C277

To: University of California Regents  
UC President Dynes  
Governor Schwarzenegger  
Cal EPA Secretary Tamminen  
US Energy Secretary Abraham  
LBNL Director Shank  
UCB Chancellor Berdahl

June 10, 2004

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PLANNING

From: Preserve Strawberry Creek Watershed Alliance  
P O Box 9646, Berkeley, CA 94709

# SAVE Strawberry Creek Watershed

## **1. STOP the Further Destruction of the Strawberry Creek Watershed**

LBNL has created underground plumes of tritium and other contaminants that are moving toward Strawberry Creek. Now LBNL is clearing another pristine area in Strawberry Canyon to build a 6-story nanotechnology facility called the "Molecular Foundry Project".

## **2. PREPARE an Environmental Impact Report (EIR)**

LBNL avoided conducting an EIR for the Molecular Foundry as required by law in California.

## **3. ACKNOWLEDGE that Nanotech May Have Serious Health and Environmental**

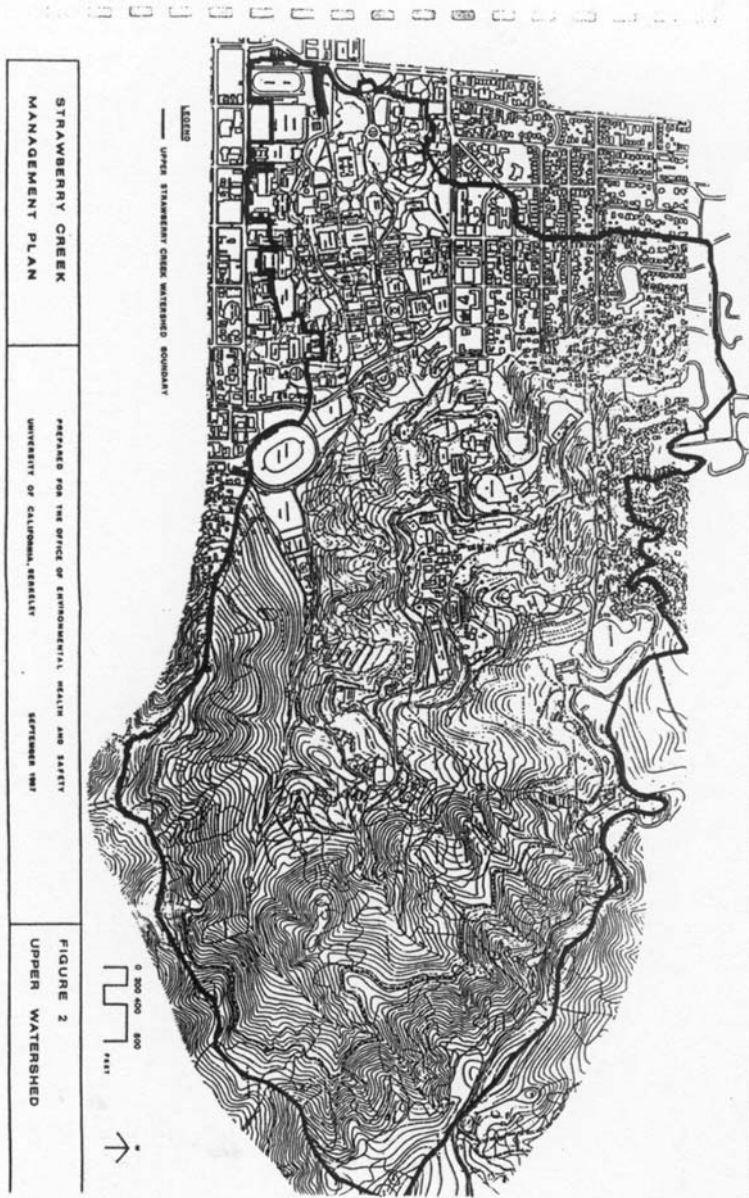
**Impacts** The US EPA states that the health effects and environmental impacts of nanotechnology are unknown. LBNL claims that there is no danger, yet they have no scientific evidence to support that claim. Ultrafine particles, similar in size to nanoparticles, cause respiratory and cardiovascular disease.

## **4. DECONTAMINATE Existing Buildings that have been Decommissioned**

LBNL has contaminated and abandoned its own buildings on this site. LBNL should remediate this contamination instead of constructing new facilities in the watershed.

We, the undersigned, urge the Department of Energy (DOE), the Lawrence Berkeley National Laboratory (LBNL), and the University of California (UC) Regents to immediately cease the further destruction of the Strawberry Creek Watershed.

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CLIFFERS FRED	<i>CLIFFERS FRED</i>	1334 PERALTA AVE	Berkeley	

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CHICORY BECHTEL	<i>Chicory Bechtel</i>	1519 Stua. + St. 820A	510-981-8489	chicoryb@earthteam.net
MARY MALKO	<i>Mary Malko</i>		925-639-5159	malimalko@comcast.net
Sharon Anderson	<i>Sharon Anderson</i>	1321 1/2 Mills SAPAVILLE, CA 94579	510/527-9761	Sharon.anderson@yehon.com
BILL ROBBINS	<i>Bill Robbins</i>	3135 JUDITH WAY	925-283-1314	WMROBB@UCMILC.OI
Alisa Shor	<i>Alisa Shor</i>	121 Athol Ave	415 845-8739	coordinator@savestrawcreek.org

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David Gottlieb	<i>[Signature]</i>	1406 N. Topanga Canyon Blvd. Topanga	90270	daugot@cs.cmu.edu
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LBNL has created underground plumes of tritium and other contaminants that are moving toward Strawberry Creek. Now LBNL is clearing another pristine area in Strawberry Canyon to build a 6-story nanotechnology facility called the "Molecular Foundry Project".

**2. PREPARE an Environmental Impact Report (EIR)**

LBNL avoided conducting an EIR for the Molecular Foundry as required by law in California.

**3. ACKNOWLEDGE that Nanotech May Have Serious Health and Environmental Impacts**

The US EPA states that the health effects and environmental impacts of nanotechnology are unknown. LBNL claims that there is no danger, yet they have no scientific evidence to support that claim. Ultrafine particles, similar in size to nanoparticles, cause respiratory and cardiovascular disease.

**4. DECONTAMINATE Existing Buildings that have been Decommissioned**

LBNL has contaminated and abandoned its own buildings on this site. LBNL should remediate this contamination instead of constructing new facilities in the watershed.

We, the undersigned, urge the Department of Energy (DOE), the Lawrence Berkeley National Laboratory (LBNL), and the University of California (UC) Regents to immediately cease the further destruction of the Strawberry Creek Watershed.

Since the Manhattan Project in the 40s, the operations at LBNL have contaminated the soil, surface and groundwater, and vegetation in the Strawberry Creek Watershed with toxic materials including radioactive tritium, uranium, VOCs, diesel, Freon, PCBs, and much more.

Name	Signature	Address	Telephone	e-mail
DAVID I TAN	<i>[Signature]</i>	2362 Bay (101) Berkeley CA 94704	472-5923	
Morning Sun	<i>[Signature]</i>	2142 California St Berkeley 94703		
Dale Nesbitt	<i>[Signature]</i>	1712 Marin Ave Berkeley CA 94707		dnesbitt@idiom.com
Mike Vandeman	<i>[Signature]</i>	3025 Bateman St Berkeley 94705-2507		mjvande@pacbell.net
MARK BEACH	<i>[Signature]</i>	1359 Hearst Ave #4 Berkeley 94702		
MITUL SAHA	<i>[Signature]</i>	180, Stanford CA 94305	650-269-4386	mt5aha@yeh.ooz.com

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# SAVE Strawberry Creek Watershed

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Kurt Snyder	<i>Kurt Snyder</i>	1629 1/2 Stuart St. Berk.	94703	ks@progt.com
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Kurt Markstein	<i>Kurt Markstein</i>	2815 Regent St #3	94705	
John Antaya	<i>John Antaya</i>	2123 Sacramento St.	94702	
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Sponsored by: Preserve the Strawberry Creek Watershed Alliance

# Preserve Strawberry Creek Watershed Alliance

Name	Affiliation	Contact info	Date
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Gray Brechin	Geography Dept	1264 Science Ave Berkeley CA 94708	9/6/03
Kathleen Overton		PO 819 Berkeley Ca 94701	
Phillip Prige	Live Oak/Endorpha Creek Neighborhood Assn	2249 Glen Ave, 94709	9/6/03
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Eliza ...		1687 PO BOX Santa Cruz CA 95060	
Susan T. Kand		2315 Parker St #18 Bkly CA 94704	2889 9-1
Meme Bernardi		9 Arden Rd Berkeley, CA 94704	

## Preserve Strawberry Creek Watershed Alliance

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Laura Raboff	545 Santa Clara	(510) 526-6580	1/29/04
Frank Sapp	3911 Shafter Ave.	(510) 545-3279	1/29/04
BARRY GARDUN	545 SANTA CLARA	510 526-6580	"
Richard Schwartz	1676 Tacoma Ave	524 1683	
Jane Eisenberg	1320 Addison	5430-196	"
MARK LIOLIOS	1846 Parker St 94703	549-0818	1/29/04
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JIM SHARR	2663 La Conte Av 894709	841-7271	29 JAN 04
Anne Marie Pecora	Friends up Street Creek		
JAN ROBITSCHEK	2634 VIRGINIA ST #3C	549-1575	
Hal Carlstad	764 Country Rd Kensington	524-6004	Univ. Fellowship
CAROLE SCHEMMERLING	801 REGAL RD. BERKELEY	94702	2/4/05

## Preserve Strawberry Creek Watershed Alliance

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Michael Roberts	Neighborhood	robertsm@po.box.com	9/6/03
Danny Akagi	Information Only	2475 YAFFE DR. SAN LEANDRO CA 94578	9-6-03
Rita Minjares	Friends of 5 Creeks	17316 Rockaway Ave #1 Contact: Rita Minjares	9-6-03
Peter Bertie	Save the Bay	(760) 285-6032	9/16/03
Reinaker	Friends of Carl Linn	510 653-1146	9/7/03
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Al Wood	GEAC	1803 Bonita Ave Berkeley CA	94701
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Roka Foss	Neighbor	2624 College Bldg 94704	9-18-03
Bonnie Compton	Neighbor	1441 Summit Rd Berkeley CA 94708	9-18-03
Marie Wilson	Neighbor	1466 Summit Rd Berkeley 94708	9-18-03
Anne Wagley	Neighbor	127 Alvarado Rd Berkeley 94705	9-18-03
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Alli A Ashw	AF student	2430 Dwight Way Apt 311 #510-548-1950	9/18/03
Sharon Farrell	AOI	6831 Gladys Ave 94530	9/18/03

Preserve  
Strawberry Creek  
Watershed

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Preserve  
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Watershed

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Jim Cunningham 1007 Miller Ave  
Berkeley 94708 (510) 525-9399



## **11.2C.277 RESPONSE TO COMMENT LETTER C277**

### **RESPONSE TO COMMENT C277 - I**

Here, a petition signed by some 300 individuals calls for the preservation of the Strawberry Creek Watershed. Other concerns of the petitioners address health impacts of nanotechnology and other materials used at LBNL.

See Thematic Response 6 regarding the relationship between the 2020 LRDP and LBNL planning. See Thematic Response 8 for a comprehensive response to comments on Hill Campus development. Due partly to comments received and partly to its uncertain near-term feasibility, faculty housing has been deleted as a potential future Hill Campus use in the 2020 LRDP. As noted in Thematic Response 8, the site formerly designated H1 has been redesignated as a reserve site, while former site H2 has been redesignated as part of the surrounding research zone.

Jennifer Lawrence  
University of California, Berkeley  
Facilities Services  
1936 University Avenue Suite #300  
Berkeley, CA 94720-1380

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JUN 21 2004

PHYSICAL & ENVIRONMENTAL  
PLANNING

RE: Comments on UC Berkeley's 2020 Long Range Development Plan (LRDP)/  
Environmental Impact Report

Dear Ms. Lawrence:

*9 E. Parnassus Ct., Berkeley CA 94708*

As a resident of \_\_\_\_\_ I am writing you today to express my opposition to the 100-unit high-density housing development proposed in the UC 2020LRDP. The contiguous area to this development is zoned for very low-density housing, and for good reason. Because we live in one of the most high-risk fire zones in the United States, it is essential that we maintain adequate egress from our neighborhood, as well as access for emergency vehicles. Already, we have seen an intolerable increase in parking problems, and traffic congestion near the Grizzly Peak Boulevard, Centennial Boulevard area due to growth from both the Math Research center and the Space Sciences lab. The addition of 100 high-density housing units, along with the automobile traffic they will require is simply not acceptable.

It is also critical that we stop further destruction of the upper Strawberry Creek Watershed. The proposed development site sits on an aquifer (underground lake) that, in times of emergency, such as a break on the EBMUD water line at the Caldecott Tunnel, could provide potable water for the entire city of Berkeley. Further destruction of one of the few remaining open space in Berkeley is intolerable. Additionally, this site sits on six earthquake faults – hardly a logical place for housing.

The City of Berkeley is experiencing an historical residential housing vacancy rate. There is also a great deal of construction of condominiums and townhouses in progress, all of which are within walking distance to campus. It makes much more sense to utilize available housing within the stated objectives of the LRDP ("within one mile from campus") than to begin an environmentally unsound and costly project that will only have negative impacts on the city infrastructure and potentially put people's lives at risk during a fire or other emergency.

Yours truly,

*Susan C. Hermanson*

*[Signature]*

*Chris Isaacson*

*[Signature]*

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### **11.2C. 278-279 RESPONSE TO COMMENT LETTERS C278 AND C279**

The University received 138 form letters signed by individuals, objecting to the proposal for up to 100 faculty housing units in the Hill Campus: C111-C121, C125-C159, C161-C165, C167-C171, C173-C179, C182-C183, C194-C216, C219-C239, C241-C250, C257, C259, C263-C264, C267, C278-C279, C282-C283, C285-C293, and C300. A few of these letters, such as C111, include brief postscript comments, primarily objecting to the number of current UC employees whom the writers assert are parking on city streets to avoid paying UC parking fees.

#### **RESPONSE TO COMMENT LETTERS C278 AND C279**

See Thematic Response 8 for a comprehensive response to comments on Hill Campus development. Due partly to comments received and partly to its uncertain near-term feasibility, faculty housing has been deleted as a potential future Hill Campus use in the 2020 LRDP. As noted in Thematic Response 8, the site formerly designated H1 has been redesignated as a reserve site, while former site H2 has been redesignated as part of the surrounding research zone.



To Jennifer Lawrence of UCB-LRDP-EIR

Would you be kind enough to substitute this copy as a correction for the copy I submitted Friday.

I have dyslexia + some related conditions and had not been well. My original copy when I pushed the spellcheck changed the word Shattuck to sciatic plus other errors.

Sincerely

Merrilee Mitchell

549 1840 msg.

June 18, 2004

To: Jennifer Lawrence, UC Berkeley-LRDP

**Re: UC Berkeley Long Range Development Plan-EIR**

*The following are mitigations and strategies that could benefit the whole Berkeley community, including the University, by decreasing traffic, noise, pollution, accidents, crime and stress in the areas around UC campus.*

1.) **Extend the UC Shuttle.** One "loop" could run up and down University Avenue. University Avenue is the most congested, vehicle polluted, and dangerous Avenue in Berkeley, and UCB is the major cause of the traffic. UC students are now living in large apartments on University Avenue, such as Renaissance Villa and Acton Courtyard, and some students use cars. UC should provide alternatives and incentives for students so they do not bring cars to Berkeley.

Another Shuttle "loop" could be "North Shattuck" to go to the Gourmet Ghetto and grocery store, turn right on Cedar, and return to campus via Euclid. A "South Shattuck Loop" might turn at the Berkeley Bowl, or turn left on Ashby to circle back via Telegraph Avenue.

These shuttles would make it possible to shop, dine, go to the movies, etc, without bringing a car into the corridors near campus. UC Berkeley attracts thousands of cars to its campus daily. Additional thousands of the approximate 20,000 UC Berkeley Extension students, can be assumed to drive to Berkeley as well.

So UC Berkeley and its Extension are long overdue for ameliorating these sometimes horrendous traffic problems. Shuttles will help, and shuttles linked to satellite parking (BART lots in the evening, for example) would be even better.

Shuttles would hopefully be cheap--25 cents max for Berkeleyans, and free to UC. They could receive traffic mitigation funds from the city, contributions from businesses en route, and perhaps special tax monies.

Shuttles should be reasonably quiet, unlike screeching BART or AC Transits' big, noisy, diesel

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PLANNING

C280-1

busses, which are forcing folks back into their cars and are making our corridors pedestrian-unfriendly. The Shuttles need to be low emission vehicles and aim for zero pollution.

C280-1

2.) **Help Clean up the filthy sidewalks on University Avenue, Shattuck, and Telegraph** (The grime and filth is caused mostly by motor vehicles). This problem can be mitigated by contributing sidewalk-scrubbing (soap and water) machinery and people-power to clean these commercial corridors near the campus. Sound ridiculous? It's not. These Avenues are a public health hazard. The folks who run the University might take a walk on these Avenues to see for themselves how disgusting they are.

C280-2

Recently I saw a just-cleaned half block of Shattuck, still wet and with soap bubbles. I stopped, stunned with the near miracle transformation. The air smelled clean too and it felt great to be there! Huge difference, small investment. And this is something business owners would certainly help maintain as they do already in areas where it is not a losing battle.

3.) **Electric Car-Share should be provided for students, faculty, and guests.** The concept is up and running, and parking can be creative as these vehicles don't pollute. By sharing, few cars serve many. Car dealerships might accommodate picking up and delivery and therefore free up parking spaces.

C280-3

4.) **The University should contribute crime-fighting and safety services specifically for the Avenues adjacent to the UC campus.** This will benefit UC students, employees, and visitors, as well as other Berkeley residents and visitors. Specifically, trained "Student Guides" could walk these areas, perhaps wearing an identifiable vest or jacket, to trouble-shoot, and to call for help when necessary. Specific problems such rampant bicycle thieves, "homeless" teenagers, etc, etc, etc, need specialists assigned so we can begin to reverse the losing battle syndrome.

C280-4

5.) **The University should supply additional officers for traffic safety specifically in the corridors near the University and at other University student "hot spots".** Perhaps the Governor would permit large

C280-5

increases in fines near Universities and schools, to create safety zones around campuses and to cover the expenses.

The benefits to the University beyond the obvious will also be in PR. Wouldn't faculty members be more likely to want to come here, wouldn't students and their parents be more likely to choose Berkeley if it weren't a filthy slum with the highest pedestrian and bike injuries in the state, and second only to Oakland for worst air in the county, etc, etc. These problems exist here now, before any new development that can only make things worse.

6.) **The University should consider alternative strategies for all new development.** For example, Berkeley Councilmember Gordon Wozniac, has suggested leasing fine Berkeley homes to visiting University Professors. This seems a reasonable alternative to building new homes in a city suffering from too much development and where the University already owns or leases 40% of the land.

With a leasing program Professors might choose a particular neighborhood to suit their preference. A family with youngsters might choose a neighborhood with a good school, park and grocery store. A family with a baby might choose a neighborhood near Totland Park. An ornithologist might choose a neighborhood near Tilden, Strawberry Canyon, or a home with a huge yard filled with fruit trees, berry vines, and maybe a creek. A physically disabled professor or grad student might choose a flatland neighborhood where no car is necessary.

And there are still many more options in Berkeley. Green/solar buildings, an occasional luxury houseboat, historical landmarks built by a famous architects. You can help maintain the natural beauty and community of Berkeley, "a city of neighborhoods", rather than destroy neighborhoods in your "manifest Destiny" path for huge expansion North, South, East, and West.

Sincerely, Merrilie Mitchell,  
1612 Delaware St.,  
Berkeley, 94703

*Merrilie Mitchell*  
544-1840 msg



### **11.2C.280 RESPONSE TO COMMENT LETTER C280**

This comment letter replaces C269 at the writer's request.

#### **RESPONSE TO COMMENT C280-1**

Although not commenting on the 2020 LRDP Draft EIR, the writer's comments are noted. UC Berkeley is eager to work with AC Transit, the City of Berkeley and other area agencies to identify and implement pilot programs that promote the use of transit.

#### **RESPONSE TO COMMENT C280-2**

The writer's comment is noted, however the funds available for maintenance of University buildings and grounds are extremely limited, and UC Berkeley must focus these limited resources on the campus itself.

#### **RESPONSE TO COMMENT C280-3**

City CarShare has opened two on-campus vehicle locations, or "pods", in partnership with the UC Berkeley Parking & Transportation Department. City CarShare is a local non-profit car-sharing membership organization that has vehicles available for short-term rental throughout the Bay Area. UC Berkeley campus CarShare vehicles are located in the Dana/Durant Parking Lot and the first level of the Upper Hearst Parking Structure. Faculty, staff and student members have access to the UC Berkeley campus vehicle pods, as well as to the complete City CarShare network that includes two downtown Berkeley pods. In addition, campus department use of electric vehicles and Segways is expanding and several electric vehicle-charging stations are provided for campus commuters.

#### **RESPONSE TO COMMENTS C280-4 AND C280-5**

As noted in section 4.11.1.4, UC Berkeley police collaborate with the City of Berkeley in joint patrols of Telegraph Avenue. UC police patrol the Southside on foot and bikes, and two UC officers patrol fraternities and sororities in the Southside.

#### **RESPONSE TO COMMENT C280-6**

While the concept is noted, in general property leased by the University is removed from the tax rolls, which the City has objected to for fiscal reasons, and the practice of leasing existing housing, while providing residences close to campus for faculty, does not increase the housing supply in Berkeley.

Re: Comments on University of California Berkeley  
2020 LRDP Draft EIR

To: University of California Regents  
UC President Dynes  
Governor Schwarzenegger  
Cal EPA Secretary Tamminen  
US Energy Secretary Abraham  
LBNL Director Shank  
UCB Chancellor Berdahl

June 10, 2004

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From: Preserve Strawberry Creek Watershed Alliance  
P O Box 9646, Berkeley, CA 94709

#2 OF 2 PART  
COMMENT PACKET

# SAVE Strawberry Creek Watershed

## **1. STOP the Further Destruction of the Strawberry Creek Watershed**

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LBNL avoided conducting an EIR for the Molecular Foundry as required by law in California.

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**Impacts** The US EPA states that the health effects and environmental impacts of nanotechnology are unknown. LBNL claims that there is no danger, yet they have no scientific evidence to support that claim. Ultrafine particles, similar in size to nanoparticles, cause respiratory and cardiovascular disease.

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LBNL has contaminated and abandoned its own buildings on this site. LBNL should remediate this contamination instead of constructing new facilities in the watershed.

We, the undersigned, urge the Department of Energy (DOE), the Lawrence Berkeley National Laboratory (LBNL), and the University of California (UC) Regents to immediately cease the further destruction of the Strawberry Creek Watershed.

Since the Manhattan Project in the 40s, the operations at LBNL have contaminated the soil, surface and groundwater, and vegetation in the Strawberry Creek Watershed with toxic materials including radioactive tritium, uranium, VOCs, diesel, Freon, PCBs, and much more.

**FOR IMMEDIATE RELEASE****Save Strawberry Creek Watershed:  
Community Speaks Out on Nano Technology at Lawrence Berkeley Laboratory  
S F Bay Video (510) 644-CITY**RECEIVED  
JUN 21 2004  
PHYSICAL & ENVIRONMENTAL  
TRAINING**Environmentalists Question the Expansion of the Lawrence Berkeley National Lab into the Sensitive Strawberry Creek Watershed – Molecular Foundry Construction Begins without Environmental Impact Report – Nearby Hayward Fault Remains Ominously Quiet**

Berkeley, CA (January 28, 2004) – Environmentalists, concerned residents, members of city commissions, and elected city officials will be on hand at the entrance to Lawrence Berkeley National Labs (LBNL) on January 29<sup>th</sup> and January 30<sup>th</sup> to greet LBNL guests attending the Molecular Foundry User Workshop and Molecular Foundry Ground-Busting ceremonies with a message that the destruction of a sensitive watershed in an earthquake prone area is too high a price to pay for a potentially dangerous and unproven technology that may do more harm than the miraculous good its proponents claim is possible.

The planned Molecular Foundry is sited in the fragile Strawberry Creek Watershed and within 600 meters of the Alquist-Priolo Earthquake Fault Zone, a zone in which State law prohibits the construction of facilities intended for human occupancy. LBNL was also able to avoid conducting a full Environmental Impact Report (EIR), instead producing a much less rigorous Environmental Assessment.

“DOE and LBNL are have made some very questionable decisions about the siting of this facility,” said Pamela Sihvola, a local environmental activist. “They seem to have ignored simple common sense. The best reason Dr. Mark Alper, a LBNL spokesperson, came up with for putting it between Buildings 66 and 72 is that the scientists will be able to walk over to confer with a colleague.” Said Sihvola, “I just wish they’d use e-mail and the telephone and put the building where it won’t harm anyone or anything.”

Environmentalists have good cause to be concerned. Although LBNL representatives state that every effort is being undertaken to make the building earthquake proof and the Molecular Foundry secure from dangerous releases, its history has made its detractors dubious of the claim. Water contaminated by previous Lab research activities with radioactive and carcinogenic tritium, flows in an underground plume toward creeks that pass through the University campus and eventually, the Bay. LBNL and DOE have made no effort to clean up the contamination, even continuing to run the tritium stack and chipping tritium laden trees in place.

DOE, the University of California, and a bevy of government and corporate beneficiaries will spend two days listening to talks and watching demonstrations of nanotechnology, a discipline that is growing so quickly that the National Science Foundation estimates that the industry created by this research will be worth \$1 trillion dollars by 2015. They will hear little about the growing expression of concern from scientists around the world about the serious health effects that are being observed in animals exposed to nanoparticles – carbon particles so small that they pass through cells and into the blood stream without triggering a reaction from the body’s immune system.

“Even the US Environmental Protection Agency under the Bush Administration has expressed serious concerns about the potential health effects and environmental impacts of nanoparticles” said Tom Kelly, a member of Berkeley’s Community Health Commission. “And if this Administration – with the worst environmental record in memory – is worried, we had better start looking at this science closely and act with caution and good solid evidence of its safety. It’s the prudent thing to do.”

Text of video

## Save Berkeley's Strawberry Creek Watershed Community Speaks Out on Nano Technology at Lawrence Berkeley Lab

January 29, 2004

### KPFA Report

Nano technology a new and growing field is essentially the science of making things atom size. As with any new science, the potential is great and the outcome is still very uncertain. It is because of the uncertainty that community members protested at the northeast corner of the Berkeley campus early this morning against the development of a nanotechnology facility at LBNL, The Lawrence Berkeley National Laboratory, holding signs that read "No Nanoscience in Strawberry Canyon", "LBNL Clean up Your Mess First" and "No Nano Pollution". Environmentalists spent about an hour and a half handing out flyers to passersby and cars stopped at the intersection of Hearst and Highland. The group then walked up the hill towards the facility, but campus security prevented them from entering the lab grounds.

From KPFA News, I'm Tori Taylor in Berkeley

*(Filmed speakers)*

### 1.) Pamela Sihvola; Committee to Minimize Toxic Waste

We have gathered here today to basically express our concerns over the development of nanotechnology. LBNL is proceeding to build a molecular foundry devoted to nanotechnology in the Strawberry Creek watershed next to No-Name Creek and Chicken Creek near the Hayward earthquake fault. The molecular foundry is a bio-safety level 2 facility and we'll have several floors of laboratory, 48 in total, dedicated to nano fabrication and manipulation of biological organic and inorganic nano structures. The facility will potentially handle disease spreading bacteria and other biological agents. It is our understanding that there are no filtering systems available to prevent nanoscale materials - materials that are not bound in any other material, free ultra fine particles. There are no filters to prevent them from entering the environment and it is for this reason that we have requested the laboratory to prepare (both) an EIR (and) an EIS, which they have refused to do.

### (2.) Gray Brechin; Ph.D., Department of Geography, UCB

I'm speaking here out of my concern, not only as an alumnus of the University - I have all of my degrees through my Ph.D. from the University, but also as a concerned resident of Berkeley. I am extremely concerned about how we have not been informed about what is going on in the canyon here. This is part of a history of recklessness on the part of the University that goes back at least to the building of the Memorial Stadium in the mouth of the canyon in 1923. It was known at that time that the main trace of the Hayward Fault, in fact, runs directly underneath the site of the stadium where 80,000 people gather at any time of day. Now the stadium could be destroyed in case that fault moves. And now we find out that an extremely risky form of research is going to be going on in a major industrial facility up here in the hills which very few Berkeley residents are going to know about, let alone those of us who in fact work every day on the campus. We absolutely deserve an environmental impact report and we deserve more public discussion on what is going to be happening up here. The University's motto is after all is "Fiat Lux", let there be light. It should be dedicated to free and open discussion.

### (3.) Janice Thomas; President, Panoramic Neighborhood Association:

I'm speaking today about the nanotechnology initiative and how it's playing itself out locally in Strawberry Canyon with the City of Berkeley. In my 18 years of living in the canyon I'm given input on literally of dozens of development projects; but in those 18 years I've never ever experienced a public process so egregious and so unfair, so disrespectful of the people who live here, and so hostile to the natural environment. We who live here were not given a single public hearing, not one; not one public meeting in

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which we could have all could have asked questions for the answers and possibly learned enough about this project to have gotten a level of environmental review that meant something. Instead we were rushed through the process and as a result decision makers were misled in that way. Instead of protecting our resource what we've seen is the UC Berkeley, and also Lawrence Berkeley Lab which is also under the jurisdictions of the UC regents, incrementally building in the canyon. If our decision makers locally don't come on board, if we cannot effectively lobby the UC regents to save this canyon what we are going to have is, just clearly without a doubt, an industrial park - many of us have been saying this, an industrial park!

**(4.) Jim Sharp; Daley-Scenic Park Neighborhood Association**

I've lived on the north side of campus here for the last 15 years. I've lived in Berkeley for about 35 years. We've seen a lot of big projects come through. Some of them have had environmental documents attached to them and some have not, but this is the biggest I've seen without one and it certainly needs one. When we look at what's going on here we see what's emerging is something like an environmental Guantanamo. We don't see that there's any public oversight, certainly almost no public disclosure, any without which there hasn't been to the public and the neighbors around the site. You've probably heard about Nano High. Nano High is a big public outreach to high school students and they've been busing kids up here on for a series of lectures on Saturdays to alert them to the marvels of nanotechnology and applications down the line. Well that's great, but I haven't seen a similar effort directed towards the public that lives around here. Now I certainly hope that this will be re-dressed in the near future before things get any further along.

**(5.) Carole Schemmerling; Urban Creeks Council of California**

We've been working for 22 years to restore streams, to daylight them. Strawberry Creek was day lighted in 1984 and this new facility promises to be even more dangerous for the health of the human beings at the top of the food chain, but all the way along down the food chain. The water, the air that comes down from the canyon in the headwater creeks, which are very fragile and very important ecologically because whatever happens up there is going to wind up in all the other creeks in the storage drains and into the Bay which lots of money has been spent over the years trying to clean the Bay, to bring back the fisheries, to restore habitat; and what they're doing up here on the hill we could easily destroy all those efforts in a few years, so we are very concerned about the watershed. We've asked them to stay out of pristine areas that haven't been built on so as to avoid damaging the water quality further down the line; but they don't seem to understand that when they do the kind of grading that they are going to be doing and remove the vegetation, the trees, that are up there, they really do damage the headwater streams and probably irrevocably so we're asking for them to stop and do the EIR. - to stop doing the kind of development that will attack more of the watershed.

**(6.) Gene Bernardi; Committee to Minimize Toxic Waste**

Now this issue of the building of the molecular foundry went before the City Council in about January of last year and unfortunately they did not recommend to the Lab to do an environmental impact report or an environmental impact statement under the National Environmental Policy Act; however, to their credit, recently, they did pass a recommendation to the Lab that now all nanotechnology projects at the lab should be evaluated before they are allowed to proceed and they are to be evaluated by an independent health and safety review committee. The ETC group of Canada which is dedicated to cultural and ecological diversity and human rights has called on governments to adopt a moratorium on synthetic materials now being produced in laboratories without testing for health and safety.

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**(7.) Richard Schwartz; Author, Berkeley Resident**

When David Brower, ex- president of the Sierra Club, was a boy he used to play in Strawberry Creek. This would have been in the late teens and early twenties and the University was building this stadium and to build the stadium. They hydro-blasted the hills and waste products from the hydro-blasting devastated Strawberry Creek. Filled it up with mud and basically ended all life in the Creek, that had been there since before it was a city, - drainage of Strawberry Creek from the stadium down. Now we're faced with a threat from the stadium up and I think before it's too late we should address it and protect the watershed.

**(8.) L A Wood; Berkeley Environmental Commission**

I sit on the environmental commission and have been a long time activist in Berkeley and tied to this issue of LBNL and the University. Our commission asked that they be very very diligent about cleaning up the site for the last decade we have asked for that to happen; but what we've experienced on the commission and in the community is a paper shuffle and we've also on the commission recognized the need for open space in Berkeley and I think, that if, the community cannot understand the other issues of environmental pollution and future technology, they can certainly can understand the need for open space.

**(9.) Kriss Worthington, Berkeley City Council, District 7**

The City Council, by a unanimous vote, asked the lab to study many significant impacts in the Long Range Development Plan. The City has also asked through the Community Environmental Advisory Commission, a comprehensive watershed management plan. The City also has requested the initial start-up health and safety and environmental reviews of all proposed nanoscience research projects. The molecular foundry seems to be pushed along without answering questions, without providing information; and that is very unhealthy and "un-environmentally" sound way to conduct the operation. I'm glad that the City Council unanimously asked these serious questions and I demand that the lab provide the answers to every single question that the City has asked.

**(10.) Tom Kelly; Berkeley Health Commission**

As a member of the Health Commission I've been interested in this issue of nanotechnology for awhile now and had the opportunity to bring the issue before the commission. It's certainly of great concern to us was the fact that the molecular foundry is being built in a very sensitive watershed, in areas that are crisscrossed by earthquake faults; and as a result we're very much concerned about the future safety issues involving the foundry, the workers and the environment up there in general. We're beginning to see that exposure to nano particles can exacerbate respiratory problems. There's an indication that nano particles actually cross the blood brain barrier and in some animals begin to show some alarming effects from exposure to those particles. I would like to get some kind of assurances that this research will be controlled in such a fashion that we won't be exposed, as we have in the past, to the contamination created by Lawrence Berkeley labs. I think it would be most appropriate for not only this lab but for science in general to be looking at these health effects and environmental impacts before we let this technology loose on the planet.

Credits:

**Preserve Strawberry Creek Watershed Alliance**

KPFA 94.1 FM reporter Tori Taylor

**All Labor donated**

**SF Bay Video**

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DRAFT

**DRAFT**

# 24

To Honorable Mayor and Members of the City Council

Subject: Lawrence Berkeley National Laboratory (LBNL) Notice of Preparation for Long Range Development Plan

RECOMMENDATION: that the City Council request that

1. As part of the 2004 Long Range Development (LRDP) Environmental Impact Report (EIR), LBNL review the potential environmental & health impacts of the sub fields of nanoscience in which research activities will be carried out at the LBNL site.
2. All nano-science and technology research projects at LBNL undergo an independent evaluation process to access health and safety issues before being allowed to proceed. This evaluation process will be done by an independent Health and Safety Review Committee of knowledgeable experts and shall be approved by the City of Berkeley.  
LBNL agrees to provide the results of the initial startup health and safety and environmental reviews of all proposed nanoscience research projects including those to be conducted at the Molecular Foundry, and the annual health and safety reviews of all continuing research projects to the City and the public in a timely fashion.
4. LBNL agrees to help facilitate an independent biannual health and safety review of all of the nanoscience research carried out at LBNL. This would be conducted by the Health and Safety Review Committee (See#2).

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NOV 25 2003

OFFICE OF THE CITY CLERK  
CITY OF BERKELEY

From CEAC to contribute to the public record, to recommend to LBNL, and to recommend to City Council to direct City Manager to send a letter to LBNL, requesting that the LBNL include a comprehensive analysis of the following as part of the LBNL LRDP EIR current under preparation:

1. A comprehensive Watershed Management Plan
2. The need to protect and preserve open space such as by using infill developments.
3. Do not increase square footage of developed land per employee unless explicitly and publicly justified.
4. Plan fewer parking places per employee than is current practice with the encouragement of alternative transportation.
5. Cleanup of soils and groundwater should be to the highest possible standards, which allows for the most sensitive future land uses.

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### **11.2C.281 RESPONSE TO COMMENT LETTER C281**

The documents are not comments on the 2020 LRDP Draft EIR; however, the comments and issues addressed in these documents reiterate concerns raised by the writers. Please see responses to comment letters C276, C277, C189, C180, and C36.



June 6, 2004

Jennifer Lawrence  
 University of California, Berkeley  
 Facilities Services  
 1936 University Avenue Suite #300  
 Berkeley, CA 94720-1380

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RE: Comments on UC Berkeley's 2020 Long Range Development Plan (LRDP) Draft  
 Environmental Impact Report

Dear Ms. Lawrence:

As a resident of the Berkeley Hills I am writing you today to express my opposition to the 100-unit high-density housing development proposed in the UC 2020 LRDP. The contiguous area to this development is zoned for very low-density housing, and for good reason. This is a single-family residential district. Because we live in one of the most high-risk fire zones in the United States, it is essential that we maintain adequate egress from our neighborhood, as well as access for emergency vehicles. Already, we have seen an intolerable increase in parking problems, and traffic congestion near the Grizzly Peak Boulevard, Centennial Drive area due to growth from the UC Space Sciences lab. The addition of 100 high-density housing units, along with the automobile traffic they will create is simply not acceptable.

It is also critical that we stop further destruction of the upper Strawberry Creek Watershed. Construction of impermeable surfaces, such as buildings and parking lots, will increase run-off and will detrimentally impact the City of Berkeley's aging infrastructure. Sections of the proposed development site sits on an aquifer (underground lake) that, in times of emergency, such as a break on the EBMUD water line at the Caldecott Tunnel, could provide potable water for the entire city of Berkeley. Additionally, this site sits next to the Lawrence Hall of Science Fault Zone, between the Hayward/Wildcat Canyon fault lines – hardly a logical place for housing. Finally, further destruction of one of the few remaining open spaces in Berkeley is intolerable.

The City of Berkeley is experiencing an historical residential housing vacancy rate. There is also a great deal of construction of condominiums and townhouses in progress, all of which are within walking distance to campus. It makes much more sense to utilize available housing within the stated objectives of the LRDP ("within one mile from campus") than to begin an environmentally unsound and costly project that will only have negative impacts on the city infrastructure and potentially put people's lives at risk during a fire or other emergency.

In view of the above, please explain how you are planning to mitigate all the health and safety hazards created for the neighborhood including inadequate egress in the case of fire and/or earthquake, increased traffic, noise, pollution, lack of infrastructure, and lack of parking, which will ensue due to the increase in population from the proposed high-density housing project.

Yours truly,

*Jella Thorp Ellis*  
 Signature

*1433 Grizzly Peak*  
 Address

June 6, 2004

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PLANNING

Jennifer Lawrence  
University of California, Berkeley  
Facilities Services  
1936 University Avenue Suite #300  
Berkeley, CA 94720-1380

RE: Comments on UC Berkeley's 2020 Long Range Development Plan (LRDP) Draft  
Environmental Impact Report

Dear Ms. Lawrence:

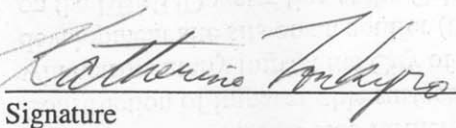
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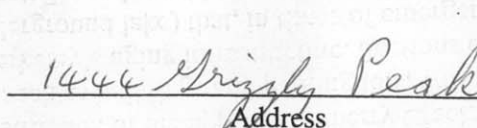
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Yours truly,

  
Signature

  
Address

June 6, 2004

Jennifer Lawrence  
University of California, Berkeley  
Facilities Services  
1936 University Avenue Suite #300  
Berkeley, CA 94720-1380

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Environmental Impact Report

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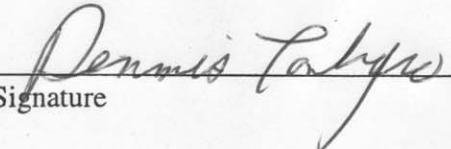
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Yours truly,

  
Signature

1444 GRIZZLY PEAK BERKELEY  
Address  
Ca. 94708

### **11.2C.282-283    RESPONSE TO COMMENT LETTERS C282 AND C283**

The University received 138 form letters signed by individuals, objecting to the proposal for up to 100 faculty housing units in the Hill Campus: C111-C121, C125-C159, C161-C165, C167-C171, C173-C179, C182-C183, C194-C216, C219-C239, C241-C250, C257, C259, C263-C264, C267, C278-C279, C282-C283, C285-C293, and C300. A few of these letters, such as C111, include brief postscript comments, primarily objecting to the number of current UC employees whom the writers assert are parking on city streets to avoid paying UC parking fees.

#### **RESPONSE TO COMMENT LETTERS C282 AND C283**

See Thematic Response 8 for a comprehensive response to comments on Hill Campus development. Due partly to comments received and partly to its uncertain near-term feasibility, faculty housing has been deleted as a potential future Hill Campus use in the 2020 LRDP. As noted in Thematic Response 8, the site formerly designated H1 has been redesignated as a reserve site, while former site H2 has been redesignated as part of the surrounding research zone.

June 20, 2004

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PLANNINGHenrik Wallman  
1457 Olympus Ave  
Berkeley, CA 94708  
Tel. 1-510-642-2295  
Fax 1-510-548-2636  
wallman@socrates.berkeley.edu

Ref: Opportunity for UC to reduce traffic congestion in Strawberry Canyon/Panoramic Hill

Jennifer Lawrence  
Facilities Services UCB  
1936 University Avenue #300  
Berkeley, CA 94720-1380

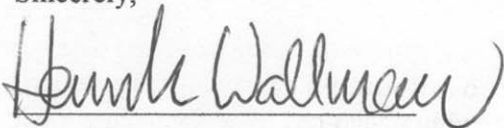
Dear Ms Lawrence:

I am writing to you because your name is associated with the 2020 UC Long range Development Plan and specifically the plans UC has for the Lawrence Hall of Science neighborhood. I live in this neighborhood and would like dispensation from the rule against bicycles on the so-called upper fire trail, leading from the Math Institute to Panoramic Hill. UC, as the property owner, has the full legal right to enforce this rule, but UC also has the right to issue dispensation from this rule based on individual circumstances.

C284-1

Could your office issue a simple letter addressed to me stating that I may use a bicycle on the upper fire trail to travel between my home on Olympus Avenue and my rental house at 303 Panoramic Way? UC Officers would honor such a letter because use of a bicycle for my necessary trips between these two points would eliminate use of my car in the very congested area around the Stadium. The driving distance on Centennial Drive and Panoramic Way is much longer than the direct path on the fire trail.

Sincerely,





### **11.2C.284    RESPONSE TO COMMENT LETTER C284**

The University received 37 similar letters from individuals, advocating the use of Hill Campus trails by cyclists: C53-C54, C62-C67, C69-C74, C76-C82, C85-C95, C97-C98, C188, C284, and C299.

#### **RESPONSE TO COMMENT LETTER C284**

The comment presents the writer's opinion that bicycling should be permitted in Strawberry Canyon. Bicycle use on Hill Campus trails does raise potential environmental issues with respect to the value and use of the Ecological Study Area as a research and educational resource for UC Berkeley, as described in section 3.1.15. The existing prohibitions on bicycle riding in the Hill Campus would be suitable topic for consideration by the Ecological Study Area management authority proposed at page 3.1-54. This request is not a comment on the Draft EIR, and no further response is required.