

**SAN FRANCISCO BAY / ENVIRONMENTAL JUSTICE ISSUES**  
**Tempers Flare Over Campus Bay Project**  
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**By Richard Brenneman, staff writer**

Long simmering anger burst into the open Wednesday night as anxious Richmond residents threw heated questions and charges at state officials and representatives of the firm planning a major residential development atop a Richmond toxic waste site.

When Jeff Hohenstein, an instructor from a nearby martial arts academy, voiced repeated questions about possible dangers to his young students during ongoing excavations and remedial work at the site, a San Francisco lawyer representing Marin County developer Russ Pitto snapped back, "I'm worried about a meteor coming out of the sky, too."

Audible gasps followed.

While the immediate concern of neighbors and environmental activists was the potential escape of toxic materials during the current excavation of polluted soil from marshland on the bayside edge of the Campus Bay site in South Richmond, other worries had a longer focus.

Contra Costa County Public Health Director Wendel Brunner's greatest concern was the risk of exposure next summer, when plans call for further processing of the dried marshland muck, and several in the audience said they were angry at being subjected to repeated instances of high tech manipulation.

"Every meeting we go to, you are PowerPoint-paving people over," declared Claudia Carr, a resident of nearby Marina Bay and a UC Berkeley professor of environmental science.

Called as an informational meeting by the Regional Water Quality Control Board (RWQCB), Wednesday's gathering drew as many bureaucrats and developer representatives as it did ordinary citizens, which Carr and attorney Peter Weiner, representing Bay Area Residents for Responsible Development (BARRD), blamed on the lack of opportunity for real interaction.

On hand for the meeting in the Booker T. Anderson Community Center were concerned neighbors, representatives of the RWQCB and Air Quality Management District (AQMD), representatives of developer Cherokee Simeon

Ventures (CSV), a representative of toxic cleanup firm LFR Levine Fricke and the project manager for the private firm hired to monitor the cleanup.

After a brief introduction by Terry Steward of the Water Quality Board, Neil Ziemba, project manager of International Risk Group (IRG), the Colorado-based private site monitoring firm hired by CSV, launched into a bullet-point and graphic-laden computer projection presentation on the site, its history, and on to the still controversial cleanup of the upland portion of the site two years ago and the marshland dig now in progress.

Another division of IRG invests in similar properties.

The ongoing controversy over the Campus Bay site, for a century the home of a chemical manufacturing complex that polluted the soil with a noxious brew of chemicals and metals, has prompted Assemblymember Loni Hancock to call a special legislative hearing for Nov. 6.

"I've had enormous interest expressed by citizens, neighborhood groups and environmental activists," Hancock said Thursday. "Wendel Brunner called me up and asked for help. He said, They're going to start digging up this stuff and we need your help."

The joint hearing of the Assembly Environmental and Toxic Materials Committee and the Select Committee on Environmental Justice will be held in Building 454 of UC Berkeley's Richmond Field Station, 1301 S. 46th St.

"We're going to look at how the State of California does or doesn't protect people during cleanups," Hancock said. "We're looking at which agency conducts the cleanups, and if a developer can pick the regulatory agency by the way he files his application."

Hancock has invited legislators, regulators, developers, neighborhood groups and activists to the three-hour session which begins at 10 a.m.

CSV plans to build a 1330-unit complex of residential towers, mid-rises and townhouses atop a concrete-capped dump containing the toxic wastes generated by a Stauffer Metals sulfuric acid plant and the pesticide and other chemical productions of British-based Zeneca Corp., the firm which retains responsibility for the cleanup.

Brunner has been an outspoken critic of the state's handling of the Campus Bay project, particularly when CSV killed an earlier plan for a biotech research complex on the site and replaced it with the housing project.

The RWQCB, named the lead regulatory agency in the earlier scheme, retained jurisdiction as plans shifted to housing and neither Brunner nor the other project critics are happy with the idea.

On July 16, Brunner wrote to California Environmental Protection Agency Secretary Terry Tamminen, declaring that "RWQCB's have neither the expertise nor experience to properly oversee characterization of a site this complex, appropriately evaluate comprehensive remediation, assess health hazards and risks from the site and clean-up process, develop appropriate enforcement orders for clean-ups that protect public health, implement strategies to enforce those orders in a timely manner to protect the community, or evaluate developer proposals for the final residential use of the site."

Nonetheless, the RWQCB retains jurisdiction.

The excavation work now in progress is designed to remove contaminated soil from Stege Marsh, replace it with clean fill and restore the wetlands as nesting habitat for the clapper rail, an endangered shore bird.

Russ Pitto, a Marin county developer, teamed his Simeon Properties with Cherokee Investment Partners a North Carolina-based firm that uses public and private pension funds and other moneys to invest in restored brownfields (contaminated) properties to form CSV.

Cherokee has investments in several major Bay Area projects, including 22 acres near Oakland International Airport, the former O'Brien Paint Co. properties in South San Francisco and a 3.2 acre former industrial site in Mission Bay.

While Margaret Rosegay, Pitto's lawyer, was very much in evidence Wednesday, Cherokee's lawyer was notably missing from the scene.

Cherokee hired former California Assembly Speaker and San Francisco Mayor Willie Brown to negotiate with Weiner, project critics and legislators, and the formerly high-profile politico has maintained a distinctly low profile, preferring to meet behind closed doors rather than in public.

Many of Wednesday's questions focused on monitoring equipment installed by IRG at the site which is equipped to gather dust and chemical samples for later laboratory analysis. Monitors also track wind speed and direction and the ongoing concentrations of hydrogen sulfide ("swamp gas") generated by the marsh dredging.

Neighbors complained that the monitors didn't keep regular track of the air blowing toward residential neighborhoods near the project.

Curtis T. Scott, chief of the RWQCB's Groundwater Protection and Waste Containment Division, found himself particularly irked with attorney Weiner, who had laid out reasons why activists weren't happy with claims that monitoring was adequate.

"You are not really presenting a true picture, Peter," Scott declared. "There are things you don't recognize."

Sherry Padgett, a leading BARRD activist, has long worked at Kray Cabling, an industrial firm near the site, and is being treated for two extremely rare forms of cancer.

"People need some assurance," she told Scott.

Brunner also asked for assurances that monitors would be moved to follow the wind when airflow headed from the site toward Marina Bay and other residential areas near the site.

Finally, Rosegay offered a compromise.

"We have heard your concerns about desires for more monitors. I'll talk to Russ Pitto. We have to be guided by the best science. We can't be governed just by whim. It's not the cost of the monitors that is the problem. It's stepping away from the best science."

When Hohenstein again raised concerns about the toxins his students might be breathing, Rosegay snapped back, "Forget it! I retract my offer!"

"Every time there's a meeting, someone new shows up so the questions are asked over and over again. These are concerns normal people have on a common sense basis."

"I am a scientist, and putting a monitor in Marina Bay would be totally rational," declared another audience member, Jean Rabovsky, a retired toxicologist.

"I suggest you work with the Air Quality Management District to see if it could add more monitors to relieve the anxieties of some of the people," Brunner said. "That's reasonable."

Hancock's hearing on Nov. 6 will be the next major forum on the project.

Meanwhile, residents and others who want to monitor conditions at the site can call a 24-hour number, 231-1000 ext. 55, for a daily update on conditions.

Site monitoring data is also posted at the Campus Bay website, [www.campusbay.info](http://www.campusbay.info). #

<http://www.berkeleydaily.org/text/article.cfm?issue=10-29-04&storyID=19965>