June 27, 2012

Dear Mayor Yeh and Members of the City Council:

The passage of Measure E has created a very complicated situation for the proper closure of the landfill and creation of Byxbee Park. The strategic plan and timeline that you are being asked to approve on July 2 shows that you will have to make a determination in January 2013 about excavating all or part of the 10 acre site and dumping it on the remaining unopened 51 acres of Byxbee Park. This is long before you have the results of the Request for Proposals.

This is a travesty! As far as I can tell, the plans for dumping on Byxbee Park meet minimum requirements of the State for landfills, but do not address impacts on the design of the Park. No time is in the schedule for Site and Design Review by the Planning and Transportation Commission or the Parks Commission.

This is all being done to try to make the Anaerobic Digester Project more feasible. It costs about $5 million to dump the excavated garbage on the park and $10 million to haul it to another approved landfill. Not only should the 10 acre parcel excavations be taken to another landfill, but the transition from the Park to the 10 acre site should be done within the 10 acre site, NOT on the Park. A 20 foot cliff is not appropriate adjacent to the Park.

During the election, I was accused by Peter Drekmeier of using Karl Rove tactics when I said that almost 3.5 million cubic feet (122,000 cubic yards) of old garbage would have to be disposed of on the remaining Park. Well, I was wrong! It is over 6.5 million cubic feet (242,600 cubic yards) that will be dumped on the Park. Attached are the various disposal scenarios that use the 51 acre Park. You can readily see that these have massive impacts—either creating more inaccessible slopes or raising the Park elevation to 80’ from its current 60’ maximum height.

I do not yet have the complete Staff Report, but it is clear that you are being asked to spend another $290,224 to pursue a Request for Proposals on the 10 acre site and to make other significant decisions related to the site before you have any true cost figures, before the lawsuit is resolved, and before you know how much land vendors actually need. The Feasibility Study used for the election assumed:

1. That 20,000 tpy of food waste would be processed here. We don’t even have a residential food waste collection system at the present time.

1. That there is a $30/ton carbon offset. That is a comparison method, but it is not real dollars to pay for the project. Those dollars will have to be charged to the ratepayers.

1. Grants for 15% of the capital costs.

1. That nearby markets exist for food waste compost and biosolids compost. They do not. No one will buy biosolids compost without extensive and expensive heat treatment. Farmers will not use Food waste compost.

1. No rent for land previously valued at over $100,000/acre rent. That is contrary to the Enterprise Fund policy of recovering fair market value rent for use of General Fund assets.

The source of the money for this budget amendment has not been identified but presumably it will ultimately come from Palo Alto ratepayers. It’s not coincidental that this budget amendment is coming to you in the 2012-13 fy. Otherwise you would have had to raise refuse rates even higher this year.
By approving the Budget amendment, the strategic plan, and the timeline, you are setting yourselves up for all sorts of crazy decision-making with inadequate information, inadequate environmental review, and novel technologies.

Please defer a decision on this matter until the questions raised above have been resolved.

Sincerely,

Emily M. Renzel, Coordinator
Baylands Conservation Committee

P.S. I'm sure I'll have more to say once I see the Staff Report.