



City Health and Safety Blind Spot Continues

A little more than a year ago, residents of the developing Torrey Hills community were pleading with the San Diego Planning Commission and the San Diego City Council to scale back or cancel plans for a giant Chevron gas station on land under power lines across from homes and near a school.

Among that group of groveling homeowners were several health care professionals, biotechnology researchers and Richard Kiy, a former Department of Energy health and safety deputy undersecretary.

It was clear to anyone paying attention to these abusive proceedings that neither the City Council nor the Planning Commission were prepared or qualified to make decisions based on health and safety issues which in this case involved assessing the effects of gasoline fumes mixing with electromagnetic emissions on a nearby school and residences.

Although finally the residents prevailed after an excruciating public relations hurricane that forced the San Diego City Council to reconsider their initial approval, the decision was made largely on the basis of community character issues, not for reasons of public safety.

In fact, health effects arguments in land use planning are routinely dismissed as the bleating whining of histrionic Luddites, and communities are generally advised to make their case using anything but health issues.

To Kiy, the city's obvious health and safety blind spot in regard to land use decisions did not bode well for what was certain to face the Carmel Valley area and future smart growth communities when the growing shortage of property for biotechnology facilities converges with zoning policies that encourage employment centers near homes and schools.

Soon after the Torrey Hills Chevron debacle, Kiy wrote to the Mayor and City Council suggesting that a science and technology advisory committee was long overdue. The idea was apparently DOA as the economics of swift approval for commercial properties and helping biotech companies expand trumped community concerns.

One year later, commercial developers are pushing plans through the city's substantial conformance review process, which does not require public input, to transform office complexes in Carmel Valley and Torrey Hills into biotechnology research and development facilities.

Under current zoning regulations, the proposed buildings which are up to 30 percent higher and wider than allowed by the community plan and fitted with fume hoods to neutralize toxic substances, can be approved by the planning department without an additional environmental impact study.

And, the proposed biotech complexes in Carmel Valley and Torrey Hills are within walking distance of existing and proposed schools, community parks and residences.

While the Solana Beach School District Superintendent is satisfied that her future Town Center elementary school is far enough away from the proposed biotech site on El Camino Real to satisfy state law, the already built new Del Mar District Torrey Hills elementary school is certainly not.

And so, the Del Mar school district recently sent a letter to the city manager demanding a full Environmental Impact Report as required by the states' environmental laws pertaining to schools before a proposed biotechnology building is approved within 1000 feet of their Torrey Hills Elementary School.

Kiy and biotechnology professionals who live in the community warn that there are risks associated with even the most conscientious and experienced lab facilities simply because of human error. They should know—they have seen plenty of goofs and gafs during their careers in an industry that largely regulates itself.

As one veteran pharmaceutical biochemist put it, nobody can guarantee that some goofy kids will not wander across the street and splash about in a toxic puddle inadvertently left by a clumsy maintenance staffer, or that fume hoods that render toxic solvents benign before releasing them into the air never malfunction, or that delivery trucks do not crash.

That is why prudent public policy suggests that facilities using quantities of radioactive materials, toxic chemical solvents and resistant biological agents best belong in science parks like those on Torrey Pines Mesa, where workers understand the risks, know how to avoid getting hurt and are trained in emergency procedures.

Had the city heeded Richard Kiy's plea for a science and technology advisory committee a year ago, many of the problems associated with biotechnology laboratories might already be better understood by the public and decision makers in San Diego.

Certainly, development strategies crafted under the scrutiny of people who have some research training beyond a required undergraduate statistics course would flush out the sense from the non-sense.

And, with appropriate guidelines in place backed by science rather than beliefs, economics or politics, perhaps the public would have more confidence in hosting biotech companies in their communities.

Absent that public confidence, siting biotechnology labs near homes, schools and parks without the advice and consent of the neighbors, will likely meet with protests not seen since Chevron tried to build a monster service station in Torrey Hills.