



**DATE:** December 11, 2018

**CATEGORY:** Consent

**DEPT.:** Community Services

**TITLE:** **Wildlife Management Enhancements at Shoreline at Mountain View Park**

### **RECOMMENDATION**

1. Approve the installation of approximately 6,000 linear feet of 6' chain-link fence and associated gates around the Northeast Meadowlands of Shoreline at Mountain View to reduce disturbances upon wildlife, specifically burrowing owls.
2. Appropriate \$250,000 received from Google to meet the required building permit conditions of the Charleston East project to a new midyear Capital Improvement Project for installation of fencing in the Northeast Meadowlands of Shoreline at Mountain View. (Five votes required)
3. Authorize the City Manager to award a contract to the lowest responsible bidder if the bid is within the project budget.

### **BACKGROUND**

The City of Mountain View has long recognized the importance of the burrowing owls at Shoreline at Mountain View. In 1998, the City developed a Burrowing Owl Management Plan for Shoreline at Mountain View, to promote burrowing owl protection by meeting regulatory requirements and avoiding impacts to birds when performing maintenance activities. During that time, there were two part-time biologists to ensure the regulations of California Department of Fish and Game (now named California Department of Fish and Wildlife) were met regarding the ongoing projects being completed by the Landfill operations and to protect all wildlife, including the burrowing owls. The biologists also helped document wildlife throughout the park for several mitigation projects, including Stevens Creek Tidal Marsh, Mountain View Tidal Marsh, and Charleston Slough.

Due to increased concern for the burrowing owl population in the County and in Mountain View, the City Council approved a new Burrowing Owl Preservation Plan in

2012. The previous Management Plan focused on avoiding impacts to nesting owls from projects and meeting the requirements of wildlife laws. The 2012 Burrowing Owl Preservation Plan describes an adaptive management approach to preserving burrowing owls based on setting goals, implementing actions to achieve those goals, and monitoring the results of actions and then, if goals are not met, revising actions based on consultation with experts and park managers as to what actions could be taken.

The following table provides the demographic information on the breeding results of burrowing owls from 2012 to 2018.

Year	Number of Potential Pairs	Number of Successful Pairs	Number of Chicks Produced	Number of Chicks Produced per Nest	Mean Brood Size
2012	4	2	7	3-4	4
2013	5	3	7	1-3-3	2
2014	4	2	6	2-4	3
2015	3	1	3	3	3
2016	1	1	4	4	4
2017	2	0	0	0	0
2018	2	2	14	8-6	7
Average	3	1.5	6	3.7	3.8

## ANALYSIS

### **Owl Disturbances within Shoreline at Mountain View**

A burrowing owl disturbance can take place anytime an owl feels threatened either by humans or other species, including, but not limited to, birds of prey, dogs, cats, and red foxes. Depending on the disturbance, owls can be forced to leave their burrow and become more prone to predation. In addition, these disturbances can impact the success of nesting owls during the breeding season.

During the 2018 breeding season, motion-activated cameras were used to monitor the nesting locations. A red fox could be seen digging in a burrowing owl nest and, based on the photos available, it is assumed the red fox killed one owl.

Cats will also cause burrowing owl disturbances. Most cat activity is observed around Vista Slope, Crittenden Hill, the periphery of Michaels, at the Sailing Lake Café, and

generally where food sources are available. Cats have also been observed in other areas of the park, including the Northeast Meadowlands. Both successful breeding locations in 2018 were in the Northeast Meadowlands. Despite weekly trapping, the number of cats is not being reduced over time. Since 2014, staff has trapped an average of 14 cats per year. During the 2018 breeding season, two litters of kittens were trapped within 30' to 40' of the nest in the table above that had eight chicks.

A split-rail fence has been installed around most of the Northeast Meadowlands to help reduce disturbances to the owls. Overall, this fence has reduced the number of people and dogs entering this area; however, the split-rail fence does not stop cats, red foxes, or other animals from entering the area.

Staff reviews the Burrowing Owl Preservation Plan implementation with members of the Audubon Society on at least an annual basis. Staff has received input regarding the success of the burrowing owl population at the Alviso water control plant. In 2011, an area with an existing 6' chain-link fence had been enhanced to improve conditions for burrowing owls. Since 2011, the population has grown from a total of 2 burrowing owls to 9 pair and 22 chicks in 2018. The Audubon Society has encouraged City staff to look into installing a similar fence within the Northeast Meadowlands with the hope of encouraging more nesting at Shoreline at Mountain View. The City's biologist has completed additional research and agrees that a chain-link fence in this area would significantly reduce the disturbances in the area and should increase the success rate of nesting burrowing owls. Attachment 1 provides a map of the proposed fence location.

### **Charleston East Project and Opportunities to Complete Enhancements for Burrowing Owls**

On March 7, 2017, the City Council conditionally approved the Charleston East Office Development located at 2000 North Shoreline Boulevard. This project is located in the general character of the North Bayshore Precise Plan (NBPP). This project met general standards of the Plan except for development standards for lot coverage, building placement and frontage location, and Habitat Overlay Zone (HOZ) encroachments which includes the Burrowing Owl Habitat Overlay Zone.

As part of the Council approval, a condition was placed on the project related to burrowing owl habitat enhancements and requires that Google either pay for fencing to be installed at Vista Slope or direct funds to the City in the amount equal to the improvements, which is estimated at \$250,000, in lieu of the installation, which shall be used exclusively for installation by the City for burrowing owl habitat enhancements.

Since the project approval, further review has been completed, and both the City and Google have agreed the funds could be made available to fund the fence in the Northeast Meadowlands. Based on the assessment of the City biologist, the following is a list of benefits of installing the fencing around the Northeast Meadowlands compared to Vista Slope:

1. The Northeast Meadowlands has a significantly larger burrowing owl population compared to Vista Slope. Only one area of Vista Slope supports nesting burrowing owls, whereas the Northeast Meadowlands has always had more nesting pairs of burrowing owls and, more importantly, more successful nesting pairs. During the 2018 breeding season, all nesting occurred in the Northeast Meadowlands, producing the highest number of chicks per year since 2014. In addition, one nest had the highest number of chicks per pair for the past 20 years.
2. In wintertime, during the migratory burrowing owl season, the Northeast Meadowlands supports a significantly higher number of burrowing owls compared to Vista Slope (an average of 10 owls use the Northeast Meadowlands in winter compared to four to five for Vista Slope).
3. The Northeast Meadowlands provides a contiguous large grassland, thus providing a larger foraging habitat to directly benefit burrowing owls with prey availability.
4. The fencing on Vista Slope was only going to be installed on two sides (due to access limitations), whereas the fencing in the Northeast Meadowlands will be installed on three sides with a water channel providing a physical barrier on the fourth side. Thus, the fencing will provide greater benefits in terms of reducing disturbances from humans, dogs, cats, the nonnative red fox, and other predators.

Staff assessed the visual impact to park users as part of its analysis of the proposed fencing project. A black, vinyl-coated, chain-link fence has been recommended by a fencing contractor rather than the typical grey galvanized fencing. This material will not be as visible to park users and will be more cost-effective to maintain. Staff will also take advantage of the Northeast Meadowlands topography to assist with minimizing the visual impact of a 6' fence. Placing the fence in low-lying areas will help reduce the sense of height of the fence, specifically adjacent to the entry road of the park. Staff created a demonstration area to further evaluate the aesthetics of the fencing. Attachment 2 of the staff report provides a photo of a 6' high section of similar fencing to that being proposed with the Northeast Meadowlands in the background.

Staff has reviewed the proposed fencing with representatives from the Audubon Society, which has expressed its support.

Staff is also holding a meeting at the Golf Course Conference Room on Monday, December 10, 2018 to provide the public with an opportunity to learn more about this fencing project and provide input. Staff will forward any concerns received during this meeting to City Council.

### **NEXT STEPS**

Should Council approve a mid-year CIP and the appropriation of funds for the proposed fencing, staff will complete a bid process and have a contractor install the fencing and associated gates for maintenance access. The area will continue to be monitored by staff biologists to collect data related to owl population and any needed future enhancements.

### **FISCAL IMPACT**

The estimated cost of the fence and gate installation is approximately \$230,000. Funding in the amount of \$250,000 is available from the conditions set on Google's Charleston East project. Should any funds remain available after the fencing project is completed, the funds will be available for additional burrowing owl habitat enhancements, in accordance with the project conditions.

### **ALTERNATIVES**

1. Do not install fencing around the Northeast Meadowlands in Shoreline at Mountain View.
2. Provide other direction to staff.

**PUBLIC NOTICING** – Agenda posting.

Prepared by:

John Marchant  
Assistant Community Services Director

J.P. de la Montaigne  
Community Services Director

JM-JPdIM/AF/2/CAM  
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Approved by:

Audrey Seymour Ramberg  
Assistant City Manager

- Attachment:   1.   Map of Proposed Fencing  
                  2.   Demonstration Area of Fence