



CITY OF MOUNTAIN VIEW

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May 18, 2016

Ms. Brenda Buxton—Project Manager
California State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

Dear Ms. Buxton:

This letter transmits the City's comments to the South Bay Salt Pond Restoration Project—Phase 2, Final Environmental Impact Statement/Report, based on Council action on May 17, 2016.

Please find the following City's comments to the South Bay Salt Pond Restoration Project—Phase 2, Final Environmental Impact Statement/Report, which was approved for transmittal by the City Council.

1. The City supports the project to proceed with the preferred alternative (modified Alternative B) as described in the Final Environmental Impact Statement/Report. The City will collaborate with the U.S. Fish and Wildlife Services and the California State Coastal Conservancy on project design and construction coordination.
2. The Santa Clara Valley Water District commented that the design elevation to address the anticipated sea level rise should be set at 14.7' NAVD (North American Vertical Datum of 1988). The City's current design elevation is 14' NAVD, with provisions that levee foundations be built for possible future levee elevation rise to 16' NAVD. While the City is open to discuss the proposed levee height to be in-line with the regional planning efforts, the City is not currently committed to build levees to elevation 14.7' NAVD as discussed in the EIS/EIR.
3. The City commented in the Draft EIS/EIR under L-CMV-5, North Shoreline Boulevard is not a feasible construction route due to heavy traffic. An alternate route will be needed for access to Pond A2W.
4. *Page ES-43 of the Executive Summary, Table ES-4 Impact 3.5-25: Potential construction-related loss of, or disturbance to nesting raptors (including burrowing owls).* It stated Mountain View Alternative B will have Less Than Significant Impact to burrowing owls during construction. However, the access route shown in Appendix G, Figure 2-2, shows the route going through E-Lot and along the west side of the Mitigation channel in the NE Meadowlands. During the first quarter of 2016, the City observed four burrowing owls using burrows in E-Lot, including one nesting pair. Along the slope to the west of the Mitigation channel in the NE Meadowlands, the City observed four active burrows with

two to three burrowing owls, with three of these burrows being only 10' from the existing trail. Construction traffic will have major impacts to burrowing owls' mortality rates. They only fly 2' to 3' above the ground when flushed due to disturbance or when foraging; thus, they would collide with vehicles. The proposed access route would be inside the recommended CDFW burrows buffer zone. Considering the 2016 observations plus the historical regular burrowing owl use over the past 18 years at E-Lot and the NE Meadowlands, the project needs to be flexible in considering access routes in order to accommodate burrowing owls.

5. *Page 5 of Appendix M, third bullet point, Special-status species.* This section does not make reference to the Ridgway's Rail (formerly the California clapper rail), a Federally Endangered Species. Several other sections of the document fail to include the Ridgway's Rail, and only mentioning some other species. A 2015 report ([http://www.spartina.org/documents/RIRA_Report_2015_FINAL\(sm\).pdf](http://www.spartina.org/documents/RIRA_Report_2015_FINAL(sm).pdf)) for the State Coastal Conservancy Spartina Project states that the density of Ridgway's Rail in parts of Shoreline at Mountain View near Charleston Slough and Permanente Creek is a medium-density site for this Endangered Species and, as such, requires a no take of this species.
6. *Page 6-10, Chapter 6, Table 6-2. Comparison of Alternatives at the Alviso-Mountain View Ponds.* It stated that three to five bird habitat islands will be installed in each of the two ponds, but it depends on soil availability. If soil availability were limited, what is the decision process on the number of bird habitat islands at each pond? Does one pond provide greater biological opportunity than the other?

The City appreciates the opportunity to respond to the Final Environmental Impact Statement/Report and commends the work of the U.S. Fish and Wildlife Services and the California State Coastal Conservancy.

Sincerely,

Ken S. Rosenberg
Vice Mayor

KSR/TS/7/PWK
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