

**UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
SOUTH BAY SALT POND RESTORATION PROJECT PHASE 2 FINAL
ENVIRONMENTAL IMPACT STATEMENT
Don Edwards San Francisco Bay National Wildlife Refuge
Alameda, Santa Clara and San Mateo Counties, California**

RECORD OF DECISION

INTRODUCTION - The United States Department of the Interior, Fish and Wildlife Service (USFWS), has prepared this Record of Decision (ROD) regarding Phase 2 of the South Bay Salt Pond Restoration Project (SBSP Restoration Project) at the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). This ROD documents the decision of the USFWS regarding restoration of almost 2,400 acres of former commercial salt ponds in Alameda, Santa Clara and San Mateo Counties, California, that are now part of the Refuge (the USFWS Phase 2 Project). The USFWS Phase 2 project would be implemented on the Alviso-Island Ponds, the Alviso-Mountain View Ponds, the Alviso-A8 Ponds, and the Ravenswood Ponds. This ROD includes a statement of the decision made, the basis for the decision, a description of other alternatives considered, a description of the environmentally preferable alternative, an overview of measures to minimize environmental harm and a summary of public involvement in the decision-making process.

Documents used in preparation of this ROD include the Final Environmental Impact Statement/Environmental Impact Report for Phase 2 of the South Bay Salt Pond Restoration Project (Final EIS/EIR); the USFWS's Biological Opinion dated November 21, 2017; the National Marine Fisheries Service's Biological Opinion dated May 24, 2018; the section 401 Waste Discharge Requirements and Water Quality Certification issued by the Regional Water Quality Control Board on May 9, 2018; the consistency determination issued by the San Francisco Bay Conservation and Development Commission on June 21, 2018; and the section 404(b)(1) permit issued by the Corps of Engineers on September 7, 2018. All of these documents are incorporated by reference (40 CFR 1502.21).

BACKGROUND - In December 2007, the USFWS and the California Department of Fish and Wildlife (CDFW) published a Final EIS/EIR for the SBSP Restoration Project at the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge) and the CDFW Eden Landing Ecological Reserve (December 19, 2007; 72 FR 71937). The overall project area includes 15,100 acres that the USFWS and the CDFW acquired from Cargill, Inc. in 2003. The lands acquired from Cargill are divided into three pond complexes: The Ravenswood pond complex, in San Mateo County, managed by the USFWS; the Alviso pond complex, also managed by the USFWS, which is mostly in Santa Clara County, with five ponds in Alameda County; and the Eden Landing pond complex, in Alameda County, which is owned and managed by the CDFW. The SBSP Restoration Project presented in the Final EIS/EIR was both programmatic, covering a 50-year period, and project-level, addressing the specific components and implementation of Phase 1.

In January 2008, the USFWS signed a Record of Decision (ROD) selecting the Tidal Emphasis Alternative (Alternative C) for implementation. This alternative will result in 90 percent of the USFWS's ponds on the Refuge being restored to tidal wetlands and 10 percent converted to enhanced managed ponds. Under Phase 1 of Alternative C, USFWS and CDFW restored ponds E8A, E8X, E9, E12, and E13 at the Eden Landing pond complex; A6, A8, A16, and A17 at the Alviso pond complex; and SF2 at the Ravenswood pond complex. USFWS also added several trails, interpretive features, and other recreational access points. Construction was completed on the Phase 1 USFWS ponds in 2013.

USFWS now proposes restoration or enhancement of approximately 2,400 acres of former salt ponds in the second phase of the SBSP Restoration Project. In the Phase 2 DEIS/EIR, USFWS provided project-level analysis of proposed restoration or enhancement of portions of the following four geographically separate pond clusters: the Ravenswood Ponds (R3, R4, R5, and S5) at the Ravenswood pond complex, the Alviso–Mountain View Ponds (A1 and A2W), the Alviso–A8 Ponds (A8 and A8S), and the Alviso–Island Ponds (A19, A20, and A21), the latter three of which are all in the Alviso pond complex. These pond clusters are illustrated in Figures 1–5 on the SBSP Restoration Project website at <http://www.southbayrestoration.org/planning/phase2/>.

Phase 2 of the SBSP Restoration Project is intended to restore and enhance tidal wetlands and managed pond habitats in South San Francisco Bay while providing for flood management and wildlife-oriented public access and recreation. In Phase 2, we would continue habitat restoration activities in both USFWS pond complexes, while also providing recreation and public access opportunities at two sets of ponds and maintaining or improving current levels of flood protection in the surrounding communities.

DECISION (SELECTED ACTION) - The USFWS will implement the Preferred Alternative as described in Chapter 6 of the Final EIS/EIR dated April 2016. The USFWS developed the Preferred Alternative based on comments and other information received from the public, regulatory agencies, and other stakeholders following public review of the Draft EIS/EIR. The Preferred Alternative (now the Selected Action) is based on the action alternatives set out in the Draft EIS/EIR with minor modifications and some recombination of elements from the other action alternatives. The Phase 2 Selected Action (Preferred Alternative) provides a variety of habitat enhancements at all four Phase 2 pond clusters. It also includes maintained or increased flood protection and additional public access and recreation features at two of the pond clusters. The Selected Action (Preferred Alternative) has four distinct locations for implementation, as described in the following paragraphs. In addition, Tables 1 through 4, attached to this ROD, outline a summary of the Selected Action (Preferred Alternative) and the other action alternatives evaluated in the Final EIS/EIR.

Alviso-Island Ponds

The Preferred Alternative (Selected Action) at the Island Ponds is primarily Alternative Island B as set forth in the Draft EIS/EIR, with a few minor modifications and one component from Alternative Island C. As in Alternative Island B, the Preferred Alternative includes the two breaches on the north side of Pond A19 and removal of most of the western levee of Pond A19 and the eastern levee of Pond A20. This levee removal to the elevation of the strip of marsh between the two ponds would create a larger area of connected aquatic habitat. In addition, as in Alternative Island B, there would be extensive lowering of portions of Pond A19's northern levee. However, in a variation from what was described in Alternative Island B in the Draft EIS/EIR, the lowering of the northern levee of Pond 19 would be only to mean higher high water instead of to mean high water, as was assessed in that document. In the

Preferred Alternative at the Island Ponds, portions of those levees would be left at the starting elevation to provide more high-tide refugia and roosting or nesting areas.

Alternative Island B in the Draft EIS/EIR describes that material from levee breaching, lowering, and removal would be sidecast into the ponds to fill borrow ditches and thereby speed the ponds' transition to marsh plain elevation. It was suggested in the comments to make that general concept more specific by adding ditch blocks. Ditch blocks are built by placing fill material inside of the historic borrow ditches to direct tidal flows into the center of the ponds instead of allowing them to flow around the interior perimeter. The Preferred Alternative calls for the targeted placement of material from levee breaching or other modification into specific locations along the borrow ditches. This material would then be compacted to form several ditch blocks in those channels. This is a more specific version of the plan to sidecast levee material into the ponds than described in Alternative Island B in the Draft EIS/EIR.

One component from Alternative Island C would be partially included in the Preferred Alternative for the Alviso Island Pond Complex. Alternative Island C includes widening of the two existing breaches on the southern levee of Pond A19. In the Preferred Alternative, only the westernmost of those two existing breaches would be widened. Finally, the exact location of the levee breaches and the lowering on the north side of Pond A19 would be selected to avoid individual small spikerush (*Eliocharis parvula*) plants that have been observed on this levee in recent years.

Alviso-Mountain View Ponds

The Preferred Alternative (Selected Action) at the Mountain View Ponds includes the Alternative Mountain View B components with a few components from Alternative Mountain View C and other minor design changes as listed in the following bullets.

- The Preferred Alternative incorporates the changes to the Coast Casey Forebay levee and its associated structures (including the existing trail and viewing platform, utility access, access to the pump station building, etc.) as described in Alternative Mountain View C, except for those related to the new location for the sailing lake's water intake.
- The improved Coast Casey Forebay levee would be as wide as described for Alternative Mountain View C, but would be to an elevation 8 inches higher than that described in the Draft EIS/EIR.
- The breaches into Pond A1 for the Preferred Alternative would be as described for Alternative Mountain View C except the breach near Pond A1's southwest corner would not be implemented.
- The habitat transition zone in Pond A2W would be as described for Alternative Mountain View C.
- The number of proposed habitat islands constructed in each pond has been refined from eight per pond to three to five islands per pond.
- Alternative Mountain View C included a public access trail on the existing levee along the eastern and northern borders of Pond A2W. The Preferred Alternative at the Mountain View Ponds includes a shorter version of this trail, which would end at a viewing platform near the northeast corner of the pond instead of extending all the way to the northwest corner.

Alviso-A8 Ponds

The Preferred Alternative (Selected Action) at the Alviso-A8 Ponds is Alternative A8 B. Alternative A8 B included building habitat transition zones at the southwest and southeast corners of these ponds to provide all of the various benefits such transition zones provide. These include habitat complexity and diversity, erosion protection for the landfill and levees behind them, and sea-level rise adaptation. The only component modified from Alternative A8 B for the Preferred Alternative is increasing the tops of the proposed habitat transition zones from elevation 7.5 feet NAVD88 to 9 feet NAVD88 for increased erosion protection.

Ravenswood Ponds

The Preferred Alternative (Selected Action) at Ravenswood is substantially the same as Alternative Ravenswood B. It includes the enhancement of Ponds R5 and S5 as shallow water ponds and all other aspects of what was presented for Alternative Ravenswood B in the Draft EIS/EIR, but with the addition of three components from the other action alternatives included in the Draft EIS/EIR and several minor modifications to further reduce impacts, all of which are described in the following list.

- The Preferred Alternative (Selected Action) includes the water control structure between Pond R3 and Pond S5 as described in Alternatives Ravenswood C and D.
- The Preferred Alternative (Selected Action) includes the habitat transition zone extending from the All-American Canal into Pond R4 as described in Alternatives Ravenswood C and D.
- The Preferred Alternative (Selected Action) includes the trail along the improved eastern levees of Ponds R5 and S5 as described in Alternatives Ravenswood C and D. Symbolic deterrent fencing and signage would be added to remind trail users to stay on the trail and out of the restoration areas on either side.
- The lowering of the levee at the northwest corner of Pond R4, as described in Alternative Ravenswood B, is part of the Preferred Alternative but will be lowered only to mean higher high water rather than to mean high water as set out in Alternative Ravenswood B.
- In a minor change from Alternative Ravenswood B, the Preferred Alternative will relocate the proposed viewing platform from the edge of Bedwell Bayfront Park to a new trail that would be added onto the improved eastern levees of Ponds R5 and S5.
- A second minor change to the restoration design of Alternative Ravenswood B in the Preferred Alternative (Selected Action) is the addition of sand or shell toppings to the bird habitat island that would be in the center of the R5-S5 pond group.
- The location of the breach into Pond R4 from Ravenswood Slough would be relocated from the eastern border of the pond (the location discussed for all three action alternatives) to the northeast corner of Pond R4.
- The levee improvements discussed in all three action alternatives included raising the small levees around the All-American Canal and the eastern border of Pond R5. The Preferred Alternative for the Ravenswood Ponds includes an extension of those improvements along the eastern border of Pond S5 to provide more ability to manage water levels and quality separately in Ponds R3 and the combined R5/S5 managed ponds.

BASIS FOR DECISION - The decision to select the Preferred Alternative set forth in more detail in Chapter 6 of the Final EIS/EIR is based on review and consideration of the analysis and information identified in the Final EIS/EIR, comments received throughout the process, and other relevant factors.

The USFWS and the State Coastal Conservancy, the state lead agency did not specify a preferred alternative in the Draft EIS/EIR for Phase 2. Instead, the agencies took an approach of identifying the Preferred Alternative in the Final EIS/EIR and incorporating input received from the public, regulatory agencies, and other stakeholders on the Draft EIS/EIR's alternatives as well as additional impact analyses to factor into the decision about the Preferred Alternative.

Public and regulatory agency comments informed the selection of the components from the various action alternatives presented in the Draft EIS/EIR, as well as minor adjustments to some of those components, into a final Preferred Alternative. Further, as was described in the 2007 EIS/EIR and other project planning documents, the SBSP Restoration Project's approach has been to take the lessons learned from each project phase and from the ongoing applied studies and other scientific research and monitoring and allow them to inform future phases. These observations and results were also used to select components to form the Preferred Alternative.

Finally, the selection of what to include in the Phase 2 Preferred Alternative (Selected Action) was also directed by how the SBSP Restoration Project's goals and objectives could be met while minimizing the environmental impacts associated with various parts of the project implementation. Many of these potential impacts were from the volumes of fill that would need to be imported and placed into the ponds for habitat enhancements or for levee improvements. Even though these impacts were found to be less than significant in the Draft EIS/EIR, the realization that the purpose and need of the project could be met while further reducing the impacts drove many of the decisions. Other decisions were driven by feasibility, constructability, or regulatory constraints.

OTHER ALTERNATIVES CONSIDERED - The Draft and Final EIS/EIR considered eight additional alternatives that are summarized below:

No Project/No Action

Alviso-Island Ponds, Alviso-Mountain View Pond, Alviso-A8 Pond, and Ravenswood Ponds.

Under the No Action Alternative for the each of the four pond clusters, no new activities would have occurred in Phase 2. Activities that increase habitat complexity and improve the distribution of sedimentation and vegetation establishment of these ponds would not occur. In addition, activities proposed under these alternatives included breaches of the existing levees at various locations, removal or lowering of levees, and modification of existing breaches to increase complexity and connectivity of the Island Ponds and the waterways surrounding them would not have occurred.

Alviso-Island Pond Cluster

Alternative Island C

Alternative Island C would have included all of the components of Island B with the addition of four components: levee breaches on the north sides of Ponds A20 and A21, lowering of portions of levees around Pond A20, excavating pilot channels in Pond A19, and widening the existing breaches on the southern levee of Pond A19. These additional components were intended to further increase the habitat complexity and connectedness as this pond cluster transitions to tidal marsh. Levee material from lowering would be sidecast into the borrow ditches or pond bottoms to speed the return to marsh plain elevation. These actions would have altered circulation and sedimentation patterns in the ponds

and improve the distribution of sediment accretion in Pond A19 and to a lesser extent in Ponds A20 and A21. During the environmental impact analysis for the EIS/EIR, it was realized that these additional changes would have increased the adverse environmental impacts without substantially adding to the benefits for restoration, flood control, public access, special-status species, habitat quality, or otherwise advancing project goals.

Alviso-Mountain View Pond Cluster

Alternative Mountain View C

Under Alternative Mountain View C, levees would have been breached and lowered to increase tidal flows in Pond A1, Pond A2W, and Charleston Slough. The inclusion of Charleston Slough into the SBSP Restoration Project was the primary distinguishing feature between Alternative Mountain View C and Alternative Mountain View B. Other actions would have included adding habitat transition zones and habitat islands, and allowing for possible future connectivity with two brackish marshes south (inland) of Pond A2W. Proposed activities under Alternative Mountain View C were intended to increase habitat complexity and quality for special-status species. Flood control would have been maintained with improvements to the southern and western levees of Charleston Slough. Several new trails and viewing platforms would have been installed or replaced to improve recreation and public access at the pond cluster. Upland fill material would have been imported into the ponds to raise levees, construct islands, or build habitat transition zones. To continue providing water to the City of Mountain View's Shoreline Park sailing lake, a new water intake would have been constructed at the proposed breach between Pond A1 and Charleston Slough. The current water intake would have been retained as a secondary intake source for backup, maintenance, etc.

During the environmental impact analysis for the EIS/EIR, it was realized that these additional changes would have increased the adverse environmental impacts without substantially adding to the benefits for restoration, flood control, public access, special-status species, habitat quality, or otherwise advancing project goals. In addition, the incorporation of Charleston Slough, and all of the other modifications and actions that would necessarily have been included along with that, would have increased the risk of intake and entrainment of juvenile steelhead migrating out of the adjacent Stevens Creek. The additional adverse impacts from that increased habitat connectivity would have removed that alternative from being the Environmentally Preferred Alternative.

Alviso-A8 Pond Cluster

Other than the No Project/No Action Alternative (Alternative A8A) and the Preferred Alternative (Alternative A8B), no other alternatives were analyzed in the EIS/EIR for the Alviso-A8 Pond cluster.

Ravenswood Pond Cluster

Alternative Ravenswood C

Alternative Ravenswood C would have been similar to Alternative Ravenswood B with the following exceptions: Ponds R5 and S5 would have been converted to a particular type of managed pond that is maintained at mud flat elevation for shorebirds; water control structures would be installed on Pond R3 to allow for improvement to the habitat for western snowy plover; an additional habitat transition zone

would have been constructed; and additional recreational and public access components would be constructed.

Alternative Ravenswood D

Alternative Ravenswood D would have opened Pond R4 to tidal flows, improve levees to provide additional flood protection, create two habitat transition zones in Pond R4, establish enhanced managed ponds in Ponds R5 and S5, increase pond connectivity, enhance Pond R3 for western snowy plover habitat, remove the levees within and between Ponds R5 and S5, and improve recreation and public access. Alternative Ravenswood D would also have allowed stormwater outflow from Redwood City to Ponds R5 and S5 (via connections with the Bayfront Canal and Atherton Channel Project), including open channel improvements, installation of a system of pipes or culverts, temporary removal of California Department of Transportation (Caltrans) stormwater pipes, and installation of a water control structure. This alternative would have addressed a problem with residual salinity in Ponds S5 and R5 and would reduce flood risk in the neighborhood to the southwest.

At Ravenswood, the main difference between the Preferred Alternative and those not selected were the "restoration destination" of the small Ponds R5 and S5. In the other Action Alternatives, those would have been reconfigured and then managed as either intertidal mudflats or deeper managed ponds with stormwater detention capability. The consequence of including either of those outcomes as part of the Preferred Alternative would have been either fewer environmental benefits and/or a greater potential for adverse environmental impacts. First, the mudflat option (Alternative Ravenswood C) was no longer necessary to offset the loss of Charleston Slough as intertidal mudflat in the project area because Charleston Slough was not included in the Mount View Ponds part of the Preferred Alternative. Second, in the stormwater detention option, the inflowing stormwater would have been of an unknown water quality, as there were insufficient pre-project studies of baseline water quality from upstream sources and no way to control or manage incoming water quality in this restoration area.

ENVIRONMENTALLY PREFERABLE ALTERNATIVE - Pursuant to guidance provided by the Council on Environmental Quality, the Environmentally Preferable Alternative is defined as "the alternative that will promote the national environmental policy as expressed in Section 101 of the National Environmental Policy Act. Section 101 states that "...it is the continuing responsibility of the Federal Government to...

- (1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (2) assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- (3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- (4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment that supports diversity, and variety of individual choice;
- (5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

- (6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources."

As discussed and analyzed in the Final EIS/EIR, the Environmentally Preferable Alternative was determined to be the USFWS's Preferred Alternative. Taken as a whole, the Preferred Alternative (which as noted above is the Selected Action) best satisfies the six goals. This alternative enhances the Refuge's ability to carry out the mission of the National Wildlife Refuge System and the purposes of the Refuge while limiting the amount of new environmental impacts from restoration, flood protection, and new public access actions. Tidal habitat will be restored to that more closely resembling the processes that were in place before the lands were developed for salt production. Pond-dependent species will be protected by developing an appropriate balance of tidal habitat with ponds reconfigured and managed to meet their specific requirements. San Francisco Bay's water quality will be enhanced through tidal wetlands' natural filtering and cleansing processes, and the water quality of current ponds will be improved through more frequent mixing and circulation in ponds and sloughs. The potential adverse environmental impacts of impaired water begin diverted into ponds will be avoided by not including the Bayfront Canal and Atherton Channel Project into the Preferred Alternative. A significant potential take of an Endangered Species Act-listed species (steelhead) would be avoided by not including Charleston Slough and the relocated water intake into the Preferred Alternative. Several project modifications were made to reduce the direct and short-term loss of existing marsh habitats by moving breaches to places where shorter pilot channel connections to adjoining sloughs could be excavated. Through the careful placement of trails and the removal of several other trail and viewing platform locations that would have adversely affected sensitive wildlife species, there will be increased opportunities for wildlife-dependent recreation including environmental education and environmental interpretation, while being protective of the resident and migratory fish and wildlife and their habitat. The current levels of flood protection have been maintained while reducing the amount of necessary large-scale levee improvements to those strictly meeting the project goals. The addition of extensive habitat transition zones and islands helps balance current and future ecological needs for habitat for a range of birds and other wildlife species with the goal of restoring tidal marsh, while also preparing the area for sea-level rise.

Therefore, the Preferred Alternative satisfies national goals 1, 2, 3, 4, 5 and 6 to a high degree, ensuring restoration of the long-term natural processes to provide fish and wildlife habitat native to South San Francisco Bay with emphasis on threatened and endangered species. The Preferred Alternative provides a wide range of opportunities for the public to enjoy the area with minimal adverse impacts. This alternative would enhance public understanding and preservation of the Refuge's important natural and cultural resources and fulfill the USFWS's responsibilities as trustee of the environment (goals 1 and 4).

Under the No Action Alternative none of the numerous benefits that the SBSP Restoration Project's Phase 2 action alternatives would be realized. Therefore, the six goals described above would not be met. All of the Action Alternatives would have met the six goals, though not necessarily while avoiding and minimizing the largest and most numerous adverse environmental impacts. The USFWS has determined that implementing the Preferred Alternative would most effectively and efficiently meet the goals while minimizing impacts on the natural environment, the built environment, and human communities; and would also comply with environmental regulatory requirements. Therefore, the USFWS has determined that the Preferred Alternative is the Environmentally Preferable Alternative.

MEASURES TO MINIMIZE ENVIRONMENTAL HARM - The USFWS has investigated all practical measures to avoid or minimize environmental impacts that could result from the Preferred Alternative. The 2007 EIS/EIR for the SBSP Restoration Project, the USFWS and CDFW developed program-wide comprehensive mitigation measures that have been already incorporated in the alternative designs for the SBSP Restoration Project. These program-level mitigation measures are described in the alternatives chapter and in the analysis of environmental impacts and are included as part of the Phase 2 actions. Program-level measures to minimize environmental harm are included for surface water, sediment and groundwater quality, cultural resources, traffic, noise, and air quality. The SBSP Restoration Project Phase 2 adopts a project-level mitigation measure to reduce adverse environmental impacts to traffic resulting from Phase 2 actions. The USFWS will coordinate with Caltrans and/or the City of Menlo Park to modify the intersection signal timing in the morning to reduce project-related delay to a level that the City does not deem significant. Table 1 shows the mitigation timing and monitoring responsibilities.

Table 1. Mitigation measure adopted to address construction related degradation of traffic operations at intersections and streets (3.11 Traffic).

Implementation and Reporting Actions	Monitoring Responsibility	Timing
Assess signal-timing changes required to maintain an adequate level of service at the intersection.	USFWS, Caltrans or its contractors.	Prior to construction.
Caltrans or its contractor implements modifications to signal timing.	Caltrans or its contractors.	During construction.
Monitor intersection to ensure an adequate level of service.	USFWS or its contractors.	Throughout construction.

PUBLIC INVOLVEMENT - On September 9, 2013, the USFWS published a Notice of Intent to prepare an EIS/EIR in the Federal Register (78 FR 56921). A public scoping meeting was held on September 24, 2013, to solicit comments on environmental issues to be addressed in the Draft Phase 2 EIS/EIR. Comments received in response to this notice were incorporated into the Draft EIS/EIR.

The Draft EIS/EIR was available for a 60-day public review and comment period, which was announced via several methods, including public notices in local newspapers and a notice in the Federal Register (80 FR 44103), July 24, 2015. USFWS held a public meeting to solicit comments on the Draft EIS/EIR on August 4, 2015.

The USFWS and the California State Coastal Conservancy prepared the Draft EIS/EIR. All comments received by the USFWS and the California State Coastal Conservancy during public review were included and considered in preparing the Final EIS/EIR. Thirty-five comment letters were received, six from Federal and state agencies, twelve from regional and local agencies, thirteen from businesses/organizations, and four from individuals. The Final EIS/EIR incorporated all changes or additions to the Draft EIS/EIR into one complete document.

On June 3, 2016, the USFWS published a Notice of Availability of the Final Environmental Impact Statement/Environmental Impact Report for the South Bay Salt Pond Restoration Project Phase 2 in the

Federal Register (81 FR 35790) which advised the public that a Record of Decision would be signed no sooner than 30 days from this notice.

On June 3, 2016, the U.S. Environmental Protection Agency published a Notice of Availability of the Final Environmental Impact Statement in the Federal Register (81 FR 35761) which advised the public of the availability of the document.

In response to the Notice of Availability of the Final EIS/EIR, the USFWS received seven comment submissions (see Attachment 2). The comments mostly reiterate comments and concerns received during the comment period for the DEIS/EIR or state their support for the Preferred Alternative. In a letter dated June 30, 2016, the U.S. Environmental Protection Agency indicated that the Final EIS/EIR addressed their previous concerns and that they do not object to the Preferred Alternative.

IMPLEMENTATION - As stated in the June 3, 2016 Notice of Availability of the Final EIS/EIR for the SBSP Restoration Project (81 FR 35790); implementation of this decision has not occurred sooner than 30 days after the date of that Notice.



Regional Director

Acting

Pacific Southwest Region

Sacramento, California

9/27/18

Date

ATTACHMENT 1
COMPARISON OF ALTERNATIVES

Table 1. Comparison of Alternatives at the Alviso-Island Ponds

ALTERNATIVE ISLAND B	ALTERNATIVE ISLAND C	PREFERRED (SELECTED) ALTERNATIVE AT THE ISLAND PONDS
Breach north side of Pond A19 in two places.	Breach north side of Pond A19 in two places.	As described in Alternatives Island B and C: breach north side of Pond A19 in two places. <i>Clarifications and refinements: Locate breaches to avoid small spikerush plants. Sidecast material into ponds to fill borrow ditches, build ditch blocks, and create raised areas. Lower levees only to mean higher high water instead of mean high water.</i>
Lower or remove much of Pond A19's northern and southern levees.	Lower or remove much of Pond A19's northern and southern levees.	As described in Alternatives Island B and C: lower or remove much of Pond A19's northern and southern levees west of the western breaches. <i>Clarifications and refinements: Lower levees only to mean higher high water instead of mean high water. Leave several high sections of existing levees to serve as high-tide refugia. Sidecast material as described above.</i>
Remove Pond A19's western levee and Pond A20's eastern levee to connect these two ponds.	Remove Pond A19's western levee and Pond A20's eastern levee to connect these two ponds.	As described in Alternatives Island B and C: remove Pond A19's western levee and Pond A20's eastern levee to connect these two ponds. <i>Clarifications and refinements: Leave several high sections of existing levees to serve as high-tide refugia. Sidecast material as described above.</i>
Do not breach north sides of Ponds A20 and A21.	Breach the north sides of Ponds A20 and A21.	As described for Alternative Island B: do not breach north sides of Ponds A20 and A21.
Do not lower or remove Pond A20's northern or southern levees.	Lower portions of Pond A20's northern and southern levees.	As described for Alternative Island B: do not lower or remove Pond A20's northern or southern levees.
Do not widen existing breaches on Pond A19's southern side.	Widen existing breaches on Pond A19's southern side.	A scaled-down version of that described in Alternative Island C: widen only the westernmost of the two existing breaches on south side of Pond A19. Sidecast material as described above.
Do not excavate pilot channels within Pond A19.	Excavate two pilot channels within Pond A19.	As described for Alternative Island B: do not excavate pilot channels within Pond A19.

Table 2. Comparison of Alternatives at the Alviso-Mountain View Ponds

ALTERNATIVE MOUNTAIN VIEW B	ALTERNATIVE MOUNTAIN VIEW C	PREFERRED (SELECTED) ALTERNATIVE AT THE MOUNTAIN VIEW PONDS
Do not include Charleston Slough in tidal marsh restoration.	Include Charleston Slough in tidal marsh restoration.	As described for Alternative Mountain View B: do not include Charleston Slough in tidal marsh restoration.
Raise and improve western levee of Pond A1.	Lower and breach western levee of Pond A1.	As described for Alternative Mountain View B: raise and improve western levee of Pond A1.
Breach the west side of Pond A1 at one location.	Breach Pond A1 at three locations.	Largely as described for Alternative Mountain View C: breach Pond A1 at more than one location. <i>Clarifications and refinements: breach at only two of the three locations in that alternative.</i>
Do not breach Charleston Slough and connect it to Pond A1.	Breach Charleston Slough and connect it to Pond A1 (necessarily includes the italicized listed subcomponents below). § <i>Open Charleston Slough to full tidal exchange, by breaching the northern levee or by removing the tide gate structure itself, to allow vegetation to colonize the mud flats surrounding the slough's main channel.</i> § <i>Raise and improve the western levee of Charleston Slough, which separates it from the Palo Alto Flood Basin.</i>	As described for Alternative Mountain View B: do not breach Charleston Slough to connect it to Pond A1. <i>Clarifications and refinements: include only the subcomponents from Alternative C as listed below.</i>
		§ <i>Not included.</i>
		§ <i>Not included.</i>
	§ <i>Raise the Coast Casey Forebay levee along southern border of Charleston Slough and associated sailing lake water intake and pump station structures.</i> § <i>Add a primary water intake for the Mountain View Shoreline Park sailing lake at the breach in the levee between Charleston Slough and Pond A1.</i> § <i>Lower western levee of Pond A1.</i>	§ <i>Raise the Coast Casey Forebay levee along southern border of Charleston Slough and necessary utilities.</i> § <i>Not included.</i> § <i>Not included.</i>
	§ <i>Rebuild the existing viewing platform along the Coast Casey Forebay levee; rebuild the existing trail and replace benches and signage along the improved western levee of Charleston Slough.</i>	§ <i>Not included.</i> § <i>Rebuild the existing trail, viewing platform, benches, and signage along the Coast Casey Forebay levee.</i>
	§ <i>Armor levee on landward side of breach between Pond A1 and Charleston Slough.</i>	§ <i>Not included.</i>

Table 2. Comparison of Alternatives at the Alviso-Mountain View Ponds (continued)

ALTERNATIVE MOUNTAIN VIEW B		ALTERNATIVE MOUNTAIN VIEW C	PREFERRED (SELECTED) ALTERNATIVE AT THE MOUNTAIN VIEW PONDS
Construct bird habitat islands in Ponds A1 and A2W.	Construct bird habitat islands in Ponds A1 and A2W.	Construct bird habitat islands in Ponds A1 and A2W.	As described for Alternatives Mountain View B and C: construct bird habitat islands in Ponds A1 and A2W. <i>Clarifications and refinements: plan is for 3-5 bird habitat islands in each of Ponds A1 and A2W, a lower number than in the Draft EIS/R.</i>
Construct habitat transition zones across entire southern extent of Ponds A1 and A2W.	Construct a habitat transition zone across entire southern extent of Pond A1 but only across central portion of A2W.		As described for Alternative Mountain View C: construct a habitat transition zone across entire southern extent of Pond A1 but only across central portion of Pond A2W.
Breach Pond A2W at four locations.	Breach Pond A2W at four locations.		As described for Alternatives Mountain View B and C: breach Pond A2W at four locations.
Armor the two eastern breaches of Pond A2W and add railcar bridges over the two breaches for PG&E access.	Armor the two eastern breaches of Pond A2W and add railcar bridges over the two breaches for PG&E access and recreational trail access.		As described for Alternative Mountain View C: armor the two eastern breaches of Pond A2W and add railcar bridges over the two breaches for Pacific Gas and Electric Company (PG&E) access and recreational trail access.
Raise concrete footings of PG&E towers in Pond A2W; elevate existing PG&E access boardwalk in Pond A2W; construct new sections of boardwalk from Pond A2W to connect to existing boardwalk over Bay outside of the Palo Alto Flood Basin.	Raise concrete footings of PG&E towers in Pond A2W; elevate existing PG&E access boardwalk in Pond A2W; construct new sections of boardwalk from Pond A2W to connect to existing boardwalk over Bay outside of Palo Alto Flood Basin.		As described for Alternatives Mountain View B and C: raise concrete footings of PG&E towers in Pond A2W; elevate existing PG&E access boardwalk in Pond A2W; construct new sections of boardwalk from A2W to connect to existing boardwalk over Bay outside of Palo Alto Flood Basin.
Add viewing platform in Shoreline Park south of Pond A1.	Add viewing platform in Shoreline Park south of Pond A1.		As described for Alternatives Mountain View B and C: add viewing platform in Shoreline Park south of Pond A1.
Construct spur trail on improved western levee of Pond A1 to a viewing platform.	Construct spur trail on improved western levee of Pond A1 to a viewing platform at the armored breach.		As described for Alternative Mountain View B: construct spur trail on improved western levee of Pond A1 to a viewing platform.
Do not add a spur trail from Bay Trail spine along Charleston Slough's northern levee	Add a spur trail from Bay Trail spine along Charleston Slough's northern levee to a viewing platform at or near the breach location.		As described for Alternative Mountain View B: do not add a spur trail from Bay Trail spine along Charleston Slough's northern levee to a viewing platform.
Do not add a recreational trail on eastern or northern levee of Pond A2W.	Add recreational trail on eastern and northern sides of Pond A2W to a bayside viewing platform near PG&E turnaround point.		As described for Alternative Mountain View C: add recreational trail to levee around Pond A2W to a bayside viewing platform on the outer corner of Pond A2W. <i>Clarifications and refinements: trail would be shorter and end at northeast corner of Pond A2W instead of the PG&E turnaround at the northwest corner.</i>

Table 3 –Selected Alternative at the Alviso-A8 Ponds

ALTERNATIVE ALVISO-A8 PONDS B (SELECTED ALTERNATIVE)	
Construction of habitat transition zones in Pond A8S's southwest corner, southeast corner, or both, depending on the amount of material available.	
<ul style="list-style-type: none"> Up to 1,400 linear feet of habitat transition zone established on the southwest corner of the perimeter levee of Pond A8S. Up to 1,500 linear feet of habitat transition zone established along the southeast corner of the perimeter levee of Pond A8S. The top elevation of the transition zones was raised to 9.0 feet NAVD88. 	
Habitat transition zones would be constructed by placing fill material along the slopes and compacting to 70-80 percent density to enable vegetation establishment.	

Table 4. Comparison of Alternatives at the Ravenswood Ponds

ALTERNATIVE RAVENSWOOD B	ALTERNATIVE RAVENSWOOD C	ALTERNATIVE RAVENSWOOD D	PREFERRED (SELECTED) ALTERNATIVE AT THE RAVENSWOOD PONDS
R5/S5 as shallow managed ponds.	R5/S5 as intertidal mudflats.	R5/S5 as deeper managed ponds for Bayfront Canal & Atherton Channel connection.	As described for Alternative Ravenswood B: R5/S5 as shallow managed ponds.
No connection from Bayfront Canal into S5's triangular forebay.	No connection from Bayfront Canal into S5's triangular forebay.	Connect S5's triangular forebay to Bayfront Canal.	As described for Alternatives Ravenswood B and C: no connection from Bayfront Canal into S5's triangular forebay.
Improve All-American Canal levee.	Improve All-American Canal levee.	Improve All-American Canal levee.	As described for Alternatives Ravenswood B, C and D: improve All-American Canal levee. <i>Clarifications and Refinements: extend levee improvements around to southern margin of S5.</i>
No All-American Canal habitat transition zone.	All-American Canal habitat transition zone.	All-American Canal habitat transition zone.	As described for Alternatives Ravenswood C and D: All-American Canal habitat transition zone.
Bedwell Bayfront Park habitat transition zone.	Bedwell Bayfront Park habitat transition zone.	No Bedwell Bayfront Park habitat transition zone.	As described for Alternatives Ravenswood B and C: Bedwell Bayfront Park habitat transition zone.
No Pond R4 Northwest habitat transition zone.	No Pond R4 Northwest habitat transition zone.	Pond R4 Northwest habitat transition zone.	As described for Alternatives Ravenswood B and C: no transition zone in northwest corner of Pond R4.
Remove parts of Ponds R5 and S5 internal levees.	Remove parts of Ponds R5 and S5 levees.	Remove all of Ponds R5 and S5 internal levees.	As described for Alternatives Ravenswood B and C: remove parts of Ponds R5 and S5 internal levees.
Do not grade and partially fill Ponds R5/S5.	Grade and partially fill Ponds R5/S5.	Do not grade and partially fill Ponds R5/S5.	As described for Alternatives Ravenswood B and D: do not grade or fill Ponds R5/S5.
Ponds R4/R5 water control structure.	Ponds R4/R5 water control structure.	Ponds R4/R5 water control structure.	As described for Alternatives Ravenswood B, C and D: Ponds R4/R5 water control structure.
No water control structure between Ponds R3/S5.	Ponds R3/S5 water control structure.	Ponds R3/S5 water control structure.	As described for Alternatives Ravenswood C and D: Ponds R3/S5 water control structure.
Pond R3/Ravenswood Slough water control structure.	Pond R3/Ravenswood Slough water control structure.	Pond R3/Ravenswood Slough water control structure.	As described for Alternatives Ravenswood B, C and D: Pond R3/Ravenswood Slough water control structure.
Pond S5/Flood Slough water control structure.	Pond S5/Flood Slough water control structure.	Pond S5/Flood Slough water control structure.	As described for Alternatives Ravenswood B, C and D: Pond S5/Flood Slough water control structure.
Pond R4 pilot channel.	Pond R4 pilot channel.	No Pond R4 pilot channel.	As described for Alternatives Ravenswood B and C: Pond R4 pilot channel.

Table 4. Comparison of Alternatives at the Ravenswood Ponds (continued)

ALTERNATIVE RAVENSWOOD B	ALTERNATIVE RAVENSWOOD C	ALTERNATIVE RAVENSWOOD D	PREFERRED (SELECTED) ALTERNATIVE AT THE RAVENSWOOD PONDS
Pond R4 east breach.	Pond R4 east breach.	Pond R4 east breach.	As described for Alternatives Ravenswood B, C and D: Pond R4 breach. <i>Clarifications and Refinements: move breach to the northeast corner of the pond instead of on its eastern edge.</i>
No Pond R4 northwest breach.	Pond R4 northwest breach.	No Pond R4 northwest breach.	As described for Alternatives Ravenswood B and D: no breach at northwest corner of Pond R4.
Lower Pond R4 northwest levee.	Lower Pond R4 northwest levee.	Do not lower Pond R4 northwest levee.	As described for Alternatives Ravenswood B and C: lower Pond R4 levee. <i>Clarifications and Refinements: lower only to mean higher high water instead of mean high water.</i>
Ponds R5 and S5 bird habitat island.	Ponds R5 and S5 bird habitat island.	No bird habitat island Ponds R5 and S5.	As described for Alternatives Ravenswood B and C: Ponds R5 and S5 bird habitat island; add toppings to enhance it.
Viewing platform near Pond R5.	Viewing platform near Pond R5.	Viewing platform near Pond R5.	As described for Alternatives Ravenswood B, C and D: Viewing platform near Pond R5. <i>Clarifications and Refinements: move this platform to a location near the midpoint of the R5/S5 loop trail that would also be added.</i>
No additional public access trail at northwestern corner of Pond R4.	Pond R4 boardwalk trail at northwest corner.	Pond R4 trail on northwest levee.	As described for Alternative Ravenswood B: no additional public access trail at northwestern corner of Pond R4.
No Pond R4 viewing platform.	Pond R4 viewing platform.	Pond R4 viewing platform.	As described for Alternative Ravenswood B: no viewing platform at northwest corner of Pond R4.
No loop trail around Ponds R5 and S5 to connect to Bay Trail.	Complete loop trail around Ponds R5 and S5 to connect to Bay Trail.	Complete loop trail around Ponds R5 and S5 to connect to Bay Trail.	As described for Alternatives Ravenswood C and D: complete loop trail around Ponds R5 and S5 to connect to Bay Trail. <i>Clarifications and Refinements: add low symbolic deterrent fencing along entire length of new trail.</i>



CITY OF MOUNTAIN VIEW

Office of the Mayor and City Council • 500 Castro Street • Post Office Box 7540 • Mountain View, California 94039-7540
650-903-6305 • FAX 650-903-6039

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.

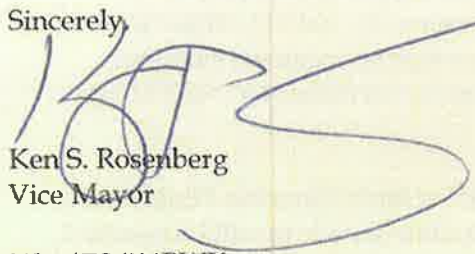
1. The City supports the project to proceed with the preferred alternative (modified Alternative B) as described in the Final Environmental Impact Statement/Report. The City will collaborate with the U.S. Fish and Wildlife Services and the California State Coastal Conservancy on project design and construction 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
001-05-18-16L-E

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MAY 23 2016
COASTAL CONSERVANCY
OAKLAND, CALIF.



CITY OF MOUNTAIN VIEW

Office of the Mayor and City Council • 500 Castro Street • Post Office Box 7540 • Mountain View, California 94039-7540
650-903-6305 • FAX 650-903-6039

May 18, 2016

Mr. Douglas Bosco
Chair, California State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

SOUTH BAY SALT POND RESTORATION PROJECT

Dear Chair Bosco:

On behalf of the City of Mountain View, I am writing to convey our strong support for the Conservancy Board authorization of \$14 million for Phase 2 of the South Bay Salt Pond Restoration Project implementation on May 26, 2016.

The South San Francisco Bay Salt Pond Restoration Project is the largest wetland restoration project on the West Coast of the United States. The project is working to restore 15,100 acres of former industrial salt ponds to tidal salt marsh and a mosaic of other habitats for the benefit of wildlife, flood protection, and public access. Performing tidal wetland restoration at this scale in the middle of a highly modified urban estuary has many challenges and requires diligence to accomplish these unprecedented goals.

This restoration project, therefore, is a unique opportunity for landscape-scale restoration and to significantly contribute to the recovery of threatened and endangered species, improve water quality, and strengthen the resiliency of our shorelines in San Francisco Bay. Phase 2 will restore 980 acres of tidal wetlands, enhance over 300 acres of other wetland habitats, provide new public recreation opportunities, and improve flood protection for south San Francisco Bay residents and businesses. The City of Mountain View also supports the funding of continued public outreach, website and data management, and other project support to maintain the Project's successful track record and high degree of transparency.

Thank you for your continued support of this regionally and nationally important project.

Sincerely,

A handwritten signature in blue ink, appearing to be "K. S. Rosenberg", is written over the name and title of the Vice Mayor.

Ken S. Rosenberg
Vice Mayor

KSR/TS/7/PWK/001-05-18-16L-E-1

RECEIVED

MAY 23 2016

COASTAL CONSERVANCY
OAKLAND, CALIF



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

June 30, 2016

Chris Barr
U.S. Fish and Wildlife Service
Don Edwards San Francisco Bay National Wildlife Refuge Complex Headquarters
1 Marshlands Rd.
Fremont, CA 94555

Subject: Final Environmental Impact Statement/Environmental Impact Report (FEIS/R) for the
South Bay Salt Pond Restoration Project, Phase 2 [CEQ # 20160120]

Dear Mr. Barr:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's (CEQ) NEPA Implementation Regulations at 40 CFR 1500-1508, and our NEPA review authority under Section 309 of the Clean Air Act.

EPA submitted comments on the Draft Environmental Impact Statement (DEIS) on October 29, 2015 to the Service. We rated Alternative Ravenswood D in the DEIS as *Environmental Concerns – Insufficient Information* (EC-2) and all other alternatives as *Lack of Objections* (LO). Ravenswood D was rated EC-2 primarily due to a lack of specific information about stormwater quality and uncertainty about whether pollutants present in stormwater would be detrimental to the restoration. Integration with the Bayfront Canal and Atherton Channel (BCAC) Project has subsequently been removed from the preferred alternative for Phase 2, eliminating the source of our concern. We encourage the U.S. Fish and Wildlife Service (USFWS) to continue to work with its project partners in considering the use of the Ravenswood Ponds for stormwater detention in the future, when stormwater has been completely characterized.

We continue to support Mountain View Alternative C, which includes restoration of Charleston Slough, as the alternative that maximizes tidal marsh ecosystem restoration and resilient adaptation to sea level rise. Given that a Bay Conservation and Development Commission's permit requires the area to be restored to tidal marsh, restoration of Charleston Slough in concert with the adjacent Mountain View ponds would be more cost-efficient than would sequential restoration and would minimize disturbance to special status species from construction activities. EPA is aware that relevant regulatory agencies and the City of Mountain View have shown a willingness to work through the challenges of potential fish entrainment in a timely manner and we encourage the USFWS to incorporate the solution into Phase 2 design and construction.

EPA appreciates the Service's consideration of climate change-induced sea-level rise throughout the document; however, we wish to respond to the following statement made in the FEIS' Master Comment Response #2:

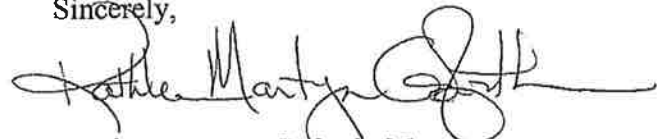
"That is, with a few exceptions, analysis and disclosure of the environment's impacts on a project are neither the intent nor a requirement of these laws.... Sea-level rise is an example of a potential future impact of the environment on the project, not a project impact on the

environment. So, while the design of the project should and does plan for sea-level rise in order to help implement a successful project, this is not a NEPA or CEQA issue."

Climate change has the potential to exacerbate the environmental impacts from agencies' actions and to interact with the project to result in new or greater cumulative effects. Under NEPA, cumulative impacts must be considered in environmental impact statements. The effects of climate change on a project also have the potential to affect the success of the project in meeting the purpose and need. Disclosure of the reasonably foreseeable range of conditions expected under climate change and analyses of the interaction of future environmental conditions with the project are important to include in NEPA documents. We recommend including this kind of information in NEPA documents for the benefit of the public and to inform federal decision makers.

We appreciate the opportunity to review this FEIS. When the Record of Decision is signed, please send one copy to the address above (mail code ENF-4-2). If you have any questions, please contact me at 415-972-3521, or contact Hugo Hoffman, the lead reviewer for this FEIS. Hugo can be reached at 415-972-3929 or hoffman.hugo@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Martyn Goforth', with a stylized flourish at the end.

Kathleen Martyn Goforth, Manager
Environmental Review Section

cc: Brenda Buxton, California Coastal Conservancy
John Bourgeois, California Coastal Conservancy
Gary Stern, National Marine Fisheries Service
Brian Mux, National Marine Fisheries Service
Raymond Wong, PhD, PE, LEED AP, CPESC; City of Mountain View (Public Works Department)

From: [Buxton, Brenda@SCC](mailto:Buxton,Brenda@SCC)
To: [Halsing, David](mailto:Halsing,David@SCC); [Bourgeois, John@SCC](mailto:Bourgeois,John@SCC)
Subject: FW: Comments: EIS Salt Pond
Date: Tuesday, April 26, 2016 3:29:49 PM

Yikes, another!

From: Zsutty, Yves [<mailto:Yves.Zsutty@sanjoseca.gov>]
Sent: Tuesday, April 26, 2016 3:22 PM
To: Buxton, Brenda@SCC
Subject: Comments: EIS Salt Pond

Brenda,

I wanted to provide you with a few comments on the document.

- Figure ES-10: There is no “existing trail” between Gold Street and the entrance to the County Marina. The surface maintenance road is not a recreational resource. There is no under-crossing beneath Gold Street or the railroad tracks.
- General: The report uses the term “Safe” for trail operations. Be mindful that a well-designed trail may not necessary always be safe for a wide variety of reasons. You may wish to use the term “more safer”.
- Table 3.6-2: The reference to “Guadalupe River Trail” should indicate that the Bay Trail Spine will require under-crossings and a bridge to close the gap to the trail. I’m open to discussing if there’s an opportunity to partner on this deliverable.
- General: I’d like to see some language that will permit an agency to pave the trail in the future if demand justifies the improvement. San Jose seeks to have a continuous trail network, and a paved surface is a common feature that draws users.
- The report should reference the City of San Jose’s planning documents for the Bay Trail that overlap the planning area: <http://www.sanjoseca.gov/index.aspx?nid=2772>

Yves Zsutty, Trail Manager

City of San José
Department of Parks, Recreation and Neighborhood Services
200 East Santa Clara Street, San José, CA 95113
Trail Program [web site](#)
408.793.5561, fax 408.292.6416

On Social Media:

Twitter: [SanJoseTrails](#)

Instagram: [SanJoseTrails](#)

Periscope: [San Jose Trails](#)

Trail Resources

408 793-5510 (Park Concerns)
866 249-0543 (Graffiti Hotline)
408 510-7600 (City's Homeless Helpline)

From: Bourgeois, John@SCC
To: Halsing, David
Cc: Buxton, Brenda@SCC
Subject: FW: FINAL Phase 2 Alviso/Ravenswood Environmental Document NowAvailable
Date: Tuesday, April 26, 2016 3:28:25 PM

Dave,

See below question about how we will respond to comments on the final. Are we obligated to respond in any way? Do they get submitted with the ROD?

John Bourgeois
Executive Project Manager
South Bay Salt Pond Restoration Project
408-314-8859

From: Buxton, Brenda@SCC
Sent: Tuesday, April 26, 2016 3:20 PM
To: Bourgeois, John@SCC
Cc: MacMillan, Jeannette@SCC
Subject: FW: FINAL Phase 2 Alviso/Ravenswood Environmental Document NowAvailable

Any suggestion how to respond? Did we address this in EIR/S?

From: Fred Krieger [<mailto:fkrieger@msn.com>]
Sent: Tuesday, April 26, 2016 2:33 PM
To: Buxton, Brenda@SCC
Subject: FW: FINAL Phase 2 Alviso/Ravenswood Environmental Document NowAvailable

Hello Ms. Buxton – Are you only accepting comments in writing or may they also be submitted via email. Also, since this is the final EIS/EIR will the program prepare responses. I'm mainly interested in the cumulative impacts of the increase in the tidal prism resulting from restoration projects.

These should be mostly beneficial but they should be addressed. Thanks

Fred Krieger
510 843-7889

From: South Bay Salt Pond Restoration Project [<mailto:sbsp-maillist=southbayrestoration.org@mail16.suw13.rsgsv.net>] **On Behalf Of** South Bay Salt Pond Restoration Project
Sent: Tuesday, April 26, 2016 1:39 PM
To: fkrieger@msn.com
Subject: FINAL Phase 2 Alviso/Ravenswood Environmental Document NowAvailable

[View this email in your browser](#)

The South Bay Salt Pond Restoration Project has finalized the Environmental Impact Statement/Report for its planned Phase 2 restoration, public access and flood protection construction at the Alviso and Ravenswood ponds.

The document is now available for download on the project website at

<http://www.southbayrestoration.org/planning/phase2/FEISRdownload.html>.

More information about the environmental document is on the Project website at

<http://www.southbayrestoration.org/planning/phase2/>.

To Comment:

While this is the final version of the environmental analysis document, public comments are being accepted. They can be submitted in writing, or presented orally at a May 26, 2016, meeting of the Governing Board of the California State Coastal Conservancy in Sacramento.

Submit in writing, with the name of your contact person, to:

Brenda Buxton, Deputy Bay Program Manager

State Coastal Conservancy

1330 Broadway, 13th Floor

Oakland, CA, 94612

Brenda.buxton@scc.ca.gov

510-286-0753

Comment at the May 26, 2016 Conservancy Board meeting.

Please check the Conservancy's website at <http://scc.ca.gov> as the time and location may change.

The meeting is currently scheduled for 10:00 a.m. at:

The Tsakopoulos Library Galleria

828 I Street

Sacramento CA

Next Steps:

On May 26, related to Phase 2, the Conservancy Board will consider:

- Certification of the EIS/EIR;
- Approval of the Preferred Alternative as defined in that EIS/EIR;
- Adoption of the Mitigation Monitoring and Reporting Program; and
- Authorization to disburse up to \$13,694,629 to Ducks Unlimited, Inc. for implementation of two South Bay Salt Pond Restoration Project Phase 2 projects.

Hard Copies Available for Review

Hard copies of the document are also available for public review, during business hours, at:

- Don Edwards San Francisco Bay National Wildlife Refuge

Headquarters, 1 Marshlands Road, Fremont, CA 94555,
http://www.fws.gov/refuge/don_edwards_san_francisco_bay/, 510-792-0222, ext. 363, [\[map\]](#)

- State Coastal Conservancy, 1330 Broadway, 13th Floor, Oakland, CA 94612, <http://scc.ca.gov/>, 510-286-1015 [\[map\]](#)
- US Army Corps San Francisco District, 1455 Market Street, San Francisco, CA 94103, <http://www.spn.usace.army.mil/>, 415-503-6804 [\[map\]](#)
- Santa Clara Valley Water District administration building, 5750 Almaden Expressway, San Jose, CA 95118, www.valleywater.org, 408-265-2600 [\[map\]](#)

Copies of the document will also be available for public review at several area libraries – see <http://www.southbayrestoration.org/planning/phase2/> for details.

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You requested to be kept apprised of any developments concerning the project.

Our mailing address is:
South Bay Salt Pond Restoration Project
1330 Broadway, 13th Floor
Oakland, CA 94612

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[unsubscribe from this list](#) [update subscription preferences](#)



From: [Buxton, Brenda@SCC](mailto:Buxton.Brenda@SCC)
To: [Halsing, David](mailto:Halsing.David@SCC); [Bourgeois, John@SCC](mailto:Bourgeois.John@SCC)
Subject: FW: Heavy Metal Content of the Mud Which Makes Up the Levees
Date: Wednesday, April 27, 2016 8:49:38 AM

Another comment....

From: Robert J Greenhouse [drrobert@stanford.edu]
Sent: Tuesday, April 26, 2016 9:23 PM
To: Buxton, Brenda@SCC
Subject: Heavy Metal Content of the Mud Which Makes Up the Levees

Dear Ms. Buxton -

I have read with considerable interest your Environmental Impact Study for the impending changes in the Bay Area salt ponds.

One thing which concerns me as a 13+ year user of the levees between the Bay / marsh area and the salt ponds is the heavy metal content of the mud which has been used to form the levees. On hot summer days and on windy days, there is considerable dust in the air as I run the levees and I always worry about the mercury / lead / cadmium and other heavy metals in the dust which I am breathing.

Has anyone analyzed the dry mud on the levees and done a hazard assesment for those who traverse these areas on a regular basis?

Best regards,

Robert Greenhouse
(510) 673-8041 (cell)

**County of Santa Clara
Parks and Recreation Department**

298 Garden Hill Drive
Los Gatos, California 95032-7669
(408) 355-2200 FAX 355-2290
Reservations (408) 355-2201
www.parkhere.org



May 25, 2016

Brenda Buxton, Deputy Bay Program Manager
State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

Subject: Notice of Availability of a Final Environmental Impact Statement/Environmental Impact Report for the South Bay Salt Pond Restoration Project, Phase 2

Dear Ms. Buxton,

The County of Santa Clara, Parks and Recreation Department ("County Parks Department"), has reviewed the Notice of Availability of a Final Environmental Impact Statement/Environmental Impact Report for the South Bay Salt Pond (SBSP) Restoration Project, Phase 2. The SBSP Restoration Project is an effort to restore tidal marsh habitat, reconfigure managed pond habitat, maintain or improve flood protection, and provide recreation opportunities and public access in former salt-evaporation ponds. Phase 2 of the Project includes breaching more levees and/or building habitat transition zones in several locations, including the Alviso A8 Ponds. This comment letter will focus on the Alviso A8 Pond Cluster (Ponds A8 and A8S and the levees surrounding each) that is situated adjacent to two County Parks Department-owned facilities: Alviso Marina County Park and Sunnyvale Baylands. Sunnyvale Baylands is leased and managed by the City of Sunnyvale.

The County Parks Department previously sent a letter for the Draft EIS/R for the overall South Bay Salt Pond Restoration Project in 2007 and this letter reiterates some of the concerns mentioned in that letter. The County Parks Department respectfully recommends as the Project moves forward, work carried out will make as much consideration as possible of the existing recreational uses at Alviso Marina County Park.

The Alviso Marina County Park's boat launch facility, a designated site for the San Francisco Bay Area Water Trail, is located downstream of the A8 reversible armored notch in Alviso Slough. The facility consists of two launch ramps, one of which is a low float for hand launching of non-motorized boats and the other is for launching motorized vessels. Sediment deposition in this location, particularly buildup on and around the launch ramps, has impacted the facility and



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has caused damage to the docks, as seen in Figure 1. If left in this condition, the sediment buildup could result in a public safety hazard. For this reason, the County Parks Department has been removing the sediment to improve the condition.



Figure 1. Alviso Marina County Park: Sediment buildup beside the boat launch.

Both Alternatives, A8 A and A8 B, may not fully address the sediment buildup on the boat launch facility. The County Parks Department respectfully requests that as the SBSP Restoration Project proceeds with the bathymetric surveys to include the area near the Alviso Marina boat launch facility, and to share the results with the County Parks Department. If sediment deposition and reduced scouring continues to be an issue, mitigation measures such as dredging of Alviso slough in the area of Pond A8, should be considered to maintain access to Alviso Slough and the San Francisco Bay Area Water Trail.

Additionally, the County Parks Department is charged with the planning and implementation of *The Santa Clara County Countywide Trails Master Plan Update (Countywide Trails Plan)*, an element of the Parks and Recreation Section of the County General Plan adopted by the Board of Supervisors on November 14, 1995. Although responsibility for the actual construction and long-term management of individual trail segments varies depending on their jurisdiction, the County Parks Department provides general oversight and protection for the overall trail system. The existing trails and proposed trail routes located near Alviso A8 Pond Cluster are as follows:



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- ***San Francisco Bay Trail*** (Route R4) – This partially existing trail provides a regional connection along the San Francisco Bay shoreline. A portion of the trail traverses south of Alviso A8 Pond Cluster, within Alviso Marina County Park, and around Ponds A9-A14. It is designated for hiking and cycling.
- ***Juan Bautista de Anza National Historic Trail*** (Route R1-B) – This partially constructed trail is located along the San Francisco Bay. The trail in this Project area aligns with the San Francisco Bay Trail as described above. This route not only serves a regional connection, but also a historic purpose. The National Historic Trail (NHT) connects Nogales, AZ to the San Francisco Bay Area.

Thank you for the opportunity to comment on the Notice of Availability of a Final Environmental Impact Statement/ Environmental Impact Report for the South Bay Salt Pond Restoration Project, Phase 2. The County Parks Department appreciates the opportunity to coordinate with the SBSP Restoration Project on future project objectives and restoration activities. If you have any questions regarding these comments, please feel free to contact me at (408) 355-2299 or via email at Annie.Thomson@prk.sccgov.org.

Sincerely,



Annie Thomson
Principal Planner



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