

SOUTH SAN FRANCISCO BAY SHORELINE STUDY
SCOPING COMMENTS

Appendix C Public Scoping Meeting Summary (January 25, 2006)

Pursuant to the National Environmental Policy Act (NEPA) (40 C.F.R. §1506.6(c)) and the California Environmental Policy Act (CEQA) (14 C.C.R. §21083.9), the project sponsors, the United States Army Corps of Engineers (USACE), California Coastal Conservancy (CCC), and the Santa Clara Valley Water District (SCVWD) held a public scoping meeting on January 25, 2006, from 5:30 to 8:30 P.M., at the Milpitas Community Center, City of Milpitas, California. The meeting, which provided an overview of the Shoreline Study, the NEPA/CEQA process, and an explanation of the relationship between the Shoreline Study and the South Bay Salt Pond Restoration Project, was attended by 36 people.

Opening remarks were provided by the project sponsors, brief presentations were given, and a question and answer period was provided following the presentations. Table 1 provides a summary of the questions, comments, and responses to the project sponsor's various presentations. Table 2 presents the formal comments provided in writing at the scoping meeting, by mail, or via the project website. Where applicable, the commenter's name and organization was provided. Not all questions and comments were responded to. The official comment period ended on February 6, 2006.

Table 1 Question/Comments in Response to Scoping Meeting Presentations

Questions/Comments	Response
Subject: Timeline	
<ul style="list-style-type: none"> • Opportunities to accelerate the USACE’s study schedule. 	<p>USACE:</p> <ul style="list-style-type: none"> • The current feasibility study schedule is very aggressive for a project of this magnitude. • Congress appropriates money annually, rather than providing funding upfront. <p>CCC:</p> <ul style="list-style-type: none"> • Local Sponsors should lobby Congress and the Administration for earlier funding. <p>SCVWD:</p> <ul style="list-style-type: none"> • SCVWD lobbies Congress annually and this project is high on our agenda.
Subject: Cooperation	
<ul style="list-style-type: none"> • A great deal of work has been accomplished. Cooperation is very important. • Glad to see Senator Feinstein’s office represented. 	<p>No Response.</p>
Subject: Salt Pond Study vs. Shoreline Study	
<ul style="list-style-type: none"> • Examples of what things cannot be done during Phase I of the Salt Pond Study that can be by the Shoreline Study. • Does the USACE have the skill and knowledge to approve all aspects of the Salt Pond and Shoreline Studies? 	<p>CCC:</p> <ul style="list-style-type: none"> • Key component: building levee structure to protect Alviso and Moffett Field from flooding. Levees will represent approximately 40 to 50 percent of costs; Federal money must be identified. <p>SCVWD:</p> <p>Currently, there is no flood protection along the Bay, restoration can be done, but without the USACE, we cannot complete all</p>

	<p>aspects of the projects.</p> <p>USFWS: Breaching the levees is part of the Salt Pond Study; without the flood protection (part of the Shoreline Study), levee breaching will not happen.</p>
<ul style="list-style-type: none"> The [Shoreline Study] that will follow the Salt Pond Study will be at the project level, will it identify where the levees will go? 	<p>USACE:</p> <ul style="list-style-type: none"> The levee design/placement will be developed to a level of detail to adequately determine the environmental impacts and the costs. <p>CCC:</p> <ul style="list-style-type: none"> Salt Pond Project: CCC will be at 5 percent level of design; USACE at 35 to 40 percent level. The levees may move 100 yards in the final design.
Subject: Other Studies	
<ul style="list-style-type: none"> Implementing other EIRs and studies. 	<p>CCC:</p> <ul style="list-style-type: none"> We're taking advantage of what has been done before; please provide information regarding completed studies. The Salt Pond Study feeds directly into the Shoreline Study. <p>USACE:</p> <ul style="list-style-type: none"> The authorization focuses on tidal flooding.
Subject: Flooding	
<ul style="list-style-type: none"> Cargill is the only people who have helped with flooding in the South Bay; now it is water flooding coming down the river. 	<p>CCC:</p> <ul style="list-style-type: none"> The key is to combine tidal and fluvial events. How these water interact will need to be examined.
Subject: Comment Submission	
<ul style="list-style-type: none"> Will submitted comments be formally responded to? 	<p>Facilitator:</p> <ul style="list-style-type: none"> Collected comments will be summarized into a scoping

	<p>report. Formal comments submitted during the scoping period will not be responded to; however, formal comments on the EIR/EIS will be responded to in writing. The comment period ends February 6, 2006.</p>
--	---

Table 2. Summary of Formal Comments

Name	Organization	Summary of Question/Comment	Summary of Response
Subject: Timeline			
Not provided	NA	<ul style="list-style-type: none"> If the timeline is not met, who is responsible? 	<p>Facilitator:</p> <ul style="list-style-type: none"> The schedule is expedited as well as the number of people working on it. <p>USFWS:</p> <ul style="list-style-type: none"> We take full responsibility.
Subject: Salt Pond Study, Shoreline Study, and Other Projects			
Not Provided	NA	<ul style="list-style-type: none"> Is the Shoreline Study going to examine the percentage of work complete as the Salt Pond Study progresses? 	<p>CCC:</p> <ul style="list-style-type: none"> We will evaluate the cost/benefit of habitat units with the Salt Pond Study. We will have to plan the Salt Pond Study showing the potential landscape study and have these integrated into the flood control elements. The best Federal investment in the Shoreline Study may not be the ‘locally preferred project’; we’re trying to get them as close together as possible. If the two project alternatives do not agree, we may either 1) end up with a different vision of the landscape or 2) end up with less Federal money.
Not Provided	NA	<ul style="list-style-type: none"> How are the Salt Pond and Shoreline Studies integrate with the USACE’s San Francisquito Creek Project 	<p>USACE:</p> <ul style="list-style-type: none"> The USACE is utilizing the same lead planner on both projects.
Not provided	NA	<ul style="list-style-type: none"> Timing of the Salt Pond and Shoreline Studies will not match up. 	<p>USACE:</p> <ul style="list-style-type: none"> The projects have to incorporate each

			<p>other into their respective analysis. If the Shoreline Study comes up with a recommended and authorized plan, then the San Francisquito Creek Study develops a plan, and we don't participate in the project by then, this will be incorporated into our cost/benefit ratio of San Francisquito Creek and potentially alter the optimal solution. We would then have concrete designs with the Shoreline Study, until then, we are using assumptions and the final design might change.</p> <p>CCC:</p> <ul style="list-style-type: none"> We also need to consider the Sacramento Levees and the various bills in the legislature (achieve 100 and 200-year level of flood protection and establish a state goal for levels of flooding). The state promises to pay back to local areas for flood protection...there could be substantial support from Sacramento that may benefit our community.
Paula Bettencourt	City of Mountain View	<ul style="list-style-type: none"> City of Mountain View is interested in impacts of these projects on Charleston Slough and Steven's Creek Tidal Marsh, as restoration projects are going on in the area. 	No response.
Dan Bruinsma		<ul style="list-style-type: none"> The City of San Jose is preparing a master planning effort on the [water] plant property; how 	<p>SCVWD:</p> <ul style="list-style-type: none"> Provide a timeline when you need this

		do we coordinate the various projects with this effort; involving flood control and habitat issues, as well as others?	information. Facilitator: <ul style="list-style-type: none"> We are trying to identify what these projects are by February 6, 2006. Please provide what the project is, who the contact is, project location within the shoreline study footprint, and a timeline.
Robert Shaver	Engineering Manager	<ul style="list-style-type: none"> Notify Alameda County Water District for Alameda County Work and well abandonment. 	No Response
Glen S. Roberts	Public Works Director, City of Palo Alto	<ul style="list-style-type: none"> Ensure the San Francisquito Creek and Shoreline Studies are well coordinated. 	No Response.
Subject: Potential Impacts and EIR/EIS Considerations			
John Stuffle Bean	Director, City of San Jose, Environmental Services	<ul style="list-style-type: none"> City concerned with economic impacts associated with potential flooding of waste water treatment plants in the Silicon Valley (costs of downtime, environmental damage, etc.). Suggests clarifying points on: site specific design (A18), riparian corridors, upland habitats, uses of recycled waste water, infrastructure associated with public access, and extension of the study area to the 200-year flood. 	No Response.
Eileen McLaughlin		<ul style="list-style-type: none"> Consider sensitive species in 100-year floodplain and upland species in the floodplain (e.g., burrowing owl). Consider flooding impacts on landfills. 	No Response.
Libby Lucas	CNPS	<ul style="list-style-type: none"> Consider anadromous fisheries and impacts to food sources for birds. 	No Response.

Paula Bettencourt	City of Mountain View	<ul style="list-style-type: none"> Flood impacts to Mountain View and North Bayshore area. 	No Response.
Major Jeff Waldman (two formal submission)	Air Force Moffitt Field	<ul style="list-style-type: none"> Consider potential increased risk of bird strikes by air crafts in the vicinity of Moffitt Field Manage two-mile radius area around airfield to reflect the goals of the project. 	No Response.
Anthony Novak	USDA Wildlife Services	<ul style="list-style-type: none"> Consider potential increased risk of bird strikes by air crafts in the vicinity of Moffitt Field. Minimize attractiveness of to waterfowl within a two-mile radius of airfield (full conversion to tidal marsh, make open water deeper, prevent the inclusion of internal islands). 	No Response.
Subject: Flooding			
Glen S. Roberts	Public Works Director, City of Palo Alto	<ul style="list-style-type: none"> City of Palo Alto Flooding. The City of Palo Alto would like to maintain capacity of the Palo Alto Flood Basin, located within the study area. 	No Response.
Laura Thompson	Non-Profit	<ul style="list-style-type: none"> Consider public access improvements to the Bay Trail. 	No Response.
Joe Teresi	City of Palo Alto	<ul style="list-style-type: none"> Priority is to take businesses and residents out of the FEMA floodplain; will the preferred alternative include this? 	USACE: <ul style="list-style-type: none"> We have to identify the most cost-effective plan, as such, it is a possibility. In order to remove businesses and residents from the FEMA floodplain, there has to be at least a 100-year floodplain; the local community has to pay the difference if not.
Joe Teresi	City of Palo Alto	<ul style="list-style-type: none"> Is FEMA reassessing the tidal flood elevations? If so, what is the status? 	USACE: <ul style="list-style-type: none"> The USACE and FEMA have been

			working closely [on this issue]; we are coordinating our methods with theirs.
Not Provided	NA	<ul style="list-style-type: none"> • What specific floods are being analyzed in terms of years? 	SCVWD: <ul style="list-style-type: none"> • San Jose, Palo Alto, Sunnyvale, etc.; it is something we need to discuss further.
Joe Teresi	City of Palo Alto	<ul style="list-style-type: none"> • If a levee is improved in the area of the Palo Alto Flood Basin, it would make more sense to improve the outer levee, rather than the inner, in order to retain the volume needed to contain runoff. 	Facilitator: <ul style="list-style-type: none"> • Please put that in a letter.
Subject: Permits			
Dwight Sanders	Chief, State Lands Commission	<ul style="list-style-type: none"> • Encroachment onto State Lands – permit requirements. 	CCC: <ul style="list-style-type: none"> • No permits required for study.
Subject: Cost and Cost Effectiveness			
Not Provided	NA	<ul style="list-style-type: none"> • If the [USACE's] most cost effective project would result in not removing businesses and residents from the 100-year flood plain, would the flood district increase funding to make that happen? 	SCVWD: <ul style="list-style-type: none"> • Whatever the alternative is, it will be expensive; we need to determine a strategy for funding (grants, federal funds, state funds, etc.). The Clean Safe Creeks program uses Santa Clara County taxes for flood protection and we are looking into a Clean Safe Creeks II. Financing is a big issue.
Not Provided	NA	<ul style="list-style-type: none"> • If a 100-year plan is too expensive, what process will determine the most cost-effective project? 	USACE: <ul style="list-style-type: none"> • Benefit-to-cost ratios. We figure out the approximate cost of each alternative and weigh the cost against the projected benefits (flood damage reduction). Then we figure out what alternative has the

			<p>biggest benefit with the least costs and pick that plan. Several issues will be analyzed.</p> <p>CCC:</p> <ul style="list-style-type: none"> • Getting businesses and residents out of the floodplain is an objective; we want to make sure we include the right FEMA people and make sure the standards and models are correct.
Dan Bruinsma		<ul style="list-style-type: none"> • Capture the costs of including specific areas [San Jose, Palo Alto, Sunnyvale, etc.] in the study. 	<p>USACE:</p> <ul style="list-style-type: none"> • It would take an event like a 200-year flood to do that kind of damage and these types of flooding events occur very infrequently. This may not have a big impact on the cost-benefit analysis. <p>CCC:</p> <ul style="list-style-type: none"> • Please provide any information regarding major impacts to the community [resulting from these projects].
Dan Bruinsma		<ul style="list-style-type: none"> • Does the study look at the cost to the community if the waste water treatment plant goes under or if industry is shut down and people cannot work? 	<p>USACE:</p> <ul style="list-style-type: none"> • Economic impacts associated with flooding will be examined at the appropriate level of detail.