

South Bay Restoration Plan Excerpts

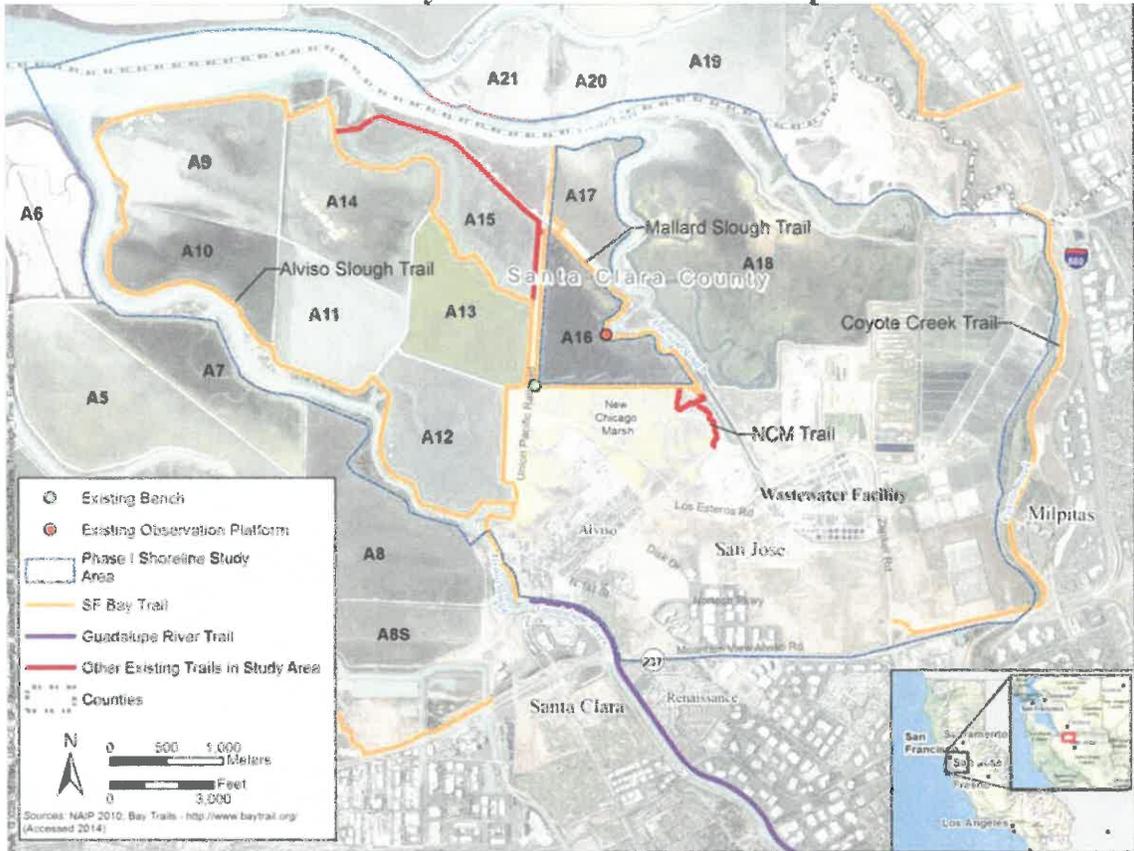


Figure 3.7-5. Existing Project Area Recreational Trails System

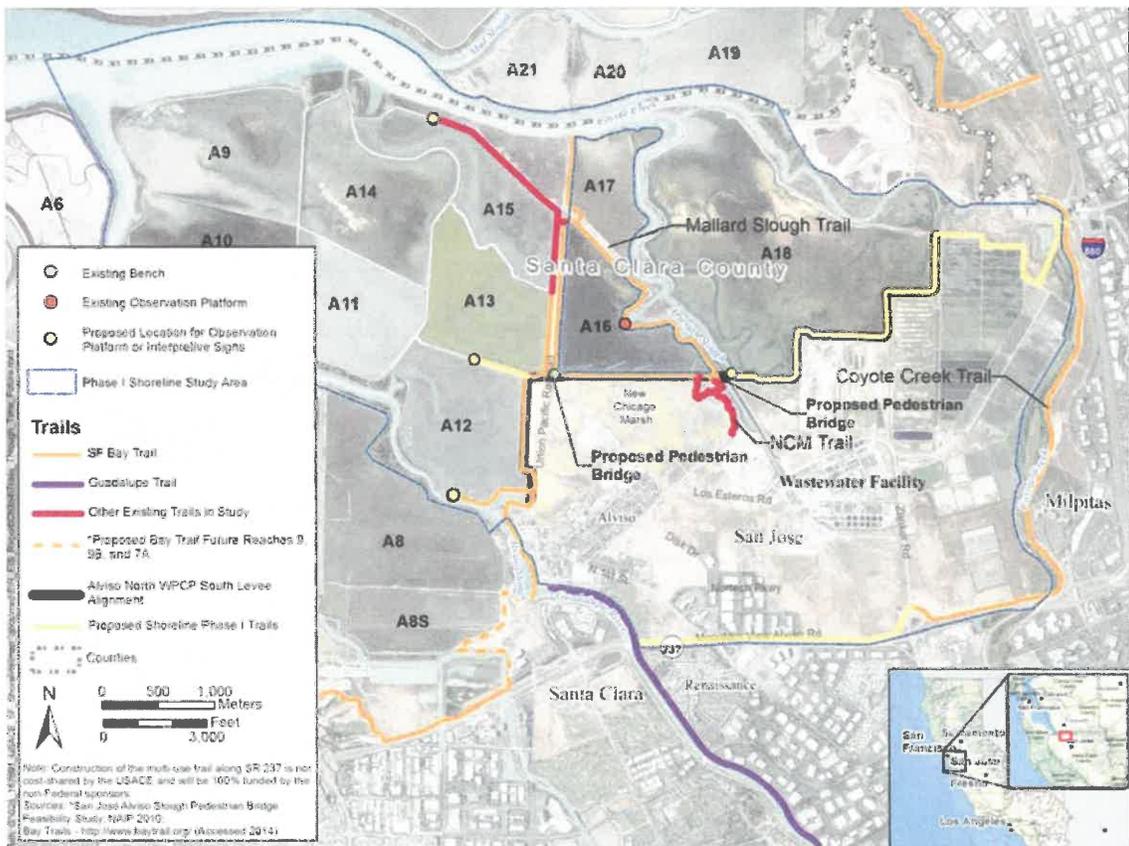


Figure 3.7-6. Future Project Area Recreational Trails System

BCDC Commission meeting June 21-2018 comments

Comments:

California State Parks is interested in facilitating and providing funding for a zero-emission recreation demo and multi-use park at the San Jose/Santa Clara water treatment plant. The park would include a nature center, five separate habitat kiosk and viewing areas, miles of paved walking and biking trails, an E-bike and BMX park next to planned development and a managed E-bike and mountain bike trail system.

The park would restore hundreds of acres reclaimed from treatment plant operations that are currently sludge drying ponds. Park staff would provide habitat and species stewardship. The park could include a loop trail on the levee around pond A18. (edit: pond A18 is not part of the Don Edwards Nature Preserve)

This park concept has interest from Santa Clara, CA State Parks, CARB and National Parks among others, and support from Assemblymember Kansen Chu and Supervisor Dave Cortese. (edit: Congressman Ro Khanna has been made aware of the project and is in favor) With the passage of Prop 68, CARB greening and other grants, hundreds of millions of dollars of funding is available.

Two important goals of the OHMVR Division of California State Parks in their strategic plan is to promote zero emission vehicles and open urban parks to reduce emissions system-wide. CARB also see this concept as a way to promote zero emission vehicles and offset pollution from gas burning 2-stroke vehicles.

A goal of the South Bay restoration project was to maintain recreation, but we are losing unprecedented access to nature and wildlife with the 9-mile loop trail out on the bay. Mitigating it with a paved trail along highway 237 and the zig-zag levee trail past garbage dumps and the sewage plant does not come close to equaling what was lost. (edit: the zig-zag trail and highway bike trail were part of existing plans regardless. This plan does not actually add trails to the existing overall area plans)

As mitigation for the lost trail a new park trail loop around pond A18 should be allowed while breaching and bridging the existing levee. Mitigation for allowing a new pond A18 loop trail could be satisfied by the park being responsible for creating more water bird nesting islands in pond A18 and providing the species and habitat stewardship staff and funding for the pond in perpetuity.

The pond trail would be an important aspect of the park to get families and the elderly/disabled out into nature and on the bay with docent or self-guided tours. Having the loop trail as part of an official park will allow for controlled use such as seasonal closures and park staff for law enforcement and environmental stewardship.

Recreation is the third most important goal of the project but is lacking in the plan. Where were the stakeholders for this aspect of the plan? Recreation is mentioned hundreds of times in the plan and increasing recreation is part of almost all the stakeholder's general plans. Why were there no city or county or state or even national park agencies as stakeholders? The recreation additions in the project are a couple of benches and a few miles of unattractive trails while losing the loop trail.

The plan does not retain the level of existing recreation and what replaces it is inadequate. This plan is unbalanced without any recreation stakeholders and needs more recreation to be balanced. The plan had no stakeholders representing recreation and inadequate public input. The Lead Agency should prepare a supplement to the EIR with the changed situation of potentially having a new loop trail on pond A18 as per CEQA Guidelines §15163.

Public outreach and input was inadequate with only 4 private citizens commenting on the plan as shown in Appendix I, Table I.1. I personally never heard about any public input opportunities. The notices were only posted on obscure websites. The park I mentioned has a petition which garnered over 500 local signatures and hundreds of positive comments in under 30 days.

California State Parks would entertain stakeholder status. The Chief and Deputy Director of the Division have offered to meet with any local officials.

Prop 68 or other funding should be explored for smoothing out the zig-zag levee to be more natural. All the adjacent levees fit in with nature, the zig-zag has a painfully man-made appearance.

Trail connectivity is hailed in the project plan while at the same time, discouraging commuting with bikes on the levee by not paving is stated in the plan and reducing the potential numbers of people who might use the Refuge trails to connect between the existing Coyote Creek section of the Bay Trail and Sunnyvale is stated as a beneficial impact.

Connecting commuting routes should be a priority to get more people out exercising and out of their cars. To encourage commuting by E-bikes, a separate trail on the inland side of the levees should be included. Create a terraced levee with the separate inland, down slope trail reserved for E-bikes and other zero emission personal transportation that would normally cause conflicts with hikers and bicycles. The down-slope location of the “commute” trail will be visually screened from refuge visitors and wildlife. The more people not commuting by fossil fuel burning cars the better for the refuge, sea rise and all of us and should be encouraged, not impeded.

As stated in the plan; Under the McAteer-Petris Act, the BCDC requires locations for water-oriented land uses and increased public access to shoreline and waters and encourages the provision of maximum feasible public access to the bay and its shoreline, The San Francisco Bay Plan contains policies that encourage the development of waterfront recreation facilities and linkages between existing shoreline parks and requires the provision of these opportunities in relationship to sensitive biological species, habitats, and future restoration of managed ponds. The BCDC amended the Plan in August 2005. The amendment focuses on the significance of the need to maximize public access and recreational opportunities along with the environmental aspect. The amendment failed to meet that goal.

Questions:

Does the project have jurisdiction over pond A18 and the levee around it? Would the treatment plant authority be able to open a loop trail around their pond as part of a multi-use park if desired?

Is Phase I and specifically any work on the A18 levee delayed by federal funding?

What is the official procedure to amend the project plan? Who can initiate a supplemental EIR? Would any action by Congress be able to save the pond A18 levee from destruction?

References from plan:

The purpose of the Shoreline Study is to decrease flood risk, restore tidal marsh habitat, and maintain recreational opportunities.

The lead agencies have designed the new proposed levee-top routes (maintenance roads that could be used as trails) to remain gravel. Leaving this trail unpaved would promote its use for educational tours and bird-watching over its use as a commuter route.

One of the proposed trail improvements that would be funded by the non-Federal sponsors (i.e., is not cost-shared by the USACE) is creating a paved section of the planned Bay Trail along SR 237. Once this trail is paved and linked to other existing Bay Trail segments, users would be able to quickly and more safely pass through the area. This would have the added benefit of reducing the potential numbers of people who might use the Refuge trails to connect between the existing Coyote Creek section of the Bay Trail east of the study area and the Sunnyvale section of the Bay Trail west of the study area for purposes other than Refuge visitation. Trail users would still be able to easily access the Refuge trails but would have the option of using the more direct, paved SR 237 trail. This is a beneficial impact.

Pond A18 (about 860 acres), owned by the City of San José, is also included in the Shoreline Phase I Study Area, although it is not included in the SBSP Restoration Project study area and is not covered in the SBSP Restoration Project Programmatic EIS/EIR. Although Pond A18 was not considered in the SBSP Restoration Project, primarily due to not being a USFWS-managed property, the actions being proposed for the pond are similar to those proposed for the rest of the Alviso Complex ponds, and the addition to the Shoreline Phase I Study Area is consistent with the goals for the greater South Bay tidal restoration”. Pond A4, owned by the Santa Clara Valley Water District (SCVWD), and Pond A18, owned by the City of San Jose, are not part of the SBSP Restoration Project; therefore, the condition of these ponds was assessed through coordination with the respective landowner.

Dean Stanford
510-676-3339

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August 31, 2018

Kerrie Romanow
Director, Environmental Division
200 E. Santa Clara St, 10th floor
San Jose, CA 95113-1905

Dear Director Romanow,

A constituent, Dean Stanford, approached me regarding a proposal to add an additional recreational component to the South Bay Shoreline Project. As you know, Dean has been actively engaged in pursuing a specific proposal to provide an all-electric recreational vehicle demonstration and multi-use park on pond A18 adjacent to the San Joe Waste Water Treatment Plant. I understand that Dean was informed that he has time to petition the City of San Jose for this preferred use of pond A18. I encourage you to respond to this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Cortese". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dave Cortese
Santa Clara County Board of Supervisors

RO KHANNA
17TH DISTRICT, CALIFORNIA

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Martin Kodis
Chief, Division of Congressional and Legislative Affairs
U.S. Fish and Wildlife Service
U.S. Department of the Interior
5275 Leesburg Pike, 2N035
Falls Church, VA 22041

Dear Mr. Kodis,

Enclosed is a copy of the correspondence I have received from my constituent Dean Sanford, concerning the South Bay Shoreline Project. Mr. Sanford detailed his plan to expand the recreational area available at the Don Edwards Wildlife Refuge.

Mr. Sanford is concerned about the South Bay Shoreline Project, which is sacrificing a nine-mile San Francisco Bay loop trail for environmental restoration. Mr. Sanford finds the recreation area expansion plan within this project to be insufficient, with unattractive trails between active landfills, the sewage treatment plant, and along the freeway. Mr. Sanford has instead proposed a plan to expand recreation area nearby.

I am supportive of environmentally-friendly recreation and efforts to protect our parks and preserve our environment. It is our responsibility to keep our planet healthy and safe for our children and future generations. One way to do that is to expand open spaces, and as a representative from the Bay Area, I recognize the importance of expanding the public park space that makes the land around the San Francisco Bay beautiful.

I encourage you to give full and fair consideration to Mr. Sanford's proposals consistent with all applicable laws and regulations. If you need any additional information from my office, please contact Kevin Fox either by email at kevin.fox@mail.house.gov or by phone at 202-225-2631. Thank you for your attention and consideration of this request.

Sincerely,



Ro Khanna
Member of Congress

CC: Jennifer Greer, US Army Corps of Engineers



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Southwest Region
2800 Cottage Way, Room W-2606
Sacramento, California 95825-1846

In Response Reply To:
FWS/R8/068613

The Honorable Ro Khanna
United States House of Representatives
Washington, D.C., 20515

Dear Representative Khanna:

Thank you for your letter of July 19, 2018, regarding concerns from your constituent, Dean Stanford, about recreational access at the South Bay Shoreline Project (project). The U.S. Fish and Wildlife Service (Service) is a key partner in the Project and appreciates ongoing input from the public on improving recreation at Don Edwards San Francisco Bay National Wildlife Refuge (Refuge).

The project, led by the U.S. Army Corps of Engineers, will rebuild levees that provide critical flood protection to communities in San Jose, as well as the San Jose-Santa Clara Regional Wastewater Facility. While the levee design must meet flood control standards and allow truck access for maintenance, the project will also provide new opportunities for public recreation and restore important wildlife habitat. The project will provide trail connectivity to the Guadalupe River/Alviso Slough, Coyote Creek and the Regional Bay Trail. Though breaching and habitat restoration have necessitated a gap in some loop trails, the project also includes 10.6 miles of new and enhanced trails. New pedestrian bridges and observation platforms along the flood levee will further improve trail connectivity.

As Mr. Stanford mentioned in his letter, some Refuge lands are part of the project. However, the portion of the project along Pond A-18, in which Mr. Stanford is advocating for expanded recreational access, is not part of the Refuge and is owned by the city of San Jose. We encourage Mr. Stanford to continue to engage with the city on that aspect of the project.

Thank you for your interest in this important project. For any additional questions or concerns, please contact the Service's Pacific Southwest Refuge Chief, Ms. Polly Wheeler, at (916) 414-6476 or Polly_Wheeler@fws.gov.

Sincerely,

Paul Souza
REGIONAL DIRECTOR