



To: South Bay Salt Pond Restoration Project Team, Shoreline Study Partners

From: Center for Collaborative Policy

Re: Outcomes from the June 6, 2007 Alviso Working Group Meeting

Background: The South Bay Salt Pond Restoration Project/South San Francisco Bay Shoreline Study held the first meeting of the Alviso Ponds and Santa Clara County Working Group (Working Group) on Wednesday, June 6, 2007 from 2:00 p.m. to 5:00 p.m. at the San Jose/Santa Clara Water Pollution Control Plant in San Jose. The Working Group is being convened to provide ongoing input and advice to the South Bay Salt Pond Restoration Project Management Team (PM Team) and the partners of the South San Francisco Bay Shoreline Study (Shoreline Study) on Phase 1 restoration implementation and flood protection planning.

Meeting Attendance: Attachment 1 lists meeting participants.

Meeting Materials: In advance of the meeting, Working Group members were provided a meeting agenda and a draft Working Group charter. At the meeting, Phase 1 actions and Shoreline Study handouts were available, as well as a South Bay Salt Pond Restoration Project brochure and FAQ document. Most presentations are available on the SBSP Project website (www.southbayrestoration.org). Attachment 2 is the meeting's flip chart notes.

Substantive Meeting Outcomes:

1. Welcome and Opening Remarks

Clyde Morris, Manager of the U.S. Fish and Wildlife Service's Don Edwards San Francisco Bay Wildlife Refuge, welcomed everyone and asked members of the new Working Group and other attendees to introduce themselves.

He discussed the purpose of the Working Group and gave an overview of the agenda. He thanked those who submitted comments to the Restoration Project draft EIS/R, and explained that the day's presentations would not reflect those comments, which are in the process of being analyzed. At this meeting, participants have the opportunity to provide more detailed input on the draft Phase 1 actions. He also provided an explanation of adaptive management.

2. Work Group Charter

Mary Selkirk from the Center for Collaborative Policy, Lead Facilitator, welcomed those new to the Restoration Project and introduced the draft charter for the Working Group. The charter provides the group with a mission and set of operating rules. The group's purpose is twofold: first, to serve as a forum for people who live, work and recreate in the area to provide input on the Phase 1 actions and the Shoreline Study; and second, to engage the broader public in the region and help project managers be creative in developing funding for the project.

Among questions and comments, one Working Group member asked that language in the charter under Membership that lists potential areas of member interest be changed; specifically, that the term "homeowners associations" be broadened to include neighborhood associations or other organizations that include tenants as well as property owners. Another participant asked that one of the purposes of the group be to consider the effects of sea level rise on the project in the Alviso area. Selkirk responded that the terminology would be changed to incorporate their suggestions.

The group then supported the Charter.

3. Schedule for SBSP Project

Steve Ritchie, Executive Project Manager of the South Bay Salt Pond Restoration Project, presented a PowerPoint of the Project's schedule. Currently, the PM Team and consultants are working through 305 pages of 80 comments to the draft EIS/R and expect to complete a final EIS/R by late summer or fall. A Record of Decision and Permitting is expected to be obtained by the end of 2007. Phase 1 implementation would occur over the next two years, and could potentially continue into 2010. Future actions and phases would occur over the next 30+ years.

A questioner asked whether there is any discussion of climate change. Ritchie said the EIS/R analyzes potential climate change impacts and project managers are working to make the project adaptable to climate change.

4. USFWS Compatibility Determination

Clyde Morris gave a PowerPoint presentation on the mission and purposes of national wildlife refuges in general and the Don Edwards wildlife refuge in particular. The USFWS is the property owner of the Alviso Ponds area, and congressional mandates give preeminence to conserving, managing and restoring wildlife resources. One of the purposes of the Don Edwards refuge is providing opportunities for wildlife-oriented recreation and nature study, but this can only occur in a way that does not impact wildlife purposes.

5. Phase 1 in Alviso

Clyde Morris, Steve Ritchie and Project Lead Scientist Lynne Trulio presented the Project Phase 1 actions in Alviso.

Pond A6

Actions: Breaches will occur on the levee in four places and on the road to the PG&E transmission line. Ditch blocks will be placed in the pond to direct water into historic channels. A portion of the levee will remain high to protect from wind, and certain portions will be retained to provide nesting for California gulls. There will be no public access. The cost is \$1.5 million; one third of that is for monitoring and applied studies.

Questions:

One questioner asked if there will be a trigger in place if gulls resettle elsewhere. Project Lead Scientist Dr. Lynne Trulio said researchers will band and radio tag as many gulls as possible and possibly flood a portion of the pond to see how gulls react.

Other questioners sought further information on sedimentation, levee erosion and scouring.

Pond A8

Actions: A 40-foot-wide notch will be inserted in the levee on Alviso Slough, and initially opened to 20 feet. A channel will be dredged from the notch to the slough downstream of the Guadalupe River. It is expected that the incoming water will fill A8 and flow into ponds A5 and A7, raising their water level about 2 feet, and scour out this section of Alviso Slough. The scouring is expected to increase the slough's salinity, increase its capacity to contain flood flows and aid boat navigation. The tidal action will be controlled to avoid eroding the levee at nearby pond A12, which protects San Jose and Alviso from flooding. If possible, the notch will be opened to 40 feet.

Ritchie noted a major concern about mercury: These ponds have higher levels of mercury than the rest of the Bay because of proximity to the New Almaden Mine. He noted that the Project is engaged in an ongoing assessment to determine the feasibility of opening up Pond A8 without causing unacceptable problems with mercury and mercury uptake. If it appears there could be health effects on wildlife or people, the notch will be closed. The A8 actions and studies will have significant implications for management of other ponds, in terms of mercury, scouring and increasing salinity.

Questions/concerns:

PM Team members were asked if other legacy toxins, such as DDT, PCBs and chlordane, were being investigated. Steve Ritchie responded that there have been some core sampling and assessment of sentiments in Alviso Slough, and the Santa Clara Valley Water District has done research for its Alviso Slough Restoration Project.

Questioners asked about the level of methylmercury in the area, and if Alviso Slough might show a spike in mercury as it is scoured. In the discussion that followed, Steve Ritchie said concentrations in the area were found to be relatively uniform, about three times the Bay's background level. This level was expected, given the proximity of the mine, but would not be considered alarmingly high. Studies showed the top few centimeters of sediments had higher methylmercury levels. One question researchers will investigate is whether the methylmercury moves into the ponds or out into the Bay.

Current monitoring is looking at sentinel species to determine where the chemical enters the food chain. Biota are sampled seasonally when present before, during and after breeding (both young and parents).

Clyde Morris said the adaptive management studies have not been designed yet and it will be important to consider the possibility of a spike, and look for longer-term data before making management decisions. Additional comments noted that the Alviso Slough is a dead-end, with a historic sediment buildup of 50 years, and suggested that the timing of the breach would be important, and opening it in March would maximize flushing.

Concern:

In regards to sedimentation, one questioner raised concerns about whether the changes could increase sediment buildup near the new boat launch. Clyde Morris said the notch was placed at the southern end of the pond so the boat launch will not be affected.

Suggestion:

A commenter also asked that the channel to be dredged from the notch to Alviso Slough be reconfigured to follow the contours of the old Guadalupe channel, visible on the aerial photograph.

Pond A16

Actions: Actions at this pond will inform studies to determine optimal design and management for accommodating wildlife species that depend on ponds. More ponds can be restored to tidal wetlands if remaining ponds are able to accommodate a more dense population of birds.

Applied studies in Phase 1 will look at increased diversity of bird use through the construction of small levees and nesting islands, and management of pond water levels for optimal feeding. In addition, variations in public access, such as restrictions on certain trails, or of bicycles and large groups, will be tested at the pond to study the impacts on wildlife.

A viewing platform will also be erected at this pond.

The cost of building the islands could be high if there is a hard gypsum layer at the pond bottom.

Feedback and Recommendations:

One commenter asked that the Project look at ways to use sediments from local watersheds.

Another commenter said he thought it was unlikely that gypsum would be found at A16, as it had probably been precipitated out by the influx of fresh water, as occurred in ponds A11 and A14.

Recommendations:

One Working Group member asked that public access be maintained along Artesian Slough, so that there remains access in the area to Coyote Creek.

Another member requested that the platform include a roof or gazebo for protection from sun and wind.

Moffett Field section of the Bay Trail

Actions: A 2.5-mile section of the Bay Trail will be opened from the Sunnyvale treatment plant staging area along Moffett Field to the Stevens Creek Nature Study Area and Mountain View Shoreline Park. There will be a gravel surface, interpretive panels, benches and trail signs. The hope is to have it opened by Earth Day. This is an interim trail connection; in the long term, the Bay Trail segment will run on flood control levees that have yet to be designed and built.

According to Clyde Morris, one question will be compatibility: from mid-October to January, hunting is allowed in existing hunting blinds. He noted that there is no safety problem, as the blinds are far enough from the trail, but there will be a view of hunting.

Questions:

One questioner asked about the western pond turtles at the site, and Clyde Morris said the FWS will have to find a way to convince residents not to abandon pet turtles there, as they out-compete the native turtles.

Another questioner asked if baby strollers would be able to navigate over the gravel. Morris said the long-term solution will meet ADA requirements, but the current surface won't be very usable. A funding question will be whether to spend significant amounts of money to add gravel to a temporary trail to make it more friendly to baby carriages and wheelchairs.

Concerns, feedback and recommendations:

The NASA Ames Bike Coalition is anxious to see the trail segment open and is pleased it is in Phase 1. A Bay Trail representative said she gets a call at least once a week asking when this gap will be closed.

One commenter favored a viewing platform where Stevens Creek enters the Bay, a spot with thousands of shorebirds. It could be accessible to wheelchair users.

One commenter said he didn't think it would be necessary to close the trail when hunters are present, and it could be part of adaptive management to monitor the situation. Another said that the communication or education element in signs and interpretive panels will be very important to explain to walkers and bikers that there won't be danger from the shots they hear.

One commenter said there could be conflict between recreational and commuting bikers, as far as speed and shared trail use. A question is whether the trail will be wide enough

to accommodate walkers and bikes through striping. Speeding bicyclists could prompt walkers to jump off. Clyde Morris said this is something that will need to be looked at carefully.

A commenter said the City of Sunnyvale is concerned about limited access points and whether there is sufficient parking. People will want to provide water for their dogs and use restrooms. There are not uniform dog regulations along the trail; Sunnyvale allows dogs, but Mountain View does not. Dog-walkers would be on the trail when they encounter the limitation and would have to turn around to go back. PM Team members said this is an important issue that will be revisited further.

6. Shoreline Study: Status Report

Beth Dyer of the Santa Clara Valley Water District and Yvonne LeTellier of the U.S. Army Corps of Engineers gave a briefing and PowerPoint presentation on the South San Francisco Bay Shoreline Study. Beth Dyer gave an overview of the Study, stressed the elements it shares with the Restoration Project (purpose, personnel involved in the planning process) and highlighted similarities in the objectives. A handout was distributed that lists in detail the objectives of the Restoration Project and Shoreline Study.

The Shoreline Study is being undertaken by the Corps to determine whether there is federal interest in funding flood damage reduction, restoration and recreation. The study is looking at high flood risk in Santa Clara County and the Alviso Pond area of southern Alameda County, and sponsors are looking to dovetail the Study as much as possible with the Restoration Project. The Shoreline Study will look at flood protection in much greater detail than the restoration project, identifying, for example, the cost and placement of levees. It will also identify the most cost effective means of expending federal dollars for the national benefit. Steve Ritchie said that if the Study has determined that a particular project is not cost effective, it will be up to the Bay Area community to determine whether to invest additional dollars above a traditional cost share.

Yvonne LeTellier said that under the Study schedule, the final Study and environmental documentation would be complete in November 2010, and approved by the Corps' Washington, DC headquarters in July 2011. At that point, the Study could move forward as a bill to compete for congressional funding.

Questions:

One commenter said the area is flooded from dams rather than the Bay, and asked how levees would be designed to let floodwaters out to avoid situations such as the 1983 flood. In response, Yvonne LeTellier said the Study is considering flooding from streams as well as the Bay. Beth Dyer said the Study will have to look at that levee issue, and consider pump stations for Alviso.

Concerns re Shoreline Study timeline:

A questioner asked if the Restoration Project would be held up by the schedule of the Shoreline Study. Steve Ritchie said 2015 would be the earliest that projects could be constructed under the Study schedule. That is why the EIS/R lists construction of a set of levees as candidate early actions that might be pursued. Local and state money could be expended upfront and reimbursed by federal dollars.

One commenter expressed concern that there could be a 10-year window between Cargill ownership and a permanent inboard levee system, when the Alviso area might be vulnerable to tidal flooding. Steve Ritchie said the FWS is spending \$1 million this year to maintain levees, and the Project will work to obtain funding every year to make sure they don't degrade.

7. Outreach Opportunities for the Project

Any Working Group members who know of opportunities to communicate about the Restoration Project at local venues, such as community groups, churches, or local advisory bodies, can e-mail the Project's Public Outreach Coordinator, Tracy Grubbs, at t.grubbs@sbcglobal.net.

8. Next Steps

The PM Team thanked the Working Group members for attending. They will be asked to reconvene in early fall, after the Restoration Project EIS/R is complete. At that time, the Phase 1 actions will still be in development and there will be additional opportunity for discussion and input about public access and adaptive management.

The meeting was then adjourned.

**Attachment 1:
Alviso/Santa Clara WG June 6, 2007 Meeting Attendance**

Name	Organization/Affiliation
Paula Bettencourt	City of Mtn. View
Patrycja Bossak	Bay Trail
Betty Brown	AWTF
Ann Clarke	NASA
Luther Dow	PG&E
Eric Dunlavy	City of San Jose
Beth Dyer	SCVWD
Susan Fineberg	Palo Verde Neighborhood Assoc.
Martin Gothberg	Applied Materials
Bob Gross	
Kerry Haywood	Moffett Park Business & Trans. Assoc.
Andrew Ho	NASA
Tom Laine	
Marilyn Latta	Save the Bay
Dan Liddell	
Libby Lucas	CNPS-SC Valley OHAP
Jack Lueder	Silicon Valley Bicycle Coalition
Kristy McCumby	City of Sunnyvale
Sean Michael	SCVWD-EAC
Julia Miller	SF Bay Trail
Nancy Noe	Johnson & Johnson
Rita Norton	SCVWD-EAC
Russ Robinson	RBOC/SBYC
Antoinette Romeo	Santa Clara County Parks
Chris Schwarz	Congressman Mike Honda
Denise Stephens	George Mayne School, Alviso
Kirsten Struve	City of San Jose
Charles Taylor	AWTF
Joe Teresi	City of Palo Alto
Heather White	SJSU
Kirk Willard	Lockheed Martin

Attachment 2: Flip Chart Notes

Alviso Ponds/Santa Clara County Working Group

The following are public comments captured at the Working Group's June 6, 2007 meeting.

Pond A6/Pond A8

→ A-6: \$1.5 includes const. & applied studies

A-8: Mercury study:

- Current: concentrations in Alviso uniform & C. 3x SF Bay levels
- Top levels: higher methylation

Comment: Investigate spike phenom!
Account for historic build-up

Comment: Breach in spring (March) to maximize flushing

Relocate channel from A-8 notch to follow original Guadalupe channel

Pond A16

Do pond birds use islands on managed ponds successfully?

What are impacts of ↑ public access?

Suggestion: Look at ways to use sediments from local watersheds

Comment: A-11 & A-14 bottoms pure gypsum. Don't think any in A-16 –
Fresh water dissolves gypsum.

Suggestion: Maintain E. side access to Coyote Creek

Suggestion: Include some kind of roof on viewing platform

Moffett Bay Trail

NASA Ames Bike Coalition anxious to see it open!

Bay Trail: ditto!

Compatibility: don't need to close trail when hunters present/education critical

Be mindful of bike commuters/walkers/rec bike users/Set speed limits

Recog. limits of gravel surface to users

W.P. Turtles:

Mouth of Stevens Creek great place for viewing platform

Parking: need to assure good public access/provision

Be uniform re dog access

Shoreline Study

Concern that the future SBSP phases might be held up