3.8 Land Use and Planning

This section of the Final Environmental Impact Statement/Report (referred to throughout as the Final EIS/R) describes the existing land uses and policies within the Phase 2 project area and whether implementation of the project would cause a substantial adverse effect on land use resources from project implementation. The information presented is based on a review of federal, state, regional, county and city plans, and other pertinent regulations, presented in the regulatory framework setting section. Using this information as context, an analysis of land use related environmental impacts of the project is presented for each alternative. The analysis of land use impacts of the project is presented for each alternative. The program-level mitigation measures described in Chapter 2 would be implemented as part of this project. Therefore, this section only includes additional mitigation measures as needed.

3.8.1 Physical Setting

Methodology

The development of the baseline conditions, significance criteria, and impact analysis in this section is commensurate to and reliant on the analysis conducted in the 2007 South Bay Salt Pond (SBSP) Restoration Project Environmental Impact Statement/Report (2007 EIS/R). Applicable regional and local plans and policies were reviewed for information on existing land uses and relevant policies. A number of city and county general plans and other planning documents identify land use goals and existing land use designations in the Phase 2 project area. The policy discussion is organized according to the jurisdictions that provide regulatory oversight to lands adjacent to or nearby the Phase 2 project areas.

Regional Setting

The greater South Bay, including the project vicinity of the SBSP Restoration Project, Phase 2, consists of urban areas (residential, commercial, and industrial uses), tidal mudflats, salt flats, salt marsh, salt evaporative ponds, creeks, flood control, and rural land and wildlife interpretative areas. The Alviso Pond Complex is located in Alameda and Santa Clara counties, and the Ravenswood Pond Complex is located in San Mateo County. At the Phase 2 project scale, although the ponds are all owned by the federal government, the pond clusters fall within the boundaries of several different cities and counties. Table 3.8-1 provides a listing of the cities and counties adjacent to each pond cluster.

Table 3.8-1	Phase 2 Pro	ect Area Jurisdictions
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		JURISDICTION			
POND COMPLEX	POND CLUSTER	CITY	COUNTY		
	Island Ponds	Fremont	Alameda		
Alviso	Mountain View Ponds	Mountain View	Santa Clara		
	A8 Ponds	San Jose	Santa Clara		
Devensiveed	Devenovo ed Dende	Menlo Park	San Mateo		
Kavenswood	Kavenswood Ponds	Redwood City	San Mateo		

Other nearby municipalities include Milpitas, Santa Clara, Sunnyvale, Palo Alto, and East Palo Alto (see Figure 3.8-1). The Phase 2 pond clusters are generally surrounded by or bordered by parks or other urban land uses in those portions of municipalities that are adjacent to them. The exception is the Island Ponds, which do not directly border any urban land uses.

Project Setting

Phase 2 of the SBSP Restoration Project consists of approximately 2,385 acres of former salt ponds in the Alviso and Ravenswood pond complexes. The Phase 2 ponds were acquired in 2003 by the USFWS and CDFW as part of a 15,100 acre transaction with Cargill. The Phase 2 ponds considered in this Final EIS/R are largely within the USFWS-owned and -managed portions of the larger SBSP Restoration Project. The Phase 2 project area is located within several different cities and counties. However, almost all of the Phase 2 project area is part of the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge) and is therefore under federal jurisdiction and not generally subject to county or city land use jurisdiction. There are several areas that are not within the Refuge and are therefore subject to local (city, county, or special district) regulations, policies, and plans. Those areas are as follows:

- Charleston Slough and its southern boundary the Coast Casey Forebay levee, which are part of the City of Mountain View and are included in Alternative Mountain View C;
- The western levee of Charleston Slough, which is owned by the City of Palo Alto but maintained by Santa Clara Valley Water District (SCVWD) and is included in Alternative Mountain View C;
- Shoreline Park in City of Mountain View, which will be used for construction access and staging and which will have additional trail and other public access feature connections in all Mountain View action alternatives;
- Bedwell Bayfront Park in City of Menlo Park, which would be used for construction staging and access in all Ravenswood action alternatives, and through which the City of Redwood City's Bayfront Canal and Atherton Channel Project would be constructed in Alternative Ravenswood D.

Existing land uses within the Phase 2 project area include tidal mudflats, salt flats, salt marsh, salt evaporative ponds, creeks, sloughs, flood control basins, and wildlife interpretative areas. There is also a section of elevated railroad tracks and utility corridors for PG&E towers. Designated land uses surrounding the Phase 2 ponds include residential, commercial, and industrial uses as shown in Figure 3.8-2, as well as local roads, a state highway, rail corridors, flood control basins, other restoration areas, and recreational or other public facilities.

One land use nearby the Phase 2 project area that is worth a particular note is airports. There are two commercial airports in the South Bay (San Francisco International Airport and Norman Y. Mineta San Jose International Airport), smaller private airstrips in San Carlos and Hayward, and the Moffett Federal Airfield, which is also used by the California Air National Guard. These airfields do present some potential for bird strikes by planes flying into or out of them. Such bird strikes are rare enough as to present very little potential for affecting the various populations of special-status birds.



LEGEND

Phase 2 Project Area



The potential impact of concern is more about the possibility of reductions in aviation safety from aircraft hitting birds in the air. An analysis of these impacts was conducted for the Bair Island EIS/R (USFWS 2006), which identified the greatest risks to aviation safety from bird strikes as being from larger and higher-flying waterfowl that are attracted more to open-water ponds than they are to tidal marshes. Tidal marsh tends to attract smaller and lower-flying or ground-based shorebirds. This point was mirrored in the Federal Aviation Administration's 2007 Circular on hazardous wildlife attractants on or near airports, which found that cormorants, cranes, pelicans, and ducks presented much greater hazards to aviation than do small shorebirds (FAA 2007).

With the exception of the Mountain View Ponds, the ponds included in the Phase 2 alternatives are all further away than the recommended 10,000-foot distance a project should be from an airport. The southeast corner of the Mountain View Ponds is approximately 2,500 feet from the end of the Moffett Federal Airfield runway. However, since, under Phase 2 actions, the Mountain View Ponds would be converted from open water ponds to tidal marshes, the Phase 2 actions are not expected to increase the risk or hazard associated with bird strikes. For this reason, bird strikes are not exhaustively assessed in this Final EIS/R.

Alviso-Island Ponds

The Alviso-Island pond cluster (A19, A20, and A21) is surrounded by Coyote Creek to the south, Mud Slough to the north, their confluence, and San Francisco Bay to the west. The Ponds A22 and A23 and the Warm Springs restoration area (all part of the Refuge) and the City of Fremont are to the east. The southern levees of these ponds were breached in 2006 as part of the Initial Stewardship Plan (ISP) to begin their restoration to tidal marsh. They currently provide habitat to many species of fish and birds (see Section 3.5 for complete description of species that occupy specific habitat within the Phase 2 project area). The City of Fremont General Plan categorizes the Island Ponds as Open Space-Resource Conservation/Public (City of Fremont 2011). They are closed to the public and are not used for recreation, which occurs elsewhere within the Alviso pond complex. The exception to this is hunting which is allowed during open season, by boat only. The nearest recreational trails are along the exterior levees of Ponds A15, A16, and A17.

Alviso-Mountain View Ponds

The Alviso-Mountain View pond cluster (A1, A2W, and Charleston Slough) is the westernmost pond cluster of the Alviso Pond Complex. Ponds A1 and A2W are north of Mountain View and east of the City of Palo Alto, and the Palo Alto flood control basin immediately adjacent to Charleston Slough. Charleston Slough is located between A1 to the east and the Palo Alto Flood Control Basin to the west. Parkland and public recreation, primarily at Mountain View's Shoreline Park and the park's sailing lake, are the primary land uses in the vicinity of the Mountain View pond cluster. Nearby land uses include light industrial and residential in the City of Mountain View. Charleston Slough, Permanente Creek, Mountain View Slough, and Stevens Creek border this cluster. Stevens Creek and Permanente Creek carry discharge to San Francisco Bay. The Stevens Creek Mitigation Marsh and the Mountain View Mitigation Marsh border portions of the southern end of pond A2W. Other portions of the Alviso Pond Complex lay to the east of this cluster. In Alternative C, Charleston Slough would be incorporated into the project designs (as described fully in Chapter 2, Alternatives), which would make it and the levees surrounding it part of the project footprint for that alternative. This necessitates the inclusion of the cities of Mountain View and Palo Alto as well as the SCVWD into the analysis of land use-related regulatory analysis.

The Santa Clara County General Plan categorizes Ponds A1 and A2W as Resource Conservation Area-Other Public Lands, and their interiors and eastern, western, and northern borders are closed to the public. Their southern borders abut the closed landfill that now forms Shoreline Park, and there are recreational trails and bicycle paths along them. PG&E maintains an easement along Pond A2W's levees to allow it to access and maintain two separate power lines and their towers that pass through the pond. Stevens Creek and Permanente Creek/Mountain View Slough, outflows for rainfall and other runoff, flow to the bay in the project area.

City of Mountain View's Charleston Slough serves numerous important land use purposes regulated by multiple agencies and interests. The Bay Conservation and Development Commission (BCDC) requires the City of Mountain View to restore 53 acres of the slough to tidal marsh habitat (URS 2012). Charleston Slough also serves as the intake for the Shoreline Park Sailing Lake. Its western levee is part of the Santa Clara County Water District flood protection system. It provides habitat to special status species and, although it is not part of the Refuge, actions related to Charleston Slough are of interest to the USFWS. The slough was identified in the Programmatic EIS/R as an area for possible future acquisition and incorporation into the Refuge; it was within the Authorized Expansion Boundary. Because of its easy accessibility and heavy use by foraging birds, Charleston Slough is regarded as one of the premier bird watching locations in the San Francisco Bay Area, and birding interests have been involved in the discussion over long-term management solutions for Charleston Slough.

Alviso-A8 Ponds

Alviso Ponds A8 and A8S are located in the south central portion of the Alviso Pond Complex. This cluster is surrounded by Alviso Slough to the northeast, the City of Sunnyvale, a closed and capped landfill now in use as a business park, Baylands Park, and the Bay Trail to the south; Guadalupe Slough to the west; and the Alviso neighborhood of City of San Jose to the east. The Santa Clara County General Plan categorizes these ponds as Resource Conservation Area-Other Public Lands. Currently, this pond cluster provides flood storage during rain events. During Phase 1 of the restoration project, this cluster was made reversibly tidal through levee breaches and installation of tide gates in July of 2010. The objectives for this cluster include providing tidal habitat, and maintaining or improving flood protection.

Ravenswood Ponds

The Ravenswood Pond Complex consists of seven ponds along both sides of SR 84 west of the Dumbarton Bridge. The Phase 2 project actions include ponds R3, R4, R5, and S5. The Ravenswood Ponds in Phase 2 are bordered by the San Francisco Bay, Greco Island, and Westpoint Slough to the north, Bayfront Expressway (SR 84), UPRR right-of-way, and Menlo Park to the south, Ravenswood Slough to the east, and Bedwell Bayfront Park to the west. The City of Menlo Park General Plan designates these ponds as Non-Urban within the Flood Plain (FP) zoning district. Existing land uses in the vicinity of the Phase 2 Ravenswood ponds include parks (Bedwell Bayfront Park), tidal marsh (Greco Island), waterways (Flood Slough, which is owned by California State Lands and zoned FP by the City of Menlo Park), roads and rail corridors, utility lines and a PG&E substation, Cargill's industrial salt works, commercial/light industrial (the Facebook campus), the rest of the Ravenswood Pond Complex and other restoration areas, and residential areas of East Palo Alto, Menlo Park, and Redwood City.

3.8.2 Regulatory Setting

Under Sections 65300–65403 of the California Government Code, all cities and counties in California are required to provide comprehensive long-range plans for lands within their jurisdictions which contain seven mandatory elements: land use, housing, conservation, open space, circulation, noise, and safety. The Phase 2 actions of the SBSP Restoration Project are proposed within Alameda, San Mateo and Santa Clara counties. The Alameda, Santa Clara, and San Mateo County General Plans, and the Fremont, San Jose, Mountain View, and Menlo Park General Plans identify land use goals and existing land use designations in the SBSP Restoration Project's Phase 2 areas.

In addition, a number of regional plans have been developed by San Francisco Bay Area agencies— some individually, some in collaboration with other agencies. These agencies acknowledge a variety of environmental interests in the Bay Area and in some cases include the South Bay salt ponds in their discussions, analyses, policies and/or objectives. The following regional plans were reviewed for this analysis:

- Basin Plan San Francisco Bay RWQCB;
- Baylands Ecosystem Habitat Goals Report San Francisco Bay Area Wetlands Ecosystem Goals Project;
- Bay Plan BCDC;
- CALFED ROD and EIR/S CALFED Bay Delta Authority;
- CALFED ERP; Draft Stage 1 Implementation Plan CALFED Bay Delta Authority;
- Comprehensive Conservation Plan (CCP) Don Edwards San Francisco Bay National Wildlife Refuge (USFWS);
- Comprehensive Conservation and Management Plan The San Francisco Estuary Project;
- Implementation Strategy San Francisco Bay Joint Venture;
- Invasive Spartina Project: California State Coastal Conservancy/USFWS;
- Long Term Management Strategy for Dredge Material U.S. Environmental Protection Agency;
- NASA Ames Draft Development Plan NASA Ames Research Center;
- South Bay Salt Pond Restoration Feasibility Analysis Stuart W. Siegel; Philip A.M. Bachand; and
- Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California USFWS.

Only regional plans, county plans and city plans that refer specifically to Phase 2 of the SBSP Restoration Project are discussed in this section. Other relevant local and regional plans and regulations are discussed in other sections of Chapter 3 in this EIS/R.

Regional Plans

Regional plans discussed below contain objectives typically developed by a variety of stakeholders regarding environmental issues that transcend the geographic and jurisdictional boundaries which exist under the city and county framework. Regional plans address land uses when they discuss the intensity of development throughout the region. Some regional plans advocate for developing specific areas and conserving other areas, while other plans discuss the impacts of potential future development and other activities on existing natural habitats and resources.

Basin Plan - San Francisco Bay Regional Water Quality Control Board

The San Francisco Bay RWQCB was founded in 1950 with the purpose of protecting the quality of surface water and groundwater within the San Francisco Bay region for beneficial uses. The State Water Quality Control Board required that the RWQCB develop a Water Quality Control Plan (Basin Plan) for the San Francisco Basin, and the first comprehensive Basin Plan was adopted in 1975. The most recent amendment was adopted in 2013.

The Basin Plan is the master policy document that contains descriptions of the legal, technical, and programmatic bases of water quality regulation in the San Francisco Bay region. The Basin Plan must include a statement of beneficial water uses that the RWQCB will protect, the water quality objectives needed to protect the designated beneficial water uses, and the implementation plans for achieving the water quality objectives through its regulatory programs (2007 EIS/R).

The Basin Plan makes reference to salt marsh ecosystems, specifically within the context of wetland restoration using dredged material. However, no direct reference to the South Bay salt ponds, particularly with regard to land use plans or decisions, is made.

San Francisco Bay Plan – San Francisco Bay Conservation and Development Commission

BCDC's jurisdiction, as well as its regulations and plans are described in Section 3.6 (Biological Resources), 3.7 (Recreational Resources), and 3.17 (Visual Resources) of this Final EIS/R. This section provides additional information as it relates to land use. The McAteer-Petris Act (Cal. Govt. Code Sections 66600–66694) is the California state law that established the San Francisco BCDC as a state agency; prescribes BCDC's powers, responsibilities and structure; and describes the broad policies the Commission must use to determine whether permits can be issued for activities in and along the shoreline of San Francisco Bay.

Section 66605 addresses the benefits, purposes, and manner of filling within BCDC's jurisdictions, and states the following:

(a) That further filling of San Francisco Bay and certain waterways specified in subdivision (e) of Section 66610 should be authorized only when public benefits from fill clearly exceed public detriment from the loss of the water areas and should be limited to water-oriented uses (such as ports, water-related industry, airports, bridges, wildlife refuges, water-oriented recreation, and public assembly, water intake and discharge lines for desalinization plants and power generating plants requiring large amounts of water for cooling purposes) or minor fill for improving shoreline appearance or public access to the bay;

- (b) That fill in the bay and certain waterways specified in subdivision (e) of Section 66610 for any purpose should be authorized only when no alternative upland location is available for such purpose;
- (c) That the water area authorized to be filled should be the minimum necessary to achieve the purpose of the fill;
- (d) That the nature, location, and extent of any fill should be such that it will minimize harmful effects to the Bay Area, such as, the reduction or impairment of the volume surface area or circulation of water, water quality, fertility of marshes or fish or wildlife resources, or other conditions impacting the environment, as defined in Section 21060.5 of the Public Resources Code;
- (e) That public health, safety, and welfare require that fill be constructed in accordance with sound safety standards which will afford reasonable protection to persons and property against the hazards of unstable geologic or soil conditions or of flood or storm waters;
- (f) That fill should be authorized when the filling would, to the maximum extent feasible, establish a permanent shoreline;
- (g) That fill should be authorized when the applicant has such valid title to the properties in question that he or she may fill them in the manner and for the uses to be approved.

Section 66605.1 addresses the desirability of development and preservation of shoreline by public and private development.

The Legislature finds that in order to make San Francisco Bay more accessible for the use and enjoyment of people, the Bay shoreline should be improved, developed and preserved. The Legislature further recognizes that private investment in shoreline development should be vigorously encouraged and may be one of the principal means of achieving Bay shoreline development, minimizing the resort to taxpayer funds; therefore, the Legislature declares that the commission should encourage both public and private development of the Bay shoreline.

The Bay Plan was adopted by the BCDC in 1969 and has been amended subsequently. The goal of this Plan is twofold: "to protect the Bay as a great natural resource for the benefit of present and future generations" and to "develop the Bay and its shoreline to their highest potential with a minimum of Bay filling". In 2011, the Bay Plan tidal marsh, tidal flat, fish and wildlife and subtidal findings and policies, the shoreline protection, appearance, design, and scenic views policies were amended and Climate Change Bay Plan was adopted and incorporated into the Bay Plan (BCDC 1969 [Amended 2011]).

The goals, policies, and recommendations of the Bay Plan that are relevant to the SBSP Restoration Project are as follows:

- If public funds are available, purchase and tidally restore salt ponds no longer needed for salt production. If public funds are not available, pursue other alternatives for protecting salt ponds:
- If areas are proposed for development, obtain an open space dedication. When development occurs, retain substantial amounts of open water, provide substantial public access, and develop the site in accordance with BCDC policies regarding non-priority shoreline uses.

- Promote saltwater aquaculture activities to retain area as open water.
- Build recreational developments, such as marinas and parks, in appropriate areas outboard of salt ponds or in sloughs, so long as the ability to produce salt and restore tidal action to salt ponds is not compromised.
- Pursue purchase of development rights on salt ponds (SBSP Restoration Project website 2007).

Plan Bay Area

Plan Bay Area is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. On July 18, 2013, the Plan was jointly approved by the Association of Bay Area Governments (ABAG) Executive Board and by the Metropolitan Transportation Commission (MTC). The Plan includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan and represents the next iteration of a planning process that has been in place for decades.

Plan Bay Area marks the nine-county region's first long-range plan to meet the requirements of California's landmark 2008 Senate Bill 375, which calls on each of the state's 18 metropolitan areas to develop a Sustainable Communities Strategy to accommodate future population growth and reduce greenhouse gas emissions from cars and light trucks. Working in collaboration with cities and counties, the Plan advances initiatives to expand housing and transportation choices, create healthier communities, and build a stronger regional economy. (ABAG and MTC 2013)

Implementation Strategy - San Francisco Bay Joint Venture

The San Francisco Bay Joint Venture (SFBJV) is a collaborative effort by 27 public agencies and private non-profit and corporate organizations to protect, restore, increase and enhance wetlands, riparian habitat and associated uplands throughout the San Francisco Bay region to benefit birds, fish and other wildlife. Its Implementation Strategy (Strategy) details the organization's efforts to restore the San Francisco Estuary.

The Strategy categorizes all salt ponds as "Bay Habitats." To that end, the Strategy suggests that SFBJV will work with Cargill to explore ways to enhance the habitat values of the Santa Clara County-based salt ponds for water-fowl and shorebirds (SFBJV 2001). It also makes reference to the Mid-Peninsula Regional Open Space District overseeing the tidal marsh restoration of a 200-acre salt pond. However, no specific land use plans or objectives are discussed in the Implementation Strategy.

Comprehensive Conservation Plan - Don Edwards San Francisco Bay National Wildlife Refuge

The Comprehensive Conservation Plan (CCP) specifies a management direction for the Refuge for the next 15 years. The goals, objectives, and strategies for improving Refuge conditions—including the types of habitat USFWS will provide, and management actions needed to achieve desired conditions are described in the CCP (USFWS 2012). However, the CCP explicitly excludes those portions of the Refuge that had been previously addressed in the SBSP Restoration Project and its associated program-level EIS/R and other planning and guidance documents. The CCP is included here for completeness and clarity.

Invasive Spartina Project: Conservancy / USFWS

The San Francisco Estuary Invasive Spartina Project is a regionally coordinated effort of federal, state, and local agencies and private landowners with the ultimate goal of arresting and reversing the spread of non-native cordgrasses in the San Francisco Estuary (California Coastal Conservancy and USFWS 2003). Since the peak of the invasive Spartina invasion in 2005, the Control Program has resulted in the elimination of more than 772 net acres (nearly 97%) of non-native cordgrasses from more than 20,000 acres of infested tidal marsh and 25,000 acres of mudflats bay-wide. The area of non-native Spartina has been reduced markedly since the first full season of effective treatment started in 2005. In most areas where non-native Spartina has been eradicated, the result has been rapid and large-scale return to a native plant species dominated habitat at low- and mid-marsh elevations, and a return to the natural mudflat and tidal channel conditions at lower elevations. As the marshes recover from the Spartina invasion over time, it is anticipated that native plant diversity will passively recover in most marshes.

In May 2014 the California Coastal Conservancy adopted an authorization of grant funds for the funding of revegetation and enhancement projects. The revegetation program goals are to: (1) Enhance and accelerate *Spartina foliosa* re-establishment at selected marshes through introduction of plugs or propagated seedlings that will support associated faunal communities including clapper rail foraging and nesting habitat; (2) Enhance and accelerate post-treatment marsh succession and complexity with introduction of other native marsh plant species (such as *Grindelia stricta*), which have a tall shrubby structure that will provide clapper rail nesting substrate, cover and high tide refugia; and (3) Provide additional high tide refugia by constructing high tide refuge islands (SCC 2014).

U.S. Environmental Protection Agency (USEPA) – Long Term Management Strategy for Dredge Material

The Long Term Management Strategy (LTMS) for Dredge Material is a cooperative effort of USEPA, the Corps, SWRCB, San Francisco Bay RWQCB, and BCDC to develop a new approach to dredging and dredged material disposal in the San Francisco Bay Area. An average of six million cubic yards of sediments must be dredged every year in order to maintain safe navigation in and around San Francisco Bay, resulting in controversy surrounding appropriate management of such an effort. The major goals of the LTMS are to: (1) "maintain in an economically and environmentally sound manner those channels necessary for navigation in San Francisco Bay and Estuary and eliminate unnecessary dredging activities in the Bay and Estuary;" (2) "conduct dredged material disposal in the most environmentally sound manner;" (3) "maximize the use of dredged material as a resource;" and (4) "establish a cooperative permitting framework for dredging and dredged material disposal applications" (US EPA 1998).

The Final Policy EIS/Programmatic EIR for the LTMS addresses the salt ponds in and around the South Bay mainly within the context of its role as habitat for a number of species, including the California least tern, snowy plover, California clapper rail, salt marsh harvest mouse and California brown pelican. While the presence of such species causes restrictions on potential management strategies, dredged material disposal has potential benefits, such as the creation or restoration of seasonal wildlife habitats by raising and modifying topography and thus improving wetland hydrology (US EPA 1998). Disposal of dredge material in the salt ponds would require a BCDC permit.

USFWS – Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California

The Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California features five endangered species: two endangered animals and three endangered plants. The biology of these species is at the core of the recovery plan, but the goal of this effort is the comprehensive restoration and management of tidal marsh ecosystems. The ultimate goal of this recovery plan is to recover all focal listed species so they can be delisted. The interim goal is to recover all endangered species to the point that they can be changed from endangered to threatened status. Within a 50-year planning period (based on estimated time to achieve sufficiently mature restored tidal marsh habitats), the Service expects that the following species recovery objectives will be met: (1) "Secure self-sustaining wild populations of each covered species throughout their full ecological, geographical, and genetic ranges;" (2) "Ameliorate or eliminate the threats, to the extent possible, that caused the species to be listed or of concern and any future threats;" and (3) "Restore and conserve a healthy ecosystem function supportive of tidal marsh species" (USFWS 2013).

County and City General Plans

County general plans contain goals, policies and implementation measures that provide planning guidance for the future. The Land Use Elements of the general plans contain goals concerning land use and are designed to serve as the basis for development decision-making for county lands.

City general plans act as "blueprints" for the long-term physical development of each city and contain goals, policies and implementation measures that provide planning guidance for the future. The Land Use Element of each general plan designates land uses within the respective city and presents land use goals and policies for future land use development decision-making for city lands.

Although the Phase 2 project area is located within to boundaries of several different cities and counties, the project area is primarily under federal jurisdiction and not subject to county or city land use jurisdiction. However, portions of the Phase 2 study area include these adjacent cities and counties, particularly City of Mountain View's Charleston Slough (included in Alternative Mountain View C) and Shoreline Park (used for access and staging) and City of Menlo Park's Bedwell Bayfront Park, used for access and staging and through which the Bayfront Canal and Atherton Channel Project would be constructed. Relevant goals and policies from applicable county and city general plans are presented below for each SBSP Restoration Project pond complex.

Alviso Pond Complex

Planning documents relevant to the Alviso Pond Complex include the Alameda County General Plan, Santa Clara County General Plan, City of Fremont General Plan, Alviso Master Plan, City of San Jose General Plan, and the City of Mountain View General Plan.

Alameda County General Plan. The Alviso Pond Complex is designated as Open Space in the Alameda County General Plan. The Alameda County General Plan, adopted in 1973, does not include a Land Use Element, and instead incorporates land use elements from each city General Plans and unincorporated area specific plans. However, policies applicable to the Salt Ponds are discussed in the May 4, 1995 Amended Open Space Element and are described as follows:

Shoreline and Bay Open Space - Principles for Shoreline and Bay Open Space

- Preserve Natural Ecological Habitats in Shoreline Areas: Outstanding natural ecological habitats in shoreline areas of the County should be designated for protection and maintenance as wildlife preserves as a means of protecting marine and wildlife and to permit ecological studies; and
- Provide For Orderly Transition of Phased Out Salt Extraction Areas to Uses Compatible With the Open Space Plan: Salt extraction areas, which will be operative through the plan period, should be designated as permanent open space. Areas that will not be active through the plan period should be phased out according to a planned program in such a manner as to maintain salt production cycles. Phased out areas should be converted to uses permitted within waterfront open spaces such as wildlife refuges or recreation areas. No filling of salt extraction areas should be permitted except for recreation purposes in selected areas as indicated on adopted local or regional plans (Alameda County 1995).

Santa Clara County General Plan. The Alviso Pond Complex is designated as Open Space in the Santa Clara County General Plan. The Santa Clara County General Plan 1995–2010 was adopted on December 20, 1994. Goals, objectives and policies pertinent to land use and the Salt Ponds are first articulated in the Resource Conservation section and its Mineral Resources subsection before being presented more succinctly in the Land Use Section (County of Santa Clara 1994).

In the Introduction to the Resource Conservation section, the third overall strategy, "Restore Resources Where Possible," reads in part as follows:

Where appropriate, degraded environments should be restored to the maximum extent possible, whether the subject is wetlands, quarries or landfills. These efforts should also be augmented by measures to restore "nature" and livability to our urban environments (p.H3).

The following policies are among those that are dictated by the Plan's Overall Strategies for resource conservation (p. H4):

Policy C-RC 1: Natural and heritage resources shall be protected and conserved for their ecological, functional, economic, aesthetic, and recreational values.

- 1. Open lands not suitable or intended for urbanization should not be included in cities' long term urban growth plans. Protections necessary to preserve and manage resources should be provided.
- 2. Heritage resources shall be preserved to the maximum extent possible for their scientific, cultural, or place values, and they shall not be diminished due to inadequate safeguards.

Policy C-RC 2: The County shall provide leadership in efforts to protect or restore valuable natural resources, such as wetlands, riparian areas, and woodlands, and others:

- a. for County-owned lands; and
- b. through multi-jurisdictional endeavors.

Policy C-RC 3: Multiple uses of lands intended for open space and conservation shall be encouraged so long as the uses are consistent with the objectives of resource management, conservation, and preservation, particularly habitat areas.

Policy C-RC 4: On a countywide basis, the overall strategy for resource management, conservation, and preservation should include the following:

- a. improve and update current knowledge;
- b. emphasize proactive, preventive measures;
- c. minimize or compensate for adverse human impacts;
- d. restore resources where possible; and
- e. monitor the effectiveness of mitigations.

Implementation Recommendation C-RC (i) 1

Explore the use of joint agreements between the County, cities and LAFCO for the designation and protection of lands and resources of mutual interest and concern, where appropriate. Identify areas where County should exercise leadership.

These policies and recommendations are referred to in the Mineral Resources subsection where, directly within the context of discussing the existing Salt Ponds, the Plan states:

If discontinued for extraction purposes, future uses of the areas should be consistent with the resource conservation goals, objectives and policies intended to preserve the baylands environment in its natural state (p. H34).

More specifically, Mineral Resources Strategy #3 is to reclaim sites for appropriate subsequent use. It states:

Because the deposits are a finite resource, quarrying operations should only be considered a temporary land use, and adequate reclamation planning must be incorporated from the beginning of operations. In one sense, reclamation is one more aspect of mitigating environmental impacts after extraction operations are discontinued. Reclamation also functions to repair the site for appropriate subsequent uses (p. H35).

Mineral Resources Strategy #3 begets Policy C-RC 48: Reclamation for safe and beneficial future use of mineral resource extraction sites should be ensured through adequate planning, discretionary land use controls, and monitoring of reclamation plan implementation (p.H35).

Additionally, the Rural Unincorporated Area Issues and Policies Section also address the Baylands area, including them among the County's Critical Habitat Areas where the biological integrity should be protected. Pertinent policies acknowledge that the types of uses that are consistent with the overall goal of protecting the resource values of the Baylands are limited to habitat such as the National Wildlife Refuge, recreational uses, aquaculture, and other uses which do not adversely impact the ecological values of the remaining habitat areas. At the same time, pertinent policies also involve two related concepts, encouraging: 1) conservation of natural habitat areas intact, to avoid fragmentation and disturbance; and 2) maintenance of migratory corridors and linkages between natural areas to compensate for fragmentation (p. O 22–23).

Relevant policies with regard to the protection of the biological integrity of Critical Habitat areas include:

Policy R-RC 25: Wetlands habitats of San Francisco Bay shall be preserved and enhanced.

Policy R-RC 26: Within wetlands areas, allowable uses shall be limited to those which cause little or no adverse impacts, possibly including:

- a. natural ecological functions, such as bay waters, sloughs, marshes and flats, preserved in open space;
- b. salt ponds;
- c. small piers, walkways, and wildlife observation areas;
- d. trail-related uses, such as walking, bicycling, and, horseback riding as compatible with resource preservation;
- e. fishing, boating, swimming, and limited hunting;
- f. aquaculture;
- g. marinas; and
- h. nature centers or other facilities for the study and appreciation of natural resources.

Policy R-RC 27: There shall be no filling or alteration of wetlands areas except for such alterations which enhance habitat resources. Construction of small levees, piers, or walkways for public use and education may be allowed. If construction of any type will result in significant loss of habitat or alteration of wetlands hydrology, mitigations shall be required.

Policy R-RC 28: New marina locations in wetland areas should be considered only after upland alternatives have been determined infeasible. If new marinas are proposed, they shall not be allowed to create a net loss of habitat, through mitigation that requires creation or restoration of wetlands as compensation for losses incurred. Discontinued marinas shall be a priority for wetlands restoration and other uses compatible with habitat preservation.

Policy R-RC 29: No new or expanded landfill sites shall be approved which would adversely affect wetlands habitat. Closed landfills should be used as parks or open space compatible with habitat preservation goals.

Policy R-RC 30: Land uses in areas adjacent to the Baylands should have no adverse impact upon wetlands habitats or scenic qualities of the Baylands. Uses adjacent to the National Wildlife Refuge should be compatible with the Refuge.

While the above resource conservation measures set forth policies that suggest acceptable land uses, the following policies for the Baylands area – categorized in the Land Use section as a "Resource Conservation Area" – reiterate already established principles as land use policies (p.Q-1):

Policy R-LU 5: The edges of the San Francisco Bay shall be preserved and restored as open space. Allowable uses shall include:

- a. bay waters and sloughs;
- b. marshes, wetlands and wetlands restoration;
- c. salt extraction;
- d. wildlife habitat;
- e. open space preserves;
- f. small piers and walkways;
- g. wildlife observation; and
- h. recreational uses, such as walking, horseback riding, bicycling, fishing, boating, education, swimming, limited hunting, aquaculture, and marinas.

Policy R-LU 6: There shall be no filling of wetlands except for very limited construction of small levees, piers, or walkways necessary for public use or study of the baylands.

Policy R-LU 7: No new or expanded waste disposal sites shall be approved, and existing sites shall be converted into parks or open space when terminated for waste disposal.

City of Fremont. The City of Fremont General Plan was adopted on May 7, 1991 and updated in 2011. The City is divided into planning areas, one of which is the Baylands Planning Area which includes lands under the Bay, salt ponds, wetlands, seasonal wetlands, and other uses associated with the Bay and wildlife habitat.

The goals, policies and implementation measures contained in the Open Space Element related to salt ponds include the following (City of Fremont, 2011):

Goal 2-6: Open Space. An open space "frame" around Fremont, complemented by local parks and natural areas, which together protect the City's natural resources, provide opportunities for recreation, enhance visual beauty, and shape the City's character.

Policy 2-6.3: Baylands. Manage Fremont's Baylands as permanent open space. The habitat and ecological value of these areas should be conserved and restored to the greatest extent possible... Planning for the baylands should consider the effects of climate change and sea level rise.

Alviso Master Plan. The ponds are more specifically referred to in the Alviso Master Plan, which designates uses and policies pertinent to the section of incorporated San Jose immediately adjacent to the Alviso pond complex. The community of Alviso was incorporated into San Jose in 1968. The Alviso Master Plan – adopted in 1998 and addressed in the San Jose 2020 General Plan by way of the Alviso Planned Community (APC) – establishes a long-term development plan for the sensitive Alviso planning area by guiding appropriate new development, community facilities, infrastructure, and beautification (City of San Jose 1998). The majority of land uses allowed by the APC adjacent to the Alviso salt pond complex are Public Parks and Open Space, and Private Open Space.

City of San Jose. The Envision San Jose 2040 General Plan acknowledges that its park, trail, open space, recreation, and habitat resources contribute to the city's rating as one of the nation's healthiest cities (City

of San Jose 2011). The plan sets the following goals, policies and implementation measures for the baylands:

Goal ER 3 – Bay and Baylands. Preserve and restore natural characteristics of the Bay and adjacent lands, and recognize the role of the Bay's vegetation and waters in maintaining a healthy regional ecosystem.

Policies – Bay and Baylands

ER-3.1. Protect, preserve and restore the baylands ecosystem in a manner consistent with the fragile environmental characteristics of this area and the interest of the citizens of San Jose in a healthful environment.

ER-3.2. Cooperate with the County, U.S. Army Corps of Engineers, EPA, California Department of Fish and Game, Bay Conservation and Development Commission, and other appropriate jurisdictions to prevent the degradation of baylands by discouraging new filling or dredging of Bay waters and baylands.

ER-3.3. In cooperation and, where appropriate, in consultation with other interested agencies and with projects such as the South Bay Salt Pond Restoration Project, encourage the restoration of diked historic wetlands, including salt ponds, to their natural state by opening them to tidal action.

ER-3.4. Avoid new development which creates substantial adverse impacts on the Don Edwards San Francisco Bay National Wildlife Refuge or results in a net loss of baylands habitat value.

ER-3.5. Prohibit planting of invasive non-native plant species in or near baylands habitats.

Goal ER-4 – Special-Status Plants and Animals

Preserve, manage, and restore habitat suitable for special-status species, including threatened and endangered species.

Policies - Special Status Plants and Animals

ER-4.1. Preserve and restore, to the greatest extent feasible, habitat areas that support special-status species. Avoid development in such habitats unless no feasible alternatives exist and mitigation is provided of equivalent values.

ER-4.2. Limit recreational uses in wildlife refuges, nature preserves and wilderness areas in parks to those activities which have minimal impact on sensitive habitats.

Goal ER-6 – Urban Natural Interface

Minimize adverse effects of urbanization on natural lands adjacent to the City's developed areas.

ER-6.2. Design development at the urban/natural community interface of the Greenline/Urban Growth Boundary (UGB) to minimize the length of the shared boundary between urban development and natural areas by clustering and locating new development close to existing development. Key areas where natural communities are found adjacent to the UGB include the Baylands in Alviso, the Santa Teresa Hills, Alum Rock Park, and Evergreen.

City of Mountain View. The City of Mountain View 2030 General Plan (City of Mountain View 2012) acknowledges that the SBSP Restoration Project "will restore vital habitat around the Bay" (City of Mountain View 2012). No mention of the salt ponds is made within the context of land use, though Goal POS 2.4 encourages access to the bay and other natural areas, and Goal POS 3 provides for protection of open space areas with natural characteristics (City of Mountain View 2012). Some of the City's natural resources, namely Shoreline Park and the Stevens Creek Nature Study Area, abut the Mountain View Ponds. Policy INC 16.2 encourages management of Shoreline at Mountain View Park to balance the needs of open space, habitat, commercial and other uses.

Ravenswood Ponds

San Mateo County. The Ravenswood Pond Complex is designated as Open Space in the San Mateo County General Plan. The San Mateo County General Plan was adopted in November, 1986. Goals relevant to the salt ponds are discussed in the Vegetative, Water, Fish and Wildlife Resources Policies section of the Land Use Element (San Mateo County 1986) which reads in part as follows:

- 1.1 Conserve, Enhance, Protect, Maintain and Manage Vegetative, Water, Fish and Wildlife Resources: Promote the conservation, enhancement, protection, maintenance and managed use of the County's Vegetative, Water, Fish and Wildlife Resources.
- 1.2 Protect Sensitive Habitats: Protect sensitive habitats from reduction in size or degradation of the conditions necessary for their maintenance.
- 1.4 Access to Vegetative, Water, Fish and Wildlife Resources: Protect and promote existing rights of public access to vegetative, water, fish and wildlife resources for purposes of study and recreation consistent with the need to protect public rights, rights of private property owners and protection and preservation of such resources.
- 1.29 Uses Permitted in Sensitive Habitats: Within sensitive habitats, permit only those land uses and development activities that are compatible with the protection of sensitive habitats, such as fish and wildlife management activities, nature education and research, trails and scenic overlooks and, at a minimum level, necessary public service and private infrastructure.
- 1.30 Uses Permitted in Buffer Zones: Within buffer zones adjacent to sensitive habitats, permit the following land uses and development activities: (1) land uses and activities which are compatible with the protection of sensitive habitats, such as fish and wildlife management activities, nature education and research, trails and scenic overlooks, and at a minimum level, necessary public and private infrastructure; (2) land uses which are compatible with the surrounding land uses and will mitigate their impact by enhancing or replacing sensitive habitats; and (3) if no feasible alternative exists, land uses which are compatible with the surrounding land uses.
- 1.38 Control Incompatible Vegetation, Fish and Wildlife: Encourage and support the control of vegetation, fish and wildlife resources which are harmful to the surrounding environment or pose a threat to public health, safety and welfare.

Resource Management Coordination

1.40 Encourage Coordinated, Countywide Management of Vegetative, Water, Fish and Wildlife Resources: Encourage all federal, state, regional, county, and city agencies with jurisdiction in San Mateo County to cooperate and coordinate the management and protection of vegetative, water, fish and wildlife resources.

Acquisition and Management of Sensitive Habitats

- 1.41 Encourage Public Agencies and Private Groups to Acquire Significant Sensitive Habitats: Encourage public agencies and private groups to acquire and manage significant sensitive habitats because of the (1) biological and scientific significance of the habitat, (2) degree of endangerment from development or other activities, and (3) accessibility for educational and scientific uses and vulnerability to overuse.
- 1.44 Improvement of Damaged Resources: Encourage programs which repair and/or enhance damaged vegetative, water, fish and wildlife resources and sensitive habitats, with the goal of returning them to their natural condition.
- 1.48 Encourage the Management of Riparian Corridors: Encourage and, to the maximum extent feasible, reward the efforts of those responsible for managing riparian corridors in a manner that is consistent with County and state guidelines.

City of Menlo Park. The City of Menlo Park General Plan was adopted in 1994, and the Open Space/Conservation, Noise and Safety Elements were amended in 2013. The City's approach to natural resource conservation includes preserving "the natural state, unique appeal and visual amenities of Menlo Park's baylands and shoreline" (City of Menlo Park 2013). Goals relevant to the salt ponds are discussed in the Land Use Element, under the Open Space heading which reads in part as follows:

OSC1.6. South Bay Salt Pond Restoration Project and Flood Management Project. Continue to support and participate in Federal and State efforts related to the South Bay Salt Pond Restoration Project and flood management project. Provide public access to the Bay for scenic enjoyment and recreation opportunities as well as conservation education opportunities related to the open Bay, the sloughs, and the marshes.

Additionally, in the Land Use/Circulation Diagrams and Standards section of the General Plan, the following is stated about Non-Urban Designations:

Marshes: This designation provides for the preservation and protection of wildlife habitat and ecological values associated with the marshlands bordering San Francisco Bay and similar and compatible uses. The maximum amount of development allowed under this designation shall be 5,000 square feet of building floor area per parcel.

Salt Ponds: This designation provides for the commercial production of salt and other minerals on the lands bordering San Francisco Bay and similar and compatible uses. The maximum amount of development allowed under this designation shall be 5,000 square feet of building floor area per parcel (City of Menlo Park 2013).

City of Redwood City. The City of Redwood City's General Plan was adopted in 2010. The City's approach to natural resource conservation includes "preserving, protecting, conserving, re-using, and efficiently using Redwood City's natural resources" (City of Redwood City 2010). Goals relevant to the salt ponds and the Don Edwards San Francisco Bay National Wildlife Refuge are discussed in the Natural Resources Element, which reads in part as follows:

Goal NR-5: Protect, restore, and maintain creeks, sloughs, and streams to ensure adequate water flow, prevent erosion, provide for viable riparian plant and wildlife habitat and, where appropriate, allow for recreation opportunities:

Policy NR-5.1: Restore, maintain, and enhance Redwood City's creeks, streams, and sloughs to preserve and protect riparian and wetland plants, wildlife and associated habitats, and where feasible, incorporate public access.

Goal NR-6: Preserve and enhance the baylands, natural wetlands, and ecosystem to assist with improved air quality and carbon dioxide sequestration. Additionally, in the Land Use/Circulation Diagrams and Standards section of the General Plan, the following is stated about Non-Urban Designations:

Policy NR-6.2: Restore and maintain marshlands including tidal flats, tidal marshes, and salt marshes as appropriate.

GOAL NR-7: Reduce pollution from stormwater runoff in our creeks and the San Francisco Bay.

3.8.3 Environmental Impacts and Mitigation Measures

Significance Criteria

For the purposes of this Final EIS/R, a significant land use and planning impact would occur if the project would:

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

The SBSP Restoration Project area is designated by various jurisdictions as either open space lands or baylands. The Phase 2 project area is located within several different cities and counties. However, the project area is primarily under federal jurisdiction and not subject to county or city land use jurisdiction. In those areas included as part of Phase 2 that are subject to city or county plans, policies, or regulations, or that are under management of a special district (e.g., SCVWD), any applicable regulatory requirements and policy guidelines of those jurisdictions will be met and followed.

Further, regional plans and applicable general plans contain goals and policies which promote restoration of the salt ponds in the South Bay. The proposed SBSP Restoration Project long-term alternatives would be consistent with these land use plans or designations. Therefore, implementation of the project would not conflict with applicable land use plans or existing land use and zoning designations.

There are no habitat conservation plans or natural community conservation plans in place that cover the SBSP Restoration Phase 2 project area. The salt ponds are not located within an established community, and no actions under consideration would physically divide a community. Therefore, there is no further discussion of these topics and no need to include a full discussion of an impact related to them.

No important farmlands (prime farmland, farmland of statewide importance, unique farmland, or farmland of local importance) as identified by the Department of Conservation Farmland Mapping and Monitoring Program occur within the SBSP Restoration Phase 2 area. As such, no impacts to important farmlands would result from implementation of the Project.

Impact evaluations for the Action Alternatives are evaluated based on the existing conditions described in Section 3.8.2 above, and not the proposed conditions that would occur under the No Action Alternative. This approach is consistent with CEQA and NEPA protocol for analyzing project impacts. In this case, the No Action Alternative represents the continuation of current management direction or level of management intensity provided in the AMP into the future, with no change in that management.

As explained in Section 3.1.2, while both CEQ Regulations for Implementing NEPA and the CEQA Guidelines were considered during the impact analysis, impacts identified in this Final EIS/R are characterized using CEQA terminology. Please refer to Section 3.1.2 for a description of the terminology used to explain the severity of the impacts.

Program-Level Evaluation

Three programmatic-level alternatives were considered and evaluated in the Programmatic EIS/R. This included: (A) the No Action Alternative; (B) the Managed Pond Emphasis; and (C) the Tidal Habitat Emphasis. At the program level, the decision was made to select Alternative C and implement Phase 1 actions. Programmatic Alternative C has been carried forward as Alternative A (No Action) in this EIS/R as it represents the continuation of existing conditions that would occur absent the implementation of one of the action alternatives for Phase 2. The Programmatic EIS/R evaluated the potential land use and planning impacts of three long-term alternatives. It was determined Alternative C would have no impact or less than significant impacts on land use and planning resources. The land uses proposed under Programmatic Alternative C would be similar to those described above for Programmatic Alternative B; however, the ratio of tidal habitat to managed ponds would be greater under Alternative C. The preservation of open space areas, protection of wildlife habitat, and provision of new recreation facilities would result in a beneficial impact. None of the alternatives would introduce land uses that would be incompatible with surrounding uses and impacts would be less than significant.

Project-Level Evaluation

Phase 2 Impact 3.8-1: Land use compatibility impacts.

Alviso-Island Ponds

Alternative Island A (No Action). The Programmatic EIS/R determined that Alternative A would have less than significant impacts on land use and planning resources as the project would be consistent with land use plans or designations in the project area. None of the activities that would occur would create a land use incompatibility. The preservation of open space areas, protection of wildlife habitat, and provision of new recreation facilities would result in a beneficial impact and would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP). Therefore, Alternative Island A would not introduce land uses that would be incompatible with surrounding uses and impacts would be less than significant.

Alternative Island A Level of Significance: Less than Significant

Alternative Island B. Alternative Island B would remove or lower the levees between and around portions of Ponds A19 and A20 to support hydrological connectivity and potentially improve the ecological function of both ponds. Island B ponds are designated as Open Space-Resource Conservation/Public. The removal of levees would not introduce a new land use type. No new land uses are proposed and impacts associated with land use compatibility would be less than significant.

Alternative Island B Level of Significance: Less than Significant

Alternative Island C. Alternative Island C would include all of the components of Island B with the addition of three components: levee breaches on the north sides of ponds A20 and A21, pilot channels in Pond A19, and widening the existing breaches on the southern levee of Pond A19. These additional components are intended to accelerate the conversion of this pond cluster into tidal marsh. Similar to Alternative Island B, the ponds are designated as Open Space-Resource Conservation/Public. The ponds are closed to the public and are not used for recreation. The conversion of these ponds to tidal marsh and subsequent change in habitat type would not cause a land use compatibility impact. No new land uses are proposed and impacts associated with land use compatibility would be less than significant.

Alternative Island C Level of Significance: Less than Significant

Alviso-Mountain View Ponds

Alternative Mountain View A (No Action). The Programmatic EIS/R determined that Alternative A would have less than significant impacts on land use and planning resources as the project would be consistent with land use plans or designations in the project area. None of the activities that would occur would create a land use incompatibility. The preservation of open space areas, protection of wildlife habitat, and provision of new recreation facilities would result in a beneficial impact and would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP). Therefore, Alternative A would not introduce land uses that would be incompatible with surrounding uses and impacts would be less than significant.

Alternative Mountain View A Level of Significance: Less than Significant

Alternative Mountain View B. Under this alternative, Ponds A1 and A2W would be converted into tidal marsh, current levels of flood protection would be maintained through levee raising and other improvements, habitat transition zones and other habitat features would be added, and recreational opportunities would be increased through construction of a new trail, viewing platform, and interpretive recreation facilities. Land uses would remain similar to existing conditions, and would not change in the long term. The A8 Pond alternative would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP).Therefore, no new land uses are proposed and impacts associated with land use compatibility would be less than significant.

Alternative Mountain View B Level of Significance: Less than Significant

Alternative Mountain View C. Under this alternative, Ponds A1, A2W, and the Charleston Slough would be converted to tidal marsh, current levels of flood protection would be maintained through levee raising and other improvements, habitat transition zone and other habitat features would be added, and recreational opportunities would be increased through construction of new trails, viewing platforms, and interpretive platforms. Currently, Charleston Slough is used by recreational users as a bird watching site. Converting this pond to a tidal marsh may alter its use by bird species, but would not change its land use designation and would be compatible with all applicable land use plans.

Alternative Mountain View C Level of Significance: Less than Significant

Alviso-A8 Ponds

Alternative A8 A (No Action). The Programmatic EIS/R determined that Alternative A would have less than significant impacts on land use and planning resources as the project would be consistent with land use plans or designations in the project area. None of the activities that would occur would create a land use incompatibility. The preservation of open space areas, protection of wildlife habitat, and provision of new recreation facilities would result in a beneficial impact and would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP). Therefore, Alternative A would not introduce land uses that would be incompatible with surrounding uses and impacts would be less than significant.

Alternative A8 A Level of Significance: Less than Significant

Alternative A8 B. Under this alternative, habitat transition zone would be constructed in Pond A8S's southwest corner and southeast corner. No land use designation changes are proposed by Alternative A8 B and no activities that could significantly affect land use compatibility (activities that generate a substantial amount of air quality, noise, or traffic) would occur. Land uses would remain similar to existing conditions, and would not change in the long term. Alternative A8 B would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP).Therefore, no new land uses are proposed and impacts associated with land use compatibility would be less than significant.

Alternative A8 B Level of Significance: Less than Significant

Ravenswood Ponds

Alternative Ravenswood A (No Action). The Programmatic EIS/R determined that Alternative A would have less than significant impacts on land use and planning resources as the project would be consistent with land use plans or designations in the project area. None of the activities that would occur would create a land use incompatibility. The preservation of open space areas, protection of wildlife habitat, and provision of new recreation facilities would result in a beneficial impact and would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP). Therefore, Alternative Ravenswood A would not introduce land uses that would be incompatible with surrounding uses and impacts would be less than significant.

Alternative Ravenswood A Level of Significance: Less than Significant

Alternative Ravenswood B. Under this alternative, R5 and S5 would become managed ponds, and R4 would become tidal marsh. No land use designation changes are proposed by Alternative Ravenswood B and no activities that could significantly affect land use compatibility (activities that generate a substantial amount of air quality, noise, or traffic) would occur. Flushing of historic slough channels within Pond R3 would be enabled as a result of the construction of a water control structure along the pond's border with Ravenswood Slough. Land uses would remain similar to existing conditions, and would not change in the long term. Alternative Ravenswood B would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP).Therefore, no new land uses are proposed and impacts associated with land use compatibility would be less than significant.

Alternative Ravenswood B Level of Significance: Less than Significant

Alternative Ravenswood C. This alternative would be similar to Alternative Ravenswood B except that Ponds R5 and S5 would be converted to managed ponds at an elevation suitable for tidal mud flat hydrology and wildlife use. Additionally, flushing of historic slough channels within Pond R3 would be enabled as a result of the construction of a second water control structures along the pond's border with Pond S5. Recreational and access components would also be added as a result of this alternative. No land use designation changes are proposed by Alternative Ravenswood C and no activities that could significantly affect land use compatibility (activities that generate a substantial amount of air quality, noise, or traffic) would occur. Land uses would remain similar to existing conditions, and would not change in the long term. Alternative Ravenswood C would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP). Therefore, no new land uses are proposed and impacts associated with land use compatibility would be less than significant.

Alternative Ravenswood C Level of Significance: Less than Significant

Alternative Ravenswood D. This alternative would be similar to Alternative Ravenswood B except that there would be more activities encouraging habitat restoration and improvements, stormwater detention capacity, flood control capability, and recreation and access. No land use designation changes are proposed by Alternative Ravenswood D and no activities that could significantly affect land use compatibility (activities that generate a substantial amount of air quality, noise, or traffic) would occur. Land uses would remain similar to existing conditions, and would not change in the long term. Alternative Ravenswood D would be consistent with land use plans and other plans adopted for the purposes of avoiding or mitigation an environmental impact (ISP and AMP).Therefore, no new land uses are proposed and impacts associated with land use compatibility would be less than significant.

Alternative Ravenswood D Level of Significance: Less than Significant

Impact Summary

Phase 2 impacts and levels of significance are summarized in Table 3.8-2. The levels of significance are those remaining after implementation of program-level mitigation measures, project-level design features, and the Adaptive Management Plan and other Refuge management documents and practices. The land use analysis required no project-level mitigation measures in order to reduce the impacts to a level that was less than significant.

Table 3.8-2 Phase 2 Summary of Impacts – Land Use

	ALTERNATIVE											
	ISLAND		MOUNTAIN VIEW		A8		RAVENSWOOD					
IMPACT	А	В	С	А	В	С	А	В	А	В	С	D
Phase 2 Impact 3.8-1: Land use compatibility impacts	LTS	LTS	LTS	LTS	LTS	LTS	LTS	LTS	LTS	LTS	LTS	LTS
Notes:						_						

Alternative A at each pond cluster is the No Action (No Project Alternative under CEQA).

LTS = Less than Significant

3.8 La	nd Use and Planning
3.8.1	Physical Setting
3.8.2	Regulatory Setting
3.8.3	Environmental Impacts and Mitigation Measures
Table 3.8-1	Phase 2 Project Area Jurisdictions
Table 3.8-2	Phase 2 Summary of Impacts – Land Use
Figure 3.8-1.	City and County Boundaries
Figure 3.8-2.	General Plan Land Uses