ERRATA TO THE FINAL INTEGRATED INTERIM FEASIBILITY STUDY AND ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT FOR THE SOUTH SAN FRANCISCO BAY SHORELINE PHASE I STUDY

The Santa Clara Valley Water District (District) has prepared this Errata to correct information in the Final Integrated Interim Feasibility Study and Environmental Impact Statement/Environmental Impact Report (Integrated Document) for the South San Francisco Bay Shoreline Phase I Study (Project) (SCH No. 2006012020). The U.S. Army Corps of Engineers (USACE) and the U.S. Fish and Wildlife Service (USFWS) are acting as the co-lead agencies under the National Environmental Policy Act (NEPA), and the District is acting as the lead agency under the California Environmental Quality Act (CEQA). The USACE and the USFWS, as NEPA co-lead agencies, and the District as the CEQA lead agency, have prepared the Integrated Document to evaluate the potential impacts of the Project. Following the USACE release of the Final Integrated Document in December 2015, the District noted some errors in Chapter C.0, *California Environmental Quality Act Summary*. Specifically, a few entries in Table C.3-1, Summary of Project Impacts, do not accurately reflect the information provided in the environmental analysis sections of the Final Integrated Document. The corrections in the Final Integrated Document are listed by section number and page number in Table ERRATA-1, with the added information shown in **underline** and the deleted information shown in ~~**strikeout**~~ on the attached pages.

The information in this Errata document is provided to correct information within the Final Integrated Document. Pursuant to CEQA Guidelines section 15088.5, a lead agency must recirculate an EIR when "significant new information" is added to the EIR after public notice has been given of the availability of the Draft EIR but prior to certification of a Final EIR. "Significant new information" requiring recirculation includes, for example, a disclosure showing that (1) a new significant impact would result from the project or from a new mitigation measure proposed to be implemented, (2) a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to below a level of significance, (3) a feasible project alternative or mitigation measure considerably different from other previously analyzed would clearly lessen the significant environmental impacts of the project but the project proponents decline to adopt it, and/or (4) the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

New information added to an EIR is not "significant," and recirculation of an EIR is not required, unless the EIR is changed in a way that deprives the public of either a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent has declined to implement. The District has reviewed the information in this Errata and has determined that it does not change any of the findings or conclusions of the Final Integrated Document and does not constitute "significant new information" pursuant to CEQA Guidelines section 15088.5. Accordingly, the District finds that recirculation of the Final Integrated Document is not required.

Revisions to the Final Integrated Document

A summary of the revisions made to the Final Integrated Document since issuance in December 2015 is provided in Table ERRATA-1; the table also provides the page number(s) in the Final Integrated Document where each revision is located. Table C.3-1, Summary of Project Impacts, is provided as an attachment to this document for replacement in the Final Integrated Document.

Table ERRATA-1 Revisions to the Final Environmental Impact Report

	Chapter/Section of Final Integrated Document	Page Number	Summary of Revision
1	Table C.3-1 in Chapter C.0, California Environmental Quality Act Summary	C-2	The “Significance” and “Mitigation” columns for Impact GEO-1 was revised to reflect the Final Integrated Document’s determination that Impact GEO-1 would be less than significant with implementation of the listed avoidance and minimization measures and thus no mitigation is required.
2	Table C.3-1 in Chapter C.0, California Environmental Quality Act Summary	C-7	The “Mitigation” column for Impact AIR-1 was revised to include two mitigation measures (M-AIR-1a and M-AIR-1b) that were proposed in Section 4.10 to reduce construction related emissions of air pollutants.
3	Table C.3-1 in Chapter C.0, California Environmental Quality Act Summary	C-7	The “Avoidance and Minimization Measure” column was revised to include two additional avoidance and minimization measures (AMM-AIR-5 and AMM-AIR-6) that were proposed to reduce odors resulting from project construction.

C.0 California Environmental Quality Act Summary

C.1 Summary

This document includes an Environmental Impact Report (EIR) analyzing the environmental effects of the Shoreline Phase I Project. The project would provide tidal flood protection between Coyote Creek and the Guadalupe River, allow for the restoration of approximately 2,000 acres of former salt ponds to tidal marsh, and allow for recreational features.

This EIR has been prepared in compliance with the California Environmental Quality Act (CEQA) to provide an objective analysis to be used by the CEQA lead agency (the Santa Clara Valley Water District, or SCVWD), as well as other agencies and the public, in their considerations regarding the implementation, rejection, or modification of the project as proposed. The EIR itself does not determine whether the project will be implemented or not; it serves only as an informational document in the local planning and decision-making process. The purpose of the EIR process is to develop and assess a recommended plan and alternatives for the project and to avoid and mitigate significant adverse effects on environmental resources while aiming to achieve the primary project objectives.

C.2 Proposed Project

The SCVWD's preferred alternative, which is the Locally Preferred Plan (Alternative 3), would include engineered levees along the western and northern outer levees of New Chicago Marsh along the existing margins of Ponds A12, A13, and A16 (Alviso North alignment) and would follow the San José–Santa Clara Regional Wastewater Facility (Wastewater Facility) levee that runs west to east in a stair-step pattern along the north border (Water Pollution Control Plant South alignment) to protect against the 1-percent annual chance of exceedance tidal event with anticipated sea level change; a tide gate closure system across Artesian Slough; restoration of Ponds A9, A10, A11, A12, A13, A14, A15, and A18; a transitional habitat slope of 30:1 in Ponds A12/A13 and A18; multi-use trails on top of the new proposed flood risk management levee with connection to the Bay Trail network; viewing platforms and benches; and trail upgrades to be made to an existing segment of the Bay Trail system along State Route 237.

The flood-protection components would be constructed between 2018 and 2021. Restoration of the ponds and recreation elements would take place between 2020 and 2031 with monitoring and adaptive management occurring throughout the period.

C.3 Anticipated Environmental Impacts

Table C.3-1 *Summary of Project Impacts* summarizes the project's potential for impacts on the environment and a list of avoidance and minimization measures that would be implemented as part of the project, along with the mitigation measures identified to avoid or minimize identified significant impacts. For a complete description of potential impacts and recommended mitigation measures, please refer to the specific discussions in Chapter 4 *Existing and Future Conditions / Affected Environment, Environmental Consequences, and Mitigation Measures*.

Table C.3-1. Summary of Project Impacts

Effect	Avoidance and Minimization Measures	Significance	Mitigation	Significance after Mitigation
GEO-1: Expose People or Structures to Potential Substantial Adverse Effects During Seismic Events	AMM-GEO -1: Public warning signs AMM-GEO-3: Levee Design	~~S~~ LTS	~~M-GEO-1: Worker Seismic Safety~~ None	LTS
GEO-2: Expose people or structures to tsunami or seiche	AMM-GEO -1: Public warning signs AMM-GEO-4: Stop Work After Seismic Activity	LTS	None	LTS
GEO-3: Result in substantial soil erosion or the loss of topsoil in or adjacent to the study area	AMM-GEO-2: Reuse soils AMM-GEO-5: Channel Tidal Flow AMM-GEO-6: Prepare SWPPP	LTS	None	LTS
LND-1: Physically divide the community of Alviso		NI	None	NI
LND-2: Conflict with land use policies	AMM-LND-1: Minimize Disturbance AMM-LND-2: Removal Materials	LTS (Alt 2,3) S (Alt 4, 5)	None (Alt 2,3) M-LND-2: New Chicago Marsh Protection (Alt 4) None Available (Alt 5)	LTS (Alt 2,3,4) S (Alt 5)
LND-3: Conflict with the adopted Santa Clara Valley Habitat Plan	AMM-LND-1: Minimize Disturbance AMM-LND-2: Removal Materials	LTS	None	LTS
HYD-1: Alter existing drainage patterns in a manner that would result in scour that could cause substantial erosion or siltation	None	S	M-HYD-01a: levee maintenance will be adjusted or levee improvements implemented If excessive scour occurs of the levee crown or sides. M-HYD-01b: Fabric and/or rock armoring will be installed for excessive scour at the levee toe. M-HYD-01c: Develop and implement plan to protect UPRR bridge crossing of Coyote Creek	LTS
HYD-2: Increase the risk of flooding that could cause injury, death, or substantial property loss	AMM-HYD-1: Flood Warnings	B	None	B
HYD-3: Conduct excavation activities, fill placement, construction dewatering, and structure building in a manner that could affect adjacent existing levees (geotechnical issues)	None	LTS	None	LTS
HYD-4: Place non-flood risk hazard reduction structures within the 1-percent ACE flood hazard area that would impede or redirect flood flows	None	NI	None	NI

Table C.3-1. Summary of Project Impacts

Effect	Avoidance and Minimization Measures	Significance	Mitigation	Significance after Mitigation
WAT-01 violate any water quality standard or waste discharge	AMM-WAT-1: Staging Area AMM-WAT-2: Fuel Management Plan AMM-WAT-4: Pond Construction Timing AMM-WAT-5: Hazardous Spill Plan AMM-WAT-6: Seasonal Restrictions AMM-WAT-7: Minimize Footprint AMM-WAT-8: Clean Equipment AMM-WAT-9: Site Maintenance AMM-WAT-11: Protect Hazardous Sites AMM-WAT-12: Use of On-Site Material AMM-WAT-14: Water Quality Parameters AMM-WAT-15: Water Quality Baseline AMM-WAT-19: Minimize In-water Construction AMM-WAT-20: Turbidity Control AMM-WAT-21: Stormwater Runoff Control AMM-WAT-22: Stormwater Management Plan AMM-WAT-23: Use of Clean Fill AMM-WAT-24: Prepare SWPPP AMM-WAT-25: No Treated Wood AMM-WAT-26: Equipment Staging and Fueling AMM-WAT-27: Hazardous Spill Plan AMM-WAT-28: Prevent Equipment Leaks AMM-WAT-29: Stabilize Construction Areas AMM-WAT-30: Invasive Plant Prevention			
• Turbidity around breaches	AMM-WAT-3: Turbidity Management Plan AMM-WAT-10: In-Stream Sediment Control	LTS	None	LTS
• Increased water temperature	None	LTS	None	LTS
• Metals	None	LTS	None	LTS
• Salinity effects on waters near Ponds A12, A13, and A15	None	S	M-WAT-1a: Salinity Control	LTS
• Reduced DO levels in Pond A12	AMM-WAT-16: Dissolved Oxygen	S	M-WAT-1b: Dissolved Oxygen Control.	LTS
• Long-term suspension and mobilization of mercury-laden sediments and greater levels of MeHg	AMM-WAT-17: Mercury in Sentinel Species	LTS	None	LTS
• Algae composition	AMM-WAT-18: Control of Nuisance Algae	LTS	None	LTS

Table C.3-1. Summary of Project Impacts

Effect	Avoidance and Minimization Measures	Significance	Mitigation	Significance after Mitigation
WAT-2: Substantially alter existing drainage patterns	AMM-WAT-13: Sediment Accretion Areas	LTS	None	LTS
ABR-1: Substantial adverse effect on any special-status species	AMM-ABR-1: Seasonal Restrictions AMM-ABR-2: Biological Monitor AMM-ABR-3: Vibratory Piling AMM-ABR-4: In Water Sediment Control AMM-ABR-5: Screen Pumps AMM-ABR-7: Notification of Mortality Events AMM-ABR-8: Adequate Depth of Channels AMM-ABR-9: Salvage Natural Materials AMM-ABR-10: Prepare SWPPP AMM-ABR-11: Biological Monitoring AMM-ABR-12: Water Structure Materials AMM-WAT-27: Hazardous Spill Plan AMM-WAT-28: Prevent Equipment Leaks	LTS	None	LTS
ABR-2: Conflict with the provisions of the Santa Clara Valley Habitat Plan	None	NI	None	NI
TBR-1: Effects on sensitive natural communities	None	LTS	None	LTS

Table C.3-1. Summary of Project Impacts

Effect	Avoidance and Minimization Measures	Significance	Mitigation	Significance after Mitigation
TBR-2: Effects on special status species	AMM-TRB-1: Notification of Mortality AMM-TRB-2: Seasonal Restrictions AMM-TRB-3: Conduct Preconstruction Surveys AMM-TRB-4: Stage Outside Sensitive Habitats AMM-TRB-5: Minimize Footprint AMM-TRB-6: Install Exclusionary Fencing AMM-TRB-7: Biological Monitor AMM-TRB-8: Restore Disturbed Areas AMM-TRB-12: Worker Awareness AMM-TRB-13: Closure of Trails for Bird Species AMM-TRB-14: Interpretive Signs AMM-TRB-15: No Dogs in Refuge AMM-TRB-16: Cleaning of Equipment AMM-TRB-17: Hazardous Spill Plan AMM-TRB-18: Construction Site Maintenance AMM-TRB-19: Speed Limit AMM-TRB-20: Vehicle Staging and Fueling AMM-TRB-21: Vehicle and Equipment Maintenance AMM-TRB-22: Stormwater Management Plan AMM-TRB-23: Use of Clean Fill			
Salt Marsh Harvest Mouse	None	S	M-TBR-2a: Construction Avoidance Measures for Salt Marsh Harvest Mouse	LTS
Salt Marsh Wandering Shrew	None	S	M-TBR-2a: Construction Avoidance Measures for Salt Marsh Harvest Mouse	LTS
Western Snowy Plover	AMM-TRB-9: Pond Levels for Snowy Plover	S	M-TBR-2b: Construction Avoidance Measures for western snowy plovers, M-TBR-2c: Compensatory Measures for western snowy plover	LTS
Burrowing Owl	None	S	M-TBR-2d: Pre-construction Surveys and Passive Relocation of Burrowing Owls	LTS
Ridgway's Rail	None	S	M-TBR-2e: Construction Avoidance Measures for Ridgway's Rails	LTS

Table C.3-1. Summary of Project Impacts

Effect	Avoidance and Minimization Measures	Significance	Mitigation	Significance after Mitigation
Nesting Birds	AMM-TRB-3: Conduct Preconstruction Surveys	S	M-TBR-2f: Construction Avoidance Measures for Nesting Birds	LTS
Sensitive Plants	None	S	M-TBR-2h: Conduct Focused Protocol-level Surveys for Congdon's tarplant	LTS
TBR-3: Effects on Wildlife Movement, Habitat Connectivity, Habitat Fragmentation, and Biodiversity	None	LTS (Alt 2,3,5) S (Alt 4)	None	LTS (Alt 2,3,5) S (Alt 4)
TBR-4: Effects on Population and Habitat Trends	AMM-TRB-10: Least Tern Breeding Buffer AMM-TRB-11: Pond Levels for Least Tern AMM-TRB-24: Cordgrass Monitoring	LTS (Alt 2,3) S (Alt 4,5)	M-TBR-3: Hydrologic Upgrades to Alviso Railroad Spur Levee	LTS (Alt 2,3) S (Alt 4,5)
TBR-5: Policy and Plan Conflicts	None	LTS (Alt 2,3) S (Alt 4,5)	None (Alt 2,3) None available (4,5)	LTS (Alt 2,3) S (Alt 4,5)
HAZ-01: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment	AMM-HAZ-1: Avoid Hazardous Site AMM-HAZ-2: Compliance with Federal and State Regulations AMM-HAZ-3: Prepare Health and Safety Plan	S	M-HAZ-01: Discovery of Undocumented Hazardous Materials	LTS
HAZ-02: Emit hazardous emissions or involve the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school	AMM-HAZ-1: Avoid Hazardous Site AMM-HAZ-2: Compliance with Federal and State Regulations AMM-HAZ-3: Prepare Health and Safety Plan	LTS	None	LTS
HAZ-03: Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment	AMM-HAZ-1: Avoid Hazardous Site AMM-HAZ-2: Compliance with Federal and State Regulations AMM-HAZ-3: Prepare Health and Safety Plan AMM-HAZ-4: Records Review Prior to Construction	S	M-HAZ-03: Construction Near Hazardous Sites	LTS
HAZ-04: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan	AMM-HAZ-3: Prepare Health and Safety Plan	LTS	None	LTS

Table C.3-1. Summary of Project Impacts

Effect	Avoidance and Minimization Measures	Significance	Mitigation	Significance after Mitigation
TRN-1: Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulations system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; or conflict with congestion management program standards and goals for freeway segments.	AMM-TRN-1: Work Hours	LTS	None	LTS
TRN-2: Substantially increase hazards related to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., slow-moving construction equipment)	AMM-TRN-3: Traffic Control Plan	LTS	None	LTS
TRN-3: Result in inadequate emergency access to areas that are near the project and that rely on the same transportation facilities	AMM-TRN-3: Traffic Control Plan	LTS	None	LTS
TRN-4: Conflict with the City of San José, Santa Clara County, or Alameda County adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities	AMM-TRN-2: Coordination with Railroad	LTS	None	LTS
AIR-1: Violate any air quality standard or contribute substantially to an existing or projected air quality violation	AMM-AIR-1: Dust Control Measures AMM-AIR-2: Limit Idling Time AMM-AIR-3: Prepared SWPPP AMM-AIR-5: Cleaner Construction Equipment AMM-AIR-6: Use Electrical Power where Possible	S	M-AIR-1a M-AIR-1b	S
AIR-2: Expose sensitive receptors to substantial pollution concentrations	AMM-AIR-2: Limit Idling Time AMM-AIR-5: Cleaner Construction Equipment AMM-AIR-6: Use Electrical Power where Possible	LTS	None	LTS
AIR-3: Conflict with or obstruct implementation of the applicable air quality plan	None	LTS	None	LTS
AIR-4: Create objectionable odors affecting a substantial number of people	AMM-AIR-2: Limit Idling Time AMM-AIR-5: Cleaner Construction Equipment AMM-AIR-6: Use Electrical Power where Possible	LTS	None	LTS

Table C.3-1. Summary of Project Impacts

Effect	Avoidance and Minimization Measures	Significance	Mitigation	Significance after Mitigation
AIR-5: Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases	AMM-AIR-4- Greenhouse Gas BMPs	LTS	None	LTS
REC-1: Limit or impede existing recreational uses in the project area such as trails, access to the bay, and environmental education	AMM-REC-1: Incorporate Existing Trails AMM-REC-2: Landscape Displays AMM-REC-3: Bay Trail Connection	LTS	None	LTS
REC-2: Increase the use of existing neighborhood and regional parks or other recreation facilities such that substantial physical deterioration of the facility would occur or be accelerated	None	LTS	None	LTS
REC-3: Require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.	None	LTS	None	LTS
AES-1: A substantial short-term negative aesthetic effect on the existing visual character or quality of the pond areas during construction	AMM-AES-1: Stabilize Disturbed Areas	LTS (Alt 2,3) S (Alt 4,5)	None	LTS (Alt 2,3) S (Alt 4,5)
AES-2: A substantial, demonstrable negative aesthetic effect on scenic vistas such as those associated with the Alviso Marina and the Refuge	None	LTS	None	LTS
AES-3: Create a new source of glare that would adversely affect views in the area	None	LTS	None	LTS
AES-4: Have a substantial long-term negative aesthetic effect on the existing visual character or quality of the pond areas	None	LTS (Alt 2,3) S (Alt 4,5)	None (Alt 2,3) None available (Alt 4,5)	LTS (Alt 2,3) S (Alt 4,5)
NOI-1: Expose people to or generate noise levels in excess of standards established in the City of San José's municipal code for land inside the city limits or the Santa Clara County Code standards for land in unincorporated areas of Santa Clara County	AMM-NOI-1: Work Hours AMM-NOI-3: Noise Best Management Practices	S	M-NOI-1	LTS
NOI-2: A substantial temporary or periodic increase in ambient noise levels in the project vicinity due to construction activities	AMM-NOI-1: Work Hours AMM-NOI-2: Wildlife Buffers AMM-NOI-3: Noise Best Management Practices	S	M-NOI-1	LTS
NOI-3: Expose people to or generate excessive ground-borne vibration or ground-borne noise levels	None	LTS		LTS

Table C.3-1. Summary of Project Impacts

Effect	Avoidance and Minimization Measures	Significance	Mitigation	Significance after Mitigation
NOI-4: A substantial permanent increase in ambient noise levels or vibration in the project vicinity above existing levels without the project	None	LTS		LTS
NOI-5: Exposure of people residing or working in the study area to excessive aircraft-generated noise levels	None	No Impact		No Impact
HEA-1: Create a significant hazard to the public through exposure to disease vectors	None	LTS	None	LTS
HEA-2: Create a substantial increase in the need for vector (mosquito) management	AMM-HEA-1: Coordinate with Vector Control District	LTS	None	LTS
CUL-1: Cause a substantial adverse change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5 or 36 CFR 800.5 of the ACHP's implementing regulations	AMM-CUL-1: Avoid Cultural Resources	S	M-CUL-1	LTS
CUL-2: Cause a disturbance of human remains, including those interred outside of formal cemeteries	AMM-CUL-2: Discovery of Remains	LTS	None	LTS
UTL-01: Police and emergency services	AMM-UTL-2: Flood Warning Signs	LTS	None	LTS
UTL-02: Construction waste and landfill capacity	AMM-UTL-: Reuse Materials	LTS	None	LTS
UTL-03: Construction of new or expanded utilities	AMM-UTL-3: Relocate Utilities	LTS	None	LTS
UTL-04: Power transmission lines and tower	None	LTS	None	LTS
UTL-05: Interfere with rail transportation or operations	None	LTS	None	LTS
UTL-06: Water use impacts	None	LTS	None	LTS

NI = No Impact
LTS = less than significant
S = significant
B = beneficial
NA = not applicable
DO = dissolved oxygen
SWPPP = Stormwater Pollution Prevention Plan
MeHg = Methylmercury
BMPs = Best Management Practices
CEQA = California Environmental Quality Act
CFR = Code of Federal Regulations
ACHP = Advisory Council on Historic Preservation

C.4 Unavoidable Adverse Impacts

Chapter 4 *Existing and Future Conditions / Affected Environment, Environmental Consequences, and Mitigation Measures* describes the potentially significant project-related effects on the built and natural environments. The analyses in Chapter 4 *Existing and Future Conditions/Affected Environment, Environmental Consequences, and Mitigation Measures* identify a number of potentially significant effects associated with the action alternatives; most of those effects could be reduced to a less-than-significant level with the application of mitigation. The action alternatives would result in the following unavoidable adverse effects:

- **Incompatibility with the *New Chicago Marsh Water Management Plan*** (Section 4.3 *Land Use and Planning*) – Alternative 5 only
- **Loss / disruption of marsh habitat in New Chicago Marsh** (Section 4.7 *Terrestrial Biological Resources*):
  - Levee bisecting New Chicago Marsh effect on wildlife movement and habitat connectivity – Alternative 4 only
  - Levee alignment leaving all or part of New Chicago Marsh subject to tidal flooding effect on population and habitat trends – project and cumulative impact for Alternatives 4 and 5
  - Incompatible with biological components of *New Chicago Marsh Water Management Plan* – Alternatives 4 and 5
- **Violate air quality standard for nitrogen oxides and reactive organic gases** (Section 4.10 *Air Quality/Greenhouse Gases*) – All action alternatives
- **Short-term negative effect on visual character** (Section 4.12 *Aesthetics*) – Alternatives 4 and 5
- **Long-term negative effect on visual character from Alviso** (Section 4.12 *Aesthetics*) – project and cumulative impact for Alternatives 4 and 5
- **Cumulative loss of pond habitat used by pond-specialist bird species** (Section 4.7 *Terrestrial Biological Resources*) – all action alternatives
- **Cumulative temporary increase in noise levels** (Section 4.13 *Noise*) – all action alternatives

C.5 Potential Areas of Controversy

The loss of pond habitats due to the creation of tidal marsh was extensively debated during the 5-year programmatic planning effort of the South Bay Salt Pond Restoration Project (SBSP Restoration Project; 2003–2008). The SBSP Restoration Project environmental documentation stated that the preferred alternative included up to 90 percent of the project area be restored to tidal marsh in order to make up for the overwhelming loss of the historic tidal wetland resources. However, the project documentation also stated that several strategies would be incorporated into the project to address impacts to the pond-specialist species.

- The first major strategy is to enhance a carefully selected group of existing ponds to improve their productivity, creating what are called "enhanced managed ponds." These are ponds that have lower salinity levels, better ability to manage water levels and flows with new water-control structures, and islands for roosting and nesting.
- The second strategy for the SBSP Restoration Project to prevent significant impacts to pond species is the adaptive management process. Conversion of ponds to tidal wetlands will happen over time, in phases, with monitoring and applied studies being incorporated into the process.

Based on these results, if undesired impacts appear, then corrective action would be taken or, possibly, the conversion of ponds to tidal wetlands would stop. Since the Shoreline Phase I Study is closely coordinated with the SBSP Restoration Project planning effort, a similar approach was adopted to address the impacts of converting pond habitats to tidal wetlands. The ecosystem-restoration actions would be implemented in phases with monitoring and close integration with the adaptive management program of the SBSP Restoration Project.

C.6 Issues to Be Resolved

The final EIR for the Plant Master Plan for the San José–Santa Clara Regional Wastewater Facility includes a levee alignment between Pond A18 and plant property that is not the same alignment discussed in this report. However, in the final adopted version of the San Jose/Santa Clara Water Pollution Control Plant's Plant Master Plan (PMP, November 2013), the City did not adopt a specific levee alignment. Rather, the Plan outlines a vision of flood protection and restoration to be implemented in partnership with other agencies. The PMP can be found here: www.sanjoseca.gov/DocumentCenter/View/38425. The Project Description section of the PMP EIR, states "The levee alignment shown in the proposed site plan is subject to change as the Shoreline study is in the planning phase. Therefore, the levee alignment segment traversing the active biosolids lagoons is identified as tentative. The role of the PMP is to accommodate the levee, which will be designed and constructed by other agencies. City staff will continue to work with the Shoreline Study agencies in the development of the levee." The project proponents of the Shoreline Phase I Project will continue to work with the City of San José and the regulatory agencies to coordinate the two plans and develop a final alignment that serves both while minimizing adverse effects.

As noted throughout this report, there is some uncertainty as to how various environmental resources would respond to long-term changes brought about by the Shoreline Phase I Project and the SBSP Restoration Project. The Shoreline Phase I Project includes an extensive Monitoring and Adaptive Management Plan (Appendix F *Shoreline Study Monitoring and Adaptive Management Plan for Ecosystem Restoration*). As implementation of the project progresses, adaptive management would guide the selection of the final mix of habitats. Since project construction would occur over more than 14 years, later phases would reflect lessons learned from earlier actions. Adaptive management may also result in corrective measures being implemented for earlier phases.