

NOTE:

Following are comments received during the public comment period for the Stevens Creek Crossings Initial Study/Environmental Assessment. The comment period closed on March 13, 2012, and further review of the project has been suspended by the City pending the City's update of its General Plan and North Bayshore Precise Plan.



Midpeninsula Regional Open Space District

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February 28, 2012

Randal Tsuda
Community Development Director
City of Mountain View
Community Development Department
500 Castro Road, 1st Floor
Mountain View, CA 94041

Re: Draft Initial Study/Environmental Assessment for the Stevens Creek Crossings Project, City of Mountain View, CA

Dear Mr. Tsuda:

On behalf of Midpeninsula Regional Open Space District (District), I would like to submit the following comments regarding the Draft Initial Study/Environmental Assessment (DIS/EA) for the Stevens Creek Crossings Project. The proposed project includes two new two-lane restricted access vehicular bridge crossings extending Charleston Road and Crittenden Lane across Stevens Creek in the City of Mountain View.

The District owns and manages nearly 60,000 acres of public open space land on the San Francisco Bay peninsula, including Stevens Creek Nature Study Area located adjacent to the proposed project. The District's mission is:

To acquire and preserve a regional greenbelt of open space land in perpetuity; protect and restore the natural environment; and provide opportunities for ecologically sensitive public enjoyment and education.

As a neighbor of the project site who is concerned about the project's potential impacts on the public's enjoyment of the surrounding open space land, we respectfully request that the City of Mountain View consider the following comments during its project review:

Aesthetics

Scenic Vistas

Scenic vistas are of significant value to the District, and the DIS/EA does not evaluate all impacts to the views of the Santa Cruz Mountains from the Stevens Creek Trail. We recommend adding a further viewpoint location, north of Crittenden Lane on the Stevens Creek Trail to complete the assessment of the project's impacts on the views of the Santa Cruz Mountains.

Project Design

As the project moves beyond the schematic phase, all bridges should be designed to blend in with the natural environment in all ways feasible. The bridges should be constructed in materials that are non-reflective and in earth colors seen in the surrounding landscape. For example, the simulation of the Crittenden Lane crossing in Figure 4.1-8 shows the vehicular bridge in light colors that blend in with the surrounding skyline of the bay area, while Figures 4.1-9 and 4.1-10 show the Charleston Road crossing with design elements in red that stand out significantly from the surroundings. We recommend matching the aesthetics of the Charleston Road crossing to that of the Crittenden Lane crossing.

Transportation and Circulation

The effects of the project on transportation and circulation are not adequately described in the DIS/EA. While the traffic associated with the approved facilities in the Bay View Area may have been analyzed earlier in the 2002 NADP PEIS, the proposed crossings project's impacts to traffic and circulation are difficult to evaluate without including expected trips from approved facilities that will be developed in the Bay View Area of NASA ARC. Even if the project results in a cumulative net benefit to local transportation and circulation, the DIS/EA should still reflect and evaluate the anticipated total daily trips with the approved facilities that will be developed in the Bay View Area. We recommend using traffic data, such as expected daily trips, that was developed as part of the 2002 NADP PEIS to complete the analysis of the project's impacts to traffic and circulation.

We appreciate the opportunity to review the initial proposed design. Should you have any questions, please feel free to contact me.

Sincerely,



Ana Ruiz, AICP
Planning Manager

cc: Stephen E. Abbors, MROSD General Manager
MROSD Board of Directors



February 28, 2012

City of Mountain View
Planning Department
500 Castro Street
Mountain View, CA 94039

Attention: Lindsay Hagan

Subject: Stevens Creek Crossings

Dear Ms. Hagan:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Initial Study for two new two-lane vehicular bridge crossings of Stevens Creek and one new ped/bike bridge crossing of Stevens Creek. We have the following comments.

Transit Vehicle Access to Proposed Bridges

VTA supports the item in the Project Goals and Objectives (page 2-3) to provide VTA with new routing and service options with the new bridges. We also agree with the statement on page 3-10 that “Transit, security, and Google service vehicles would be the only regular trips over the vehicular bridge crossings immediately following construction.... Over time, regular public bus and shuttle services may be added, but these services have yet to be defined and would be analyzed and authorized separately.” At this time, VTA does not have plans to use the proposed bridges for existing or planned routes. However, the proposed bridges would provide greater routing flexibility and the ability for buses to avoid congestion on Highway 101 while serving the NASA Ames and North Bayshore areas, and it is possible that VTA may modify its service to use the bridges in the future. Any changes to service would be considered in the framework of VTA’s Board-adopted Transit Sustainability Policy and Service Design Guidelines.

One of the Project Goals and Objectives (page 2-3) includes: “incentivize high-occupancy vehicle (HOV)/non-motorized transit.” Similarly, under Project Components (page 3-6), the Initial Study states that “vehicular traffic would be controlled for access only by high occupancy transit vehicles, security vehicles, and emergency response vehicles.” However, under Operations (page 3-10), the Initial Study states that “The vehicular bridges would be allowed to only carry corporate shuttles, public transportation, security vehicles, emergency service vehicles, and as an emergency egress route if so designated by the City of Mountain View.” VTA asks that the City be clear and consistent in all instances on whether high occupancy vehicles (meaning private automobiles with more than one occupant) will be allowed on the bridge. The references to “high occupancy transit” use an unusual terminology that is unclear in its intent.

We understand that the City will soon begin negotiations with Google on an encroachment agreement to allow some or all of the proposed bridges to be constructed. VTA requests that the City include access to public transit vehicles (such as VTA express or local buses) and other private shuttles (beyond Google's shuttles) as terms in this agreement, even if such services are not defined or planned at present. Also, in order to ensure that shuttle and transit modes remain time competitive with automobile travel, VTA asks that the encroachment agreement exclude access to private automobiles on the bridges over the long term life of the agreement.

Existing Transit Network – Shuttle Service

In the description of existing conditions in the Study Area, Section 4.11.1.4 "Shuttle Service" only discusses publicly run shuttles that provide connecting service to Altamont Commuter Express and Caltrain passenger rail services. This section should also include a discussion of corporate shuttles serving the study area, including but not limited to Google shuttles.

Criteria for Determination of Adverse Effect

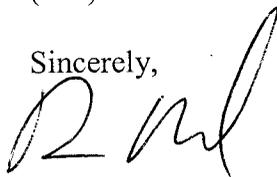
Section 4.11.3.1 of the Initial Study lists several criteria for determining the effect of the Proposed Project on transportation and circulation conditions, based on the environmental checklist form in Appendix G of the State CEQA Guidelines (14 CCR 15000 et seq.). VTA notes that the following CEQA criteria was not included in the list:

- Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

VTA requests that the City add this criteria to the analysis. It is of particular importance to analyze the proposed project in relation to plans, policies and programs concerning the Stevens Creek Trail.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed
Senior Environmental Planner

File: 32704
Stevens Creek

February 27, 2012

Mr. Randal Tsuda, Community Development Director
City of Mountain View
Community Development Department
500 Castro Road, 1st Floor
Mountain View, CA 94041

Dr. Ann Clarke, Environmental Manager Division Chief
NASA Ames Research Center
Mail Stop 237-14, Building 237, Room 103
Moffett Field, CA 94035-0001

Subject: Stevens Creek Crossings Project

Dear Mr. Tsuda and Ms. Clarke:

The Santa Clara Valley Water District (District) has reviewed the Initial Study/Environmental Assessment for the subject project, received on January 30, 2012. The District is a special district with jurisdiction throughout Santa Clara County. The District acts as the county's groundwater management agency, principal water resources manager, flood protection agency and is the steward for its watersheds, streams and creeks, and underground aquifers. We appreciate the opportunity to comment on the Initial Study/Environmental Assessment (Initial Study) for the Stevens Creek Crossings Project. This letter transmits comments that focus on the areas of interest and expertise of the Water District.

Section 3.2.4.1 of the Initial Study repeatedly states that "No structures—permanent or temporary—would be built within Stevens Creek..." However, Section 3.2.4.2 states that structures and equipment such as falsework and cranes would be located outside of the wetted portion of the channel and between the tops of the Stevens Creek levees. The District, and most likely other regulatory agencies such as the San Francisco Regional Water Quality Control Board and the California State Department of Fish and Game, considers Stevens Creek to encompass the entire channel located between the tops of the levees. Where the Initial Study refers to the wetted portion of the channel, the District defines this to be the low flow channels. The lower maintenance roads located adjacent to the low flow channels and below the levees



are still considered to be within Stevens Creek from the District's perspective. Therefore, any project impacts located between the tops of the Stevens Creek levees, including temporary or permanent construction impacts, should be addressed in the Initial Study as an impact to Stevens Creek.

Section 4.8.1.3 states "No structures [permanent or temporary] would be built within Stevens Creek, from top of levee to top of levee." Again, this conflicts with statements made in Section 3.2.4.2 where falsework will be constructed within Stevens Creek with foundations on the District's low flow maintenance roads. Any temporary obstructions located within Stevens Creek have the ability to impact vegetation, habitat, and adversely affect water quality and flood flows. The Initial Study should clarify whether or not temporary structures or construction work will be located within Stevens Creek (from top of levee to top of levee) and if so, the Initial Study should identify any impacts to Stevens Creek and appropriate mitigations applicable thereto.

The discussion for Effect HYD-6 should be more detailed in relation the modifications proposed to the Stevens Creek levee for the new pedestrian bridge at Charleston Road and the new trail connection at Crittendon, northerly of the proposed Crittendon vehicular bridge. Both these connections to the District's levee will require additional fill to the levee in order to maintain the same top of levee road width, as well as ensure that the original levee footprint/cross-section is not minimized and appropriate side slopes are maintained. Eighteen inches of fill cannot be added on top of the levee without widening the levee or reducing the levee top width and reducing the top width is not acceptable to the District. Also, any structures proposed in the levee, such as the bridge supports proposed at the Charleston pedestrian bridge, will need to meet Army Corps of Engineers engineering criteria for levee structures. In order to meet all these criteria, the Initial Study should specify whether the project will need to obtain additional right of way for the District to ensure the District owns right of way for the entire levee structure in order to maintain it properly. Also, pedestrian bridges usually have railings which may encroach into the District's levee road width thereby requiring levee widening at both approaches, similar to the levee widening at the existing Crittendon pedestrian bridge. These potential design modifications to the levee should be discussed in more detail in order to identify any potential impacts and necessary mitigations. The levee cannot be worked on or blocked during the rainy season. Similarly, obstructions to Stevens Creek, such as that which would occur if falsework is installed below the top of the levee, will not be allowed during the rainy season due to risks of levee breaching or overtopping if the design channel conveyance is reduced or blocked. These pre-construction and post-construction related impacts to the levee and Stevens Creek need to be discussed in greater detail.

A Water Resources Protection Ordinance encroachment permit must be obtained for all work proposed in District fee title right of way. The project description should note the need for this permit, in addition to any licenses to be requested from the District, and the District should be

Mr. Randal Tsuda and Dr. Ann Clarke
Page 3
February 28, 2012

listed as a Responsible Agency under CEQA. Any questions may be referred to me at (408) 265-2607, extension 2319, or via e-mail at yarroyo@valleywater.org.

Sincerely,



Yvonne Arroyo
Associate Engineer
Community Projects Review Unit

cc: Mr. David Hopkins (srgnc.com)
Sares Regis Group of Northern California, LLC
901 Mariners Island Boulevard, 7th Floor
San Mateo, CA 94404

S. Tippets, Y. Arroyo, U. Chatwani, R. Narsim, C. Elias, M. Martin, File

32704_54854ya02-27

From: [Beason, Mark](#)
To: [Jones, Matthew](#)
Cc: [Beason, Mark](#)
Subject: DIS / EA for Stevens Creek Crossings Project
Date: Wednesday, March 07, 2012 1:15:37 PM

Matt,

The SHPO has received your January 27, 2012, letter regarding the Stevens Creek Crossings Project (SHPO reference # NASA120130A). The letter states that “we have not yet formalized consultation with SHPO” in the first paragraph and then requests “review and concurrence that the Proposed Project achieves conformity with Section 106” on behalf of NASA and the City of Mountain View.

Thank you for providing a copy of the IS / EA. This office will not be reviewing or commenting on this project until NASA initiates consultation with the SHPO under Section 106. Additionally, if NASA intends for ICF International to conduct the consultation on its behalf, written notice of this delegation needs to be provided to this office as well.

Thanks,
Mark

Mark A. Beason
State Historian II, Review and Compliance
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816
(916) 445-7047

Comments on the
Stevens Creek Crossing Project
Initial Study/Environmental Assessment

Gregory Unangst

Cell: 415-987-1864, Email: gunangst@pacbell.net

After a brief review of the document, I would like to make the following comment and suggested course of action. Paragraph 2.4.2 Objectives has as the 4th and 5th objectives the following:

- Preserve and enhance opportunities and access for Stevens Creek Trail and Bay Trail users— both pedestrians and cyclists.
- Increase and improve access points for the public to enjoy the Bay Trail, ancillary trails, and the bay tidal wetlands to the north of the Proposed Project.

There is a low cost way to better achieve these objectives. Figure 3-2 of the document gives an aerial overview of the planned bridge crossings. The bridge proposed on Crittenden Lane will take advantage of the existing concrete bike/ped bridge. One third mile to the south, the bridge proposed for the Charleston Road crossing will add a new bike/pedestrian bridge. What is not shown on Figure 3-2 is a third bridge one third mile to the north of Crittenden Lane. This existing bridge is a steel/wood bike/pedestrian bridge. The end result of the current plan will be three bike/pedestrian bridges within a one mile distance. There are no Stevens Creek crossings further to the north (towards the bay) while the next pedestrian crossing of Stevens Creek is 1.3 miles to the south at Whisman School Park. I've attached a Google Earth picture below showing the current planned bridge configuration and the steel/wood bridge in question. Additionally, I have attached a Google Street View picture of the existing steel/wood bridge.

While there may have been rational reasons for placing this steel/wood bridge in its current location; the addition of the bike/ped crossing 2/3 mile to the south, in addition to the existing bike/ped crossing 1/3 mile south at Crittenden Lane now makes the location of this bridge redundant. After this bridge was put into position, the Moffett Bay Trail was opened, which now provides bike/pedestrian access around Moffett Field and provides connections to the trail networks in the South Bay, East Bay, and Silicon Valley. Many pedestrians and bicyclists are still not aware that this trail now exists because the access points are not readily visible. Providing a "T" junction that is the tie point joining the Shoreline Trail, the Stevens Creek Trail, and the Moffett Bay Trail would greatly improve the visibility and accessibility of all three trails.

My recommendation is that this steel/wood bridge be moved from its current location 1/3 mile north to the point where the Stevens Creek Trail, the Shoreline Trail and the Moffett Bay Trail almost come together. The last picture below shows the recommended relocation point for the steel/wood bridge. This small addition to the Stevens Creek Trail Crossing Project would be a major step in improving and enhancing access points for the public. This small addition to the project is wholly coherent with achieving the objectives stated in Paragraph 2.4.2.

There is one additional suggestion I'd like to propose on a somewhat separate topic. This project provides an opportunity to construct a public restroom on this stretch of the trail. Currently, there is access to drinking water but not to restrooms. The closest restroom is across Shoreline Blvd at Charleston Park near Google HQs. Those not familiar with this area would have no idea where to find a restroom. This project could provide restrooms on this long stretch of trail.



Planned Bike/Pedestrian Stevens Creek Crossings
(Planned crossings are at approx. 1/3 mile intervals)



Existing Steel/Wood Bridge
(1/3 Mile North of Crittenden Lane)



New Steel/Wood Bridge Location
(1/3 Mile North of Existing Location)

From: [Peter Ingram](#)
To: [Margaret Netto](#); [Jones, Matthew](#)
Cc: [Peter Ingram](#); [Andrew Sullivan](#); [Chuck Humpal](#); [Michael O'Connell](#)
Subject: Fwd: Google Shuttle/Bike/Ped Project in MV
Date: Monday, March 12, 2012 1:01:06 PM

Margaret / Matthew,
Scott was an attendee at our SVBC / Google workshop about the bridges and trails. I'm not sure I understand his comments on the base maps, so am passing this on to you and our consultants so they can look into any corrections that may be needed for final documents / next submittals.

Thanks!
Peter I
Peter Ingram
peter_ingram@earthlink.net
Mobile 650.740.4779

Begin forwarded message:

From: Scott Lane <scott.lane@sfbayventures.com>
Date: March 8, 2012 9:45:59 AM PST
To: Peter Ingram <peter_ingram@earthlink.net>
Subject: **Google Shuttle/Bike/Ped Project in MV**

Peter,

It was good to meet you last night at the event. I looked at the main [environmental document](#) and noted some inconsistencies in the background satellite view that should be very easy to fix. These are stated below. The satellite views at the meetings on the easels were also using the same outdated views, thus confusing me last night.

I also wanted to follow up on John's comments about two bridges versus one and the fact that cyclists want as straight of a shot as possible near the freeway.

While it may be too late for this round (perhaps it's not), I'd like to publicly recommend the La Avenida Street as the southern bridge.

This will further assist shuttle traffic when the future development of the surrounding properties are developed. I can easily see Google outgrowing this new campus within 2-3 years... taking over the areas near Highway 101 where the former housing is standing. (Admittedly there is Moffett Blvd to Hwy 101 exit, but a road between Moffett Blvd and RT Jones is almost certain to be developed I'd imagine.

If the shuttles are leaving the new Google campus, they can go down the reconfigured RT Jones Road and take a right and exit on La Avenida, which is designed to flow easily onto Highway 101.

Sares|Regis' "Exhibit 5 - Vicinity Map" does show the rendering of RT Jones Road/Wright Ave as well.

Now there is the Army Reserve open space to the south of an "extended La Avenida Street" and the 63rd Regional Support Command HQ that is clearly shown on the current [googlemaps satellite view of the area](#).

If they need flow between the two areas, perhaps two roads could be designed to be built underneath and extended La Avenida Street so as not to interfere with shuttles or Reserves training, etc.

Based on the [overall environmental report](#) I noted the following inconsistencies:
(which should be easily modifiable)

On a "plus" note... the rendered pictures and drawings look great.

These satellite views are **current/correct**:

Fig 3-2
4.1-1
exhibit 5, Sares Regis
(about the most clear and shows rudimentary changes to RT Jones Road & how La Avenida Street could extend over the creek to RT Jones Road potentially)
exhibit 16, Sares Regis

=====
=====

These satellite views appear to **not be current/incorrect**:

Fig 3-4
4.4-2
4.10-1
4.14-1
and
Fig 2, Fehr & Peers

All the best,

Scott
408-368-8157

From: Hahne, Gerhard E. (ARC-TNF)[Affiliate] [mailto:gerhard.hahne@nasa.gov]
Sent: Monday, March 12, 2012 2:25 PM
To: CLARKE, ANN (ARC-JQ)
Cc: Tsuda, Randy
Subject: Stevens Creek Crossing, etc.

Dear Dr. Clarke and Mr. Tsuda,

I have only one comment/request on the Stevens Creek Crossing proposal:
Please ensure that that after construction of the bridges, buildings, park, etc., that the West Perimeter Road is still open and available to NASA/Ames personnel.
Many of us use the loop DeFrance Ave.--North Perimeter Road--West Perimeter Road--Hunsaker Road for walking, jogging, or biking. This means that the boundary fence between NASA and the newly developed area must be east of the West Perimeter Road, and that the new bridges must do overpasses over Stevens Creek, its confining levees, and the current West Perimeter Road.

Sincerely, /s/ Gerhard Hahne (NASA/Ames Associate)



United States Department of the Interior

FISH AND WILDLIFE SERVICE
San Francisco Bay National Wildlife Refuge Complex
1 Marshlands Road, Fremont, California 94555



March 12, 2012

Randal Tsuda
Community Development Director
City of Mountain View
Community Development Department
500 Castro Road, 1st Floor
Mountain View, CA 94041

Subject: Comments on the Stevens Creek Crossings Project Draft Initial Study/
Environmental Assessment.

Dear Mr. Tsuda,

The U.S. Fish and Wildlife Service (Service) would like to comment on the Draft Initial Study/
Environmental Assessment (EA) for the Stevens Creek Crossings Project.

The Project site is located adjacent to the Don Edwards San Francisco Bay National Wildlife
Refuge (Refuge). As an adjacent landowner, we have concerns that the Project may affect listed
species, migratory birds, and their habitats despite what is indicated in the Draft EA. Below are
some specific areas of concern:

Trails, Public Access. Human disturbance along any of the trails or bridges will increase
disturbance and predation to native wildlife and habitat. While we agree that the “use of
informational signage describing the value of preserving wetlands” and creation of “natural or
engineered barriers” may lessen human disturbance within the buffer area, it will not deter
predators. In addition, the number of predators that are associated with human development
(notably feral cats, rats, skunks) may increase dramatically especially in light of the known feral
cat colonies currently supported by this company and its employees. The Refuge also has an
existing Right of Way for ingress/egress via the bridge at the end of Crittenden Lane and
unlimited access must be maintained.

Lighting. Lighting impacts from the addition of any bridges over Stevens Creek could affect
native wildlife and habitat. Lights should be designed with wildlife species in mind using
appropriate wavelength light sources that are shaded to direct lights away from wetland areas.
Lamp posts could be used as avian predator perches and thus should include perch deterrents
such as bird spikes. Keep in mind that these spikes need to be monitored and cleaned on a



regular basis in order to be effective.

Buffer Zone: Effect BIO-8 discusses the transitional habitat identified in Mitigation Measure BIO- 18 and BIO-19 (NADP PEIS 2002). BIO-8 interprets “construction would be avoided...within the 61 meter buffer zone” more as a suggestion than requirement. We question this broad interpretation and would recommend a reexamination of the spirit of the original mitigation description. Limiting construction to refurbishing the existing bridge, rather than creating new bridges, seems more in-line with original PEIS.

Effect BIO-8 also reiterates that BIO-18 (NADP PEIS 2002) requires stormwater BMPs and construction of swales “to intercept and filter any runoff before it reaches the wetland”. We do not see further discussion of swale construction. Will swale construction be included in the bridge project to mitigate runoff? Which entity will be in charge stormwater and runoff responsibilities?

Cumulative Effects: Draft Tidal Marsh Recovery Plan and South Bay Salt Pond Restoration Project, and other adjacent projects:

Wildlife conditions downstream have altered considerably since the PEIS was written in 2002. The former Cargill salt ponds are now managed as wildlife habitat by the Refuge and are part of the South Bay Salt Pond Restoration Project (SBSRP). These are incorrectly referred to as “salt ponds” within the Draft IS/EA. The SBSRP finalized the EIR/EIS/ROD in 2010 (www.southbayrestoration.org).

The Service’s Draft Tidal Marsh Recovery Plan is in the final stages for release. In the recovery plan, the area that abuts this project is within the Central/Southern SF Bay Recovery Unit (East Palo Alto-Guadalupe Slough section) and thus important for the recovery of endangered species. This area may act as an important buffer land to protect from encroachment by humans and human associated predators (feral cats, rats, etc.).

Further, there are current restoration and remediation activities going on adjacent to the NASA Ames land at the Stevens Creek Nature Study Area and IR Site 25 at Moffett Field stormwater detention basin.

None of these regional environmental changes have been addressed in the Draft IS/EA nor is there any work to determine if these regional changes affect conditions on the NASA Ames land.

Because the study area includes potential endangered species habitat for the salt marsh harvest mouse and the California clapper rail, we encourage you to contact the Ecological Service’s office in Sacramento in order to begin the Biological Opinion analysis. Although the Draft IS/EA states that no salt marsh harvest mouse habitat is in the area, patches of pickleweed were found in the stream channel and without surveys we cannot rule out the chance that this species may occur here. California clapper rails have been found within the channel according to local reports (<http://ebird.org>) and have the potential to forage in the creek channel, especially at extreme high tides when their upland refugia is limited due to current development in the area and they are pushed farther upstream. Other birds listed as Species of Special Concern by the

State of California that have been seen in the area but that are not included in the Draft IS/EA include a number of species that likely nest within the wetland and uplands located within the project footprint: white tailed kite, northern harrier, Alameda song sparrow, and saltmarsh common yellowthroat.

Due to these concerns, we would strongly encourage any bridges built to be built farther from sensitive endangered species and migratory bird habitats. Therefore any bridge built as a part of this project should be built no closer to wetlands than the proposed Charleston Road site. No bridges should be placed at Crittenden Lane.

Please contact me at (510) 792-0222 (extension 125) or Eric_Mruz@fws.gov if you have any questions regarding this letter.

Sincerely,

Eric Mruz
Refuge Manager
Don Edwards San Francisco Bay
National Wildlife Refuge



United States Department of the Interior

FISH AND WILDLIFE SERVICE
San Francisco Bay National Wildlife Refuge Complex
1 Marshlands Road, Fremont, California 94555



March 12, 2012

Dr. Ann Clarke,
Environmental Management Division Chief
NASA Ames Research Center
Mail Stop 237-14, Bldg. 237, Room 103
Moffett Field, CA 94035-0001

Subject: Comments on the Stevens Creek Crossings Project Draft Initial Study/
Environmental Assessment.

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Sincerely,

Eric Mruz
Refuge Manager
Don Edwards San Francisco Bay NWR

2711 Levin Court
Mountain View, CA
March 12, 2012

Mr. Randy Tsuda, Community Development Director
City of Mountain View
Community Development Department
500 Castro St, 1st floor
Mountain View, CA 94041

Dr. Ann Clarke, Environmental Manager Division Chief
NASA Ames Research Center
Mail Stop 237-14, Building 237, Room 103
Moffett Field, CA 94035-0001

Re: Stevens Creek Crossings Project
Public Draft IS/EA
January 2012

Dear Mr. Tsuda and Dr. Clarke:

As a 27-year resident of Mountain View and avid biker on the Stevens Creek trail, I have a particular interest in this project. As a commissioner on the EPC for 9 years and a water resources engineer, I have experience with reviewing many environmental documents. Thank you for the opportunity to review this one.

The stated purposes of the project listed in Section 2.4.2 Goals and Objectives are valid. It is important to encourage people to get out of their cars, by providing efficient public transportation and pedestrian & bike friendly routes. The existing Stevens Creek Trail is a great example of infrastructure that does this and provides important connections within the Mountain View community. Given the new facilities that are being planned for Moffett Field by Google, a new cross-creek connection is needed to allow the areas on either side to behave as a single community. It should also help existing workers at NASA connect with the North Bayshore area of Mountain View. The circuitous existing route is very cumbersome and time-consuming.

Generally, the alternative described in this Initial Study/Environmental Assessment, as the Proposed Action/Project is much more extensive than is needed to meet the stated project objectives. It would be better to have only one crossing-site and the most advantageous crossing site, Charleston, was not even analyzed throughout the document. The right alternatives need to be analyzed to prepare a solid environmental document. In this case, the wrong alternatives were chosen. The one-bridge alternative at Charleston seems to meet the project objectives and be environmentally superior because it better avoids the impacts to the Western Marsh Diked Wetland, so it should have been thoroughly analyzed throughout the document. The lack of this analysis is a major flaw in this document.

The last project objective *Avoid adverse impacts on Stevens Creek and the Western Diked Marsh* should be included in Table 3-1, Conceptual Alternative Screening. Obviously, one crossing location creates less environmental disruption than two. The one-bridge alternatives for both Charleston and Crittenden seem to meet the first 3 project objectives. The Charleston site is better than the Crittenden site because it is further away from the Western Marsh Diked Wetlands. It is also better centered on the proposed new development.

On page 3-11, the rate of trips that the Google shuttle service is expected to take is about one every other minute or 28.7/hour of operation. That means that the shuttles are only 2 minutes apart. This seems like an expensive schedule that is likely to get reduced over time. If the two-crossing location alternative was based on this shuttle bus frequency, that may have contributed to proposing a project that is larger than needed.

The downstream reaches of Stevens Creek provide rich habitat for many animals and plants. One of the pleasures in biking down to the Bay is observing the snowy egrets that inhabit this site. They are there year-round. The potential occurrence in the study area should be changed on Table 4.4-2 to High. The rookery site adjacent to the study area may require special protection under the Migratory Bird Treaty Act.

Stevens Creek is known to be home to a population of steelhead trout. These fish are listed as threatened under the Endangered Species Act. As described on page 4-44, this reach of the creek has often been characterized as a migration channel which would mean that adult steelhead migrate up to spawn and back out to the ocean after spawning. Sampling in the fall of 2010 by the Santa Clara Valley Water District found young-of-the-year downstream of Highway 101, demonstrating that at least some steelhead may be using this reach to rear. As such, special care needs to be taken to protect these fish. Figuring out those protections requires consulting with the National Marine Fisheries Service under the Endangered Species Act. This consultation process can be lengthy and should be started immediately.

The operation of the bridges for shuttle buses and emergency vehicles only is a non-standard arrangement. It is not clear in the document who will be responsible for enforcing these rules. The assumption is that Google would be responsible now, but what would happen in the future if Google moved from this site?

I had trouble finding the mitigations for this project clearly spelled out. It appears that they are replaced with *Environmental Commitments*. Perhaps this is a NEPA methodology, but I found it confusing. Please replace with standard CEQA nomenclature.

The levees on either side of the creek in this area are important flood protection structures. Even the small amount of fill suggested for the new pedestrian bridges can not be added without careful engineering analysis. It may be necessary to increase the width of the levee to support this additional weight. Please work with the Santa Clara Valley Water District to make sure that the required analysis is carried out. With expected increases to flood elevations related to climate change in the future, this sort of analysis is particularly important. It helps insure that the structures are flood safe and controls liability.

All temporary structures required for construction must be removed from the channel during the wet season to make sure that adequate flood flow capacity is maintained. The channel should be interpreted to mean from top-of-levee on one side of the creek to top-of-levee on the other side of the creek. In this document, only the portion of the channel that contains water during low flow periods seems to be considered as the channel.

The cities in Santa Clara County are now subject to new trash reduction requirements by the Regional Board. One of the reasons for this requirement is to reduce the impact to water quality. Trash control should be described in the cumulative impact section under 4.16.2.7. This development will increase the number of people in the area and if not controlled have a corresponding increase in trash to the creek.

Although the idea of building a new crossing over Stevens Creek to connect the Google facilities on either side is a reasonable objective, the current Initial Study/Environmental Assessment needs significant work before it is finalized. In particular, the one-crossing alternative at Charleston should be evaluated completely. Please feel free to contact me at (650) 586-8676 or patshow@pacbell.net with questions. I appreciate the opportunity to review this draft and hope to be able to review a revised document in the near future.

Sincerely,

Patricia Showalter, P.E.

From: JLucas1099@aol.com [mailto:JLucas1099@aol.com]
Sent: Monday, March 12, 2012 4:43 PM
To: Tsuda, Randy; ann.clarke@nasa.gov
Subject: Stevens Creek Crossings Project IS/EA

Randal Tsuda, Planning Community Development Director
City of Mountain View
Community Development Department
500 Castro Road, Mountain View 94041

Dr. Ann Clarke, Environmental Div Chief
NASA Ames Research Center
Mail Stop 237-14, Bldg. 237, Room 103
Moffett Field, California 94035-0001

RE: Stevens Creek Crossings Project IS/EA

Dear Randal Tsuda and Dr. Ann Clarke,

In regards the Initial Study and Environmental Assessment for the Stevens Creek Crossings Project that is proposed from NASA's Bay View Google development area to the City of Mountain View via Charleston Road and Crittenden Lane there appears to be a serious deficiency in the adequacy of the proposed alternatives.

~ The lack of substantive alternatives analysis in the evaluation that equates environmental impacts from the Crittenden Lane bridge as the same as a suspension bridge crossing to Charleston Road results in a fatally flawed environmental assessment, sufficiently serious as to render this environmental document deficient.

~ The terminus of a Crittenden Lane bridge runs through the upland grassland habitat buffer that lies between proposed Google development in the BayView parcel and seasonal wetlands and wetlands of the stormwater retention ponds, and natural agricultural buffer lands adjacent to Stevens Creek. What mitigation lands are available to compensate for such loss of wetlands and upland foraging habitat and linear wildlife corridor? A crossing at Charleston Road does not begin to do this much damage to NASA's integrated open space plan.

~ The impact of a suspension bridge at Crittenden Lane on bay views to East Bay's Diablo Range, as well as to land views of Moffett Field hangars is highly obstructive compared to Charleston Road bridge loss of vista.

~ Night illumination from the Crittenden Lane suspension bridge would be more disruptive of wildlife in refuge marshes and salt ponds. Then raptors would find improved perches for preying on salt marsh harvest mouse. An environmental analysis differs widely for these two bridges on severity of impacts to endangered species.

~ There are numerous areas of divergent impacts from these two bridge options for both recreational walking and cycling along Stevens Creek levees and in ease and appeal of access to Bay Trail from Crittenden Road. This needs to be accurately addressed in this environmental assessment otherwise it is deficient and flawed.

~ Additionally there is an existing right-of-way easement to US Fish & Wildlife Service for recreation access by duck hunters, with boat trailers, from Crittenden Lane to Stevens Creek levees and to National Wildlife Refuge salt ponds and blinds that I do not find addressed in the document. The US Fish & Wildlife easement is also needed for purposes of levee maintenance and, evidently, must pass heavy

equipment. As proposed, this suspension bridge does not seem to retain sufficient breadth and height leeway for such levee access, and do not find analysis for alternative access, ie the North Road now ends in a major Google parking lot. What accomodation is being made for US Fish & Wildlife Service's recreation commitment to duck hunters?

What access will be available for salt pond levee maintenance and upgrade by the COE and Refuge crews?

~ In regards endangered species and species of concern that may be impacted by Crittenden Bridge design, not all are referenced in this IS/EA, and some have the possibility to return as salt pond restoration unfolds. Also, there appears to be evolution in adjacent marshes and wetlands with recent rise in bay levels as some seasonal wetlands remain wet throughout the year. So I would like to resubmit the species list as originally referenced in NASA's biological environmental assessment. salt marsh common yellowthroat, loggerhead shrike, white-tailed kite, western burrowing owl, northern harrier, golden eagle, horned lark, American peregrine falcon, western snowy-plover, salt marsh harvest mouse, western pond turtle, California red-legged frog, California least tern, riparian brush rabbit, steelhead, and possibly California tiger salamander. (I would like to detail habitat concerns for these species in a subsequent submittal, such as stream conditions for steelhead would require that stormwater releases into Stevens Creek be at coldwater fishery temperatures.)

~ Invasives are serious concern so EA/IS needs to establish clear construction equipment BMP protocols. Again, Crittenden Bridge intrudes to serious degree into natural buffer lands and alternative analysis should find this a significant impact that needs to be avoided by consideration of only the Charleston Road crossing. Google communication between facilities should be green and use pedestrian and electric golf cart access.

Thank you for any consideration that you can give my concerns with the Stevens Creek Crossings Project.

Libby Lucas
174 Yerba Santa Ave.,
Los Altos, CA 94022

From: [Netto, Margaret](#)
To: [Jones, Matthew](#)
Subject: FW: Stevens Creek Crossing, etc.
Date: Tuesday, March 13, 2012 10:05:45 AM

-----Original Message-----

From: Tsuda, Randy
Sent: Tuesday, March 13, 2012 8:44 AM
To: Netto, Margaret
Subject: FW: Stevens Creek Crossing, etc.

-----Original Message-----

From: Hahne, Gerhard E. (ARC-TNF)[Affiliate] [<mailto:gerhard.hahne@nasa.gov>]
Sent: Monday, March 12, 2012 7:15 PM
To: CLARKE, ANN (ARC-JQ)
Cc: Tsuda, Randy
Subject: RE: Stevens Creek Crossing, etc.

Dear Dr. Clarke and Mr. Tsuda,

I thought of something else in connection with my comment below:

I understand that there is a proposal to use R.T. Jones Road, Gate 17, and Wright Road as an access (and the only access) route for non-NASA POV's, the Stevens Creek bridges being only for shuttle buses, trucks, cyclists, pedestrians, etc.

This is a problem on two counts: (1) The junction of Moffett Blvd. and R.T Jones Road, a short distance from the main Moffett gate, could be congested beyond its carrying capacity, and (2) Hunsaker Road would be blocked off to NASA personnel who want to do the loop described below.

Sincerely, /s/ Gerhard Hahne

From: CLARKE, ANN (ARC-JQ)
Sent: Monday, March 12, 2012 6:40 PM
To: Hahne, Gerhard E. (ARC-TNF)[Affiliate]
Cc: randy.tsuda@mountainview.gov
Subject: Re: Stevens Creek Crossing, etc.

Dear Mr. Hahne,

Thank you for your comment. The purpose of the email is to confirm that we received it.

Regards,
Ann Clarke

On 3/12/12 2:25 PM, "Hahne, Gerhard E. (ARC-TNF)[Affiliate]"
<gerhard.hahne@nasa.gov> wrote:

- > Dear Dr. Clarke and Mr. Tsuda,
- >
- > I have only one comment/request on the Stevens Creek Crossing proposal:
- > Please ensure that that after construction of the bridges, buildings,
- > park, etc., that the West Perimeter Road is still open and available
- > to NASA/Ames personnel.
- > Many of us use the loop DeFrance Ave.--North Perimeter Road--West
- > Perimeter Road--Hunsaker Road for walking, jogging, or biking. This

- > means that the boundary fence between NASA and the newly developed
- > area must be east of the West Perimeter Road, and that the new bridges
- > must do overpasses over Stevens Creek, its confining levees, and the
- > current West Perimeter Road.
- >
- > Sincerely, /s/ Gerhard Hahne (NASA/Ames Associate)

mammals in this area. Non-native red foxes (*Vulpes vulpes*) and feral cats are also seen. Small mammals supply an abundant prey base; they include burrowing species such as pocket gophers (*Thomomys bottae*) and larger lagomorphs such as black-tailed hares (*Lepus californicus*).

Because of Bay View area's proximity to wetland and open water habitats, migratory waterfowl are present. Seasonal migrants to the diked marshes include: western gull (*Larus occidentalis*), American coot (*Fulica americana*), Canada Goose (*Branta canadensis*), northern shoveler (*Anas clypiata*), mallard (*Anas platyrhynchos*), green-backed heron (*Butorides striatus*), and pied-billed grebe (*Podilymbus podiceps*). There is no open water in Bay View. Under the Mitigated Alternative 5, Bay View boundaries have been reduced to exclude all designated wetlands. (See Figure 2-6.)"

In consideration of Mitigated Alternative 5's clearly stated criteria in regards exclusion of designated wetlands from impacts from Bay View development, I find denial of the proposed Crittenden Lane Bridge is mandated.

This Final EIS continues to review Special Status animal species observed in the Bay View area, to include salt marsh common yellowthroat (*Geothlypis trichas sinuosa*) State species of special concern, loggerhead shrike (*Lanius ludovicianus*) State and federal species of special concern, white-tailed kite (*Elanus leucurus*) full protected under Section 3511 of California Fish and Game Code, western burrowing owl have historically nested in eastern portion of this parcel, northern harrier (*Circus cyaneus*) fully protected under Section 3511 of California Fish and Game Code, golden eagle (*Aquila chrysaetos*) State species of special concern and is protected under federal Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act, horned lark (*Eremophila alpestris aetia*) State species of special concern, American peregrine falcon (*Falco peregrinus*) State listed as endangered. Western pond turtle (*Clemmys marmorata*) State species of special concern is known to be in proximity at Moffett Field, while California red-legged frog, federally listed as threatened and State species of special concern, and California tiger salamander are not likely to be found here in wetlands.

All these species need environmental review as to feasible impacts to habitat and refugia caused by the proposed Stevens Creek Crossings Project and in particular the extension of the Crittenden Lane bridge into Bay View's designated open space buffer and jurisdictional wetlands.

Bypassing of the scoping process for this project was not entirely in the best interests of the public or of the regulatory protection of the region's biological resources. Do amend this Stevens Creek Crossings Project alternatives analysis to more accurately implement and retain integrity in NASA Ames Development Plan.

Thank you for your continued review of these concerns.

Libby Lucas
174 Yerba Santa Ave.,
Los Altos, CA 94022

Mondy Lariz
Santa Clara County Creeks Association
mondy@sccreeks.org

March 13, 2012

Randal Tsuda , Planning Community Development Director
City of Mountain View
Community Development Department
500 Castro Road, 1st Floor
Mountain View, CA 94041
randy.tsuda@mountainview.gov

Re: Comments on the Stevens Creek Crossings Project, Public Draft IS/EA

Dear Mr. Tsuda,

Thank you for the opportunity to comment on the study for the Stevens Creek Crossings Project. I have several concerns with statements made in Chapter 4, “Affected Environment and Environmental Consequences.”

4.4.1.4 Project Setting

Page 4-44:

Oncorhynchus mykiss (Central California coast steelhead)

Central California coast steelhead is known to migrate up Stevens Creek from the ocean to spawning habitat farther upstream during winter when water flows are high. Therefore, this species has a high potential to occur within the study area.

Comment: These statements concerning steelhead trout are misleading in that they imply that these fish are only in the creek during high winter flows. Steelhead trout normally spend two years in Stevens Creek after they hatch before they are large enough to successfully migrate to the ocean. Thus, steelhead trout inhabit Stevens Creek year-round. A survey conducted by the Santa Clara Valley Water District in the fall of 2010 determined steelhead trout to be widely present throughout both the cold-water and warm-water stretches of Stevens Creek.

Page 4-44:

Oncorhynchus tshawytscha (fall-run Chinook salmon)

Fall-run Chinook salmon is known to migrate up Stevens Creek from the ocean to spawning habitat farther upstream during fall when water flows are high. Therefore, this species has a high potential to occur within the study area.”

Comment: These statements concerning Chinook salmon are quite worrisome in that these fish do not occur in Stevens Creek which tells me whoever did this work was not really familiar with Stevens Creek.

4.4.2.3 Project Effects

Page 4-50:

Effect BIO-3 Special Status Raptors

The loss of suitable nesting habitat within the study area is considered a less-than-significant impact because of the abundance of similar habitat north and south of the study area, within the water quality detention basin immediately west of the study area, and on portions of the open space and preserved areas at Moffett Federal Airfield.

Comment: The courts have previously determined that the above rationale for supposing the effects of a project to be insignificant because of habitat elsewhere is not in compliance with the law. “The proximity of larger wilderness areas does not necessarily compel the conclusion that the site is insignificant to animal wildlife.” Mejia v. City of Los Angeles (California Home Development, LLC) (2005) 130 Cal.App.4th 322 [29 Cal.Rptr.3d 788]

Page 4-51:

Effect BIO-4 Burrowing Owl

“The loss of suitable foraging habitat within the study area is considered minor under NEPA and less-than-significant under CEQA because of the abundance of similar habitat east and northwest of the study area and on portions of the open space and preserved areas within NASA ARC.”

Comment: The courts have previously determined that the above rationale for supposing the effects of a project to be insignificant because of habitat elsewhere is not in compliance with the law. “The proximity of larger wilderness areas does not necessarily compel the conclusion that the site is insignificant to animal wildlife.” Mejia v. City of Los Angeles (California Home Development, LLC) (2005) 130 Cal.App.4th 322 [29 Cal.Rptr.3d 788]

Page 4-52:

Effect BIO-5 California Clapper Rail

“The loss of potential nesting habitat adjacent to Stevens Creek within the study area is considered minor under NEPA and less-than-significant under CEQA because of the abundance of similar habitat north and south of the study area and more attractive nesting habitat adjacent to salt marsh and mud-flat habitats in portions of the open space and preserved areas within NASA ARC and north of the study area.”

Comment: The courts have previously determined that the above rationale for supposing the effects of a project to be insignificant because of habitat elsewhere is not in compliance with the law. “The proximity of larger wilderness areas does not necessarily compel the conclusion that the site is insignificant to animal wildlife.” Mejia v. City of Los Angeles (California Home Development, LLC) (2005) 130 Cal.App.4th 322 [29 Cal.Rptr.3d 788]

Page 4-52:

Effect BIO-6 Special Status Fish Species

“Central California coast steelhead and fall-run Chinook salmon use Stevens Creek as a migratory corridor to upstream spawning areas.”

Comment: Steelhead trout inhabit Stevens Creek year-round; they do not merely use it as a migratory corridor. Fall-run Chinook neither inhabit Stevens Creek nor use it as a migratory corridor.

4.16.2.3 Biological Resources

Page 4-144:

“The highly disturbed character of the Proposed Project area and limited amount of undeveloped habitat in the surrounding area provides marginal habitat for sensitive and common wildlife species, reducing the effect of any impacts on wildlife species.”

Comment: Earlier, when analyzing the impacts that the Proposed Project would have, this document repeatedly cited “the abundance of similar habitat” nearby as a supposed reason that the loss or degradation of habitat caused by the project was only to have a minor impact on a variety of wildlife species. Now in this section, the document claims that nearby habitat is “limited” and that this is the supposed reason for only a minor addition to the cumulative impact on wildlife species. To characterize the very same nearby habitat as both abundant and limited – in the first instance to downplay the habitat loss/degradation within the project area and in the second instance to downplay the project’s contribution to cumulative habitat loss/degradation within the general area- suggests a less than unbiased and scientifically valid evaluation of the situation.

Page 4-144

“Ultimately, the Proposed Project would contribute to the cumulative loss and fragmentation of wildlife habitat. With implementation of the environmental commitments, the potential for incremental cumulative impacts on wildlife and fish resources to occur is low, and no significant contribution to cumulative impacts would occur.”

Comment: While the environmental commitments discussed in this document will lessen the impacts on wildlife, no convincing evidence has been presented to show that these impacts will not be significant. In fact, the mitigation measures for the project were not designed to mitigate significant impacts because the preparers of this document did not fully acknowledge the potentially significant impacts on wildlife.

Sincerely,

A handwritten signature in black ink, appearing to read "Mondy Lariz". The signature is written in a cursive, flowing style.

Mondy Lariz



CITIZENS COMMITTEE TO COMPLETE THE REFUGE

453 Tennessee Lane, Palo Alto, CA 94306 Tel 650 493-5540 Fax 650 494-7640 www.CCCRRefuge.org

March 13, 2012

Delivered via E-mail

Randal Tsuda
Planning Community Development Director
City of Mountain View
randy.tsuda@mountainview.gov

Dr. Ann Clarke
Environmental Management Division Chief
NASA Ames Research Center
Ann.Clarke@nasa.gov

RE: Comments, Stevens Creek Crossings Project Draft Initial Study/Environmental Assessment.

Dear Mr. Tsuda and Dr. Clarke:

The Citizens Committee to Complete the Refuge (CCCR) is pleased to have this opportunity to provide comments for the Initial Study/Environmental Assessment (IS/EA) of the Stevens Creek Crossings Project (Project) produced on behalf of facility expansion of Google Corporation (Proponent).

Our organization has its roots in the citizens who led the campaign that founded the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). For the decades since, we have been active pursuing Refuge expansion and the protection of its habitats and wildlife and that of the threatened and dwindling wetlands of the Bay and beyond. Among these activities is sustained, close involvement with the South Bay Salt Pond Restoration Project (Restoration Project). It is this background that is the basis for our interest in the Project.

These comments are organized to summarize key concerns upfront and to follow with discussion of specifics of the Project, IS/EA and associated documents. While no direct response is required, the comments are presented with the hope that they will inform subsequent project actions.

SUMMARY OF KEY POINTS OF CONCERN

Review of Project materials, contacts with its planners and visits to the Project site have produced a set of conclusions, listed here. More detailed discussion of the issues and impacts that produced these conclusions is provided in subsequent comments.

A. No vehicle crossing of Stevens Creek should be built at Crittenden Lane. A crossing at that site will produce a wide set of impacts that cumulatively and separately are significant and generally are not considered in the IS/EA. Further, the 2002 NASA Ames Development EIS/ROD (NADP) designated land that would be used for this vehicle right-of-way as a wetland buffer and suggested only that the land may be modified for stormwater runoff management actions such as the addition of swales i.e. it did not propose nor imply buffer use for any other purpose.

It is important too to look at this bridge proposal in the spectrum of time and as addressed in text of the National Environmental Policy Act (NEPA)(§ 1508.7) defining cumulative impacts:

“...the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.” If the bridge was built, what changes might follow?

B. The environmental review is incomplete unless it includes the proposed development plan for the NASA Ames Research Center (NASA ARC) Bay View property (Bay View). That development project is physically linked to this Project. In multiple ways, the two projects have interdependent, in-common goals producing the need for environmental analysis of shared particular and cumulative impacts. Examples are stormwater runoff management, bicycle/pedestrian transit, the TMP and protection of regional ecosystems. If the Proponent had not leased Bay View in order to develop it, there would be no Project. If this Project does not produce at least one vehicle bridge, it can be anticipated that the Proponent will reevaluate its plans for Bay View.

C. The environmental review needs to provide a One Bridge/Two Lane Alternative-Charleston Lane Option for environmental analysis. The IS/EA provides enough information to imply that a Charleston crossing may be a reasonable option but it is impossible to reach a final conclusion without the benefit of a fully described and analyzed Charleston-only Alternative. It is worthwhile noting that Table 3-1, a comparison of Alternatives fulfillment of key criteria, presents the Charleston-only option as fully equal to the Crittenden-only option.

D. The current IS/EA does not fulfill the expectations of CEQA and NEPA. As described generally in Points A, B & C above and specifically in comments that will follow, the current documents *segments* the project in such a way that it is in conflict with CEQA Guidelines' definition of "Project":

CEQA Guidelines 15378: *““Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”*

“The term “project” refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term “project” does not mean each separate governmental approval.”

In good part due to the segmented Project definition, the IS/EA provides analysis inadequate to justify approval. NEPA requires analysis of Ecological Effect, which was not done in this EA, while these comments demonstrate that the ecological nature of the entire NASA ARC shoreline has changed since its NADP. Those changes now require an updated NADP analysis and MIMP amendment for this Project, the Bay View area and other projects as/if they occur.

E. The IS/EA should be set aside and a EIR/EIS document of a project inclusive of the Bay View development should be created and issued in its place. As the “whole of the project” must include the substantial and complex Bay View development project, it is apparent that the current IS/EA is inadequate and cannot be the basis of a CEQA mitigated declaration nor NEPA finding of no significant impact. Comments herein provide the substantial evidence of potentially significant impacts that, under CEQA, require a full EIR. Moreover, under NEPA, an EA determines the need for an EIS and, for this Project, it has.

COMMENTS SPECIFIC TO IS/EA CONTENT

Chapter 2. Section 2.4 Project Purpose, Goals and Objectives

2.4.2 Goals and Objectives: This section begins with the following:

“The Proposed Project would achieve the following specific objectives.

- Provide for reduced single-occupancy/personal vehicle trip generation and incentivize high occupancy vehicle (HOV)/non-motorized transit options for potential trips that would be generated through the previously approved development of the Bay View Area of NASA ARC....”

2.4.3 Design Intent: This section describes the full range of transit connections to be created through the combined actions of Bay View development and the actions proposed by this Project. The discussion makes it very clear that the vehicle, bike and pedestrian connections and routes are a major focus. The description and the graphical presentation in Appendix C, Exhibit 16, demonstrate that a central design intent is to create a continuous bicycle route to, from and through Mountain View’s North of Bayshore area with wholly new bicycle routing through NASA ARC and to/from destinations beyond.

The Project does not achieve that goal nor fulfill the description. That bike route requires a bridge excluded from this Project but included in the Bay View development plan i.e. a pedestrian/bike bridge from the eastern creek levee to/from Bay View. Further, the route is dependent on improvements to NASA ARC roadways that are part of the Bay View development and that address associated traffic impacts including the bike route. It is evident that the proposed Project can fulfill neither the goal nor the intent.

Action 1: As the Project violates its own transit premise, the IS/EA is invalid and must be set aside.

Chapter 3. Proposed Action and Alternatives.

A. One Bridge Alternative Selection: The section 3.2.2.5 discussion of the one bridge/two lane alternatives is incomplete as a basis for eliminating consideration of the Charleston-only crossing. As an argument for the Crittenden option, the section includes points uniquely supporting the Crittenden option but none that would support the Charleston option. For instance, elsewhere in the IS/EA emergency vehicle access is discussed with the finding that the Charleston option is adequate for fire services response time and better than Crittenden for police response. Nor is it mentioned that the Charleston option could provide more convenient pedestrian and bike access to the park planned in conjunction with the proponent’s Bay View development or that a vehicle bridge at Charleston is a better location aesthetically, minimizing visual intrusion into the open space. Finally Table 3-1 shows both one-bridge options as equals for all project goals including cost.

Action 2: Produce and publish an analysis of the Charleston-only crossing such that an adequate comparison of both one bridge/two lane options can be made.

B. Biological Resource Commitments (pp 3-13 to 3-16) are based on inadequate research on behalf of species listed as endangered or threatened. It is not sufficient to establish commitments without consultation with the respective listing agencies e.g. the US Fish & Wildlife Service (USFWS) and

the National Marine Fisheries Service (NMFS). The agencies provide the most current guidance required to protect these species, guidance that is not available through the database lists published with the IS/EA. Additionally specific omissions include protection of (1) the federal- and state-endangered salt marsh harvest mouse (SMHM) which may be present in pickleweed areas of the diked wetlands and/or may use these wetlands as upland refugia during the highest tides and (2) riparian habitats especially as critical habitat for Central California Coast steelhead. The SMHM became endangered primarily because of habitat loss so that recent protective actions have been to preserve and protect habitats that are suitable regardless of any local record of sightings. Stevens Creek is formally identified as “critical” to the survival of the endangered steelhead, a classification that requires protective actions.

Action 3: Improve the Biological Resource Commitments through consultation with listing agencies and/or through the services of a biologist specifically qualified in protection of locally endangered and threatened species.

Action 4: Research and add commitments that protect the SMHM.

Chapter 4, Section 4.1 Aesthetics

This section limits its visual viewpoints to locations within the project area and narrowly limits regional impact discussion to views from the Santiago Villa Mobile Home Park. Notably it fails to evaluate views from sites that include non-Google office buildings, the planned Bay View Google campus and from the San Francisco Bay Trail.

A full set of regional viewpoints from outside the Project area will reveal aesthetic impacts not yet considered for either proposed vehicle bridge and particularly of the Crittenden Bridge. The Crittenden site is currently dominated by its broad exposure to creek and wetland open space, a view that will be enormously altered by the intrusion of a vehicular bridge and its elevated roadway cutting through open space. As open space is a trail user’s reward and offers sensory escape for nearby residents and employees of local businesses, the IS/EA must demonstrate how the open space aesthetic would change from regional perspectives.

Action 5: Create and discuss viewpoints outside the Project footprint that provide for the full regional impact of the bridges proposed.

Aesthetic considerations must also include artificial lighting and like changes to night time ambience. Lighted vehicle bridges and extended roadbeds will impact the region visually, a factor not considered in the IS/EA but that requires Aesthetics analysis and independent consideration for all Alternatives, including the omitted Charleston one bridge/two lanes Alternative.

Action 6: Create and publish analysis of the Project’s Aesthetic impacts of artificial lighting

Chapter 4, Section 4.4 Biological Resources

A. 4.4.1 Affected Environment

The Biological Resources analysis starts off on the wrong foot through significant omissions in study and regional area descriptions and of major, ecological plans.

1) 4.4.1.1 Study Area describes the area east of the Project as “nonnative grassland and coyote brush scrub” and does not identify portions of the grasslands as wetland buffer.

2) 4.4.1.2 Regional Setting includes multiple descriptive errors. It repeats the error used in the Study Area description regarding “nonnative grasslands” by not mentioning the NASA ARC diked wetlands and the wetland buffer. Further it mentions “...a salt marsh and salt ponds...to the north...” rather than accurately describing the salt marsh (aka Crittenden Marsh) as protected by the Midpeninsula Open Space District and the salt ponds as the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge), protected and under an active restoration plan.

Action 7. The IS/EA must improve the Study Area and Regional Setting descriptions as described above such that the Biological Resources section can be more accurately analyzed.

3) 4.4.1.3 Regulatory Setting. This section limits or omits significant regional plans that must be considered in regard to Biological Resources. They are:

- Mitigation Implementation Monitoring Plan (MIMP) of the 2002 NASA Ames Development Environmental Impact Statement (NASA EIS) <http://environment.arc.nasa.gov/nepa/eis.html>
- 2010 EIR/EIS/Record of Decision (SP EIR/EIS) of the South Bay Salt Pond Restoration Project (SBSRP) <http://www.southbayrestoration.org/EIR/>
- FWS San Francisco Bay and Coastal Tidal Marsh Recovery Plan (TMRP), draft published for comment in 2010. (Contact Valary Bloom, Sacramento FWS Office, 916-414-6600).

The MIMP describes all of the mitigation required by the 2002 NADP including a set of Biological Resources mitigations. These include mitigations directly applicable to this Project and that must be analyzed in the IS/EA. While particular mitigations of this plan are cited in discussion of effects, the full description of each mitigation should be presented in original context. This could have been accomplished by including the MIMP as an appendix as a source document.

Subsequent to the MIMP, the salt ponds bayward of both Mountain View and NASA ARC were converted from commercial use to wetland conservation under the joint federal-state Restoration Project. That change in land use, public values of the land and the publication of the SP EIS/EIR require then the Project analyze any potential impacts it may have on the largest wetland restoration west of the Mississippi River. Further as the Restoration Project is a major, local federal action, NEPA requires that environmental impacts of the Project be analyzed.

After 15 years in development, in 2010 the FWS published the TMRP for public comment and has since been in the process of incorporating comments into the final plan. *The draft plan included all of the NASA ARC diked wetlands and wetland buffer adjoining the Project and the bayward extent of the Bay View property.* As publication of the TMRP is pending and will have regulatory jurisdiction, the IS/EA should recognize and analyze its sphere of influence and the standards it proposes as they may be in effect prior to the start of construction. Again, under NEPA, it must be considered as a major federal plan.

Action 8: The Project cannot go forward without analysis including the three plans listed above.

4) 4.4.1.4 Project Setting. This section omits important facts and analysis in regards to wetlands, wetland wildlife and wildlife corridors impacts.

Natural Communities (pp.4-40 to 4-47): Notably this section limits its discussion to lands within or immediately outside the Project footprint and does no analysis of its impacts to wildlife values of the wetland buffer into which it intrudes. Omitted too is analysis of natural communities within its sphere of influence e.g. impacts to the diked wetlands, other sensitive lands downstream or an existing egret nesting colony just west of the Study Area.

- Wetlands and Sensitive Natural Communities (p. 4-42): These discussions are incomplete and inadequate unless they address the communities within the Project's sphere of influence including the NASA Ames wetland buffer, diked wetland and continuity with sensitive downstream wetlands.
- In 2002, NASA Ames must have found sound justification for setting aside the 200' wide wetland buffer and reserve it for that purpose with the exception that it may be used to provide swales to improve localized stormwater runoff management (MIMP Bio-18 and Bio-19). *This Project proposes to violate that mitigation with the Crittenden vehicular bridge and fails to analyze the biological impacts of doing so.* If the wetland buffer has a purpose of protecting downstream/downslope wetlands that it is either continuous with or contiguous to, then the Project must also include those wetlands in its analysis.
- As mentioned previously, the 2010 draft TMRP includes both the diked wetlands and the wetland buffer in its jurisdiction. As that plan is designed to ensure successful reversal of extreme tidal wetland losses and as species success is a key criterion, the inclusion of the NASA ARC lands indicates that they have biological values that the IS/EA does not consider.
- Omitted Natural Community category: Transitional habitat is not called out as a specific topic and it should be. Land of this type is a significant Project presence and is characterized with specific biological values. The entire wetland buffer is a transitional habitat and is impacted by the Project.
- Special-Status Wildlife Species (p. 4.44): This section repeats the exclusion of federal-state endangered salt marsh harvest mouse (SMHM) previously discussed under Chapter 3. As the proposed Crittenden bridge and roadway may impact potential SMHM habitat in the diked wetlands, the SMHM must be included in the Project's analysis. Notably, the SP EIS/EIR and the TMRP are excellent references.
- Fish: The IS/EA acknowledges that Central California Coast steelhead (*Oncorhynchus mykiss*) that inhabit Stevens Creek was designated as threatened by the National Oceanic and Atmospheric Administration, National Marine Fisheries Service in 1997 under the U.S. Endangered Species Act. However, the IS/EA fails to indicate that Stevens Creek was designated as "critical habitat" for the Central California Coast steelhead in 2005. The "critical habitat" designation indicates that Stevens Creek is essential to the conservation of this threatened fish species. This corridor is important for the recovery of Central California Coast steelhead. The document indicates that returning adults travel through Stevens Creek in the area of the proposed bridges, but fails to acknowledge that steelhead smolts use the area as habitat.
- *Rallus longirostris obsoletus* (California clapper rail) (CACR): Particular for this federal-state endangered species and for the SMHM, potential impacts need to be analyzed with consideration of the changed shoreline conditions planned by the SBSRP and under the jurisdiction of the TMRP. In addition to downstream Stevens Creek, the analysis must consider salt water/pickleweed habitat

present in the diked wetlands that may attract the CACR and/or SMHM transitionally, as a transit corridor or as upland refugia from extreme tides.

■ **Wildlife Movement:** This section fails to discuss the wildlife movement characteristics of the wetland buffer and the adjoining diked wetlands. These lands provide important transitory connections for wetland species like the endangered CACR and SMHM, a value that needs to be analyzed for impacts that would arise from the Project by construction of a Crittenden vehicular bridge.

Action 9: Improve the Natural Communities analysis by incorporating information in bulleted text above and/or through new consultation with FWS or independent, qualified biologists.

4.4.1.5 **Impact Avoidance Measures Incorporated into Project Design.** This section needs to improve its mitigations to explain how the Project would address avoidance of bridge biological impacts including but not limited to: artificial lighting, routing of stormwater runoff, creation of shaded and dry habitats underneath bridges, perching of avian predators, and shelter of both wild and feral predators.

Action 10: With qualified, independent consultation, analyze all of the potential biological impacts listed (and others that may be identified) to improve the Impact Avoidance Measures/mitigations.

B. 4.4.2.1 Effects and 4.4.2.2 Sources and Methods

The discussions of these two sections form the basis for the effects (impacts) analyzed. As discussed previously, the criteria and sources used did not include the MIMP, SP EIS/EIR or TMRP. Nor did the document identify the downstream salt ponds as wetlands that are federally-protected in the Refuge and under the National Wildlife Refuge System Administrative Act of 1966 (and as amended). <http://epw.senate.gov/nwrsa.pdf>

Action 11: The choice of biological impacts and the levels of significance need review, reconsideration and republication that incorporate the plans mentioned above.

C. 4.4.2.3 Project Effects

“Effect BIO-5: Construction and operation of the Proposed Project could result in the loss or abandonment of active nests or burrows for California Clapper Rail. “

Given the fragile status of CACR habitats, local changes introduced by the SBSRP and Refuge ownership, and the lack of direct FWS consultation, the discussion of this impact must be set aside for review and revision.

Notably the discussion fails to discuss effects of lights, noise, predator perches, sheltered wild or feral predators, traffic activity, 24-hour disturbance in the buffer’s transitional habitat with spillover into the diked wetlands that include pickleweed habitat.

Action 12: Effect BIO-5 requires a new analysis of potential impacts on CACR with FWS consultation.

“Effect BIO-6: Construction and operation of the proposed Project could result in the disturbance of habitat for special-status fish species.”

The IS/EA fails to address the construction impact of *pile driving* on threatened Central California Coast steelhead that inhabit Stevens Creek. Pile driving is known to potentially have a lethal impact on fish (Laughlin et al., 2005*). Steelhead could be in the vicinity of the bridge construction during in-migration of returning adults, out-migration of smolts and foraging as smolts in the area prior to leaving the estuary for the open ocean. Smolt use of the creek corridor in the vicinity of the proposed bridges may occur during the proposed construction window from June 1 to October 15, a period when pile driving should not be permitted.

[*Laughlin, J. 2005. Effects of Pile Driving on Fish and Wildlife. Presentation to National Academy of Sciences – Transportation Research Board.]

“Effect BIO-7: Construction and operation of the Proposed Project could introduce or cause the spread of noxious weeds, which could reduce the abundance of native plants and sensitive communities.”

The discussion of this effect does not include the Project’s creation of shaded, dry-land habitats beneath the raised bridge roadways, a change that introduces a non-native environment where noxious or invasive species can thrive on lands that would not otherwise be suited and could then attract animal species non-native to these lands. Potentially introduction of non-native species could create threats to native species, some endangered and using adjoining land.

Action 13: Effect BIO-7 must be reviewed and reconsidered to fully and accurately analyze the impact of land covered by elevated roadways.

“Effect BIO-8: Construction and operation of the Proposed Project could adversely affect the function of the transitional habitat adjacent to the Western Diked Marsh”.

The discussion of this effect inappropriately interprets the MIMP BIO-19 and BIO-18 as allowing construction because the mitigations did not state that it wasn’t allowed. Conversely, the discussion fails to discuss the transitional habitat losses introduced by the elevated roadway and that will undermine 2002 MIMP-intended value as a wetland buffer that that document implies. Finally it does not recognize that the loss of an established mitigation requires the Project to provide permanent replacement mitigation in addition to impact-avoidance mitigation.

A Crittenden bridge elevated roadway would introduce impacts of light, noise, litter, shaded and dry land attracting non-native vegetation and wildlife, add routine presence of vehicles, bicyclists and pedestrians and introduce new exposure to wildfire hazard. On a vertical scale, the bridge and elevated roadway create perching locations for avian predators plus shelter below for wild and feral predators and non-native vegetation. Other than a description of litter management, none of these issues are discussed re BIO-8, making its findings invalid.

When all of the impacts are considered, it will be clear that the effect is significant and the impacts cannot be mitigated.

Action 14: Effect BIO-8 needs to address all of the impacts of an elevated roadway in the wetland buffer especially as to impacts that undermine the area’s MIMP purpose to protect wetlands and

decreases its value as transitional habitat. The Effect needs to address the loss of mitigated value that the changes would produce. The BIO-8 conclusion must be revised as significant and unmitigatable if the Crittenden bridge is built.

Omitted BIO Effect: Permanent and continuing impact on Riparian Habitat

The new bridges will result in the permanent loss of riparian habitat along the lower Stevens Creek. Vegetation that now occupies these proposed bridge locations would be overcovered and shaded by the bridges resulting in a change to the riparian canopy. In addition, these areas of the corridor will be subject to routine pruning maintenance that could further damage this important habitat that supports threatened steelhead and many other species dependent upon riparian habitat for foraging and breeding. How will the loss of habitat be mitigated?

The IS/EA does not address the impacts of lighting on the wildlife using the Stevens Creek corridor. The Stevens Creek Trail was specifically designed to avoid lighting and to support use only between dawn and dusk. The bridges will add lighting from the bridges and the vehicular traffic that will be new impact to this section of the corridor.

Bridges, especially those subject to the saltwater influences, require maintenance. The proposed bridges appear to be painted. How will threatened steelhead be protected during bridge repainting? Will toxic paint enter the waters of Stevens Creek? What impact will bridge maintenance have on this designated “critical habitat” for steelhead?

Action 15: The Project must analyze impacts on and provide mitigation for wildlife, including fish, affected by permanent changes to Stevens Creek’s riparian habitat and also by the repetitive impacts that maintenance will produce.

Chapter 4, Section 4.7 Hazards and Hazardous Materials

This section does not address nor analyze the Effect of introduction of greater wildfire hazards to protected wildlands including the wetland buffer. The introduction of vehicle, bike and pedestrian traffic along the elevated roadway and the potential for illegal human use of shelter of that roadway, introduce hazard potential that did not previously exist and that must be evaluated as an impact. Wildfire in the Wetland buffer arising by the elevated roadway could easily spread eastward in the buffer, spreading to susceptible adjoining locations.

Action 16: This section must add analysis of an Effect of introduced wildfire hazard on the wetland buffer.

Chapter 4, Section 4.8 Hydrology and Water Quality

This section of the IS/EA presents an explicit situation demonstrating why the Project does not meet the CEQA requirement that a project include the “whole of the action.”

As this section confirms, stormwater runoff management for the easterly drainage from either bridge/roadway is dependent on Bay View development actions. This section defaults to the assertion that “Runoff would be directed away from the crown of the span to...approved future infrastructure to be built in the Bay View Area of NASA ARC facility.” (Effect HYD-3, p 4-94) As the Project requires Bay View development, they are one project and must be evaluated as such.

“Effect HYD-3: Potentially alter the existing drainage pattern of the site or area in a manner that would result in substantial erosion or siltation on site or off site.”

The discussion of this Effect is inadequate as it offers no source data such as projections of the stormwater volume that each bridge may introduce, especially during extreme storm events. We know that the quantity of water and rate of flow conveyed by a bridge/elevated roadway is the collective sum of rainfall over time and distance and of the slope of the roadbed. In addition to deferring consideration of the system that must absorb the easterly flow, this effect discussion provides no estimates of the quantity and rate of flow these bridges may produce nor even data available for comparable bridges.

The Effect states that the easterly termini of the bridge roadways would affect pervious areas of the Bay View site and produce erosion and sedimentation, factors with potential to impact adjoining areas including the downstream Wetland Buffer. But the section provides no illustration of affected areas nor expert hydrological analysis of the described impact.

In consideration of the Crittenden Bridge, it can be observed that its terminus would be at the downstream end of the future Bay View stormwater system. As such, in an extreme storm event, the concentrated flow from that bridge could reach a system that is already overwhelmed or could produce an impact on that system that leads to upstream backup in Bay View structures, local streets and overflow flooding of road-contaminated water into protected lands.

It is eminently clear that the easterly hydrologic impacts of these bridges cannot be analyzed as an Effect without information about expected flows and the design of the Bay View stormwater management system.

Action 17: Consideration of the Effect of the *easterly* stormwater management of either bridge/roadway must be removed from HYD-3 as the unknowns presented do not allow for analysis sufficient to be consistent with a finding that may be suited for the westerly ends of each bridge/roadway.

Action 18: As the easterly stormwater management of each bridge cannot be evaluated adequately, the proposed Project cannot be approved through the current IS/EA.

Chapter 4, Section 4.9 Noise

This section does not analyze noise impacts on wildlife such as can be produced by pile driving. Noise disturbance can impact nesting success and is known to be fatal to fish. This impact requires qualified biological consultation for impact assessment and avoidance planning.

Action 19: Add a Noise Effect to address impacts of noise on wildlife after qualified biological consultation.

Chapter 4, Section 4.10 Recreation

4.10.1.2 Regional Setting: This section needs to list the Refuge. As part of the National Wildlife Refuge System it provides for public use that is compatible with its wildlife priorities. An example is the addition to the Bay Trail along the Mountain View and NASA Ames shoreline that it provided,

fulfilling its commitments as a management partner of the Restoration Project. Additionally, through the ongoing salt pond restoration, the Refuge already provides exceptional wildlife viewing, views that will grow richer and more attractive to the public in years to come. The Stevens Creek Trail bisecting the Project is an entry route to those viewscapes.

Action 20: Add the Don Edwards San Francisco Bay National Wildlife Refuge to Section 4.10.1.2 Regional Setting.

Chapter 4, Section 4.11 Transportation and Circulation

Given that the Project goals and intent propose new and expanded bicycle routes, it is startling that this section provides *no analysis of bike traffic volumes* and potential impacts on affected streets, intersections and bridges. Nor are there studies in the IS/EA that document that the routes would get more people out of their cars. Without such analysis, it appears that the need for improved bike routes is anecdotal and popular in nature with insufficient evidence to justify the proposed bridge improvements. The environmental review must be able to quantitatively demonstrate the need and benefits while also analyzing the traffic impacts arising from routing of bicycle traffic through NASA ARC. As that route and the Bay View addition of 5000 employees and possibly occupants of 80-150 residential units are likely to produce the greatest bike traffic changes in Mountain View's north of 101 area, the traffic analysis cannot be complete unless it includes such data and analysis of the Bay View pedestrian/bicycle bridge.

Action 21: Section 4.11 must include a full, regionally-relevant analysis of bicyclists' current and projected use of area roadways and trails so that the public safety issues can be accurately analyzed and addressed as impacts.

Chapter 4, Section 4.12 Public Services and Utilities

This section does not discuss the shelter effect created by bridge or bridges and that may be used by individuals for unintended and illegal purposes.

Homeless individuals often choose to reside around bridges near creeks, which they use as a water source and for bathing. Additionally sheltered locations in remote or isolated areas like this Project may attract individuals who use such sites for illicit or harmful activities, especially at night when there is little or no activity nearby. Once shelter exists, failure to control these behaviors leads to litter, excrement, creek pollution, wildlife disturbance, wildfire hazards and criminal activity.

Action 22: Add a public safety effect that analyzes unintended and illegal public use of shelters created by building one or more vehicle bridges.

Chapter 4, Section 4.14 Land Use and Planning, Mineral Resources, and Population and Housing.

4.14.1.3 Conservation Plans: This section needs to include the SP EIS/EIR, the presence of the Refuge and recognition of the Crittenden Marsh managed by Mid-Peninsula Open Space District (MPOSD)

The 2010 SP EIS/EIR (see other comments above under Biological Resources) established a restoration plan that includes all of the salt ponds bayward of this Project and is focused on wildlife

habitats, public access and flood management. Those same lands are federally-held as lands of the Refuge and thereby managed by Act of Congress for the primary purpose of wildlife conservation. Finally, as MPOSD's Crittenden Marsh along Stevens Creek Trail provides habitat for the endangered CACR and SMHM, it is managed to conserve habitats for conservation of those species.

As these lands are downstream of the Project and potentially impacted by actions taken, the environmental review needs to recognize them, their conservation plans and ensure that the Project is consistent with their requirements.

Action 23: Add a Land Use Effect that analyzes the Project's impacts on conservation plans described above.

Chapter 4, Section 4.16 Cumulative Effects

General: It is notable that this section made no attempt to combine the impacts of the various types of impacts but is constructed by impact group instead, in silo-type discussion. This format then bypasses consideration of the relationships among these impacts. For instance, it failed to consider the cumulative impacts of stormwater runoff, wildfire, noise, and transportation on biological resources as well as lighting impacts which the IS/EA does not analyze. Under CEQA, combined impacts, even if separately not significant or requiring mitigation, can determine that a Project has significant impacts/potential significant impacts and that the Project cannot be approved as proposed and/or that an EIR is needed.

Action 24: Identify and add discussion of the combined impacts of the Project, regardless of the original environmental category of the related impacts.

4.16.3 Irreversible and Irretrievable Commitment of Resources. This section should have identified the Restoration Project and Refuge conjoined with the diked wetlands and buffer as being subject to irreversible and irretrievable commitment of resources. Our Bay wetlands are an endangered resource that, as mentioned earlier, this IS/EA completely overlooked. Further, requirements of the MIMP implied that such values already existed on NASA ARC. With the introduction of major state and federal plans since 2002, some conclusions of the NADP and its MIMP require update by supplement or addendum. Further, as proposals of the Project on wetlands are an ecological effect under NEPA, impacts of this Project under such considerations clearly would have produced a finding of ecological loss of significance.

Action 25: The findings of Irreversible and Irretrievable Commitment of Resources must be corrected to address the ecological effects of wetland loss.

COMMENTS SPECIFIC TO THE NASA ARC FONSI

FONSI: This appendix is NASA ARC's Draft Finding of No Significant Impact (FONSI).

Regardless of its conclusion, this document is notable in its lack of a citation of its own 2002 NADP and MIMP as a basis for its decisions. Those documents established the development framework that led to the current proposal including a broad set of mitigations for the entire NADP inclusive of property of this Project.

E. McLaughlin, CCCR, 3/13/12 re Stevens Creek Crossing Project

It is notable too that the statements of this FONSI omit any confirmation as to whether it is concluded that the Project is consistent with all applicable MIMP mitigations. As the authorizing agency of the NADP, NASA ARC has the responsibility to the public to ensure that MIMP commitments are met as originally intended or if/as amended by NEPA supplement or addendum.

Action 26: The FONSI needs to cite the NADP EIS/ROD and MIMP in its statement and state whether the Project is consistent.

Action 27: As is consistent with the public process intent of NEPA and CEQA, it is suitable for NASA ARC to publish a checklist of all the MIMP mitigations and indicate for each if the Project is consistent, inconsistent or not applicable.

As comments of this letter raise multiple, significant concerns about this Project it can only be concluded that the EA cannot be approved, that the Project must be redefined to include Bay View development and that an EIS is required. This is consistent with the NEPA purpose of the EA.

Action 28: NASA ARC should not approve this Project's EA.

In summary, this Project is not correctly defined or adequately studied, issues raised (particularly about the Crittenden Bridge) are significant and unlikely to be mitigated, while certain other issues were identified as not addressed or inadequately analyzed. Among them are issues that are potentially significant and/or requiring the comprehensive perspectives that include the Bay View development before any decisions can be made about an acceptable Alternative.

It is earnestly hoped that these observations will be useful in producing a Project that can be widely supported. As and if desired I can be contacted at [408-257-7599](tel:408-257-7599) or wildlifestewards@aol.com.

The CCCR is a 501(c)(3) nonprofit corporation established by citizens who led the efforts that founded the Don Edwards San Francisco Bay National Wildlife Refuge in 1972. Fully volunteer-run, it acts to ensure that the Refuge fulfills its Congressional acquisition authority to expand its land holdings to protect special and sensitive habitats and wildlife along the South Bay's shores. Very similarly, it acts on behalf of the continuous protection of the wildlife and habitats the Refuge must provide. Toward that same outcome the CCCR provides newsletters and sponsors workshops and youth wildlife programs.

Yours truly,



Eileen P. McLaughlin
Board Member, CCCR

CC: Florence LaRiviere, Chair, CCCR
Carin High, Vice Chair, CCCR



March 13, 2012

Via email

Mr. Randy Tsuda, Community Development Director
City of Mountain View
Dr. Ann Clarke, Environmental Manager Division Chief
NASA Ames Research Center

Re: Stevens Creek Crossings Project - Draft IS/EA

Dear Mr. Tsuda and Dr. Clarke:

The Santa Clara Valley Audubon Society (SCVAS) has reviewed the Initial Study/ Environmental Assessment (IS/EA) and Mitigated Negative Declaration (MND) for the Stevens Creek Crossing Project (Project). For over 85 years, SCVAS our mission has been to preserve, to enjoy, to restore and to foster public awareness of native birds and their ecosystems, mainly in Santa Clara County. The Project area is frequented by our members, who assign great value to its landscape, birds and the wildlife.

While we appreciate the importance of having leading companies such as Google in our neighborhood, we are concerned with significant and unavoidable impacts of the proposed bridges on aesthetic, biological and hydrological resources and on our recreational activities. We believe that the IS/EA is inadequate as it does not describe nor mitigate the full environmental effects that this project may impose the environment. We believe that one bridge at Charleston Road would best fulfill the project's goals, and that no new bridge should be built at Crittenden Lane.

We encourage Google and the City of Mountain View to set this IS/EA aside and instead engage in a comprehensive environmental evaluation to produce an Environmental Impact Report (EIR/EIS) that would explore the full spectrum of environmental impacts of the project. We propose that one bridge at Charleston Road should be identified and studied as the Preferred Alternative for CEQA and NEPA purpose. We ask that the analysis to consider biological impacts beyond the Project's study area, and in the context of the Specific Plan for the North Bayshore area, and the upcoming Bayview Campus Project.

1. Organization of the CEQA/NEPA document

We found the organization of the document to be confusing and had to repeatedly leaf back and forth through sections 3 and 4, match statements and information, and reconcile

“Environmental Commitments” with “Effects” and “Discussion”. Please reorganize the document so that for every topic, the relevant information, analysis, mitigation and findings are provided in one section.

2. Purpose of the project

The proposed project would connect the North Bayshore area to Moffett Field by the construction of three bridges over Stevens Creek: 2 two-way vehicle bridges and one bike/pedestrian bridge. The vehicle bridges would also allow bike and pedestrian crossings. These 3 bridges would be an addition to two existing bike/footbridges, all within less than a mile along the creek.

Purpose and need (2.4.1. page 2-2): As stated by City Staff at the City Council Study Session earlier this year, there is no need for two vehicle bridges from an emergency service and response perspective. Moreover, there is no need for more than one bridge that would accommodate vehicles, bikes and pedestrians.

Goals and objectives (2.4.2. page 2-3): The stated goals and objectives are inherently conflicted. The goals related to improving connectivity and service can be achieved by the construction of only one bridge. Access to Stevens Creek Trail and the Bay Trail is readily available already, and would not be improved by an additional bridge at Crittenden. But an additional bridge at Crittenden would inherently conflict with the goals of “supporting preservation of open space” and “avoiding adverse impacts on Stevens Creek and the Western Diked Marsh”. To fulfill all of the expressed goals and objectives, and to minimize unnecessary environmental harm, we recommend that Google build only one bridge at Charleston Road as the preferred alternative for the project.

3. Project Description: Segmentation/Piecemealing

CEQA Guidelines section 15378 require a study of “the whole of an action” which has the potential to result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. A public agency is not permitted to subdivide a single project into smaller individual sub-projects in order to avoid the responsibility of considering the environmental impact of the project as a whole. NEPA also prohibits segmentation of projects.

The proposed Project would construct two bridges over Stevens Creek to allow a loop route through a future Google Campus development at the Bayview area of Moffett Field. The design of the new campus as related to the environmental setting and the loop route has not been presented to the public. It is not clear why a loop route is needed to serve the new campus. While a programmatic EIS is available for this development, a project level review has not been provided. Thus, the IS/EA segregates review of the proposed bridges from the review of a project level NEPA document.

We believe that the IS/EA also segregates CEQA environmental review. The city of Mountain View is currently completing its General Plan (GP) and Environmental Review for the GP. The city is already working on a Precise Plan for the North Bayshore area,

which includes active discussion and public input regarding transportation and mobility in that neighborhood. In addition, to inform the Precise Plan development process, the City is in the process of engaging consultants to conduct a Transportation Study for the area. The Specific Plan should be the document that specifies the number and location of Creek Crossing, so that the overall environmental impacts are coordinated and reduced.

We maintain that Environmental Review of the proposed bridges is a part of the evaluation of the North Bayshore Precise Plan, and the Bayview campus plan, and that an EIR/EIS should be prepared for “the whole of the action”, so that Government Agencies and the public can provide comments. This would allow decision makers to evaluate alternatives, consider cumulative impacts, and make an informed decision

4. Environmental Impacts: Aesthetics

Incomplete analysis

We also ask for analysis of the bridges together with the proposed new Bayview campus (and associated roads) on the land leased by Google from NASA. Aesthetic analysis of the bridges without visual context of the new campus segregates the visual impacts of the entire project, and does not provide the public with a the complete visual setting of the future of one of the last open spaces parcels along Stevens Creek. Without a complete analysis, the findings of No-Significant Impact (NEPA) or Less-than significant impacts (CEQA) cannot be made.

The analysis provided (4.1, starts on page 4-3) is deficient in that it did not include views points from the trails north, northeast and northwest of the project looking back towards the bridges (including views the Stevens Creek Trail and the Bay Trail.) We expect that the proposed Bridges would become prominent landmarks, potentially visible from across the bay, Shoreline Park, Palo Alto Byxbee Park and the Bay Trail and levees, as well as the Don Edwards National Wildlife Refuge.

We ask for a complete analysis. Please include views of access roads from levees on the Moffett side of Stevens Creek (including the elevated road that is proposed to be constructed on piers through the buffer zone south of Crittenden bridge). The view from the levees overlooking the Western Diked Marsh by the existing Crittenden Bridge should also be included. Please include realistic visual depictions of vehicles and traffic volume in the analysis.

Visual impacts are significant, irreversible, and cannot be mitigated

Mountain View Land Use and Design policies (LUD-16) propose to preserve views and open space. The proposed bridges (especially the Crittenden Bridge) would impose a prominent landscape feature as well as signage and lighting, and elevated access roads. Moreover, the bridges would necessitate the elevation of power pylons by 15-30 feet.

SCVAS community of birders frequently uses the Stevens Creek Trail and the Bay Trail, and watches birds in the riparian vegetation, the marshes and the wetlands along the trails. Birders are visually oriented people, and should be considered a highly sensitive

viewer group. For our community, the determination that the adverse impact of the bridges is less-than-significant because “users are accustomed to the existing, urban setting“ is not supported and misrepresents our community’s sensitivity to an incremental degradation of the views that we value. Furthermore, we consider the viewshed of the marshes south of Crittenden Bridge an important visual transition from the urban to the natural landscape, and maintain that the proposed bridge at that site, and its associated roads, would heavily impact this transition area. From our point of view, the bridges and associated development and activities (including traffic consisting of 560 one-way shuttle trips per day) would significantly, irreversibly and unmitigably degrade the visual character of the project area and far beyond. We request an EIR to fully analyze this impact, and the City of Mountain View to recognize the impact and make the required determination of overriding considerations if the Council seeks to approve the proposed Crittenden Bridge.

5. Biological Resources: Impact to Egret Colony at Shorebird Way

The east terminus to the Charleston Bridge is proposed next to the first in a line of nine City of Mountain View Sycamore trees on Shorebird Drive that host an established, thriving Egret nesting colony. Volunteers with the San Francisco Bay Bird Observatory and Santa Clara Valley Audubon Society have been monitoring this colony since 2005 when there were 21 Great Egret nests present. In 2011, there were 40 Great Egret nests and 5 Snowy Egret nests present, and it was the largest Great Egret colony in the South Bay. At least 24 chicks were produced at the colony last year (Caitlin Nielsen, SFBBO).

The egret colony is an important natural resource for the City of Mountain View and North Bayshore and, as a source of Great and Snowy Egrets, to the entire region. Intentional or accidental eviction of this colony would not be acceptable to the birding community of our region.

CEQA requires that project impacts be studied beyond the project site, and all impacts of the project be studied, reported, and mitigated. The failure of the IS/EA to consider impacts of the project on an established egret colony is a fatal flaw in the analysis, and it highlights the inadequacy of a Mitigated Negative Declaration to assess and mitigate environmental impacts of a project of this scope.

Risk of collision with powerlines, bridge cables

A wealth of scientific and anecdotal information alerts us to the potential of bird collision with man made structures, including cables and powerlines. Large birds such as egrets are especially vulnerable, and when powerlines separate a nesting colony from foraging and nest material collection grounds, mortality risks increase.

The bridge structures are proposed to stand high (please specify maximum height), and have a light, reflective color of vertical cables (the cables are almost invisible in the figures provided in the Aesthetics chapter). Therefore, the bridges – and especially the cables - are likely to pose a risk to birds flying over the creek channel.

Building the proposed bridges require that PG&E transmission towers and powerlines be elevated by 15-30 feet to allow clearance. Because of the proximity of the nesting colony to the powerlines, the risk of collision must be analyzed. Elevating of powerlines near an Egret nesting colony can potentially result in direct “take” of adults flying back and forth between their nest and foraging grounds in the creek and the marshes, or “take” of inexperienced young birds in their first flying period. It can also impact indirect “take” of orphaned chicks if a parent is killed. Thus, bird collision with elevated powerlines at the two bridge locations should be considered a potentially significant impact of the project.

For mitigation to be effective, we ask for an EIR that would adequately study and document the specific patterns of bird movement related to the nesting colony on Shorebird drive during an entire nesting season and during all activity hours (buildings of nests, raising chicks, fledging period). Movement of other avian species should also be analyzed. The study should analyze potential impacts of elevated powerlines and of bridge cables for each proposed bridge locations.

Construction and traffic

Nesting birds are sensitive to activities near their nest, and may abandon a nest if disturbed. Thus, mitigation measures should have the goal of keeping the colony safe and allowing it to continue to exist well into the future. We recommend that mitigations include prohibition of construction during the nesting season (March 15 – July), and permanent routing of shuttle and bike traffic away from Shorebird way during the nesting season. Planting mature Sycamores in appropriate areas (protected from wind, low traffic, close to the creek and the marshes but away from burrowing owl habitat) can potentially help mitigate the impact, but should not be proposed to justify the eviction of the existing colony).

6. Biological Resources: Impacts to burrowing owls and their habitat (Effect Bio-3 p.4-50, Effect Bio-4 p. 4-51)

The IS/EA acknowledges that burrowing owl, a California Species of Special Concern, is known to occur in the grasslands and ruderal habitats in close vicinity to the project site. The document provides Figure 4.4.2 and relies on CNDDDB information to create a distribution map for the burrowing owls in the project vicinity. This is inappropriate, given that both leading agencies (NASA and the City of Mountain View) have long-term burrowing owls monitoring programs and reports with accurate location data. The result of this flawed methodology is an inaccurate map (Figure 4.4.2) that omits recent observations of burrowing owls on Vista Slope, various locations on the Mountain View golf course, various locations on the North East Meadowlands, E-Lot, Crittenden Hill and a disked field on the corner of Shoreline Blvd. and Amphitheater Way. We ask that an EIR/EIR use at least 5 years of monthly and annual reports from burrowing owl monitoring efforts at Shoreline and at Moffett Field/NASA to document owl distribution.

The IS/EA proposes that burrowing owls have the potential to occur within the grassland habitat within the study area, but claims, “the degree of disturbance and thatch accumulation in habitat along Stevens Creek and west reduce the likelihood for this species to occur within the study area.” But CEQA requires substantial evidence, based

on facts, expert opinion based on facts, or reasonable assumptions predicated upon facts – and the opinion that burrowing owls are less likely to occur on the project area is not based on substantial evidence. In fact, SCVAS volunteers have observed burrowing owls as they forage on disturbed areas at Shoreline, including areas with dense thatch or brush as well as areas of riparian vegetation.

The IS/EA explains that burrowing owls can potentially occur and forage on the project site and on the Bayview land that Google leases from NASA ARC. The document identifies potential mortality or disturbance of foraging habitat as a significant impact. However, the IS/EA suggests that the loss of suitable foraging habitat within the study area is considered minor under NEPA and less-than-significant under CEQA because of an “abundance of similar habitat east and northwest of the study area and on portions of the open space and preserved areas within NASA ARC”. Such justifications for loss of burrowing owl habitat are at the root of the owl’s decline in the region. In fact, the Project and the Bayshore areas are the closest upland habitat near Stevens Creek and Shoreline Park, and the loss of this habitat would exacerbate fragmentation and result in increasing risks to the remnant owl population of the area.

NASA ARC / Moffett Field and Shoreline Park currently support the largest remnant population of burrowing owls in the Bay Area. The population of burrowing owls in the South Bay is in decline, and there is no doubt that the primary cause for the decline was, and continues to be, the incremental loss of habitat. This trend has been established in the Santa Clara Valley Habitat Plan (HCP/NCCP), which incorporates a Federal Habitat Conservation Plan and a California Natural Communities Conservation Plan (<http://www.scv-habitatplan.org>).

The IS/EA’s “Environmental Commitments” include pre-construction surveys in compliance with the 1993 Burrowing Owl Consortium Protocol and the potential installation of one-way exclusion doors in the entrance of active burrows have not been acceptable in Santa Clara County since the development of the specific Conservation Strategy for Burrowing Owls in the HCP/NCCP.

The HCP/NCCP Conservation Strategy is the most detailed and comprehensive evaluation of burrowing owl status in the region. Because of this, it applies to the entire county, and it is appropriate to use it in CEQA and NEPA as the standard against which to gauge impacts and mitigations. The general strategy in the plan should be followed, to the maximum extent feasible, even by entities outside the plan, because it is the only plan that does look at the local picture and propose a solution for the area as a whole. This means that impacts to potentially useable burrowing owl habitat should be considered by all local Lead Agencies. It also means that the mitigations proposed in the 2002 EIS for the Bayview area are outdated, and a supplemental EIS should be prepared to reflect Fish and Wildlife Service changes to burrowing owl conservation and mitigation for loss of habitat requirements in the County.

To conclude, SCVAS argues that the IS/EA fail to adequately protect burrowing owls and their burrows during project development and beyond, and provides no mitigation for

loss of habitat. The MND cannot support the findings of “no significant impact” based on the inadequate analysis and without mitigations. In addition, it is inappropriate to dismiss the Santa Clara Valley HCP/NCCP (Page E-8), since that plan identifies the owl populations of Shoreline Park and the Moffett Field area as a critical part of the conservation strategy for burrowing owls. We maintain that the lack of compensation for the loss of burrowing owl habitat, and the fragmentation of existing habitat, would result in a potentially significant impact remaining unrecognized and unmitigated.

7. Biological Impacts: Traffic, Noise and Light

The IS/EA asserts that by spanning the creek width, and avoiding work in the creek channel, the project imposes no effects on migrating anadromous fish species. It reports of the existence of a cliff swallow nesting colony and a bat roost (please identify the bat species) under the existing Crittenden Bridge, but provides no analysis for the impacts on these animals.

Bridges over creeks, as well as roads over marshes and wetlands are known to have significant impact on animal movement and connectivity – as opportunities for enhancing animal movement as well as impediments to movement or the facilitation of predator movement into sensitive habitats. Bridges additionally provide nesting and roosting sites for insects, birds and bats (as does the existing Crittenden Bridge). The impacts associated with roads and bridges are not limited to design and construction, but include traffic, noise, odors and lights (including traffic headlights).

The proposed Stevens Creek Crossings expects 280 round-trips, or 560 crossings over Stevens Creek per day during a 9h 15min commute period (555 minutes). This sums up to approximately one shuttle per minute over one bridge, or a shuttle every 2 minutes for two bridges during commute hours - morning (7:30AM – 10:30Am) afternoon and night (3:45PM – 10PM). The impact of this level of activity on fish and wildlife movement in and across the creek’s habitats (including wildlife movement at the existing Crittenden Bridge) should be studied in detail. Impacts on adjacent habitats (Shoreline park boundary at Crittenden Lane, Shorebird Way) should also be evaluated.

CEQA requires that Lead Agencies evaluate potential environmental effects based to the fullest extent possible on scientific and factual data. In the absence of defined thresholds, significance conclusions must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines §15064). The IS/EA offers no data on animal movement, and the analysis provided in the document is speculative and is not supported by fact. We ask for comprehensive surveys to create a true baseline to determine the impacts on wildlife movement. Surveys should monitor fish and wildlife movements in the creek and its riparian ecosystem and across the existing Crittenden Bridge and to determine seasonal and diurnal behavioral patterns. This baseline information can be used to evaluate the impacts of lights, noise and traffic that would result from an additional bridge at the Crittenden site and the proposed bridges at Charleston road. The analysis should be used to propose mitigation measures and monitoring protocols.

In addition, we ask for a complete analysis of the potential impacts of increased traffic and associated noise and light (headlights) on wildlife crossings, nesting and roosting at the existing Crittenden Bridge. Similarly, impacts of increased traffic on burrowing owls at Shoreline Park along Crittenden road, and on Egrets at Shorebird Way (by the Egret nesting colony) should be evaluated, as well as impacts of traffic on species of the Western Diked Marsh. Impacts of traffic and noise on recreational use should also be evaluated.

8. Integrity

The environmental impacts of building an elevated road through most of the mitigation area (200-ft buffer) between the Google campus and the salt marshes should be studied and disclosed, with special consideration of hydrology and water quality, biological resources, and aesthetics.

Building a road over a large portion of the bufferlands that were set in 2002 as mitigation to protect water quality and wildlife from urban encroachment defeats the purpose of the buffer zone. The proposal that this mitigation can be ignored because the words “avoid construction” do not “prohibit” construction in the buffer area puts in doubt the sincerity of Google and NASA in proposing “environmental commitments” for the protection of all environmental resources identified in the IS/EA for the Stevens Creek Crossings project.

9. Cumulative Impacts

Section 15355 of the CEQA Guidelines states: "Cumulative impacts" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Cumulative Impacts assessment requires a broad view of current and future projects beyond the footprint of the specific project under evaluation. This means that impacts of foreseeable development at North Bayshore and Moffett field, as well as the Salt Pond Restoration Project and the Shoreline Study should be discussed. We find the analysis of cumulative impacts inadequate, as it neglects to consider a multitude of local and regional projects that can be expected to cumulatively impact biological resources (most significantly burrowing owls), air quality, water quality and hydrology, traffic, light pollution and noise. The dissociation of the proposed project from its regional context is inadequate.

10. Alternative Analysis

The Conceptual Alternative Analysis (Table 3-1) shows that a one-bridge analysis would meet all Project Objectives, whether the bridge crosses Stevens Creek at Charleston Road or Crittenden Lane. The proposed Crittenden site was selected for further NEPA analysis because of an assumption that this bridge would impose lesser environmental harm (due mainly to visual impacts of the existing bridge at the site.)

We maintain that to minimize environmental impacts, no more than one bridge should be considered for analysis. Furthermore, we maintain that the Crittenden site would impose significant and unmitigable environmental impacts on biological resources, hydrology, open space and recreation.

The California Supreme Court has stated that an EIR is required to resolve, “uncertainty created by conflicting assertions” and to “substitute some degree of factual uncertainty for tentative opinion and speculation” [No Oil, Inc. V. City of Los Angeles (1975) 13 Cal.3d 68, 85.] An EIR is also required in order to analyze a full spectrum of alternatives, and identify and study environmental effects of all feasible alternatives.

Conclusion

SCVAS expects a comprehensive environmental review for a project of the magnitude proposed (three bridges over Stevens Creek) and the sensitive location of the bridges next to a steelhead creek, riparian vegetation, protected wetlands and salt marshes of San Francisco Bay. Based on our review of the IS/EA and supporting documents, we conclude that the document does not comply with the basic requirements of CEQA. In sum, the IS/EA fails to identify a proper baseline and disclose, analyze and mitigate the Project’s impacts on aesthetics, biological resources, and cumulative impacts. Thus, the IS/EA does not fulfill its function as an informational and decision-making document and the CEQA and NEPA findings that the project would not have a significant effect on the environment cannot be made.

CEQA requires a lead agency to prepare an Environmental Impact Report (EIR) whenever substantial evidence in light of the entire record supports a “fair argument” that the project may have a significant adverse impact on the environment. We believe that we can fairly argue, based on substantial evidence, and in light of the whole record, that this project may potentially impose significant and unmitigable environmental effects on aesthetic, biological resources and cumulative impacts, and that an EIS/EIR must be prepared for the project.

Since project objectives can be achieved by the development of only one creek crossing, we ask that an EIR/EIS be prepared to evaluate alternatives of only one bridge at Charleston road and none at Crittenden. We believe that such an alternative would have a more benign impact on the environment, and it should be evaluated in an EIR/EIS as the Preferred Alternative.

We encourage Google to manage its shuttle fleet in ways that would minimize or eliminate the need to cross Stevens Creek.

Thank you for your consideration, I'm happy to discuss any of our comments with you at any time.



Shani Kleinhaus, Ph.D.
Environmental Advocate,
Santa Clara Valley Audubon Society
22221 McClellan Rd., Cupertino, CA 95014
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To

Randal Tsuda, Community Development Director
City of Mountain View
Community Development Department
500 Castro Road, 1st Floor
Mountain View, CA 94041
randy.tsuda@mountainview.gov



Dr. Ann Clarke, Environmental Management Division Chief
NASA Ames Research Center
Mail Stop 237-14, Bldg. 237, Room 103
Moffett Field, CA 94035-0001
Ann.Clarke@nasa.gov (650) 604-2350

**Comments on Draft Initial Study/ Environmental assessment
of the Stevens Creek Crossings Project
Loma Prieta Chapter of the Sierra Club**

Thank you for the opportunity to comment on the Draft Initial Study/
Environmental assessment of the Stevens Creek Crossings Project

Sierra Club Loma Prieta Chapter comprises 17,000 members on the peninsula
and San Jose area, and we appreciate the importance of this project.

We should say, at the outset, that we are not at all convinced that it is a project
that is to the great benefit of the residents of the Peninsula and the County of
Santa Clara.

We have the following reasoning:

**1. Our Creeks are
sensitive ecological
watersheds**

Our Creeks are sensitive ecological watersheds and traffic and people are the
greatest enemy of the biological resources and ecology of our watersheds.

We are not convinced that ANY crossing over Stevens Creek can be undertaken
without a complete EIR. The Crittenden bridge is planned to land on wetlands
and into the buffer zone. This is not acceptable. In addition, how traffic pollution
and runoff will be handled and whether it can be contained has not been studied
as yet.

Where damage is probable, the better approach is to avoid the possibility of
damage.

**2. Private bridges
raises questions of
who benefits**

If we allow private interests to build bridges over public creeks, there has to be
an overwhelming demonstrated need as to why these private bridges are a
benefit to the public. We are not at all convinced that the two bridges provide
sufficient benefit to all parties when all the stakeholders are considered,
including the wildlife and ecology of the creek and adjacent wetland buffer
zones.

	<p>Will the City be setting a precedent for other private creek crossings, over sensitive creek beds, elsewhere when convenient to private traffic interests?</p>
<p>3. Why two bridges?</p>	<p>The report states that two bridges are required to provide a circular pattern for shuttles. This seems entirely unjustified. The capacity of a single two lane bridge far exceeds the total proposed daily traffic. Even with a roll-thru transponder, the proposed traffic does not come close to the actual capacity of a 2 lane bridge. Therefore to disrupt the creek with two crossings seems totally gratuitous.</p>
<p>4. Possible future public access to bridges</p>	<p>Once the bridges are built, it should be assumed that over time, the bridges will face increasing pressure to be open to the public for general use. 101 is becoming increasingly congested and it will be difficult to restrict the one creek crossing to one private user along with the public buses. This eventuality should be studied for its environmental impact</p>
<p>5. One bridge option at Crittenden is the wrong choice</p>	<p>If only one bridge were to be considered, Charleston is the better choice of locations for a vehicular bridge</p> <ol style="list-style-type: none"> a. A bridge at Crittenden crosses the creek where the creek has widened out and includes riparian and wetlands habitats. This is not surprising as the site is contiguous to the wetlands buffer zone. This slow regeneration of wetlands, up the creek, is to be encouraged rather than negatively impacted by building roadways at this sensitive point. b. A creek crossing at Charleston is less ecologically damaging c. The huge, high, imposing long-span bridge is visually intrusive. It will be less intrusive at Charleston, farther from the open spaces across the wetlands. d. A bridge at Charleston is more useful for vehicles like shuttles that serve the public and companies other than Google, as they won't need to go all the way north, thru Google Campus, to get across the Creek e. Charleston, 2 blocks to the south, is a much better choice from an urban design point of view, as it funnels off traffic earlier and keeps traffic from penetrating all the way to Crittenden f. Charleston is already designed as a major intersection at North Shoreline Boulevard
<p>6. Bike bridge location should not be arbitrarily moved</p>	<p>According to the bicycle plan, the bike bridge crossing has been planned to be at L'Avenida, closer to the freeway. We believe that there are definite advantages to keeping the bike bridge in this location rather than trying to combine bike traffic and vehicular traffic to cross at the same location at Charleston. We did not see any of the reasoning behind the proposal to move the bike bridge to Charleston.</p> <p>Pedestrians move at 3-5 m.ph. Bicycles at 10-15 m.p.h. Autos and buses on minor roads at 25-30m.p.h.</p> <p>Therefore it is not an insignificant decision to move a bike bridge $\frac{3}{4}$ (three-quarter) miles north of its proposed location and closer to another existing bike</p>

bridge.

7. Aesthetics

We disagree that the aesthetic impact of adding two bridges, or even one bridge, is minor.

The view when on Stevens creek trail is of the experience of a BIG SKY area, where ones horizon opens up to the entire Bay with views of the expansive space over the bay. The PG&E towers, while not an aesthetic addition to this experience as never the less relatively fragile giants in this space.

The proposed bridges are huge in order to clear span right over the trail and they need to extend a 1/8th of a mile beyond the levies in order to make landfall. The trail view and big sky experience is subordinated to the view of the large bridge.

This is not conducive to the experience of open space along a trail near wetlands but rather to traffic connections. See excerpt from artist's view of bridge, below.



Stevens Creek Trail today Figure 4.2 from study



Vehicular bridge over trail and bike bridge at trail level Figure 4.16-1 (excerpt)

8. South Bay Salt Pond Restoration

Since 2002, the South bay shore has been undergoing an extensive restoration process. The South Bay Salt Pond Restoration Project is a massive restoration

Project has changed bay edge conditions in the South Bay since the Moffett Field study done in 2002

project, over a period of 50 years, second only to the extensive restoration project of the Everglades in Florida, being undertaken by the Corps of Engineers. The EIR for the Moffett Field area, done in 2002, is out-of-date in several areas and needs to be updated to take the changes that are being brought about by this project into account.

Summary

- Sierra Club Loma Prieta Chapter believes that Stevens Creek bridge crossings should probably require an full EIR
- No more than one bridge should be considered should the City decide that it may be beneficial to have a vehicular bridge north of highway 101
- Charleston is a preferred location for a bridge than Crittenden

Conclusions

1. **We believe that the present study should be rejected and set aside**
2. **Instead, we would propose the following should be studied:**
 - a. **Only one 2-lane vehicular bridge – at Charleston**
 - b. **Should a bike-pedestrian bridge be built at L’Avenida or moved north to Charleston**
 - c. **Keep existing bike-pedestrian bridge at Crittenden as is and improve ADA access**
 - d. **Study what happens if, over time, public auto access is desired across Charleston vehicular bridge?**

Respectfully submitted:



Gita Dev, FAIA

Member, Sustainable Land Use Committee

Loma Prieta Chapter of Sierra Club

From: [Netto, Margaret](mailto:Netto.Margaret)
To: [Jones, Matthew](mailto:Jones.Matthew)
Subject: Fwd: stevens creek crossing project comments
Date: Tuesday, March 13, 2012 7:14:49 PM

Sent from my iPhone

Begin forwarded message:

From: "Tsuda, Randy" <randy.tsuda@mountainview.gov>
Date: March 13, 2012 7:14:43 PM PDT
To: "Netto, Margaret" <Margaret.Netto@mountainview.gov>, Peter Ingram <pingram@srgnc.com>
Subject: Fwd: stevens creek crossing project comments

Sent from my iPad

Begin forwarded message:

The Stevens Creek Crossings Project seems like overkill to me. Channelized as it is between levees, the creek is hardly "natural", but it still supports diverse plants and animals, especially north of Crittenden where wetlands will remain. I understand Google's desire for access to its planned facilities east of the creek, but I think one road bridge and one bike/ped bridge should be adequate.

Unfortunately, the less disruptive option I'd prefer has already been eliminated. That would be one bike/ped friendly road bridge at Charleston (instead of up against the wetlands at Crittenden) plus the existing bike/ped bridge at Crittenden. I hope that option can be reinstated.

Giving pedestrians and cyclists the option to cross the creek at both places will encourage those transportation modes. I think a towering road bridge at Crittenden should require a full EIR.

I do appreciate that the Stevens Creek Trail itself will be undisturbed by all of the options. I am a board member of the Friends of Stevens Creek Trail, but am speaking for myself. I am also a dedicated transportation cyclist. My bike is my primary vehicle.

Anne Ng
6031 Bollinger Road
Cupertino 95104



**DEPARTMENT OF THE AIR FORCE
HEADQUARTERS ARNOLD ENGINEERING DEVELOPMENT CENTER (AFMC)
ARNOLD AIR FORCE BASE TENNESSEE**

February 28, 2012

To: Dr Ann Clarke
Environmental Management Division Chief
NASA Ames Research Center
Mail Stop 237-14
Moffett Field Ca 94035 0001

Subject: Comments on the Draft Initial Study/Environmental Assessment for the Stevens Creek Crossings Project

The Arnold Engineering Development Center, AEDC, National Full Scale Aerodynamics Complex appreciates the opportunity to provide inputs to you very worthy project upgrading access to the Bay View area of the NASA Ames Research Center at Moffett Field, Ca. We applaud your efforts to improve the property for the benefit of the populace and look forward to collaborating with you in this area of interest.

We have an interest in any construction in the Bay View area that might affect our wind tunnel performance and provide the attached comments to your IS/EA. We are concerned the Charleston Street Bridge structure may have a potential impact on the flow quality of our largest wind tunnel and would like that consideration be noted in planning for this project and in future Bay View area projects. We also believe that, while the proposed structure affects may appear slight, its significance warrants some investigation and assurance before proceeding into construction.

Any comments or concerns related to this can be coordinated to me at the address below.

A handwritten signature in black ink that reads "David A. Duesterhaus".

David A Duesterhaus
Director, National Full-scale Aerodynamic Complex, MS 221-9
Arnold Engineering Development Center
NASA Ames Research Center
Moffett Field, Ca 94035-0001

dave.duesterhaus@arnold.af.mil
650-604-5191

Att. AEDC NFAC Comments on Proposed
Stevens Creek Crossings Project IS/EA

**AEDC NFAC Comments on Proposed
Stevens Creek Crossings Project IS/EA**

- 1) Under section 1.2.3.1 Other Public Agencies, it is acknowledged that other public agencies may have a permitting or consultation role. The United States Navy and the United States Army are specifically cited.

The United States Air Force should also be specifically named as an affected Agency. The United States Air Force manages and operates the National Full-Scale Aerodynamics Complex (NFAC) which will directly be affected by construction in the Bay View area of Ames Research center.

- 2) According to section 2.3 Federal Action, one purpose of the proposed Federal Action is to:

Provide a means to ensure that the action is not inconsistent with the NAPD PEIS, is in full compliance with the Enhanced Use Lease between National Aeronautics and Space Administration and Planetary Ventures, LLC regarding Bay View Parcels 1, 2, and 4 NASA Ames Center SAA2-402175 (collectively, the "Bay View Lease Agreement"); and meets other Federal Agency objectives and State and local plans.

The NASA Ames Development Plan (NAPD), printed page 18 (page 24 of the file) shows a "Wind Tunnel Clearance Zone" near Allen Road near N258. The United States Air Force currently manages and operates the National Full-Scale Aerodynamics Complex under a 2006 Enhanced Use Lease Agreement with NASA Ames Research Center. The purpose of this clearance zone is to prevent turbulent air from structures within this zone from entering the 80- by 120- foot wind tunnel and adversely affecting test conditions. The attached memo dated March 30 2004 titled: "Building Guidelines for area upwind of the 80- by 120- inlet," provides more detailed information than the simple sketch included in the NAPD. This document was a refinement of an earlier memo dated July 13, 1987, same Subject also attached.

It appears that the Charles Street Bridge crossing will require construction within the Wind Tunnel Clearance Zone. The project developers should provide some substantive assurance that the 80- by 120- foot wind tunnel inlet flow turbulence will not be adversely affected by this construction and new structures.

- 3) Section 3.1 Project Location refers to the planned site as "currently vacant land in the Bay View Area on the NASA ARC facility."

This section should acknowledge that the land is currently vacant specifically because structures located on it could adversely affect the flow quality of the National Full-Scale Aerodynamics Complex 80- by 120- Foot Wind Tunnel now managed and operated by the United States Air Force.

- 4) Section 3.2.4.4 subheading Dust Control Measures designates an Environmental Coordinator to be responsible for notifying adjacent land uses of construction activities and the schedule. Dust control measures that will be used are listed.

This section should acknowledge that direct communication with operations staff at the National Full-Scale Aerodynamics Complex will be required. Prevailing winds will carry dust from the construction zone directly into the facility causing erosion damage to test articles and the facility during wind tunnel operations. For this reason NFAC test activities and construction activities must be coordinated.

- 5) Section 4.5.1.1 Cultural Resources, Affected Environment, Study Area does not indicate that the undeveloped land on NASA ARC property was left undeveloped to ensure the best possible flow quality for testing at the National Full-Scale Aerodynamics Complex.
- 6) Section 4.12.1.1 Public Services and Utilities, Affected Environment, Study Area does not indicate that the undeveloped land on NASA ARC property was left undeveloped to ensure the best possible flow quality for testing at the National Full-Scale Aerodynamics Complex.
- 7) Section 4.14.1.1 Land Use and Planning, Division of an Established Community indicates the project will connect an area of Mountain View with a soon-to-be developed area on NASA ARC property. It does not state that the ARC property was left undeveloped to ensure the best possible flow quality for testing at the National Full-Scale Aerodynamics Complex. Section 4.14.1.2 Land Use and Planning, Consistency with Applicable Land Use Plans and Policies does not indicate that the United States Air Force plans to operate the National Full-Scale Aerodynamics Complex and therefore expects development in the Bay View Area of ARC to follow established agreements identified in the attached memo.
- 8) Sections 4.16 through 4.16.1.1 Cumulative Effects, Current and Reasonably Foreseeable Actions, NASA Ames development Plan Final PEIS and ROD do not mention the 2006 Enhanced Use Lease Agreement between NASA Ames and the United States Air Force, SAA2-401821. Construction in the Bay View Area of NASA Ames Research Center could have significant consequences on the flow quality in the 80- by 120- foot test section.

Attachments;

- A. Letter Dated March 30, 2004, Subject: Building guidelines for the area upwind of the 80- by 120- inlet, From: Jim Ross
- B. Letter Dated July 13, 1987, Subject: Building guidelines for the area upwind of the 80- by 120- inlet, From: Jim Ross

National Aeronautics and
Space Administration
Ames Research Center
Moffett Field, California 94035



Reply to A04 of

FFF:247-2
July 13, 1987

To: Jerry Kirk

From : Jim Ross

Subject: Building guidelines for the area in front of the 80- by 120- inlet.

The turbulence intensity and uniformity of the flow entering the 80- by 120- Foot Wind Tunnel inlet has a strong influence on the test-section flow quality. In particular, highly turbulent atmospheric winds can increase the test-section turbulence intensity to unacceptable levels. Atmospheric turbulence is much larger when a wind blows over buildings than over open fields.

An estimate of the effect of buildings on the wind tunnel performance was made based on experience with the 1/15 scale model of the wind tunnel tested at the OARF, prevailing wind data, and analysis. The wind data reported by Ken Mort and obtained during the OARF testing show that 10 kt winds from the north and northwest are quite common. On a yearly average the wind is from that general direction 50% of the time. A potential flow analysis shows that during 10 kt winds the inlet entrains a streamtube of air which travels along the ground and is only 40% higher (and wider) than the inlet opening. Since this kind of wind is a common occurrence, every effort should be made to assure that the flow entering the inlet is not disrupted.

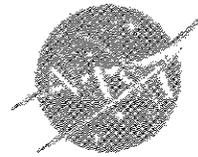
During the 1/15 scale testing at the OARF it was found that the wake of an object approximately the same height as the inlet (9 ft.) located 300 ft. upwind of the inlet increased the axial turbulence intensity in the test section from 0.5% to 0.8%. This scales to a 130 ft. building located .85 miles from the inlet. Other analysis indicates that smaller buildings located closer to the inlet (such as the NAS building) can also have a noticeable effect on tunnel performance. The analysis has some uncertainty associated with it. Therefore, the recommendation is that no new buildings be located in the region shown in the attached drawing (extending upwind to the border of NASA property). A more accurate determination of the effect of the NAS building and the N255A substation on test-section flow quality can only be made after gaining sufficient experience in running the tunnel.

James C. Ross

Concurrence:

Lawrence E. Olson

National Aeronautics and
Space Administration
Ames Research Center
Moffett Field, California 94035



Reply to item of: APS: 260-1

March 30, 2004

To: Facility Planning Office

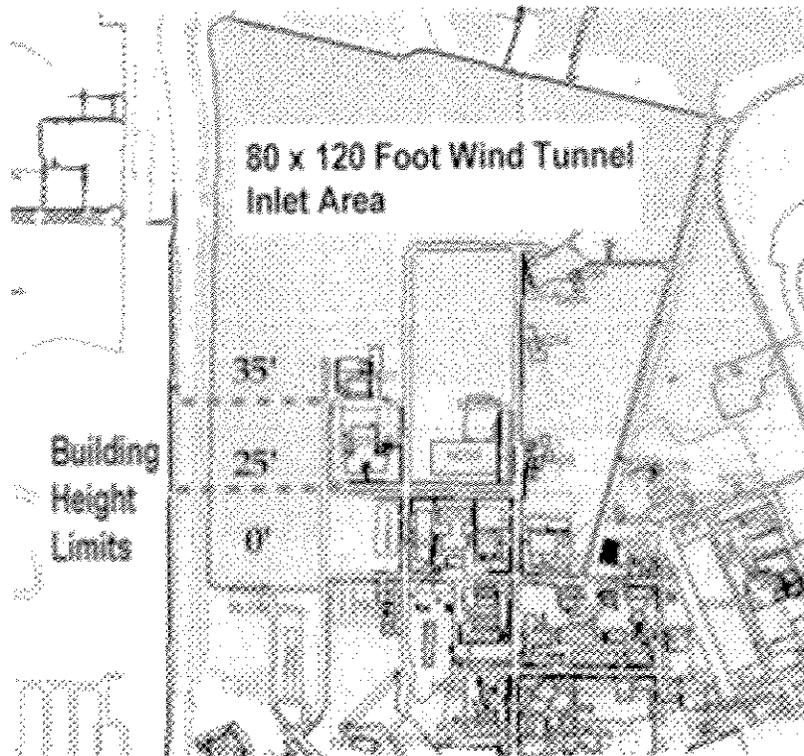
From: Jim Ross

Subject: Building guidelines for area upwind of the 80- by 120- inlet.

The attached memo from 1987 is the only documentation of the building exclusion zone necessary to assure good flow quality during daytime running of the 80- by 120-Foot Wind Tunnel. I would like to update that exclusion zone to allow moderate construction within the zone while maintaining the ability to perform high-quality tests in the facility.

The figure below places height limits on buildings within the exclusion zone. The 80 x 120 Inlet Area (no longer called the exclusion zone) is denoted by the yellow shading. From the inlet out to Allen Road, only parking areas and the PG&E substation are allowed. From Allen Road to Lomax Lane, a height limit on buildings of 25 feet will not impact the 80x120 flow quality. From Lomax Lane out to the NASA property lines, building heights of 35' or less are allowed. Outside the 80x120 Inlet Area, no height restrictions are necessary.

I believe that these height restrictions will allow productive use to the property adjacent to N-258 and on out toward the bay while minimizing the impact on the 80x120 flow quality.



James C. Ross
Deputy Chief, Systems Analysis Branch

Attachment: 1987 memo "Building guidelines for the area in front of the 80- by 120- inlet"



COMMITTEE FOR
GREEN FOOTHILLS

March 16, 2012

Randal Tsuda
Community Development Director
City of Mountain View
Community Development Department
randy.tsuda@mountainview.gov

Dr. Ann Clarke
Environmental Management Division Chief
NASA Ames Research Center
Ann.clarke@nasa.gov

Re: Draft Initial Study/Environmental Assessment, Stevens Creek Crossings Project

Dear Mr. Tsuda and Dr. Clarke:

The Committee for Green Foothills (“CGF”) is a regional environmental organization advocating for the protection of open space, natural resources and the environment in San Mateo and Santa Clara Counties. CGF submits the following comments on the Draft Initial Study/Environmental Assessment (the “IS/EA”) for the Stevens Creek Crossings Project (the “Project”):

The Project consists of two new vehicular bridges and one new pedestrian/bicycle bridge across Stevens Creek, plus ADA and safety improvements to an existing pedestrian/bicycle bridge across the creek. The Project proposes that the new pedestrian/bicycle bridge and one new vehicular bridge be located at Charleston Road, and the other new vehicular bridge be located at Crittenden Road next to the existing pedestrian/bicycle bridge. The purpose of these bridges is to connect the existing office park facilities in the North Bayshore area of the City of Mountain View with similar facilities planned in the Bay View area of the federally owned NASA Ames Research Center (“ARC”). The Project proponent is Google Inc., which currently has offices in the North Bayshore area and whose wholly owned subsidiary Planetary Ventures LLC has a lease agreement with NASA to develop approximately 42 acres of land in the Bay View area for offices, housing and support services. IS/EA at 2-1.

The specific objectives of the Project are: to reduce single-occupancy vehicle trips and incentivize high-occupancy vehicle and non-motorized trips; to provide new access for City of Mountain View (“City”) public safety and emergency response services vehicles to the Bay View area; to provide the Santa Clara Valley Transportation Authority (“VTA”) with new routing and service options; to preserve and enhance opportunities and access for Stevens Creek Trail and Bay Trail users; to increase and improve access points to the Bay Trail, ancillary trails, and the bay tidal wetlands to the north; to support the preservation of existing regional open space, in particular by ensuring that view corridors are preserved; and to avoid adverse impacts on Stevens Creek and the Western Diked Marsh. IS/EA at 2-3.

CGF believes that the proposed Project as it currently stands does not achieve these objectives. Specifically, although the Project has the effect of reducing single-occupancy trips and providing access to emergency response vehicles and VTA vehicles, it achieves these goals at the cost of sacrificing the preservation of open space, view corridors, and avoiding adverse impacts on the creek and the marsh. The goals of trip reduction and vehicle access can be provided while better preserving environmental resources by altering the

Project to consist of only one new vehicle bridge and one new pedestrian/bicycle bridge at Charleston Road, plus the ADA and safety improvements to the existing pedestrian/bicycle bridge at Crittenden Lane.

The IS/EA considered a range of alternatives to the Project, including a “One Bridge/Two Lane Alternative – Charleston Road Option.” However, only the “One Bridge/Two Lane Alternative – Crittenden Lane Option” was carried forward for analysis. IS/EA at 3-2. The reasoning for this decision was that “there is already a bridge crossing at this location [Crittenden Lane], which helps to minimize the sense of a new bridge structure.” IS/EA at 3-5. While this is true, the Crittenden Lane option is in many ways the more environmentally intrusive option. Specifically, a Crittenden Lane vehicular bridge would require encroaching into a buffer zone set aside in the 2002 NASA Programmatic EIS for the protection of the wetlands immediately to the north of the Bay View area; the Crittenden Lane location is in general more environmentally sensitive than the Charleston Road location; a Crittenden Lane location would have the effect of drawing traffic, and potentially development, further north towards the Bay and the protected wetlands; and although there is already a pedestrian/bicycle bridge existing at Crittenden, a vehicular bridge would greatly increase the visual impact at that location beyond the impact that now exists. For all these reasons, CGF requests the City and NASA to prepare a new IS/EA with a full evaluation of the “One Bridge/Two Lane Alternative – Charleston Road Option.”¹

1. The Crittenden lane vehicular bridge would encroach into the wetlands buffer zone.

In 2002, NASA prepared a Programmatic EIS for the redevelopment of the Bay View area of the NASA ARC site. That PEIS identified potential impacts to the wetlands north of the site (the “Western Diked Marsh”), and as mitigation for those impacts, stated that “construction would be avoided in the jurisdictional wetlands along the northern boundary of the Bay View area and within the buffer zone of these wetlands.” NASA PEIS at 4.9-31 (Mitigation Measure BIO-19). The PEIS also increased the size of the buffer zone (referring to it as “the open space buffer between development and the wetlands”) to 200 feet in order to afford sufficient protection to the wetlands (PEIS at 0-12), thus demonstrating the importance of this buffer zone.

The IS/EA attempts to circumvent this restriction by arguing that “Although [the PEIS] states that construction in the buffer would be avoided, it does not explicitly prohibit construction in this zone, for example, when a developer has made every effort to minimize impacts to the functional integrity of the buffer through conscientious project design.” IS/EA at 4-53. This argument that “avoided” does not mean “prohibited” does not stand up to scrutiny. The intent of the PEIS and of Mitigation Measure BIO-19 was clearly to prohibit all construction in the buffer zone. Note that the PEIS refers to the buffer as the “open space” in between development and the wetlands. To then argue that the piers for a bridge will not constitute “development” is absurd. Moreover, the IS/EA creates an exception out of whole cloth in arguing that when a developer has “made every effort” to minimize impacts, the buffer zone may then be violated. Nothing of this sort is stated in Mitigation Measure BIO-19.

Where a public agency has adopted a mitigation measure for a project, it may not authorize destruction or cancellation of the mitigation without reviewing the continuing need for the mitigation, stating a reason for its actions, and supporting it with substantial evidence. *Katzeff v. California Dept. of Forestry and Fire Protection*, 181 Cal.App.4th 601, 615 (2010). The City and NASA may not eliminate the mitigation measure established in the PEIS with no review or evaluation. Should the City and NASA determine that the final Project will include the

¹ CGF understands that a bicycle bridge has been proposed over Stevens Creek at L’Avenida Road. The IS/EA should evaluate whether this bridge is likely to be built, or would be built if the Charleston Road bicycle/pedestrian bridge were to be abandoned, and whether L’Avenida is a better location for a pedestrian/bicycle bridge, taking into account all environmental impacts as well as the needs of the bicycle community. If this evaluation shows that the L’Avenida location is preferable for a pedestrian/bicycle bridge, then the IS/EA should examine the impacts of building only a single vehicle bridge at Charleston.

vehicular Crittenden bridge, the final CEQA documentation must include the results of the review process as described in *Katzeff*.

2. The Crittenden Lane location is worse from a design perspective than the Charleston Road location.

There are several non-legal reasons why a vehicular bridge would be better located at Charleston Road than at Crittenden Lane. First, the Crittenden Lane location is closer to the wetlands and the mouth of Stevens Creek, while Charleston Road is farther upstream. As Stevens Creek approaches the Bay, the habitat in the creek area becomes more “natural” and more sensitive. There is a greater abundance of wildlife and vegetation, and the creek channel is less affected by the heavy urban development farther upstream. Second, and not coincidentally, the Crittenden Lane location is farther from the bulk of the existing development in the area and therefore is a less appropriate place for a vehicle bridge. Whether or not the bridge is ever opened to public use, the effect of routing buses and shuttles up to the very northern edge of the existing development will be to draw traffic, and potentially development, farther north towards that bridge, which would be detrimental to the wetlands and the other undeveloped lands in the area. Finally, the reasoning in the IS/EA that a Crittenden Lane bridge would be less visually intrusive than a Charleston Road bridge because of the pedestrian/bicycle bridge that already exists at Crittenden Lane, overlooks the fact that the vehicular bridges will have a significantly greater visual impact than the pedestrian/bicycle bridges. If the “artistic renderings” included in the IS/EA (Figures 4.16-1 and 4.16-2; see also the simulation photo in Figure 4.1-8) are accurate, the new pedestrian/bicycle bridge at Charleston will be low and unobtrusive, whereas both new vehicular bridges will be extremely tall, with the arches towering over the shuttle bus depicted in the illustration. No matter whether there is a pedestrian/bicycle bridge at the location or not, a new vehicular bridge, according to these renderings, will have a significant visual impact.

For all these reasons, CGF requests the City and NASA to prepare a new IS/EA evaluating the impacts of the “One Bridge/Two Lane Alternative – Charleston Road Option.”

Thank you for the opportunity to submit these comments. If you have any questions, please do not hesitate to contact us.

Sincerely,



Alice Kaufman
Legislative Advocate, Committee for Green Foothills