OLBERDING ENVIRONMENTAL, INC.
Wetland Regulation and Permitting

June 28, 2018

Mr. Bill Roth
Associate Planner - Current Development
Planning Division - Community Development
39550 Liberty Street, P.O. Box 5006
Fremont, CA 94537-5006

SUBJECT: Dumbarton Quarry Updated Responses to Comments from the Citizens Committee to Complete the Refuge

Dear Mr. Roth,

Before leaving the Fremont Planning Division, Steve Kowalski requested Olberding Environmental look over and update if necessary, the Response to Comments that were included in the Mitigated Negative Declaration that the City Council adopted for the Regional Park plans for the Dumbarton Quarry on November 19, 2013. This letter will address each of the questions submitted by the Citizen's Committee to Complete the Refuge letter dated July 23, 2013, as they relate to the revised park plans with the new hill and reconfigured/redesigned campsites. Only questions pertaining to biological resources will be covered in this letter. The original comments submitted by the Citizen's Committee can be found in Attachment 1 at the end of this letter.

CCCR Comment #1
No Discussion of Alternatives:
The proposed park is located on a site that has been disturbed by former quarry operations, which have now ceased. Significant biological resources exist on lands immediately adjacent to the proposed park site. Please explain why alternative park development plans were not reviewed and discussed; for example, plans with reduced development footprints - e.g. camping only plans, event center only plans, etc.? An event center alternative would restrict hours of human disturbance on adjacent wildlife populations to the hours of operation. Please explain why the event center hours differ from the hours of operation for Coyote Hills Regional Park (8am - 8pm during the summer months). A camping only plan could reduce the level of disturbance by reducing the amount of traffic (vehicular and human) to the site

CCCR Response #1
The original response from the 2013 Response to Comments covers this adequately.

CCCR Comment #2
Species list:
Please find attached lists of sensitive and special status species that occur adjacent to the proposed park site within the boundaries of Coyote Hills Regional Park (Coyote Hills Land Use Plan Appendix). This information does not appear to be included within the "Biological Resources Analysis Report for the Dumbarton Quarry Property" prepared for the City of Fremont March 2012. Please also find attached a

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statement (2000) by WRA that the federally listed salt marsh harvest mouse has been reported for the adjacent Fremont-Coyote tract.

CCCR Response #2

The respondent has a valid point as there are California Natural Diversity Database (CNDDB) occurrences of salt marsh harvest mouse, a federally endangered species, in the vicinity of the Dumbarton Quarry site - the closest of which is on the Cargill property immediately to the east. This occurrence is from three nights of trapping (300 trapnights) in 1985 where two mice were captured. At the time, this property had several small ponds and was maintained as a duck club. In the past 33 years, this area has become degraded and no longer supports extensive wetlands. Today, the ponds and duck club are gone with only a few water filled ditches surrounding the Cargill property that still contain pickleweed. Although the presence of salt marsh harvest mouse cannot be completely ruled out, it is unlikely that future activities at the Dumbarton Quarry site will have a negative effect on this species. The revised park plans do not include the creation of wetlands and pickleweed is not found on the Dumbarton Quarry property. This means there is no suitable habitat for salt marsh harvest mouse present now, or anticipated for the future for the park.

CCCR Comment #3

Air Quality:

This section discusses the potential exposure of sensitive receptors to air pollutant concentrations. Visitors to the Phase I area should be considered sensitive receptors. While there is a reference to mitigation from PLN-2012-00143- that lists mitigation measures for air quality, there are concerns regarding the adequacy of oversight. As recently as Thursday, July 18th, a large plume of dust was seen emanating from the quarry and subsequently wafting over Highway 84. This observation suggests the need for additional measures to ensure compliance and to protect visitors to the quarry park. Additionally, we are aware that the Patterson Ranch development may dispose of their toxaphene contaminated sediment at the quarry site. While this disposal may occur prior to actual use of the park site, it raises the question of whether park visitors may be exposed to contaminated dust from other sites. Please provide information of how the visiting public (and nearby residents) will be protected from quarry pit dust plumes in the period that the pit is being filled.

CCCR Response #3

The original response from the 2013 Response to Comments covers this adequately.

CCCR Comment #4

Indirect Biological Impacts:

The MND fails to identify and propose mitigation for direct and indirect impacts to wildlife resources within the project boundaries or to wildlife populations on lands immediately adjacent to the proposed park development. As an example, the MND fails to discuss the potential attraction and support of nuisance species (gulls, ravens, crows, red fox, raccoons, etc.) that might result from the proposed park development plan. A recent front page article in the Argus (http://www.mercurynews.com/science/ci~23680401/bay-area-sea-gull-population-explodesbringing-flocks, Sunday, July 21, 2013 and attached) details the impacts of the Bay Area's ever increasing California gull population and the adverse impacts they have on special status species. What specific measures will be

taken to ensure the proposed park development will not provide food sources for nuisance species? For example, what assurances have been provided that sufficient staffing will be maintained to ensure garbage receptacles are regularly emptied and that the grounds are kept free of food waste? What contingency measures have been proposed should California gulls (as an example) become a nuisance despite regular garbage removal (refer to the article above and the discussion of impacts of California gulls on the student population at Pioneer)? Federally listed and sensitive species are known to occur and nest on the lands adjacent to the proposed park development site, and any establishment of regular California gull use (or any other nuisance species) of the site could have adverse impacts on these species and must be considered.

CCCR Response #4
The original response from the 2013 Response to Comments covers this adequately.

CCCR Comment #5
The MND also fails to discuss the potential adverse impacts of night lighting and noise on wildlife species both onsite and on the adjacent lands. The MND states, "maximum acceptable outdoor noise level for an outdoor recreation or park use is an Ldn of 65 dB(A) or less, however, the maximum conditionally acceptable noise level is an Ldn of 80dB (A).

Studies of the impacts of the effects of anthropogenic noise suggest the noise interferes with territorial vocalization (i.e. impacts to birds in breeding season) and the density of passerines occupying suitable habitat. These studies provide evidence that anthropogenic impacts on wildlife are not speculative, can be significant, and should be analyzed and avoided or fully mitigated. (Fuller, Warren, and Gaston. 2007. "Daytime noise predicts nocturnal singing in urban robins." Bioi Lett 2007 August 22: 368-3 70 and Bayne, Habib, and Boutin, October 2008. "Impacts of Chronic Anthropogenic Noise from Energy-Sector Activity on Abundance of Songbirds in the Boreal Forest." Conservation Biology 22 (5): 1186-1193).

No indication of anticipated noise levels has been provided. How will the City and District ensure that noise levels do not exceed the maximum acceptable levels? What night time dB levels can be anticipated? Please provide estimates of noise generated from the use of televisions, boom boxes, etc. within the recreational vehicle and car campground areas, from music or other noises that might be generated within the event and amphitheater areas.

What are the potential noise pollution impacts to wildlife that may nest or forage in areas immediately adjacent to the proposed park development, e.g. foraging owls, and what specific mitigation measures will ensure there are no significant adverse impacts?

CCCR Response #5
The original reponse from the 2013 Response to Comments covers this adequately.

CCCR Comment #6
Light pollution is documented to have serious adverse impacts for a wide range of wildlife ranging from invertebrates to mammals. It disrupts migratory patterns, foraging capabilities, predation, nesting, breeding, etc. (Longcore and Rich, "Ecological Light Pollution" Front Ecol Environ 2004, 2(4):

191~198). Longcore and Rich report the findings of Buchanan (1998 "Low illumination prey detection by squirrel treefrogs," J Herpetology 32: 270-74) in which three different species of amphibians forage at different illumination intensities. As an example the squirrel treefrog (*Hyla squirrela*) forages only between 10^{-5} lux and 10^{-3} lux under natural conditions, while the western toad (*Bujo boreas*) only forages at illuminations between 10^{-1} and 10^{-5} lux.

Evidence suggests light pollution affects the choice of nesting sites in the black-tailed godwit, with choice locations being the farther away from roadway lighting (De Molenaar et al 2000, in Longcore and Rich). Buchanan found frogs he was studying stopped their mating calls when the lights of a nearby stadium were turned on.

We understand the site is currently disturbed, however, reclamation of the quarry pit is proposed to end within a decade, have other alternatives been considered that might have less impact under that scenario, or are there specific mitigation measures that will be implemented to ensure light and noise pollution do not adversely impact wildlife species on adjacent lands? Given the information provided in the current MND, how would adverse impacts to sensitive wildlife species resulting from implementation of the proposed project be detected?

CCCR Response #6

The original reponse from the 2013 Response to Comments covers this with several adequate suggestions, from limiting the number of light poles to the main entry drive and event center parking lot, as well as restroom facilities and trails. Directing light sources downward and shielding them to avoid illuminating adjacent areas also would reduce the ecological impact of nighttime illumination. The type of lighting used may also help reduce the ecological impact of nighttime illumination. LED spectra has been found to affect some invertabrates with longer wavelength light having reduced effects (van Langevelde, Ettema, Donners, & WallisDeVries, 2011), but a study in the UK found that switching from low-pressure sodium lamps to LEDs had no discernable effect on bat activity (Rowse, Harris, & Jones, 2016). The study of artificial light on the behavior of wildlife is still ongoing and unresolved. Some species appear to be affected by certain wavelengths of light with others affected by completely different wavelengths. Some species appear to not be affected at all. One additional option to reduce the ecological impact of lighting on the Dumbarton Quarry site not mentioned in the original response would be to utilize long-wavelenth light sources, such as high-pressure sodium (HPS) lamps that filter out shorter green and blue wavelengths of light common in full-spectrum white LED lighting. If LED lighting is required for energy savings, they can be filtered through long-pass optical filters, or alternatively by selecting specific monochromatic LEDs (with narrow spectral wavelengths) that avoid the highly attractive blue-green spectra found in standard white LEDs (Pawson & Bader, 2014).

CCCR Comment #7

Tree plantings:

The MND proposes tree plantings along the entry road and camping areas. We request the native, low-growing trees be utilized due to concerns of providing additional perches for raptors that in turn may adversely impacts nesting birds and sensitive species adjacent to the proposed park development.

CCCR Response #7
The original reponse from the 2013 Response to Comments covers this adequately. There are currently trees large enough to act as raptor perches or nesting sites at the north boundary (eucalyptus grove), to the west (oaks on the hillside), and to the south (eucalyptus along Apay Way trail). During Olberding Environmental's site visit, several raptor species were observed on and around the Dumbarton Quarry site, including a Cooper's hawk hunting Stellar jays. Raptors will perch on low-growing trees and shrubs, just as with larger trees (pers. obs.).

CCCR Comment #8
Hydrology:
The MND states: "Drainage from the project would be directed into landscape-based treatment areas located throughout the site, then conveyed through storm drain pipes and ultimately discharged into the existing pond on-site and drainage channel along the eastern property line." Is the drainage channel referred to the channel that exists between the adjacent Cargill property and the proposed park development site? Please state the expected flow regime into the "drainage channel." Would there be any increase in flows? Would flows be expected to occur year round after the project is implemented due to landscape irrigation? It is our understanding the channel that lies between the park development site and the Cargill property, continues under Highway 84 through a set of culverts protected by flap gates and then enters the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). We are concerned that changes in the volume of flows or duration of "freshwater" flows could have negative impacts on the Refuge. Please explain how adverse impacts to the vegetative community of the Refuge will be avoided or mitigated.

CCCR Response #8
The original reponse from the 2013 Response to Comments covers this adequately. The revised park plan, with the addition of the constructed hill (Phase 2), will increase the surface area of pervious surfaces increasing the amount of rainwater infiltration.

CCCR Comment #9
Public Safety:
The proposed park area is within a wildlands fire area, yet no prohibitions on the use of campfires, bbq's, or fire pits are mentioned. The site regularly experiences windy conditions - sometimes extremely windy conditions - and embers from campfires, bbq's etc. could be transported to adjacent grasslands. What mitigation measures will be implemented to reduce fire hazard and how will they be enforced? What is the estimated response time in the event of a fire, and who would respond?

It isn't clear from the information provided who will have policing responsibilities, while a caretaker will be on-site once the campgrounds are constructed, it isn't clear whether EBRPD or Fremont Police would be responsible for dealing with issues impacting public safety (e.g. theft and other illegal activities). What is the estimated response time? If the City of Fremont is to respond, does a mutual aid agreement exist?

CCCR Response #9
The original reponse from the 2013 Response to Comments covers this adequately.

CCCR Comment #10

Traffic:

Please confirm that the proposed project will not require any modification of the existing footprint of Quarry Road. If widening or any other modifications are required, please confirm that additional impacts to waters of the U.S. and wildlife habitat will not occur. If modifications of the roadway beyond the existing footprint are required, identification of any impacts associated with modifications of Quarry Road should be identified within this environmental review process and appropriate mitigation measures identified. The public should have an additional opportunity to review and comment

CCCR Response #10

The original reponse from the 2013 Response to Comments covers this adequately.

SUMMARY

Generally, the revised 2017 Dumbarton Quarry project description will have no additional biological constraints that were not addressed in the 2013 Response to Comments. Some additional information was provided in the above answers if the Planning Department receives the same *Citizens Committee to Complete the Refuge* inquiries. The revised park plans are likely to have a more beneficial ecological outcome than the 2012 plans due to remediating the site to more closely resemble its original topography and habitat. The Coyote Hills Regional Park was originally a series of low, bayside hills and the new 2017 plans remediate the quarry site by regrading it to include a >180-foot elevation hill that more closely matches the others hills to the north. With the proper landscaping of appropriate native grasses, shrubs and trees, this would increase the amount of native habitat and provide significant ecological benefit to wildlife in the surrounding areas. Human activities in the campground, trails, and amphitheater would be consistent with allowing public access to open spaces and would have far fewer negative impacts to the area than the past 40 years of quarry activity.

If you have any questions, please feel free to contact me at (925) 866-2111.

Sincerely,

Jeff Olberding
Regulatory Scientist

Works Cited

Pawson, S., & Bader, M.-F. (2014). LED lighting increases the ecological impact of light pollution irrespective of color temperature. *Ecological Applications 24(7)*, 1561-1568. doi:10.1890/14-0468.1

Rowse, E. G., Harris, S., & Jones, G. (2016). The Switch from Low-Pressure Sodium to Light Emitting Diodes Does Not Affect Bat Activity at Street Lights. *PLoS ONE 11(3)*. doi:10.1371/journal.pone.0150884

van Langevelde, F., Ettema, J. A., Donners, M., & WallisDeVries, M. F. (2011). Effect of spectral composition of artificial light on the attraction of moths. *Biological Conservation 144*, 2274-2281. doi:10.1016/j.biocon.2011.06.004

ATTACHMENT 1
Dumbarton Quarry Regional Park
Mitigated Negative Declaration - Response to Comments (2013)

Dumbarton Quarry Regional Park
Mitigated Negative Declaration – Response to Comments

1) ALAMEDA COUNTY WATER DISTRICT – LETTER DATED JULY 15, 2013

ACWD Comment #1
In Section VIII, Hazards and Hazardous Materials (pages 18 of 38 and 19 of 38), refer to ACWD's technical regulatory oversight of the ongoing investigation and cleanup of subsurface impacts from previous diesel spill(s). In this section, Mitigation Measure HAZ-l: Cleanup Actions and Site Closure states:

"The applicant shall complete the Site Investigation Work Plan dated May 24, 2013, and obtain a site closure letter from Alameda County Water District prior to obtaining a building or grading permit for site development."

ACWD comments:

a. ACWD is evaluating an amendment to the May 24, 2013 work plan.

b. Investigation and/or cleanup in addition to what is scoped in the work plan could be requested upon discovery of contamination not yet known or delineated.

c. If needed, sampling or cleanup actions may also be requested in reference to Comment #2, below.

d. After completion of the investigation and cleanup activities described above, some period of quarterly or semi-annual groundwater monitoring will likely be needed before the case can be considered for closure. After the criteria for closure are met (which, among other items, would include acquisition of sufficient groundwater data that verifies achievement of water quality objectives and/or trends), ACWD will submit a summary closure recommendation report to the Regional Water Quality Control Board. The case would officially close upon the Regional Board's issuance of a no-further action letter in concurrence with ACWD's recommendation report. A public comment period on the proposed closure of the case may need to take place prior to ACWD's issuance of a closure summary report, depending on the amount of soil and/or groundwater contamination left in place.

As the closure process may take some time to complete, closure of the case is not necessarily required for park development to proceed, provided that soil investigations, soil cleanup, and any necessary free product removal, are sufficiently complete. Accordingly, when these steps have been completed, ACWD could prepare an interim written communication with an opinion that development and use of the site as a park would not be expected to physically impede remaining steps (e.g., groundwater monitoring) toward closure of the case.

ACWD Response #1
Comment noted.

ACWD Comment #2
Section XVII, Utilities and Service Systems (page 32 of 38), refers to proposed installation of a water main, within the project site, to be connected to the ACWD's distribution system.

ACWD comment:

Installation of a public water system within the project area would be conditioned upon confirmation that the residual contamination in soil or groundwater (refer to Section VIII of the Initial Study) would not pose a threat to health and safety either during installation of the public water system or during long-term operation and maintenance of such a system. To address the above comments, Mitigation Measure HAZ-l should be modified to read as follows:

"Prior to obtaining a building or grading permit for site development, the applicant shall complete the May 24, 2013, Site Investigation Work Plan, as amended; complete any additional necessary investigation and cleanup actions; and obtain documentation of satisfactory investigation and cleanup from Alameda County Water District."

ACWD Response #2:
City staff agrees with the proposed change to Mitigation Measure HAZ-1 and will modify the measure accordingly.

2) CARGILL – LETTER DATED JULY 22, 2013

Cargill Comment #1
Under the Hydrology and Water Quality section, page\ *Discussion/Conclusion/Mitigation,* d-e), it states:

Drainage from the project would be directed into landscape-based treatment areas located through the site, then conveyed through storm drain pipes and ultimately discharge into the existing pond on-site and drainage channel along the eastern property line.

Cargill's property known as the Fremont Coyote Tract is immediately adjacent to the Dumbarton Quarry on the eastern side of the property line. There is a channel on Cargill's property that separates the two parcels from each other. This channel, owned in fee by Cargill, is not in use by the Quarry nor is it available for use by the Quarry. This channel/feature is for the enjoyment of Cargill's parcel and is not an available feature for use by others.

If in fact the Dumbarton Quarry Regional Park project proposes to drain their site in the Cargill's channel, they need to redesign their project such that their runoff is channeled to a public storm water drainage system and not to Cargill's channel.

Cargill Response #1
Redesign of the storm drain system to address this comment is feasible and will occur. To ensure this, the following condition of approval has been added:

39. The project storm drain system shall be redesigned to eliminate off-site drainage into the existing channel along the eastern property line. The applicant shall submit a revised storm drain plan and associated hydraulic calculations that direct all on-site runoff to the on-site detention basins in the northeast corner of the property. The revised storm drain plan and hydraulic calculations shall be submitted with final park improvement plans and will be subject to review and approval by the City Engineer.

3) CITIZENS COMMITTEE TO COMPLETE THE REFUGE – LETTER DATED JULY 23, 2013

CCCR Comment #1
No Discussion of Alternatives:
The proposed park is located on a site that has been disturbed by former quarry operations, which have now ceased. Significant biological resources exist on lands immediately adjacent to the proposed park site. Please explain why alternative park development plans were not reviewed and discussed; for example, plans with reduced development footprints - e.g. camping only plans, event center only plans, etc.? An event center alternative would restrict hours of human disturbance on adjacent wildlife populations to the hours of operation. Please explain why the event center hours differ from the hours of operation for Coyote Hills Regional Park (8am - 8pm during the summer months). A camping only plan could reduce the level of disturbance by reducing the amount of traffic (vehicular and human) to the site.

CCCR Response #1
Once it was determined that a lake was not feasible, East Bay Regional Park District (EBRPD) considered many different alternatives for park and recreation uses. The District brought this information to the City and discussed a range of alternatives with Planning and Parks and Recreation staff members. The District also presented their park plans at least two City of Fremont and East Bay Regional Park District Liaison Committee meetings on February 23, 2012, and April 11, 2013, to answer questions and receive input on the proposal. In regards to CEQA there is not a requirement to evaluate alternatives through the Negative Declaration process.

CCCR Comment #2
Species list:
Please find attached lists of sensitive and special status species that occur adjacent to the proposed park site within the boundaries of Coyote Hills Regional Park (Coyote Hills Land Use Plan Appendix). This information does not appear to be included within the "Biological Resources Analysis Report for the Dumbarton Quarry Property" prepared for the City of Fremont March 2012. Please also find attached a statement (2000) by WRA that the federally listed salt marsh harvest mouse has been reported for the adjacent Fremont-Coyote tract.

CCCR Response #2
Comment noted. Other than what was identified in the Biological resource assessment dated March 2012, there is no evidence that the special-status species included in the list are present on site and, therefore, no further mitigation is required.

CCCR Comment #3
Air Quality:
This section discusses the potential exposure of sensitive receptors to air pollutant concentrations. Visitors to the Phase 1 area should be considered sensitive receptors. While there is a reference to mitigation from PLN-2012-00143 - that lists mitigation measures for air quality, there are concerns regarding the adequacy of oversight. As recently as Thursday, July 18th, a large plume of dust was seen emanating from the quarry and subsequently wafting over Highway 84. This observation suggests the need for additional measures to ensure compliance and to protect visitors to the quarry park. Additionally, we are aware that the Patterson Ranch development may dispose of their toxaphene contaminated sediment at the quarry site. While this disposal may occur prior to actual use of the park site, it raises the question of whether park visitors may be exposed to contaminated dust from other sites. Please provide information of how the visiting public (and nearby residents) will be protected from quarry pit dust plumes in the period that the pit is being filled.

CCCR Response #3
The project includes the following dust control mitigation that will be required until Phase 2 is complete.

- **Mitigation Measure AIR-1: Dust Control Measures:** Prior to the issuance of a grading permit, the following best management practices shall be included in a dust control plan and noted on construction plans with a designated contact person for on-site implementation of the dust control plan:

    1. Water all active construction and site preparation work areas at least twice daily and more often during windy periods.
    2. Cover all hauling trucks or maintain at least two feet of freeboard.
    3. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
    4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
    5. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas
    6. Enclose or cover securely exposed stockpiles.
    7. Replant vegetation in disturbed areas as quickly as possible.
    8. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.

The City of Fremont, the current operator of the site (Dumbarton Quarry Associates) and ultimately the EBRPD have responsibility for monitoring air quality conditions. A grading permit has not been issued for the Patterson Ranch and no activity has occurred on the Patterson Ranch site. All soil being imported into the quarry pit must meet certain screening levels as determined by the Regional Water Quality Control Board.

CCCR Comment #4
Indirect Biological Impacts:
The MND fails to identify and propose mitigation for direct and indirect impacts to wildlife resources within the project boundaries or to wildlife populations on lands immediately adjacent to the proposed park development. As an example, the MND fails to discuss the potential attraction and support of nuisance species (gulls, ravens, crows, red fox, raccoons, etc.) that might result from the proposed park development plan. A recent front page article in the Argus (http://www.mercurynews.com/science/ci_23680401/bay-area-sea-gull-population-explodes-bringing-flocks, Sunday, July 21, 2013 and attached) details the impacts of the Bay Area's ever increasing California gull population and the adverse impacts they have on special status species. What specific measures will be taken to ensure the proposed park development will not provide food sources for nuisance species? For example, what assurances have been provided that sufficient staffing will be maintained to ensure garbage receptacles are regularly emptied and that the grounds are kept free of food waste? What contingency measures have been proposed should California gulls (as an example) become a nuisance despite regular garbage removal (refer to the article above and the discussion of impacts of California gulls on the student population at Pioneer)? Federally listed and sensitive species are known to occur and nest on the lands adjacent to the proposed park development site, and any establishment of regular California gull use (or any other nuisance species) of the site could have adverse impacts on these species and must be considered.

CCCR Response #4
The camping area, as well as the entire site, will have covered refuse containers that will be monitored by park staff and the camping area resident to assure that they are closed and will not attract nuisance species. This is consistent with park maintenance practices followed at Coyote Hills Regional Park. EBRPD staff is responsible for litter removal and general maintenance of the site. Ample, wildlife-proof trash receptacles will be placed throughout the site to collect trash. Regular trash removal will also occur and trash will be hauled off-site to proper waste facility. The District strives to maintain a clean, friendly environment and understands that litter and food lead to wildlife nuisances.

CCCR Comment #5
The MND also fails to discuss the potential adverse impacts of night lighting and noise on wildlife species both onsite and on the adjacent lands. The MND states, "maximum acceptable outdoor noise level for an outdoor recreation or park use is an Ldn of 65 dB(A) or less, however, the maximum conditionally acceptable noise level is an Ldn of 80dB (A).

Studies of the impacts of the effects of anthropogenic noise suggest the noise interferes with territorial vocalization (i.e. impacts to birds in breeding season) and the density of passerines occupying suitable habitat. These studies provide evidence that anthropogenic impacts on wildlife are not speculative, can be significant, and should be analyzed and avoided or fully mitigated. (Fuller, Warren, and Gaston. 2007. "Daytime noise predicts nocturnal singing in urban robins." Biol Lett 2007 August 22: 368-370 and Bayne, Habib, and Boutin, October 2008. "Impacts of Chronic Anthropogenic Noise from Energy-Sector Activity on Abundance of Songbirds in the Boreal Forest." Conservation Biology 22 (5): 1186-1193)

No indication of anticipated noise levels has been provided. How will the City and District ensure that noise levels do not exceed the maximum acceptable levels? What night time dB levels can be anticipated? Please provide estimates of noise generated from the use of televisions, boom boxes, etc. within the recreational vehicle and car campground areas, from music or other noises that might be generated within the event and amphitheater areas.

What are the potential noise pollution impacts to wildlife that may nest or forage in areas immediately adjacent to the proposed park development, e.g. foraging owls, and what specific mitigation measures will ensure there are no significant adverse impacts?

CCCR Response #5
Given the proposed use of the site, anticipated noise levels are expected to be below the acceptable range of 65db, and the conditionally acceptable range of 80 db. They are also anticipated to be below current noise levels on the site resulting from grading, construction traffic and the past forty years of quarry activity, and the ambient noise level caused by State Route 84. The District institutes quiet hours from 10pm–7am and will employ a full-time camp host to ensure that quiet hours are enforced. There is no estimate of noise from boom boxes and televisions since activities are not normally associated with camping and outdoor recreation. Further, these activities, if they were to occur, would likely occur within the privacy of someone's recreational vehicle and not be audible from the outside. Noise from the event center would be restricted to the inside of the center and would only be slightly audible from the outside. The amphitheater will be available to host interpretive talks, nature programs, lectures and informal ceremonies and music. These activities would occur during regular use hours and not during quiet hours. As such, and as stated in the Mitigated Negative Declaration, noise impacts are not expected. If noise complaints occur then appropriate action by the District and City will be undertaken to reduce noise levels to acceptable levels.

CCCR Comment #6
Light pollution is documented to have serious adverse impacts for a wide range of wildlife ranging from invertebrates to mammals. It disrupts migratory patterns, foraging capabilities, predation, nesting, breeding, etc. (Longcore and Rich, "Ecological Light Pollution" Front Ecol Environ 2004, 2(4): 191-198). Longcore and Rich report the findings of Buchanan (1998 "Low-illumination prey detection by squirrel treefrogs," J Herpetology 32: 270-74) in which three different species of amphibians forage at different illumination intensities. As an example the squirrel treefrog (*Hyla* squirrela) forages only between 10-5 lux and 10-3 lux under natural conditions, while the western toad (*Bufo boreas*) only forages at illuminations between 10-1 and 10-5 lux.

Evidence suggests light pollution affects the choice of nesting sites in the black-tailed godwit, with choice locations being the farther away from roadway lighting (De Molenaar et al 2000, in Longcore and Rich). Buchanan found frogs he was studying stopped their mating calls when the lights of a nearby stadium were turned on.

We understand the site is currently disturbed, however, reclamation of the quarry pit is proposed to end within a decade, have other alternatives been considered that might have less impact under that scenario, or are there specific mitigation measures that will be implemented to ensure light

and noise pollution do not adversely impact wildlife species on adjacent lands? Given the information provided in the current MND, how would adverse impacts to sensitive wildlife species resulting from implementation of the proposed project be detected?

CCCR Response #6
The project includes eleven light poles to light the main entry drive and event center parking lot. Additional lighting will also be placed on restroom buildings as well as low level pathway lighting along the trail. However, the project will not provide a substantial amount of light as that is in conflict with the operation of the park for camping and passive recreation uses. All lighting will be oriented downward and shielded to prevent illumination of adjacent properties and nearby areas. Entry way and parking lot lighting will also be turned off during the quiet hours of 10pm and 7am. Light levels will be the minimum required to provide a safe and secure environment.

CCCR Comment #7
Tree plantings:
The MND proposes tree plantings along the entry road and camping areas. We request the native, low-growing trees be utilized due to concerns of providing additional perches for raptors that in turn may adversely impacts nesting birds and sensitive species adjacent to the proposed park development.

CCCR Response #7
There are currently trees planted on the site that were required for visual mitigation of the quarry operation, as well as stands of eucalyptus. Although this project will add tree plantings, the potential for perching by raptors already exists. Trees provide shade, tree canopy, improve aesthetics and act as a wind break. The City and EBRPD will work collaboratively to choose species that meet the interest of the District while considering the potential for raptor perches.

CCCR Comment #8
Hydrology:
The MND states: "Drainage from the project would be directed into landscape-based treatment areas located throughout the site, then conveyed through storm drain pipes and ultimately discharged into the existing pond on-site and drainage channel along the eastern property line." Is the drainage channel referred to the channel that exists between the adjacent Cargill property and the proposed park development site? Please state the expected flow regime into the "drainage channel." Would there be any increase in flows? Would flows be expected to occur year round after the project is implemented due to landscape irrigation? It is our understanding the channel that lies between the park development site and the Cargill property, continues under Highway 84 through a set of culverts protected by flap gates and then enters the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). We are concerned that changes in the volume of flows or duration of "freshwater" flows could have negative impacts on the Refuge. Please explain how adverse impacts to the vegetative community of the Refuge will be avoided or mitigated.

CCCR Response #8
The project will be redesigned to direct all water to the on-site detention basins. Water will not be directed to the drainage channel on the adjacent Cargill property. Anticipated runoff is expected to be less after park development since less impervious area is proposed than currently exists. Runoff is not anticipated to be year round due to irrigation. The size of the two on-site detention basins have sufficient capacity and beyond to hold water from a 100-year storm event.

CCCR Comment #9
Public Safety:
The proposed park area is within a wildlands fire area, yet no prohibitions on the use of campfires, bbq's, or fire pits are mentioned. The site regularly experiences windy conditions - sometimes extremely windy conditions - and embers from campfires, bbq's etc. could be transported to adjacent grasslands. What mitigation measures will be implemented to reduce fire hazard and how will they be enforced? What is the estimated response time in the event of a fire, and who would respond?

It isn't clear from the information provided who will have policing responsibilities, while a caretaker will be on-site once the campgrounds are constructed, it isn't clear whether EBRPD or Fremont Police would be responsible for dealing with issues impacting public safety (e.g. theft and other illegal activities). What is the estimated response time? If the City of Fremont is to respond, does a mutual aid agreement exist?

CCCR Response #9
The District has its own fire department that monitors fire conditions throughout the park system. Prohibitions on the use of bbqs, campfires and other potentially hazardous activities during high fire danger conditions are routine and would apply to Dumbarton Quarry. This is consistent with park maintenance practices followed at Coyote Hills Regional Park. Full-time park employees will enforce the restriction. The City of Fremont Fire Department would also respond to any emergency. Per General Plan Goal 10-5, the City emergency response strives for a six minute 40 second response time.

Both the City of Fremont and EBRPD will have policing responsibilities. Depending on the type of incident, City of Fremont police will likely be the first responder. Generally, City of Fremont police would provide initial response to secure the situation and turn over to the EBRPD police upon their arrival.

CCCR Comment #10
Traffic:
Please confirm that the proposed project will not require any modification of the existing footprint of Quarry Road. If widening or any other modifications are required, please confirm that additional impacts to waters of the U.S. and wildlife habitat will not occur. If modifications of the roadway beyond the existing footprint are required, identification of any impacts associated with modifications of Quarry Road should be identified within this environmental review process and appropriate mitigation measures identified. The public should have an additional opportunity to review and comment.

CCCR Response #10
There are no proposed modifications to Quarry Road except minor modification at the site entrance to construct the access driveways. A minimal amount of curb, gutter and sidewalks will be installed, but only along the site frontage.

4) DAN ONDRASEK-FRIENDS OF COYOTE HILLS (FCH) – EMAIL DATED JULY 25, 2013

An email with comments on the draft Mitigated Negative Declaration was submitted after the comment period ended and therefore does not require a response. However, staff feels it is appropriate to address these comments and a response is provided below.

Ondrasek-FCH Comment #1
This comment refers to a conceptual proposal to remove pesticide contaminated soil from the Patterson Ranch site and dispose of the soil in the quarry pit.

Ondrasek-FCH Response #1
The preliminary grading plan for Patterson Ranch, including a Mitigated Negative Declaration was approved by the Planning Commission on May 9, 2013. This approval included the potential removal of pesticide contaminated soil from the Patterson Ranch site and disposal of the soil into the quarry pit. However, any proposal to do such work would require approval and oversight from the Regional Water Quality Control Board. The City has not received any proposal to do such work, nor has the Water Board issued any decision on the acceptance criteria for material being disposed into the pit. Therefore, a response to this comment cannot be made at this time.

Ondrasek-FCH Comment #2
These comments are similar to the comments received by the Citizens Committee to Complete the Refuge. Please see response CCCR Response 1-10.

ALAMEDA COUNTY WATER DISTRICT

43885 SOUTH GRIMMER BOULEVARD • P.O. BOX 5110, FREMONT, CALIFORNIA 94537-5110
(510) 668-4200 • FAX (510) 770-1793 • www.acwd.org

July 15, 2013

Scott Ruhland, Associate Planner
City of Fremont
Community Development Department
P.O. Box 5006
Fremont, CA 94537-5006

Dear Mr. Ruhland:

Subject: Initial Study and Draft Mitigated Negative Declaration for Dumbarton Quarry Regional Park (PLN 2013-00126)

Alameda County Water District (ACWD) thanks you for this opportunity to comment on the Initial Study and Draft Mitigated Negative Declaration pertaining to the proposed development of a regional park facility at Dumbarton Quarry (PLN 2013-00126). ACWD has reviewed these documents and would appreciate your consideration of the following comments:

1. In Section VIII, Hazards and Hazardous Materials (pages 18 of 38 and 19 of 38), refer to ACWD's technical regulatory oversight of the ongoing investigation and cleanup of subsurface impacts from previous diesel spill(s). In this section, Mitigation Measure HAZ-1: Cleanup Actions and Site Closure states:

   "The applicant shall complete the Site Investigation Work Plan dated May 24, 2013, and obtain a site closure letter from Alameda County Water District prior to obtaining a building or grading permit for site development."

   ACWD comments:

   a. ACWD is evaluating an amendment to the May 24, 2013 work plan.
   b. Investigation and/or cleanup in addition to what is scoped in the work plan could be requested upon discovery of contamination not yet known or delineated.
   c. If needed, sampling or cleanup actions may also be requested in reference to Comment #2, below.
   d. After completion of the investigation and cleanup activities described above, some period of quarterly or semi-annual groundwater monitoring will likely be needed before the case can be considered for closure. After the criteria for closure are met (which, among other items, would include acquisition of sufficient groundwater data that verifies achievement of water quality objectives and/or trends), ACWD will submit a summary

closure recommendation report to the Regional Water Quality Control Board. The case would officially close upon the Regional Board's issuance of a no-further action letter in concurrence with ACWD's recommendation report. A public comment period on the proposed closure of the case may need to take place prior to ACWD's issuance of a closure summary report, depending on the amount of soil and/or groundwater contamination left in place.

As the closure process may take some time to complete, closure of the case is not necessarily required for park development to proceed, provided that soil investigations, soil cleanup, and any necessary free product removal, are sufficiently complete. Accordingly, when these steps have been completed, ACWD could prepare an interim written communication with an opinion that development and use of the site as a park would not be expected to physically impede remaining steps (e.g., groundwater monitoring) toward closure of the case.

2. Section XVII, Utilities and Service Systems (page 32 of 38), refers to proposed installation of a water main, within the project site, to be connected to the ACWD's distribution system.

ACWD comment:

Installation of a public water system within the project area would be conditioned upon confirmation that the residual contamination in soil or groundwater (refer to Section VIII of the Initial Study) would not pose a threat to health and safety either during installation of the public water system or during long-term operation and maintenance of such a system.

To address the above comments, Mitigation Measure HAZ-1 should be modified to read as follows:

"Prior to obtaining a building or grading permit for site development, the applicant shall complete the May 24, 2013, Site Investigation Work Plan, as amended; complete any additional necessary investigation and cleanup actions; and obtain documentation of satisfactory investigation and cleanup from Alameda County Water District."

If you have any questions or wish to discuss the above comments, please contact Mike Halliwell at 510-668-4412. Thank you for the opportunity to comment on the Project at this time.

Sincerely,

Robert Shaver
Assistant General Manager-Engineering

mh/ps
cc: Steven Inn, ACWD
Jay Swardenski, City of Fremont Fire Dept.

Cargill

July 22, 2013

Scott Ruhland, Project Planner
City of Fremont Planning Division
39550 Liberty Street
Fremont, CA 94538

Subject: Dumbarton Quarry Regional Park (PLN2013-00126) – Intent to Adopt a Mitigated Negative Declaration
Cargill file: 3001.008:15a

Dear Mr. Ruhland:

Thank you for providing us the opportunity to comment on the Intent to Adopt a Mitigated Negative Declaration for the Dumbarton Quarry Regional Park. Cargill has expressed general support for this property being converted to a park since the original concept was proposed to create a park with a large reservoir on the site. The project has obviously changed and the details to the project are lacking.

On May 22, 2012, notification of the Environmental Impact Assessment Name: PLN2012-00143 was mailed out. This notification informed us that the reservoir concept was being changed to filling the quarry pit with fill material and creating usable park space. Although we were made aware of this change, there were details lacking at that time with regards to the sites grading and ultimate drainage. The current project (PLN2013-00126); although, still not showing very much detail, had some language in it that was a bit alarming to Cargill with regards to drainage from the quarry site.

Under the Hydrology and Water Quality section, page\
Discussion/Conclusion/Mitigation, d-e), it states:

Drainage from the project would be directed into landscape-based treatment areas located through the site, then conveyed through storm drain pipes and ultimately discharge into the existing pond on-site and drainage channel along the eastern property line.

7220 Central Avenue
Newark, CA 94560-4205

Tel (510) 790-8610
Fax (510) 790-8180

Cargill's property known as the Fremont Coyote Tract is immediately adjacent to the Dumbarton Quarry on the eastern side of the property line. There is a channel on Cargill's property that separates the two parcels from each other. This channel, owned in fee by Cargill, is not in use by the Quarry nor it is available for use by the Quarry. This channel/feature is for the enjoyment of Cargill's parcel and is not an available feature for use by others.

If in fact the Dumbarton Quarry Regional Park project proposes to drain their site in the Cargill's channel, they need to redesign their project such that their runoff is channeled to a public storm water drainage system and not to Cargill's channel.

Thank you for the opportunity to comment on this project. Should you have any questions, please feel free to contact me at (510) 790-8610 or alternatively you can email me at pat_mapelli@cargill.com.

Sincerely,

Pat Mapelli
Manager, Real Property

cc: Bob McCarrick, Dumbarton Quarry Associates

CITIZENS COMMITTEE TO COMPLETE THE REFUGE

453 Tennessee Lane, Palo Alto, CA 94306 Tel: 650-493-5540 www.cccrrefuge.org cccrrefuge@gmail.com

July 23, 2013

Mr. Scott Ruhland, Associate Planner
City of Fremont Community Development Dept.
39550 Liberty Street, 1st Floor
Fremont, CA 94538
sruhland@fremont.gov
Submitted via email

Re: Dumbarton Quarry Regional Park (PLN2013-00126)

Dear Mr. Ruhland,

This responds to the Draft Mitigated Negative Declaration (MND), Environmental Impact Assessment, for the Dumbarton Quarry Regional Park. We thank you for the opportunity to provide comments.

The Citizens Committee to Complete the Refuge has a long history of advocacy for the protection of wetlands and species habitat along the edges of the bay. Our senior members were part of a group of citizens who became alarmed at the degradation of the bay and its wetlands. We joined together, and with the support of Congressman Don Edwards,requested that Congress establish a Wildlife Refuge. The process took 7 long years and in 1972 legislation was passed to form the San Francisco Bay National Wildlife Refuge. We turned to Mr. Edwards again, and in 1988 (the first year he submitted it) his legislation to double the size of the Refuge was signed into law. Our efforts have led to refuge additions of 1600 acres of Bair Island in Redwood City, 288 acres of the Warm Springs Unit of the Refuge in Fremont, 128 acres of Mayhews Landing in Newark, the Munster property in Union City, the Cullinan Ranch in Napa, and the Marin Islands, to name just a few. We regularly comment on California Environmental Quality Act (CEQA) documents such as the Patterson Ranch Project in Fremont. Our group has also commented on Section 404 and 401 issues and pressed for the redesign of projects such as the 746-acre Catellus project (Pacific Commons) in Fremont to reduce the adverse impacts of the project on wetlands and listed and sensitive species.

We are not opposed to public access to open space. Our efforts have not only lead to the protection of habitat for plants and wildlife, but have also provided immeasurable value to residents of Fremont and the Bay Area, by providing access to open space and relief from the hectic lifestyle of urban areas. CCCR does, however, urge care in the types and siting of public access adjacent to areas of significant habitat values.

No Discussion of Alternatives:
The proposed park is located on a site that has been disturbed by former quarry operations, which have now ceased. Significant biological resources exist on lands immediately adjacent to the proposed park site. Please explain why alternative park development plans were not reviewed and discussed; for example, plans with reduced development

footprints - e.g. camping only plans, event center only plans, etc.? An event center alternative would restrict hours of human disturbance on adjacent wildlife populations to the hours of operation. Please explain why the event center hours differ from the hours of operation for Coyote Hills Regional Park (8am - 8pm during the summer months). A camping only plan could reduce the level of disturbance by reducing the amount of traffic (vehicular and human) to the site.

Species list:
Please find attached lists of sensitive and special status species that occur adjacent to the proposed park site within the boundaries of Coyote Hills Regional Park (Coyote Hills Land Use Plan Appendix). This information does not appear to be included within the "Biological Resources Analysis Report for the Dumbarton Quarry Property" prepared for the City of Fremont March 2012. Please also find attached a statement (2000) by WRA that the federally listed salt marsh harvest mouse has been reported for the adjacent Fremont-Coyote tract.

Air Quality:
This section discusses the potential exposure of sensitive receptors to air pollutant concentrations. Visitors to the Phase 1 area should be considered sensitive receptors. While there is a reference to mitigation from PLN-2012-00143 - that lists mitigation measures for air quality, there are concerns regarding the adequacy of oversight. As recently as Thursday, July 18th, a large plume of dust was seen emanating from the quarry and subsequently wafting over Highway 84. This observation suggests the need for additional measures to ensure compliance and to protect visitors to the quarry park. Additionally, we are aware that the Patterson Ranch development may dispose of their toxaphene contaminated sediment at the quarry site. While this disposal may occur prior to actual use of the park site, it raises the question of whether park visitors may be exposed to contaminated dust from other sites. Please provide information of how the visiting public (and nearby residents) will be protected from quarry pit dust plumes in the period that the pit is being filled.

Indirect Biological Impacts:
The MND fails to identify and propose mitigation for direct and indirect impacts to wildlife resources within the project boundaries or to wildlife populations on lands immediately adjacent to the proposed park development.

As an example, the MND fails to discuss the potential attraction and support of nuisance species (gulls, ravens, crows, red fox, raccoons, etc.) that might result from the proposed park development plan. A recent front page article in the Argus (http://www.mercurynews.com/science/ci_23680401/bay-area-sea-gull-population-explodes-bringing-flocks, Sunday, July 21, 2013 and attached) details the impacts of the Bay Area's ever increasing California gull population and the adverse impacts they have on special status species. What specific measures will be taken to ensure the proposed park development will not provide food sources for nuisance species? For example, what assurances have been provided that sufficient staffing will be maintained to ensure garbage receptacles are regularly emptied and that the grounds are kept free of food waste? What contingency measures have been proposed should California gulls (as an example) become a nuisance despite regular garbage removal (refer to the article above and the discussion of impacts of California gulls on the student population at Pioneer)? Federally listed and sensitive species are known to occur and nest on the lands adjacent to the proposed park development site, and any establishment of regular California gull use (or any other nuisance species) of the site could have adverse impacts on these species and must be considered.

The MND also fails to discuss the potential adverse impacts of night lighting and noise on wildlife species both onsite and on the adjacent lands. The MND states, "maximum acceptable outdoor noise level for an outdoor recreation or park use is an Ldn of 65 dB(A) or less, however, the maximum conditionally acceptable noise level is an Ldn of 80dB (A).

Studies of the impacts of the effects of anthropogenic noise suggest the noise interferes with territorial vocalization (i.e. impacts to birds in breeding season) and the density of passerines occupying suitable habitat. These studies provide evidence that anthropogenic impacts on wildlife are not speculative, can be significant, and should be analyzed and avoided or fully mitigated. (Fuller, Warren, and Gaston. 2007. "Daytime noise predicts nocturnal singing in urban robins." Biol Lett 2007 August 22: 368-370 and Bayne, Habib, and Boutin, October 2008. "Impacts of Chronic Anthropogenic Noise from Energy-Sector Activity on Abundance of Songbirds in the Boreal Forest." Conservation Biology 22 (5): 1186-1193)

No indication of anticipated noise levels has been provided. How will the City and District ensure that noise levels do not exceed the maximum acceptable levels? What night time dB levels can be anticipated? Please provide estimates of noise generated from the use of televisions, boom boxes, etc. within the recreational vehicle and car campground areas, from music or other noises that might be generated within the event and amphitheater areas.

What are the potential noise pollution impacts to wildlife that may nest or forage in areas immediately adjacent to the proposed park development, e.g. foraging owls, and what specific mitigation measures will ensure there are no significant adverse impacts?

Light pollution is documented to have serious adverse impacts for a wide range of wildlife ranging from invertebrates to mammals. It disrupts migratory patterns, foraging capabilities, predation, nesting, breeding, etc. (Longcore and Rich, "Ecological Light Pollution" Front Ecol Environ 2004, 2(4): 191-198). Longcore and Rich report the findings of Buchanan (1998 "Low-illumination prey detection by squirrel treefrogs," J Herpetology 32: 270-74) in which three different species of amphibians forage at different illumination intensities. As an example the squirrel treefrog (*Hyla* squirrela) forages only between 10^{-5} lux and 10^{-3} lux under natural conditions, while the western toad (*Bufo boreas*) only forages at illuminations between 10^{-1} and 10^{-5} lux.

Evidence suggests light pollution affects the choice of nesting sites in the black-tailed godwit, with choice locations being the farther away from roadway lighting (De Molenaar et al 2000, in Longcore and Rich). Buchanan found frogs he was studying stopped their mating calls when the lights of a nearby stadium were turned on.

We understand the site is currently disturbed, however, reclamation of the quarry pit is proposed to end within a decade, have other alternatives been considered that might have less impact under that scenario, or are there specific mitigation measures that will be implemented to ensure light and noise pollution do not adversely impact wildlife species on adjacent lands? Given the information provided in the current MND, how would adverse impacts to sensitive wildlife species resulting from implementation of the proposed project be detected?

Tree plantings:
The MND proposes tree plantings along the entry road and camping areas. We request the native, low-growing trees be utilized due to concerns of providing additional perches for raptors, that in turn may adversely impacts nesting birds and sensitive species adjacent to the proposed park development.

Hydrology:

The MND states: "Drainage from the project would be directed into landscape-based treatment areas located throughout the site, then conveyed through storm drain pipes and ultimately discharged into the existing pond on-site and drainage channel along the eastern property line." Is the drainage channel referred to the channel that exists between the adjacent Cargill property and the proposed park development site? Please state the expected flow regime into the "drainage channel." Would there be any increase in flows? Would flows be expected to occur year round after the project is implemented due to landscape irrigation? It is our understanding the channel that lies between the park development site and the Cargill property, continues under Highway 84 through a set of culverts protected by flap gates and then enters the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). We are concerned that changes in the volume of flows or duration of "freshwater" flows could have negative impacts on the Refuge. Please explain how adverse impacts to the vegetative community of the Refuge will be avoided or mitigated.

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It isn't clear from the information provided who will have policing responsibilities, while a caretaker will be on-site once the campgrounds are constructed, it isn't clear whether EBRPD or Fremont Police would be responsible for dealing with issues impacting public safety (e.g. theft and other illegal activities). What is the estimated response time? If the City of Fremont is to respond, does a mutual aid agreement exist?

Traffic:
Please confirm that the proposed project will not require any modification of the existing footprint of Quarry Road. If widening or any other modifications are required, please confirm that additional impacts to waters of the U.S. and wildlife habitat will not occur. If modifications of the roadway beyond the existing footprint are required, identification of any impacts associated with modifications of Quarry Road should be identified within this environmental review process and appropriate mitigation measures identified. The public should have an additional opportunity to review and comment.

While we support public access and opportunities for the public to experience the outdoors, it needs to be done in a manner that is ecologically sustainable in the long-term (i.e. without adverse consequences for sensitive species). We recognize EBRPD has been instrumental in the preservation of vast tracts of land, and therefore wildlife habitats. Our review of the MND however, indicates a need for further identification of project impacts and mitigation measures. We are concerned the project as proposed may have adverse impacts on sensitive species known to occur on adjacent lands.

Thank you for the opportunity to provide comments. Please keep us informed of any future public comment periods regarding this project proposal.

Sincerely,
Carin High

CCCR Vice-Chair

cc: Eric Mruz, DESFBNWR
Marcia Grefsrud, CDFW
Joseph Terry, USFWS