



# Alameda Creek Alliance

PO Box 192 ! Canyon, CA ! 94516 ! (510) 499-9185

e-mail: [alamedacreek@hotmail.com](mailto:alamedacreek@hotmail.com)

web site: <http://www.alamedacreek.org>

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Paul Maltzer  
Environmental Review Officer, Habitat Reserve Program  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

## **Re: Scoping Comments on the SFPUC Habitat Reserve Program**

Dear Paul Maltzer:

These are the scoping comments of the Alameda Creek Alliance on the San Francisco Public Utilities Commission's (SFPUC) proposed Habitat Reserve Program (HRP).

The Alameda Creek Alliance is a community watershed group dedicated to the protection and restoration of the natural ecosystems of the Alameda Creek watershed. The ACA has over 1,430 members that live in or near the watershed. The Alameda Creek Alliance has been working to restore steelhead trout and protect endangered species in the Alameda Creek watershed, and specifically in the Sunol Valley, since 1997.

The SFPUC proposes through its HRP to mitigate for impacts to habitats for sensitive species that would result from implementation of the SFPUC's Water System Improvement Program (WSIP) in the San Joaquin Valley, Sunol Valley, Bay Division, and Peninsula regions of the SFPUC water system. The SFPUC is proposing preserving, enhancing, restoring, or creating approximately 1,400 acres of habitat in the San Joaquin Valley, Sunol Valley, Bay Division, and Peninsula regions through the HRP.

The proposed HRP is aimed at compensating for the potential impacts on biological resources and habitats from construction and disturbance during implementation of WSIP projects. The HRP should fully mitigate for known and potential direct and indirect impacts that will occur as a result of operation and maintenance of WSIP project facilities. For example, in the Sunol Valley region the Calaveras Dam Replacement Project will cause significant permanent and temporary habitat loss from the construction of the dam and inundation of the reservoir. The operation of the new dam and reservoir will cause significant long-term impacts on aquatic and riparian habitat quality downstream of the dam. The HRP should contemplate mitigation for all such impacts.

Sadly, the proposed HRP seems like a bit of a shell game for the SFPUC to avoid having to pay for or implement biologically significant habitat protection and mitigations to offset the significant habitat loss and degradation that will occur as a result of numerous SFPUC water system improvement projects. While our comments focus mainly on the inadequacy of the HRP to mitigate for proposed Sunol Valley projects, these comments also apply to the inadequacy of the proposed HRP as a whole.

The proposed HRP is completely inadequate as mitigation for the impacts of the SFPUC's WSIP

projects on biological resources in the Sunol Valley for several reasons:

- The acreage of habitat protection proposed under the HRP is not sufficient to mitigate for the impacts to biological resources and habitat contemplated in the WSIP;
- The HRP includes very little protection of at-risk habitat for affected species through acquisition of or conservation easements on high biological value private land at risk of development;
- The HRP attempts to give the SFPUC mitigation credit for land management activities that should already be required to protect endangered and sensitive species, or are good management practices that should already be employed by the SFPUC as good stewardship of our public lands; and
- The HRP proposes conservation easements on public lands that are already owned by the SFPUC, of questionable benefit to sensitive species since these lands should be at no risk of development or mismanagement.

The total amount of mitigation offered in the HRP is completely inadequate to mitigate for the impacts to biological resources from the WSIP projects in the Sunol Valley region alone. The HRP offers approximately 1,400 acres of habitat preservation, enhancement, restoration, or creation (including 4.5 miles of stream habitat) as mitigation for the sum total of SFPUC projects in the four WSIP regions. However, in the Sunol Valley region alone, the SFPUC is proposing 9 construction or land disturbance projects as part of the WSIP that will permanently or temporarily impact thousands of acres of land that is currently functional habitat for numerous state and federally listed species and species of concern. One project alone, the Calaveras Dam Replacement Project, could easily impact over 1,000 acres of suitable habitat.

The Calaveras Dam Replacement Project Conceptual Engineering Report dated October 31, 2005 contemplates an area of inundation covered by the new dam of over 600 acres; borrow areas of at least 200 acres; 84 acres of disposal areas; 90 acres of staging areas; undisclosed acreage of the actual dam and spillway; and undefined acreage of the potential haul road, road improvements on existing roads, and slope stabilization activity. The Calaveras Dam Replacement Project alone will impact up to thousands of acres of annual grassland, serpentine grassland, Diablan sage scrub, rock outcrop, oak woodland, sycamore alluvial woodland, riparian, wetland and aquatic habitats for numerous species such as callippe silverspot butterfly, bay checkerspot butterfly, steelhead trout, rainbow trout, Sacramento perch, Pacific lamprey, California red-legged frog, foothill yellow-legged frog, California tiger salamander, Alameda whipsnake, most beautiful jewel flower, Cooper's hawk, Townsend's western big-eared bat, golden eagle, great blue heron, sharp-shinned hawk, and western pond turtle.

The HRP should quantify the acreage of habitat types that will be impacted by proposed WSIP projects, by region, so that the public and regulatory agencies can determine if the proposed habitat mitigations are adequate. Even without detailed information about the amount and locations of habitat that will be impacted by the WSIP projects, it is clear the acreage of habitat protection proposed in the HRP is far too low to mitigate for WSIP projects in the Sunol Valley region alone.

Mitigation ratios in the HRP should be equal to or greater than those considered suitable by the U.S. Fish and Wildlife Service and California Department of Fish and Game for impacts to listed or sensitive species habitats, which are at a minimum 1:1 replacement and often 2:1, 3:1, or greater habitat replacement ratio for loss of habitat for listed species. The SFPUC should consult with these agencies on suitable mitigation ratios for loss of habitat for listed and sensitive species and rare habitat types.

The HRP should focus on mitigations that offer the most meaningful protection for the sensitive species that will be affected by the WSIP projects. The priority should be on protection of at-risk habitat for affected species through acquisition of or conservation easements on high biological value private land at risk of development. The proposed HRP consists of mostly restoration and enhancement projects on public land, which while of clear benefit to the affected species, does not address habitat loss, habitat fragmentation, and loss of migration corridors for the affected species.

The proposed HRP includes management practices that should already be employed by the SFPUC as good stewardship of our public lands, such as proper management of grazing livestock. Operating and properly managing a grazing lease, including fencing sensitive riparian areas from livestock, repairing stock ponds and providing off-stream water sources, should not be considered mitigation for WSIP construction impacts.

The proposal to credit the SFPUC for putting a conservation easement on 463 acres of land it already owns near Sunol and supposedly manages in the public interest is also a dubious mitigation measure.

The Alameda Creek Alliance encourages the SFPUC to pursue the habitat enhancement and restoration projects contemplated in the HRP, but the HRP should prioritize permanent protection of private lands with high biological value that are at risk of development, through purchase or conservation easement.

Sincerely,



Jeff Miller  
Executive Director

cc: Chris Kern, San Francisco Planning Department  
Tim Ramirez, SFPUC  
Josh Milstein, S.F. City Attorney  
Suzanne Gautier, SFPUC  
SFPUC Commissioners  
S.F. Board of Supervisors  
U.S. Fish and Wildlife Service  
California Department of Fish and Game