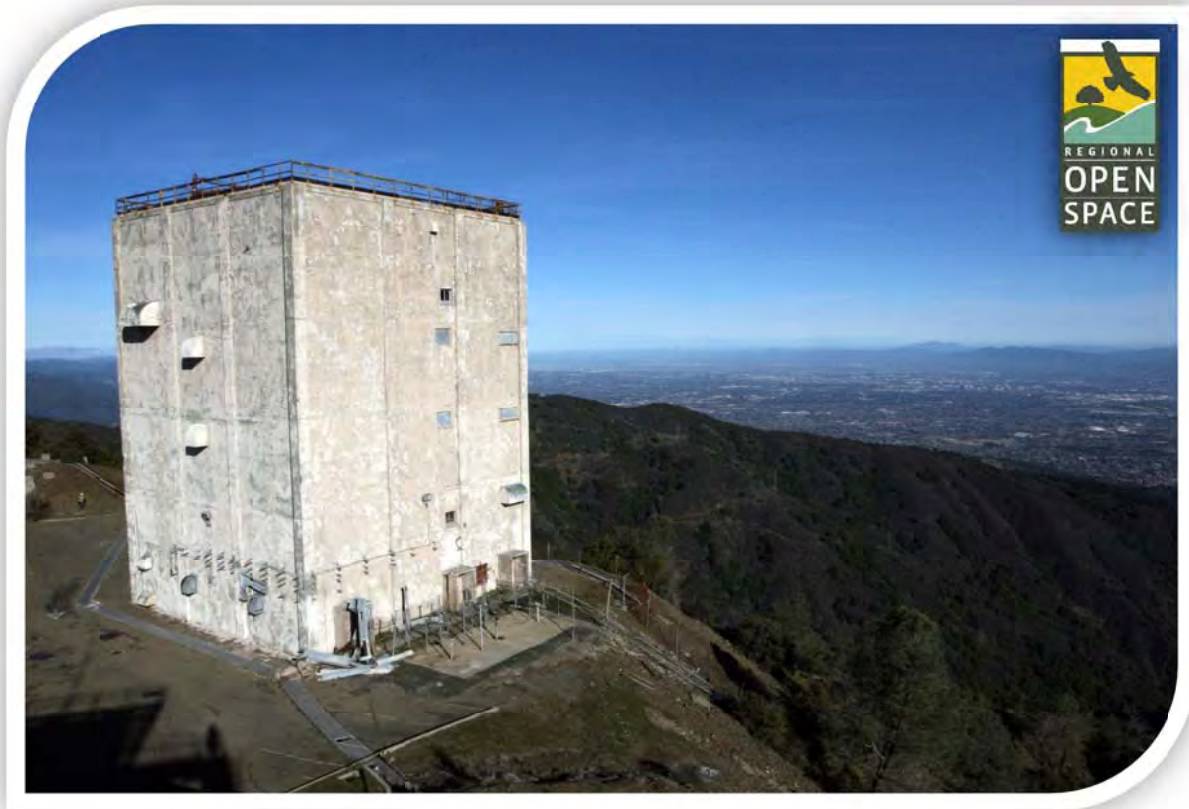


Mount Umunhum Environmental Restoration and Public Access Project

Final Environmental Impact Report
SCH# 2010122037



PREPARED FOR:
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022



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1 INTRODUCTION

On December 13, 2012, the Midpeninsula Regional Open Space District (MROSD or District) released for public review the Draft Environmental Impact Report (DEIR) for the Mount Umunhum Environmental Restoration and Public Access Project. The project, described in detail in the DEIR, provides for phased public access to the summit of Mount Umunhum and various potential open space-related public improvements, including environmental restoration, trails, a camp site, picnic tables, and a visitor center. The site housed the former Almaden Air Force Station, a radar station active during the Cold War. Most or all of the existing structures—which have been substantially modified to remove asbestos-containing materials, polychlorinated biphenyls (PCBs), and lead-based paint—would be removed. Three options are proposed for the most prominent structure, a five-story concrete structure that served as the base for the radar antenna: preservation in place, partial demolition, or full demolition. The MROSD is the lead agency for the project. As lead agency, the District has principal responsibility for approving and carrying out the proposed project.

The DEIR public review period ended on February 10, 2012. In accordance with § 15088 of the California Environmental Quality Act (CEQA) Guidelines, the MROSD, as the lead agency, has reviewed the comments received on the DEIR for the Mount Umunhum Environmental Restoration and Public Access Project and has prepared this FEIR (FEIR), which includes written responses to the comments received.

As required by CEQA Guidelines § 15088(b), MROSD provided each public agency that submitted written comments on the DEIR with proposed written responses to that public agency's comments at least 10 days prior to certifying the Final EIR (FEIR).

Chapter 2 of the FEIR consists of the written comments received on the DEIR, and presents responses to environmental issues raised in the comments (as required by the State CEQA Guidelines § 15132). The focus of the responses to comments is on the disposition of significant environmental issues that are raised in the comments, as specified by Section 15088(c) of the State CEQA Guidelines. Detailed responses are not provided to comments on the merits of the proposed project that do not raise significant environmental issues. However, when a comment is not directed to significant environmental issues, the response indicates such.

Each comment letter has been reproduced and is followed by the responses to the comments. For example, the response to the second comment of the second letter would be indicated as Response to Comment 2-2. In some instances, responses to comments may warrant clarifications of the text of the DEIR. In those cases, the text of the DEIR is revised and the changes compiled in Chapter 3, Clarifications and Revisions to the DEIR. The text deletions are shown in ~~strikeout~~ and additions are shown in double underline.

This document and the DEIR together constitute the FEIR, which will be considered by MROSD prior to a decision on whether to approve the proposed project. Before deciding whether to approve the proposed project, MROSD, as required by CEQA Guidelines Section 15090, must first certify that the FEIR was completed in compliance with CEQA's requirements, was reviewed and considered by the MROSD Board of Directors, and reflects the Board's independent judgment and analysis. MROSD will also adopt findings of fact on the disposition of each significant environmental impact, as required by CEQA Guidelines §15091(a) and a Mitigation Monitoring and Reporting Program, as required by CEQA Guidelines §15091(d).

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2 COMMENTS AND RESPONSES

This section of the Final Environmental Impact Report (FEIR) contains comment letters received on the Draft Environmental Impact Report (DEIR). Written responses are set out in Section 2.1 below.

All comment letters and verbal comments are identified in Table 2-1 below and are assigned a number.

Table 2-1 List of Commenters			
Letter Number	Commenter	Date	Agency/Organization
1	David Alexander	January 12, 2012	N/A
2	Mike Alexander	January 11, 2012	N/A
3	Bruce Bailey	January 6, 2012	N/A
4	Elizabeth Bennett	February 7, 2012	N/A
5	Hella Bluhm-Steiber	January 31, 2012	N/A
6	Daniel Bremond	January 18, 2012	N/A
7	Doug Brown	January 21, 2012	N/A
8	Jan Carey	January 6, 2012	N/A
9	Jan Carey	December 14, 2011	N/A
10	Brian Carr	December 16, 2011	N/A
11	Stephanie Charette	February 2, 2012	N/A
12	Katy Cooper	January 26, 2012	N/A
13	Jill Croft	December 24, 2011	N/A
14	Matthew Dailey	January 10, 2012	N/A
15	Davis Family	January 6, 2012	N/A
16	Bill & Linda Desler	December 22, 2011	N/A
17	Robert Elmore	February 1, 2012	N/A
18	Anthony Correia, President	January 18, 2012	Midpeninsula Regional Open Space District Field Employees Association
19	Dietrich Fellenz	January 11, 2012	N/A
20	Jacob Finkle	January 9, 2012	N/A
21	John Fox	January 25, 2012	N/A
22	Raymond (Craig) Gamma	January 27, 2012	N/A
23	Helen Garza	January 6, 2012	N/A
24	Sue Gaumont	January 18, 2012	N/A
25	Michael Glazzy	February 9, 2012	N/A
26	Anne Louise Heigho	January 5, 2012	N/A
27	Fred Hines	January 25, 2012	N/A
28	Carissa Zenorini Hobbs	January 24, 2012	N/A
29	Ron Horii	January 23, 2012	N/A
30	Leota Kuzma	January 5, 2012	N/A

Table 2-1 List of Commenters			
Letter Number	Commenter	Date	Agency/Organization
31	Corwin Lakin	January 18, 2012	N/A
32	David and Barbara Leeson	January 18, 2012	N/A
33	Jordan Makower, Science Consultant	January 25, 2012	Pegasus Educational Services
34	Jordan Makower, Science Consultant	January 5, 2012	Pegasus Educational Services
35	Shannon McElyea	January 18, 2012	N/A
36	Evelyn McGarry	January 6, 2012	N/A
37	Kristen M. Powell	February 10, 2012	Logan & Powell, LLP for Communications & Control, Inc.
38	Betty Moore	January 13, 2012	N/A
39	Larry E. Morris, M.D.	January 18, 2012	Larry Emil Morris, M.D.
40	Katy Sanchez, Program Analyst	December 21, 2011	Native American Heritage Commission
41	Jay Newman	January 20, 2012	BFGC – IBI Group Architecture Planning
42	Jay Newman	January 16, 2012	BFGC – IBI Group Architecture Planning
43	Zoltan Olah	January 27, 2012	N/A
44	Leon Pappanastos	January 26, 2012	N/A
45	Mary Peddy	January 5, 2012	N/A
46	Joyce Pennell	January 26, 2012	N/A
47	John Pfister, Environmental Engineer	February 9, 2012	N/A
48	Patrick Pizzo	January 17, 2012	N/A
49	Bryce R.	January 14, 2012	N/A
50	Johnny C. Reed	February 6, 2012	N/A
51	Steve Rodrigues	January 6, 2012	N/A
52	Robin Saunders	January 18, 2012	N/A
53	Kimberly Brosseau, Park Planner II	February 8, 2012	County of Santa Clara, Parks and Recreation Department
54	Ignacio Gonzalez, Director of Planning and Development	February 10, 2012	County of Santa Clara, Department of Planning and Development, Planning Office
55	Lisa Karpinski, Environmental Action Committee Volunteer Shani Kleinhaus, Environmental Advocate	February 10, 2012	Santa Clara Valley Audubon Society
56	Kathrin A. Turner, Assistant Engineer, Community Projects Review Unit	January 11, 2011	Santa Clara Valley Water District
57	Jim Showalter	December 16, 2011	N/A
58	Richard Simpson	December 22, 2011	N/A
59	Dennis Smith	December 26, 2011	N/A
60	Rich Stephens	January 8, 2012	N/A
61	Laura Sternberg	December 23, 2011	N/A
62	Carol Sweetapple	December 22, 2011	N/A
63	Mike Vandeman	December 15, 2011	N/A

Table 2-1 List of Commenters			
Letter Number	Commenter	Date	Agency/Organization
64	Jaime Villareal	January 26, 2012	N/A
65	Jaime Villareal	January 20, 2012	N/A
66	Ed Von Runnen	February 10, 2012	N/A
67	Jenny Walicek	January 5, 2012	N/A
68	Karla Wernigauss	January 26, 2012	N/A
69	Jeffrey White	Not dated	N/A
70	Bruce Williamson	December 13, 2011	N/A
71	Beth Wyman	January 5, 2012	N/A
72	Dave & Barb Leeson	February 23, 2012	N/A
73	Verbal Comments Received at the Public DEIR Hearing	January 18, 2012	
74	Leon Pappanastos	May 5, 2012	N/A
75	William J. .Barclay Jr.	March 21, 2012	N/A
76	Mike Glazzy	May 9, 2012	N/A
77	Ed Doherty	May 5, 2012	N/A
78	Jerry Hess	May 8, 2012	N/A

2.1 COMMENTS ON THE DEIR AND RESPONSES

The written and verbal comments received on the DEIR and the responses to those comments are provided in this section of the FEIR. A number of comments on the DEIR raise similar issues. In such instances, “master” responses are provided to comprehensively address these issues. This section includes master responses, and responses to individual comments.

MASTER RESPONSES

In order to avoid repetition, master responses are provided below to address multiple comments that raise the same environmental issue. Note that the individual comments and the master response are cross-referenced.

Master Response 1	Treatment of the Tower/Historic Resources Responds to comments: 1-1, 2-1, 3-1, 4-1, 5-2, 6-3, 8-1, 9-1, 12-1, 13-1, 14-1, 16-1, 17-1, 20-1, 21-1, 22-3, 23-1, 24-1, 26-1, 27-1, 28-1, 29-1, 29-3 through 29-5, 30-1, 31-1, 33-1, 34-1, 36-1, 38-1, 44-1, 45-1, 46-1, 47-1, 49-1, 57-1, 58-1, 59-1, 61-1, 62-1, 66-1, 67-1, 70-2 through 70-7, 71-1, 72-2, 73-1 through 73-3, 73-9 through 73-13, 73-19, 73-20, 73-21 through 73-23, and 74-1 through 78-1.
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Overview:

The DEIR address three options for treatment of the existing radar tower: retain and seal the entire structure, remove most of the structure but leave a publically accessible open-air foundation, or remove the entire structure and environmentally restore the footprint.

This question regarding treatment of the tower elicited by far the most comments. Many commenters shared their values, personal experiences, memories, and desires for the outcome of this decision-making process. The social importance to many of the commenters is evident from those letters: borne of personal experiences living with the tower as part of the landscape - as children growing up the region, as adults, and as veterans; as a visual reminder of important memories relating to the Cold War in general, and this former Air Force Station in particular; and just as an object of unusual visual interest.

MROSD values all of the contributions to this dialogue, and takes the concerns expressed to heart. Accordingly, in addition to addressing all comments relating to potential environmental impacts through this EIR process, MROSD will carry forward the non-environmental concerns and ensure that they are fully incorporated into the decision-making process that will follow the environmental analysis, so that the Board of Directors can be fully informed by those comments and give them all proper consideration.

Detail:

For the most part, commenters that were concerned with the treatment of the tower did not raise objections to the DEIR's evaluation of the potential environmental impacts associated with each tower option. The comments generally focused on the reasons why a certain treatment should be selected for the tower; some of the reasons stated included those related to environmental impacts, such as the aesthetic value of the tower (or lack thereof), historic value, etc. These environmental impacts were addressed in the DEIR, and are further considered in response to comments below. Historic resources are explained further in this response; aesthetic resources are discussed in Master Response 2.

Other comments raised non-environmental reasons for retaining/removing the tower, including economic factors, the tower as a landmark by which to identify Mount Umunhum from a distance, and the nostalgia/comfort associated with the presence of a building that has been "part of people's lives" for several decades. These are social and economic issues, not environmental issues; CEQA specifically states that "economic or social effects of a project shall not be treated as significant effects on the environment." (CEQA Guidelines §15131(a)). However, that does not mean that these comments are not important. The District considers these comments to be very important in the decision-making process for the project, including whether or not to approve certain options, and all comments will be provided to MROSD Board as part of the FEIR, and will certainly play a further role in the later, separate project approval process. In short, this environmental analysis is step one. The decision about what to do with

the tower is part of step two, project approval, which will only be decided after further public input and deliberation.

A few commenters disagreed with the DEIR's conclusion that implementation of Tower Options 2 or 3, which involve various degrees of tower removal, would result in a less-than-significant impact related to historic resources (See DEIR p. 4.2-27). The DEIR's conclusion is based on an evaluation prepared by an expert (Page & Turnbull, Inc.) in historic resources evaluation, which explained that there are many other examples of Cold-War-era radar facilities in the US and California, which reduces the tower's historic significance. Further, the integrity of structures is an important factor in determining if an impact may be significant; in the case of the tower, its function was as the base for a radar antenna, a 125-foot-wide, 85 ton "sail" that searched for objects in airspace. The antenna (also known as "radar sail") was removed by the Air Force when the property transferred ownership to MROSD, and lacking the radar antenna, the tower has lost the integrity of its original purpose and is therefore no longer "historically significant." The evaluation was reviewed and the conclusion confirmed by the California State Historic Preservation Officer (SHPO); SHPO is an expert agency charged with reviewing and determining historic significance of buildings, landmarks, events, etc. Notwithstanding this determination regarding historic significance, MROSD understands that the radar tower is important to many members of the community, and offers a "story to tell" in the history of the Cold War. Thus, even though the tower is not technically historically significant, MROSD has included voluntary mitigation measures in the event that options to partially or fully remove the tower are selected, including development of interpretive media depicting the role of the site in the Cold War. MROSD fully appreciates the passion expressed concerning the tower, including its potential historic value. Nevertheless, no information has been presented which would alter the significance conclusions with respect to historic resources for CEQA purposes.

**Master
Response
2**

Treatment of the Tower/Aesthetics and Visual Resources

Responds to comments: 1-1, 3-1, 4-1, 5-2, 9-1, 13-1, 20-1, 27-1, 28-2, 29-1, 29-2, 29-4, 70-1, 73-2, 73-3, 73-7, 73-17, 73-19, 73-25

Several comments were received that relate potential aesthetic impacts associated with Tower Options 2 and 3, which involve removal of most or all of the tower, respectively. The DEIR concluded that partial or full removal of the tower would not result in significant adverse changes in the viewshed. The site, a mountain peak in the Santa Cruz Mountains, would be returned to its natural appearance from a distance. The change would be noticeable, primarily to people who are used to marking the location of the site by seeing the tower; however, the DEIR concluded that, for various reasons (the tower visually disrupts the flow of the ridgeline; it is out of character with the surrounding environment, etc.), removal of the tower would not be an adverse change to the viewshed. Many commenters disagreed with this conclusion, while others agreed. Aesthetics are highly personal and subjective, to a large degree. What appeals to some may be objectionable to others; people disagree over art, movies, music, architecture, and other connections to aesthetics. To a certain degree, and unlike a technical issue such as geology, one need not possess a particular degree or training to be an "expert" in aesthetics. It is a deeply personal issue. The DEIR used certain tools, such as context, form, and function to determine if removal of the tower would result in significant impacts to the viewshed. Nevertheless, disagreement with the conclusions of an aesthetic assessment can be characterized as a "disagreement among experts". "Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts." (CEQA Guidelines §15151) Most importantly, the DEIR conclusions are based on conclusions that are substantiated; see pages 4.1-10 through 4.1-15.

With regard to points of disagreement, commenters at the DEIR Hearing (held on January 18, 2012) indicated that there is generally more than just natural scenery at the top of other mountain peaks in the Bay Area; examples of structures on local peaks include Lick Observatory atop Mount Hamilton, the summit museum and visitor center on Mount Diablo, and the FAA radome and visitor center on Mount Tamalpais. These commenters are correct. Structures on mountain tops are not altogether uncommon; however, the fact that other such structures exist in similar locations does not mean that they add to the aesthetic quality of the scenic views or the visual character of these peaks; further, these comments are not specific to this project. Each location is different, and each building unique. By example, Coit Tower, a landmark building with distinctive architecture (art deco, cylindrical tower) on a hilltop in San Francisco is widely recognized as an aesthetically important building. If instead, a plain, industrial building were in the same location, it may not have aesthetic value and instead may be considered a negative contribution to the landscape. By the same token, the radar tower needs to be considered on its own merits, in its specific location. The radar tower is rectangular in shape and, aside from its shape, is nearly featureless; it does not mimic or complement the form of the surrounding ridgeline. As a point of consideration, if the building did not exist and instead was *proposed to be constructed* on Mount Umunhum, its addition to the mountain top would likely be viewed to have a significant adverse effect on the environment because it would be adding a visually inconsistent, and arguably visually disruptive, element to an otherwise natural setting.

Some commenters compared the radar tower to castles in Europe and suggest that aesthetics is not necessarily confined to visual attractiveness, but that mystery or intrigue are also a component of aesthetic value. These are social considerations. Please see Master Response 1 regarding social effects. While it is a valid point that some may consider the tower to add interest to the viewshed, it does not change the DEIR's conclusion. Although a contrasting feature might be highly visible given its location and surrounding environment, it does not mean that removal of that feature would adversely affect the existing scenic quality.

For these and other reasons expressed in the DEIR, removing the tower and restoring the project site, thereby creating a more naturally-appearing scenic environment that is consistent with the surrounding natural environment, would not be considered an adverse environmental impact. This is the DEIR's conclusion. However, the views expressed in comments are valid; those who feel the tower enhances the ridgeline and provides aesthetic value express their point of view well, and provide strong arguments to carefully consider this issue. The Board, in its deliberations, will carefully consider all points expressed on this issue.

In contrast with the comments summarized above, a few commenters raised the issue of views *from* the top of Mount Umunhum, and the radar tower's potential obstruction of views. The radar tower is part of the existing visual setting at the top of Mount Umunhum, and is therefore a component of the baseline condition. CEQA requires analysis of project-related changes to the environment from baseline conditions. Therefore, if the radar tower currently obstructs views, retention of the tower under Tower Option 1 would result in no impact to the environment because it is part of the baseline condition. Implementation of Tower Options 2 or 3 (which involve partial or full tower removal, respectively) could only result in beneficial effects related to scenic views from the top of Mount Umunhum because they would remove an existing obstruction to scenic views from the peak.

**Master
Response
3****Potential Impacts from Hang Gliders
Responds to comments: 6-2, 10-1, 22-2, 43-2, 68-1**

Several comments were received regarding the compatibility of hang gliding and paragliding with wildlife. (For purposes of this response, the terms “hang gliding” and “paragliding” are synonymous and include both user groups.) Commenters were not in agreement regarding whether this type of recreation would adversely affect wildlife. Some commenters expressed belief that hang gliding causes no negative impacts to bird populations while others expressed concern about adverse effects to raptor and vulture populations and degradation of the peaceful, natural setting.

The DEIR describes hang gliding launch and landing areas; they would be located in previously disturbed or cleared areas so that no vegetation clearing would be required (see pages 3-11 through 3-12). In addition, the hang gliding would be subject to a special use permit, which would be reviewed annually and would be revocable at any time. Motorized aircraft would not be permitted. The special use permit would require pilots to comply with specific terms and conditions, such as proof of training, ability, and membership in the U.S. Hang Gliding and Paragliding Association, as well as other restrictions. The DEIR also establishes limits to the number of pilots (10) allowed within the Sierra Azul Open Space Preserve at one time, with no more than five (5) pilots permitted at the launch site within the Project Area at once.

Based on the experience of Linda Leeman, senior biologist with Ascent and an expert in avian species, the potential impact to terrestrial wildlife from hang gliding activities is generally consistent with the impacts described in Impact 4.3-4 “Effects of Increased Recreation on Native Species and Interference with Wildlife Movement”, which concluded that impacts to wildlife species from potential recreation activities would be less than significant. Hang gliding activities would result in no loss of terrestrial wildlife habitat because no vegetation would be cleared to provide access to launch and landing areas. However, the use of the launch and landing areas, as well as the use of the air space and thermals above the Preserve, could deter some terrestrial wildlife species from using the area temporarily when the hang gliders are present. For example, deer may scatter if a hang glider shadow passes overhead. The conclusions in the DEIR with respect to this impact have been changed to indicate the impact is potentially significant, and mitigation has been added to reduce the impact to a less than significant level, for the reasons provided below.

Published research on avian interaction with hang gliders is scant; thus, the information presented herein is based on our knowledge of avian behavior and expected response of certain species, particularly raptors, to an intrusive presence in their air space.

One commenter expresses concern regarding the potential impact of hang gliding on turkey vultures, particularly in terms of nesting behavior. Nesting turkey vultures are extremely secretive; the chance of finding or seeing a nest is very small. As such, their nesting situations are so well protected by their choice of nest sites and secretive nature that hang gliders are very unlikely to have a substantial effect on their nesting. Furthermore, turkey vultures are not aggressive; they are rarely seen in conflict and never appear to show aggressiveness while on the wing; their aggressiveness is displayed when competing for a carrion meal with others. Therefore turkey vultures are extremely unlikely to react in any way to a soaring hang glider; they will certainly not have the instinct to approach or be aggressive to one. In addition, there is

substantial air space within local thermals to accommodate soaring hang gliders (10 maximum permitted) and turkey vultures.

Turkey vultures often roost in groups, staying together near the top of tall trees or on cliffs until the day heats up enough for thermals to begin. The probability that a hang glider will scare a group of roosting vultures is low, as hang gliders themselves need to wait until the right thermals and updrafts are present before they can fly.

Although many of the comments in support of hang gliding activities describe peaceful interaction with birds in flight, during the breeding season, raptors (unlike turkey vultures) are known to attack other birds, hang gliders, or other aerial intruders (or moving objects on the ground) if they perceive a threat to their nesting territory. While evidence does not suggest that the potential infrequent disturbance from recreational hang gliding would reduce the range of raptors or vultures, hang gliding can induce a short-term behavioral response from raptors, such as increased vocalization, escape flight (flushing), aggressive flight displays, or defense of their territory. Agitated and aggressive behavior suggests that the nesting raptors may be disturbed when hang gliders pass too near to nesting areas. Energy expended on protecting nests from a perceived threat or elevated agitation levels could have some effect on breeding success. MROSD and Ascent biologists believe that it is unlikely that this effect would noticeably reduce the local raptor population, especially given the limited number of hang gliders permitted at one time and the relatively large open space in the region. Nevertheless, MROSD strives to minimize to the greatest extent possible the level of direct or indirect disturbance to wildlife from recreational uses.

To this effect, text and mitigation has been added to Impact 4.3-4 (page 4.3-28) to more clearly and thoroughly address potential impacts resulting from hang gliding. (~~strickthrough~~ is deleted text; double-underline is added text).

Note that, in accordance with Section 15088.5 of the CEQA Guidelines, because this impact can be reduced to a less than significant level, it is not considered “significant new information” as the term is defined by CEQA. Section 15088.5 provides guidance with respect to adding significant new information to an EIR once it has been circulated as a draft EIR, but prior to certification. When significant new information is added, such information is required to be recirculated for public review. Among the definitions of significant new information is an instance in which “a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.” (CCR Section 15088.5(a)(2)) Because the new information does not substantially increase the severity of the impact, and mitigation is available that will be adopted to reduce this impact to a less than significant level, this issue is not significant new information and recirculation of this impact is not required.

Impact 4.3-4 **Effects of Increased Recreation on Native Species and Interference with Wildlife Movement.** Implementation of the proposed project would result in public access to wildlife habitats that previously have had limited human disturbance. Proposed trail connections would provide recreational opportunities for hikers, mountain bikers, and equestrians. Proposed hang glider launch sites would provide facilities for hang gliders. These Hiking, mountain biking, horseback riding, and hang glider launching/landing are unlikely to substantially adversely affect native terrestrial wildlife or plant communities. The construction and use of trails are also not likely to substantially interfere with wildlife movement in the region. Therefore, this is considered a less than significant impact. However, birds, especially nesting raptors, have been known to exhibit aggressive or agitated behavior in response to perceived aerial intruders such as hang gliders, particularly during the breeding season. This behavior signifies a disturbance. Allowing a recreational use that results in the disturbance of local wildlife is not consistent with MROSD policy. It is unknown if local bird species might react this way to the proposed hang gliding activities. Without an appropriate adaptive management strategy, this impact is considered potentially significant.

The proposed trail connections would be constructed in phases in the future to increase opportunities for public access and recreation on MROSD lands. The trail connections would link Mount Umunhum to Bald Mountain to the east, and link Mount Thayer towards the Lexington Basin through Ralph's Mountain to the west. These trails would be open to hiking, equestrian use, and mountain biking. Dogs would not be permitted. Hang gliding would be subject to special-use permit, with designated launch and landing areas in previously disturbed or cleared areas. Recreational use of the trails in previously undisturbed areas may deter some wildlife species from using the area immediately adjacent to the trails.,~~but~~ The effect of these recreational activities is is not expected to be severe enough in magnitude to cause localized extinctions or restrict the range of native species. Launch and landing of hang gliders would result in no loss of terrestrial wildlife habitat. The use of the launch and landing areas, as well as the use of the air space and thermals above the Preserve, could deter some terrestrial wildlife species from using the area temporarily when the hang gliders present. For example, deer may scatter if a hang glider shadow passes overhead. Raptors have been known to exhibit aggressive behavior toward hang gliders during the nesting season or display agitation by "roller-coaster" type aerial displays, and/or by increased vocalizations or temporarily leaving the area. Other soaring species, such as vultures, may also fly out of the area to avoid the disturbance. Although evidence does not suggest that hang gliding activities would substantially reduce the range or population of local species, disturbance to wildlife resulting from a recreational use conflicts with MROSD's mission to protect and restore the natural diversity and integrity of its resources, specifically to "favor protection of resources when use significantly interferes with resource protection." While increased disturbance to nesting raptors and vultures may not occur as a result of hang gliding activities at the proposed project, an adaptive management strategy is necessary to ensure the local raptor and vulture populations are protected consistent with MROSD policy.

A wildlife corridor connects fragmented habitats and, by doing so, helps to increase movement and gene flow between core habitat areas resulting in improved fitness for a viability of populations or species. The Sierra Azul region has been identified as an important linkage, or wildlife corridor, between the Santa Cruz Mountains on the west and the Diablo and Gabilan mountain ranges to the east and south (Elkhorn Slough Coastal Training Program 2007, p. 2). Researchers have found that habitat in this area is mostly intact and fairly available to large vertebrate migration. However, two linkages between the Santa Cruz Mountains and areas of the Diablo Range are of critical concern, especially with respect to the integrity of the mountain lion population in the Santa Cruz Mountains. The first linkage, between the Sierra Azul region and the northern Diablo Range, is across Coyote Valley in southern Santa Clara County. There is also a biotic connector between the Santa Cruz Mountains and the southern Diablo Range and Gabilan Range at Chittenden Gap, along highway 129. Both linkages are very important and in danger of being lost due to urbanization, development, and other land use changes. These two

corridors represent the last remaining biotic connectors between the Santa Cruz Mountains and other mountain ranges in the region (Elkhorn Slough Coastal Training Program 2007, p.3).

Creation of trail connections from Mount Umunhum to other existing trails is unlikely to substantially deter wildlife movement through the Sierra Azul region. The trail bed will be approximately 4 feet wide and would not present a substantial barrier to wildlife movement. While construction of trails would not likely create a wildlife barrier, some movement patterns may shift or change, as some species would avoid areas with trails and human scent, and other species may prefer to use the trails for easier access routes. However, these changes are expected to be minor and would not constitute a significant change in wildlife movement patterns.

MROSD implements measures on preserve lands to deter pest species, such as rats, raccoons, jays, and crows. Large populations of predatory pest species can reduce the number of other native species, including migratory birds. MROSD typically does not provide picnic tables on its lands; where they do minimally exist, the District avoids concentrating recreational picnic sites in large areas that may become feeding stations for pest species. In addition, garbage collection is not provided on District land. Recreational users of District preserves are instructed to dispose of all garbage in proper locations, under a “pack it in, pack it out” approach. This approach has served the District well and preserve users are accustomed to this policy, and as a result, large populations of predatory pest species are not usually an issue.

The recreational use of trails would not have a substantial adverse effect on native species and is not expected substantially interfere with wildlife movement; ~~therefore, impacts are less than significant.~~ However, because it is currently unknown whether proposed hang gliding activities would result in increased agitation to native birds, especially nesting raptors, the impact associated with proposed hang gliding use is considered **potentially significant**.

Mitigation Measure 4.3-4

~~No mitigation measures necessary.~~

MROSD will take the following actions to educate hang glider pilots and other visitors regarding the potential to disturb birds, especially nesting raptors and vultures, and establish an incident reporting program:

- › Hang glider permits will include a brochure prepared by a qualified ornithologist that describes agitated and defensive behavior of wildlife, focusing mostly on soaring birds, such as raptors and vultures. The permit will include a map that identifies protected air space that restricts hang gliding within a minimum of 1,000 feet of a known nest.
- › Hang glider permits will include an agreement, to be signed by the pilot, that the pilot shall:
 - Respect local wildlife by maintaining appropriate distance and altitude (as safety permits) to minimize disturbance.
 - Watch for active/occupied raptor or vulture nests and communal roosts, and, if spotted, keep at least 1,000 feet clear.
 - Avoid approaching soaring birds. (Note that if a bird peacefully approaches a hang glider, this is not considered a disturbance.)
 - Report to MROSD any bird observed behaving aggressively or agitated as a result of the pilot's glider or any other glider.
 - Immediately leave the area (as safety permits) after a bird has exhibited aggressive or acutely agitated behavior.

- › MROSD will post signs at hang glider observation locations describing aggressive or acutely agitated bird behavior, and encourage preserve users to report any of these observations to the provided telephone number.

MROSD will implement an adaptive management plan, prepared by a qualified ornithologist, to monitor and mitigate observed agitation or potential disturbance to birds. The adaptive management plan will include (at a minimum) the following measures:

- › MROSD staff will immediately investigate and document any legitimate reported incident of bird aggression or acute agitation in response to presence of a hang glider.
- › MROSD staff will review these bird incident records continuously. If incidents in a specific area exceed three per month, MROSD will either reduce the number of hang gliding permits issued to 5 at one time with no more than 2 hang gliders per launch site or restrict the use of the affected area as a condition of the special use permit. (Note that if the excess number of incidents occurs only during the raptor nesting season, then the permit reduction may be limited only to March through August and may resume to normal permitting levels after the nesting season.)
- › If repeated incidents occur with a specific hang glider or group, MROSD may revoke hang gliding privileges to those individuals.
- › If, after reducing the number of permits or restricting the use of specific areas where the incidents have occurred, the bird incidents are not reduced below three per month, MROSD will consider discontinuance of the issuance of hang gliding permits at the project site.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

Significant impacts associated with disturbance to birds from hang gliding activities and subsequent inconsistency with MROSD policy would be reduced to a **less-than-significant** level by educating hang glider pilots and other visitors of the potential disturbance for birds, by establishing an incident reporting program, and by monitoring incidents and taking appropriate action to reduce any increased agitation levels in native birds and raptors resulting from proposed hang gliding activities.

The above text changes address commenters' concern related to hang gliding impacts to birds. The mitigation measure provides an appropriate adaptive management strategy should inappropriate levels of aggressive behavior occur. The provided mitigation measure would reduce this potential impact to a less-than-significant level. Therefore, the additional text is not considered substantial new information.

RESPONSES TO INDIVIDUAL COMMENTS

Each comment letter is reproduced in its entirety and is followed by the response(s) to the letter. Each individual comment within the letters is indicated by a line bracket and an identifying number in the margin of the comment letter. The responses that follow each letter are numbered, corresponding to the comment number in the bracketed letter.

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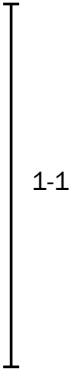
From: David Michael Alexander [REDACTED]
Sent: Thursday, January 12, 2012 5:00 PM
To: MROSD - Mt. Um
Cc: [REDACTED]
Subject: SAVE THE BOX!!!!



Hello,

Tearing down the Box would be like ripping out a vital organ of the South Bay. The aura, the pure energy, the overwhelming presence that the Box radiates across the valley is something special. Mount Umunhum would no longer inspire anybody if the Box was removed from the summit. The mountain would look like an unassuming lump. Please, please, please, save this relic for future Bay Area residents. Though I am no longer a local, the Box still captivates me. For the first eighteen years of my life it was always there, staring down at me, cultivating my love for mountains. I hope that it can continue to have the same effect on other people that it has had on me.

-David Alexander



Letter 1 Response	David Alexander Resident January 12, 2012
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- 1-1 Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower and its aesthetic character. Note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: MIKE ALEXANDER
Sent: Wednesday, January 11, 2012 4:12 PM
To: info@openspace.org
Subject: The Box

Hello,

Many, many of us silent folks have been following the Umunhum developments. Please KEEP THE BOX! It's part of our heritage. As my brother-in-law from Switzerland says, "You don't see the box, the box sees you..."

Mike


|
2-1
|

Letter 2 Response	Mike Alexander Local Resident January 11, 2012
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- 2-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note also that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: Bruce Bailey [REDACTED]
Sent: Friday, January 06, 2012 11:06 AM
To: MROSD - Mt. Um
Subject: Re: Mount Umunhum Environmental Restoration and Public Access Project:
Notice of Public Hearing for Jan 18 2012

Meredith,

Thank you for keeping us volunteers apprised of developments regarding Mt. Unumhum. I have only one concern about plans for this preserve; namely, that the large structure at the top not be demolished. I'm a nature nut (I'm in the Open Space every day), but I also feel very strongly that this one structure represents a piece of our history that should not be destroyed. Practically everyone in the valley can identify the mountain based on this structure. No matter that it is ugly. The fort in Barcellona isn't all that pretty either, but I wouldn't suggest making that mountaintop any prettier by destroying it. This structure is an object of wonder to newcomers. I think it will attract people as a hiking destination. I think it will encourage the use of the outdoors. It has also given me an opportunity to explain to "youngsters" the history of the cold war and how we Californians (I'm 5th generation) felt at the time.

Whether you build roads, trails, concession stands, whatever up there makes little difference to me (although I do like the carry-in, carry-out policy and don't particularly like cars). But this historical monument should not be destroyed.

Unfortunately I cannot speak for awhile (recovering from a vocal cord injury), so I can't speak my piece in person. If there is someone else I should address this to, please let me know.

Thanks,
Bruce
VTP 1010

3-1

Letter 3 Response	Bruce Bailey Resident and Volunteer January 6, 2012
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- 3-1 Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower and its aesthetic character. Note as well that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: Elizabeth Bennett [REDACTED]
Sent: Tuesday, February 07, 2012 4:34 PM
To: MROSD - Mt. Um
Subject: Public Comment Radar Tower
Meredith Manning, Senior Planner
Midpeninsula Regional Open Space District,

As a Bay Area resident and avid hiker, I am very thankful to have access to a significant network of open space so close by. I thrilled that the summit of Mt. Umunhum is undergoing clean up and restoration, and will ultimately be open to the public. Of the 3 proposed options for the radar tower, I strongly urge you to retain and seal the structure. I value it as a landmark and historic site. It is almost castle-like as it presides over us. I would hate to see it torn down.

4-1

Thank you for your consideration,
Elizabeth Bennett
[REDACTED]

Letter 4 Response	Elizabeth Bennett Bay Area Resident and Hiker February 7, 2012
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- 4-1 Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower and its aesthetic character. Note also that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: [REDACTED]
Sent: Tuesday, January 31, 2012 7:10 PM
To: MROSD - Mt. Um
Subject: EIR for Mt. Umunhum

Hello Meredith,
I just looked through the EIR for Mt. Umunhum and are very impressed by the thorough evaluation and all of the cleanup effort that has already been done.

Since I am a hiker, I was sad to read that some of the connecting trails have been removed because they are going through private land. I hope that the district will be able to negotiate with the land owners to change that in the future.

I am glad that the plan includes some camping places since those are very much needed in order for the Bay Ridge Trail to be useful. They are hardly any camping places along this trail at the moment.

I very much hope that the old radar tower will be preserved, since it is such a landmark, as one can see on the pictures in the EIR. It is also a great orientation point from far away if one is not sure in which direction one is going, one can just look where Mt. Umunhum is. I think it would be great to use the structure to tell the public about the history of the mountain and the AFB.

Thank you very much for all your work on this project,
Hella Bluhm-Stieber
MROSD Trail patrol volunteer

5-1
5-2

**Letter
5
Response** **Hella Bluhm-Stieber
Volunteer and Hiker
January 31, 2012**

- 5-1 The commenter raises concern that some of the trail connections were removed from the project due to their location on private land and is glad that camping sites are proposed. The comment does not raise any issues related to the DEIR analysis.
- 5-2 Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower and its aesthetic character. Note also that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



Mount Umunhum Draft Environmental Impact Report
Public Hearing
January 18, 2012

Midpeninsula Regional Open Space District

Comments may be submitted via email
at: mt.um@openspace.org,
dropped in the Comments Box, or
mailed to:
Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
300 Distel Circle, Los Altos, CA 94022

Name: DANIEL BREMOND

Address:

Phone:

E-mail:

Wish to be added to this email list? YES Or mailing list? Already on list

How did you learn about this meeting: Newspaper Mail Email Other

COMMENTS:

I WOULD LIKE TO SEE IN ALL DOCUMENTS THE WORDS: "HANG
GLIDING" REPLACED BY: "HANG-GLIDING AND PARAGLIDING", AS
BOTH ACTIVITIES ARE COVERED BY THE SAME ASSOCIATION:
"UNITED STATES HANG-GLIDING AND PARAGLIDING ASSOCIATION".

6-1

HANG-GLIDERS AND PARAGLIDERS HAVE LES IMPACT ON THE
WILDLIFE AND ON THE GROUND THAN HIKERS AND BIKERS, AS
THEY SPEND, FOR A SAME RECREATION DURATION, LESS TIME ON
THE GROUND.

6-2

FINALLY, WE HAVE NO PREFERENCE FOR THE FUTURE
OF THE RADAR TOWER. WHATEVER IS DECIDED WILL BE FINE
FOR THE FLYING COMMUNITY.

6-3

TO
CONTINUED ON THE
OTHER SIDE.

Please use the reverse side or attach any additional pages



Mount Umunhum Draft Environmental Impact Report
Public Hearing
January 18, 2012

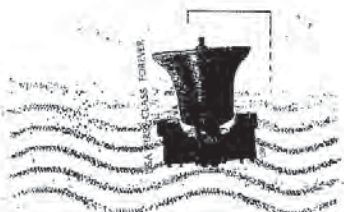
Midpeninsula Regional Open Space District

THE FLYING COMMUNITY THANKS THE OPEN SPACE
DISTRICT FOR CONSIDERING HANG GLIDING AND PARAGLIDING
AS RECREATIONAL ACTIVITIES .

DANIEL BREMOND

6-3
cont'd

Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022
94022+1404



Letter 6 Response	Daniel Bremond Hang Glider Date uncertain.
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- 6-1 The commenter requests that the District replace “hang gliding” with “hang gliding and paragliding” in all documents. In response to this comment, the following text has been added to the second full paragraph on page 1-1 of the DEIR (strikethrough = deleted text; double-underline = added text).
- The project includes phased public access to the summit of Mount Umunhum, as well as roadway and access improvements, ecological restoration, and development of public use facilities and a range of possible amenities such as trails, observation and reflection areas, interpretive displays, picnic tables, shade structures, restrooms, camp sites, hang glider facilities, and a visitor center. (Note that throughout this DEIR, the term “hang glider” or “hang gliding” refers to both hang gliding and paragliding.)
- Paragliding activities would not result in any additional impacts beyond those described in the DEIR for the proposed hang gliding activities. The revised text would not result in any additional impacts and would not result in increased severity of impacts already identified.
- 6-2 The commenter describes relative impact to the environment between hikers and hang gliders. The comment does not raise issues with the adequacy of the DEIR’s analysis. Also see Master Response 3.
- 6-3 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note also that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

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7

From: Doug Brown [REDACTED]
Sent: Saturday, January 21, 2012 10:20 AM
To: MROSD - Mt. Um
Cc: Stu Langdoc
Subject: Load Capacity

Hello Meredith,

Thank you for the excellent presentation of the Mt. Um EIR Draft.

I have been reviewing the document and its appendices on-line and have not found an estimate of the load (people) capacity of the planned Mt top development. There is mention of 60 cars per hour (peak) road capacity which could imply a lot of folks on top of the mountain. What is the estimated sustainable occupation? If this number is in the Doc, please point me to "chapter and verse".

Doug Brown
at Tahoe

7-1

**Letter
7
Response****Doug Brown
January 21, 2012**

7-1

The commenter asks for an estimated visitor capacity number. The DEIR did not identify a specific number of anticipated annual visitors or an estimated overall capacity of the open space facilities (at least not in those terms). For an open space use, where there are few physical barriers to limit the number of visitors, the capacity is primarily limited by parking. The DEIR does not include a parking capacity analysis because parking capacity is not in and of itself an environmental issue. However, the project includes potentially three parking areas at the summit (two improved surfaces and one unimproved) on previously disturbed ground, plus a new parking area near Bald Mountain on previously disturbed ground that would require expansion into undisturbed areas. The sizing of the parking areas and layout of the facilities are considered appropriate for this open space use and are consistent with other currently operating open space areas. Therefore, while exceedance of parking supply is not anticipated, such an exceedance would not be considered a physical impact to the environment and is not required to be evaluated in this DEIR. Once the site has been open to the public, it is MROSD's intention to gauge the use patterns and determine if parking is adequate. Roadside parking along Mt. Umunhum Road is not expected to be permitted; if visitor demand exceeds capacity at the proposed Bald Mountain parking area, other services, such as a shuttle service, may be considered to handle the capacity.

It is also important to note that projections of potential visitation for any open space use are difficult, but are especially difficult for such a specific type of open space area, in such a remote location. An accurate projection is not possible. However, a rough projection and range can be estimated based on extrapolation of daily traffic volumes to yearly attendance levels at similar local, yet more remote parks. Although an annual visitation estimate is not necessary for the CEQA analysis (which relies on maximum daily estimates), in order to provide the public a better idea of the range of visitation that can be expected to occur, Crane Transportation produced a rough estimate of visitation by comparing traffic count data for Hicks and Mt. Umunhum Roads, traffic data from State Route 130 between Grant County Park and Mt. Hamilton, and visitor data from University of California Lick Observatory at Mount Hamilton and Joseph D. Grant County. By extrapolating the visitor and traffic data at these other facilities, Crane Transportation estimates that for the proposed project, peak visitor levels could range from 20,000-25,000 with minimum amenities, to as much as 35,000 to 40,000 if all facilities were constructed, including public vehicle access on Mt. Umunhum Road, the visitors center, and campground. Please also see response to Comment 73-8.)



From: Jan Carey [REDACTED]
Sent: Friday, January 06, 2012 2:29 PM
To: MROSD - Mt. Um
Subject: DEIR Delay

Here we go, hang on to your hats. as taken from your email "the demolition of the former Almaden Air Force Station at Mount Umunhum"

As usual government has decided what is best for the people, and we all need to get in line and just cooperate. I am outraged that that all history is wiped away in the name of "progress." Depression style mural at the airport and Los Gatos Post office mural are gone.

NOW a teachable moment of history illustrating the paranoia after WWII and the Cold War doesn't fit because it prevents the creation of a wilderness area with trails.

I suggested a renovated viewing tower., which would draw people the same as Alcatraz Island in San Francisco. To create place equal to Pike's Peak Mountain in Colorado, a tourist attraction, as a visitor destination where cars could come up and people disembark to see the view and make an hourly parking fee like the airport. This allows elderly and handicapped to be able to see the view as well as those able-bodied to walk the trails, especially from a viewing tower.

We can't go back. Not to a valley of grass or fruit trees, so instead of embracing the past as part of a story, we erase all vestiges, so the past seems unreal as if none of it ever happened, and history is a boring fairytale. I taught my kids hands-on. It came ALIVE.

My sorrow is that the holistic view, that not only will this be a place of beauty, but one that teaches us about all of life-historically, botanically, zoologically, biologically, ecologically, etc. and which includes all citizens able-bodied and otherwise-- is disliked.

Sincerely,
Janice Carey

8-1

**Letter
8
Response****Janice Carey
January 06, 2012**

- 8-1 Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower. Note also that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: Jan Carey [REDACTED]
Sent: Wednesday, December 14, 2011 3:12 PM
To: MROSD - Mt. Um

Subject: Mount Umunhum DEIR

I still think that Umunhum can be a attraction similar to Pike's peak in Colorado. If the open space manages it right, due to the spectacular view, income from an entrance fee to the park to see a re-worked radar tower-turned-observation tower and rental income from 2 larger newly-built buildings for weddings, talks, health and business meetings and even income from a small gift store for overseas visitors could provide a revenue source which would enhance and not destroy the park.

The long-term plan could be so much more than a park. It could be a must-see destination.

J. Carey

9-1

**Letter
9
Response****Janice Carey
December 14, 2011**

- 9-1 Please refer to Master Responses 1 and 2, which addresses issues related to the treatment of the tower and its aesthetic character. Note also that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

RECEIVED

DEC 19 2011

MIDPENINSULA REGIONAL OPEN
SPACE DISTRICT

12/16/11

To: Meredith Manning, Senior Planner

re: Draft EIR, Mt. Umunhum Project.

I was very disappointed to see the plans for Hang Gliding in the draft EIR. Such activity is ^{totally} incompatible with the underlying purpose of the District — to offer an opportunity to experience nature and wildlife in a peaceful setting. Has the EIR even considered the impact on wildlife, such as raptors, not to mention the degradation of the quiet and peace of the natural setting?

As a user and frequent volunteer for the MPOSD, I am saddened to see this proposed use. I certainly will think twice about volunteering and contributing to the District or POST if this use is approved.

Brian Cam, 5482 Blossom Tree Ln
San Jose, Ca: 95124

10-1

**Letter
10
Response**

**Brian Carr
December 16, 2011**

10-1 Please refer to Master Response 3, which addresses issues related to hang gliding.

From: Stephanie Charette [REDACTED]
Sent: Thursday, February 02, 2012 4:29 PM
To: MROSD - Mt. Um
Subject: Mt Um public meeting

Hi there, my names Stephanie Charette and I was wondering if you knew when the spring public meeting for the Mt Um restoration project would be. I am a park management major at West Valley College and for my park planning and design class I need to attend a public park planning meeting and I would love for this to be the one I do my project on since it interests me greatly. I look forward to hearing from you.
Thanks so much,

Stephanie

11-1

**Letter
11
Response**

**Stephanie Charette
February 2, 2012**

11-1 This is a request for information on future public meetings and does not raise issues related to the adequacy of the DEIR.

From [REDACTED]
Sent: Thursday, January 26, 2012 10:13 PM
To: MROSD - Mt. Um
Subject: Save the radar tower!

I would like to see the radar tower sealed and retained. From what I understand it has already been sealed so it seems the least expensive option to retain it. It is a monument in the Almaden Valley. There are quite a few ruins in Quicksilver Park and their presence makes the hiking more interesting. I feel the same thing would be true of the radar tower if it remains. Perhaps a mural could be painted on it in the future to depict significant or historical events in the area or something else that represents the history of the building?

12-1

Thanks for your consideration,

Katy Cooper
[REDACTED]

**Letter
12
Response****Katy Cooper
January 26, 2012**

12-1

Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower. Note also that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Jill Croft [REDACTED]
Sent: Saturday, December 24, 2011 10:14 PM
To: MROSD - Mt. Um
Subject: DEIR

To Whom it may concern:

While I did not read the entire 400 page Draft EIR, I would like to share my opinion regarding the radar tower (cube). I grew up in Almaden Valley, from 1976-1991 beneath the shadow of Mt. Umuhnum. The cube has always been a comforting symbol of "home" for many Almaden residents, as well as a beacon as I return to my childhood home as an adult. I still reside in the bay area, and the cube that sits atop Mt. Umuhnum reminds us of our past. I hope you will consider that cleaning up the mountain for public access is important, but so is the view of the mountain from the valley floor. I remember as a child, the public was allowed to visit the mountain (circa 1978-80) and we piled into our station wagon to go see it. The road was windy, and the cube was enormous. While the lit up star no longer shines during this holiday season atop the mountain, the cube does. Please keep the cube and seal it up.

Regards,
Jill Croft
[REDACTED]

**Letter
13
Response****Jill Croft
December 24, 2011**

13-1

Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower. Note as well that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Matthew Dailey [REDACTED]
Sent: Tuesday, January 10, 2012 1:55 PM
To: MROSD - Mt. Um
Subject: Keep The Box

To whom it may concern at Midpeninsula Regional Open Space District.

Please keep "the Box" on Mt. Umunhum!

Thanks,
Matthew

14-1

**Letter
14
Response****Matthew Dailey
January 10, 2012**

- 14-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. It is also important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Davis Family [REDACTED]
Sent: Friday, January 06, 2012 5:09 PM
To: MROSD - Mt. Um
Subject: DEIR Delay

If our country, state, county and city are so broke then why are we spending money on this type of stuff? Give the public access to the open space you have already bought and stop spending so much money. 15-1

Sincerely,

~Holly Davis

**Letter
15
Response**

**Holly Davis
January 6, 2012**

15-1 This comment raises fiscal issues and does not raise environmental issues or any issues associated with the adequacy of the DEIR.

From: desler@pacbell.net [REDACTED]
Sent: Thursday, December 22, 2011 4:50 PM
To: Meredith Manning
Subject: Mount Umunhum Environmental Restoration and Public Access Project

I am strongly in favor of keeping the Mt Umunhum "radar box" part of silicon valley's landscape. I believe the history of what was going on in the world that created a need for radar on Mt Umunhum should remain in our memory. The radar tower has been a major landmark for me for the last 46 years, please keep it.

I am an active hiker in many of MproSD's hiking areas and look forward to someday hiking to the restored Mt Umunhum. Thank you and the district for all that you do to maintain the beauty of the bay area.

Bill Desler

Bill & Linda Desler
[REDACTED]

16-1

**Letter
16
Response****Bill Desler
December 22, 2011**

16-1

Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower. Please also note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Robert Elmore [REDACTED]
Sent: Wednesday, February 01, 2012 10:09 AM
To: MROSD - Mt. Um

Subject:

I've read that you are considering keeping or demolishing the old Air Force radar tower on top of the mountain. Please consider this a plea to keep the tower, develop a museum to go with it (inside, weather-protected, perhaps done with volunteer help), and do not tear it down. This is part of our local history and needs to be preserved. Too many local sites are left to fall into disrepair and later to crumble, only to have people decide after that fact that the sites should have been preserved. Please have the foresight to keep the tower for those to follow.

17-1

Robert S. Elmore

**Letter
17
Response****Robert S. Elmore
February 1, 2012**

17-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note that access to the interior is not proposed; it would require structural and other improvements that would add substantial additional one-time and ongoing costs (including staffing) to the project. Please also note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

Midpeninsula Regional Open Space District Field Employees Association



January 18, 2012

Senior Planner Meredith Manning
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Re: Mount Umunhum Environmental Restoration and Public Access Project DEIR

Dear Meredith:

The MROSD Field Employees Association lauds the District for its efforts to expand public access to the summit of Mt. Umunhum. We look forward to sharing this exceptional spot and we're eager to help construct and care for the proposed facilities and trails.

We are concerned, however, because the DEIR significantly understates the effects of a project of this magnitude on an already understaffed agency. The DEIR makes flawed assumptions about the feasibility and ramifications of the project and fails to address its maintenance and safety needs.

Specifically:

- We believe the proposed project would have a potentially significant impact on fire, emergency medical response and law enforcement and, therefore, requires additional mitigation measures. Although MROSD rangers are badged peace officers, rangers are prohibited by policy from acting in a variety of law enforcement situations, including suicide, domestic violence, weapon possession or use, burglary and battery. For example, rangers cannot restrain a subject. The remoteness of Mt. Umunhum and the extended response time for armed backup (a minimum of 40 minutes) endangers rangers as well as members of the public.

18-1

- We believe the proposed project will have, and, in fact, already has had a significant impact on parks and recreational facilities. MROSD owns and manages more than 60,000 acres; half of this land is closed to the public. Trail construction and maintenance, patrol, environmental remediation and planning efforts, among other tasks, have been compromised and will be further affected by the Mt. Umunhum project. The agency is not large or nimble enough to balance the competing demands of Mt. Umunhum and its additional open space and recreational land. Mt. Umunhum is a large, unconventional project for MROSD and its effect on the agency's operations, at a minimum, requires mitigation.

18-2

Midpeninsula Regional Open Space District Field Employees Association

• The adequacy of two new ranger positions and one new maintenance position is uncertain. At the minimum, all designated new positions should be assigned to the southern Foothills area, rather than distributed District-wide, although the entire District is also understaffed.

18-3

• It is dubious whether the trail alignments currently proposed, contained solely on District property, could conform to the District’s Road and Trail Typical Design Design Specifications due to steep and rocky terrain. This could cause erosion and safety problems.

18-4

• **4.11 Public Services**

4.11.1

Existing setting

Fire protection and emergency medical response

The DEIR does not acknowledge that MROSD rangers are the initial emergency medical and fire responders at Mt. Umunhum. All rangers are trained to the level of Emergency Medical Responder and many are Emergency Medical Technicians.

In addition, District staff in the fire program, including all rangers, are trained as wildland fire fighters and perform all firefighting duties within their training during a fire on District-land, including extinguishing, back burning and fire line construction.

18-5

Law enforcement

The description of the number of rangers available for Mt. Umunhum patrol and emergencies is less than accurate. Nine rangers and two supervising rangers are assigned to the Foothills region, which stretches from San Carlos to Loma Prieta. However, four rangers and one supervising ranger are assigned to the field “outpost” with primary, regular responsibility for Mt. Umunhum patrol. The other five rangers are assigned to an area that includes the District’s most heavily visited preserve, Rancho San Antonio, limiting their availability to respond to Mt. Umunhum.

18-6

In addition, it should be noted that rangers do not work overnight unless there is an ongoing incident. The addition of ten remote campsites requires adequate mitigation.

The Mt. Umunhum corridor is currently visited by well-intentioned bicyclists, hikers and explorers. It is also well-known hangout, particularly in the evening. These users frequently leave behind graffiti and copious amounts alcohol bottles, cigarette butts and other trash. Fires have been started in the roadway.

18-7

We agree that legitimizing visits to the peak should help counter its reputation as an after-hours party location. The change, if any, will not happen immediately, however and the increased public awareness of the area will attract new troublemakers.

As a comparison, Mt. Hamilton is staffed by a University of California police officer that resides on site and Fremont Peak has a full-time armed ranger.

Midpeninsula Regional Open Space District Field Employees Association

4.11.2

Regulatory setting

California Public Resources Code

The District’s enabling legislation was omitted from the DEIR. CPRC 5500 requires the District to “employ a suitable police force” (CPRC 5558.a) and the District “primarily responsible for the prevention and suppression of all fires on any lands in its possession or control (CPRC 5561.6).

18-8

In conclusion, the project’s stated goal is to establish a “fiscally and environmentally sustainable visitor destination.” Although a CEQA review addresses the environmental effects of proposed projects, the implementation of mitigation measures and the project’s success is contingent on the acquisition of new, ongoing financing. Although the need for “adequate funding” is mentioned throughout the DEIR, the District should explicitly acknowledge the entire project hinges on funding that is not currently available. Even a basic, fundamental component of the project -- improving Mt. Umunhum Road -- depends on a maintenance program and additional money.

18-9

We look forward to working with the District to open Mt. Umunhum and to ensure the effort benefits the public, the District and its employees, and the environment.

Sincerely,

Anthony Correia, president
Midpeninsula Regional Open Space District Field Employees Association

Letter 18 Response	Anthony Correia Midpeninsula Regional Open Space District Field Employees Association January 18, 2012
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18-1

This comment, and comments 18-2 through 18-9, have been provided by the Midpeninsula Regional Open Space District Field Employees Association (FEA). The comments largely, though not entirely, address concerns with law enforcement staffing and the proposed project. Comment 18-1 contends the DEIR makes flawed assumptions about the feasibility and ramifications of the project and understates the needs for project maintenance and safety. The commenter asks for additional mitigation measures to address what it anticipates to be an increased demand for emergency response, park operations and staffing.

CEQA Requirements

Before addressing the specific comments, it is important to understand the relationship between the demand for emergency responses, staffing levels, and CEQA. CEQA provides that economic and social changes, by themselves, are not to be considered in determining if a physical change is significant. This is explained in CEQA Guidelines §15131, which state in part: “Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.” (Guidelines §15131(a))

CEQA Guidelines §15382 defines significant effects on the environment:

“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered in determining whether the physical change is significant.”

Thus, CEQA requires consideration of the physical changes in the environment that may result from approval of a project. If the changes are social or economic, the lead agency has discretion to address the issues, but they are not to be considered significant environmental effects. The connection between demands on law enforcement, fire suppression, and other public services, and potentially significant environmental effects, is specifically addressed in CEQA Guidelines Appendix G. Appendix G is the environmental checklist used to prepare initial studies. Questions are posed in each environmental issue area (examples, air quality, noise, biological resources) pertaining to whether a project may have a significant effect on the environment. With respect to public services, Appendix G asks:

“Would the project result in substantial adverse physical changes associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives...” (CEQA Guidelines, Appendix G, XIV(a))

Thus, if the project results in the demand for more fire or law enforcement personnel, there would only be a significant impact if the need translated to a requirement to construct a new fire station or police substation, and the construction resulted in significant environmental effects. This issue was addressed in *Goleta Union School District v. Regents of the University of California*, 37 Cal.App.4th 1025 (1995). In *Goleta*, the Court addressed whether adding students to an overcrowded school would be a significant environmental impact. In addressing the relationship between a social or economic effects and significant environmental effects, the Court concluded that CEQA "...merely points out that in some cases socio-economic effects may cause physical changes that significantly affect the environment. An example might be a five-fold increase in student enrollment. Such a large increase would likely necessitate the construction of additional classrooms," which in turn, may cause physical environmental changes.

No such potential impacts are identified here, either by staff or by commenters.

DEIR Conclusions

As described on page 3-14 of the DEIR, the proposed additional staffing to accommodate the project need would include the estimated equivalent of two rangers and a maintenance staff person. As described further below, MROSD believes this addition to District staffing is sufficient to support the project as part of the first, initial phase of public access; no evidence has been presented in the comment, or any other comments, which would suggest this staffing level would not be sufficient. The addition of these staff would not result in the need to construct any new facilities to house them, and therefore no physical changes to the environment would result. Even if more staff were needed in the future, there would be no need to construct new facilities. Additionally, the Santa Clara County Sheriff's Office, which has primary responsibility as the jurisdictionally responsible law enforcement agency for the project area, was consulted during preparation of the DEIR. As stated on page 4.11-7, the proposed project would not be expected to adversely affect law enforcement services currently serving the site. Therefore, no new facilities would be needed by the Sheriff's Office. No significant environmental impacts would occur.

Additional Considerations

Staffing

Regarding MROSD's determination that proposed staffing would be sufficient, it is anticipated that visitation will initially be high, after the first phase of proposed improvements are completed (a staging area at the Bald Mountain trailhead and a new multi-use trail to the summit), and the excitement of the project is fresh. Nevertheless, upper Mt. Umunhum Road would remain closed to vehicles initially, until public access issues are resolved, and visitation will be generally limited to those who are able to traverse the approximately 1.75-mile trail on foot, bicycle, or horse. Following an initial peak in interest, this mode of visitation is expected to slowly decline and level out. MROSD anticipates meeting expected staffing needs, and that staffing levels may be adjusted based on trends and visitation.

Vehicular access is also expected to be limited, at first. After public access issues are resolved on Mt. Umunhum Road, but before sufficient funding is available to resurface the road, driving access is proposed to be limited under a system to allow very limited, permit-only driving access. For this reason as well, it is not anticipated that the project, in its early phases, would create a substantial demand for staffing.

MROSD has developed preliminary use estimates for the longer-term fully-developed, vehicle-accessible project site based on observed traffic levels at Mount Hamilton, a local peak which was determined to be most similar to Mount Umunhum in terms of visitor appeal, distance to urban center, and level of facility development. (Please refer to response to comment 7-1.) However, because it is impossible to know with certainty what future visitor levels will be, it is the District's intention to utilize an adaptive staffing management strategy for the project. Under this strategy, additional staff (beyond the initial 3 positions) will be added if the need arises. It is not anticipated that additional project phases, such as opening upper Mt. Umunhum Road to vehicle access, will be completed until adequate staffing resources are available to meet the demands of anticipated visitors. Likewise, if initial interest does not develop to the level expected or wanes more quickly than anticipated, and less staff resources are required to manage public use and demand, staff resources would be adjusted and shifted as necessary to other areas. Although the DEIR, on page 3-14, only describes 3 positions (2 Rangers, 1 maintenance), additional Ranger staff would be hired if needed. Also, in addition to the Ranger staff, a campground host would be assigned to the project to supervise overnight use of the campground, if approved and activated (see response to comment 73-4). Although this is not, per se, a law enforcement position, the presence of an official MROSD volunteer would further discourage unlawful activities; further, the Host would have direct and immediate communication with District Rangers, providing for effective communication and response in the event law enforcement is needed.

Regarding the potential for the project to increase the frequency of serious public incidents, the commenter is correct in stating that District Rangers are restricted, by District policy, from acting in a variety of law enforcement situations including suicide, domestic violence, weapon possession or use, burglary or battery, and cannot restrain a subject. The Rangers are not armed with a gun. Thus, the Sheriff's Office was consulted during preparation of the DEIR and again during preparation of this document (see discussion above). As with estimates of future visitation, it is not possible to predict with certainty the type and frequency of law enforcement incidents that will result from the project. However, in response to the commenter's concerns, MROSD compiled data from several similar "mountaintop" destinations. Three local parks, each with prominent summits that are accessible by vehicle, were interviewed to determine law enforcement needs at comparable sites. Mount Tamalpais State Park in Marin County and Mount Diablo State Park in Contra Costa County have similar summit destinations with moderately-sized parking facilities available at the peak. As seen in the discussion below, visitors to these parks have not placed a major burden on law enforcement, with only occasional need for law enforcement that can provide restraint.

Response Times

The site is remote. In anticipation of opening new lands to the public, the District established a field office within the Sierra Azul Open Space Preserve, where the project is located. This would allow quicker response time, on average, to the project by District Rangers, with a 30 minute average response (depending on the location of the Ranger at the time of the call for assistance, the response could be greater than 30 minutes if they are at the far end of their range, and could be nearly immediate if they are near the site). The District had, in the recent past (end of 2008 through beginning of 2010), entered into a Memorandum of Understanding (MOU) with the Santa Clara County Sheriff Department to provide contract patrol services 4 hours per day, with the goal of improving Sheriff response times to incidents on District lands. The District found, based on statistical analyses, that the MOU did not improve response times; the median response times with and without an assigned Sheriff on duty both were 25 minutes.

The question, then, is whether this is a reasonable response time. This is not a simple question, and there are no standards by which to compare. Whereas in urban areas, it is common that law enforcement aims to respond in 10 minutes or less to an incident, there are no similar standards for open space or parks. However, based on experience at analogous facilities, a 25- to 30-minute average law enforcement response seems reasonable.

The following information is based on telephone and email correspondence with Mr. Dan Stefanisko, Supervising Ranger, Mount Diablo State Park, and Mr. Ryen Goering, Supervising Ranger, Mount Tamalpais State Park, and the Director's Office of Lick Observatory at Mount Hamilton. At Mount Tamalpais, ranger backup is provided by the Sheriff's Office, Marin Municipal Water District Rangers, and National Park Service (GGNRA) personnel. Response time varies from 15 minutes up to an hour depending on where they are responding from in the county. At Mount Tamalpais, two rangers live in state housing within a 15 to 30 minute response time, depending on which ranger responds. At Mount Diablo, response time to the summit also varies, ranging from immediate (if a ranger is on site) or up to 40 minutes. After hours, the optimal response time, if the responding ranger has a residence in the park, is 15 to 20 minutes. Outside agency backup ranges from 30 minutes to over an hour. Santa Clara County Sheriff's Office indicated that there are many other areas within their jurisdiction requiring similar or longer response times. While it is not optimal, the response time for this project does not set a precedent and falls within the range of other response times for law enforcement.

Other Information

Patrol at the summit of Mount Tamalpais State Park is required at the beginning and end of the day to open and close gates. The Project would require similar patrol: in the initial phases, the gate at the proposed staging area at Bald Mountain would require opening in the morning, and evening clearing and closure; in later phases if the Project allowed public driving access to the summit, those gates would also need to be opened and closed daily and the summit cleared of visitors at day's end. Although the peak at Mount Tamalpais is a publically drivable destination, violations at the summit are generally similar to those observed elsewhere in the park (such as dogs off-leash and illegal bikes on trails), with the exception of an increase in vehicle clearing and closure issues and violations, because the public wants to get to or stay at the summit to watch the sunset. A few auto burglaries have occurred but not many violent crimes occur at the park, and crime in general is low. The roughly 6,400-acre park is patrolled by one Supervising Ranger (currently staffed) and two additional Rangers (currently vacant). Rangers generally do not spend much time at the summit except for occasional fee compliance checks or foot patrols around the summit itself.

At Mount Tamalpais, after-hours call outs to the summit are rare; those after-hours call outs that do occur are typically for the campground areas. (To reduce the potential impact of after-hours callouts due to overnight campers, and concern regarding wildfire, MROSD has included, as previously mentioned, a campground host as voluntary mitigation for the campground included in the Project. See response to comment 73-4.)

At Mount Diablo, there are six Ranger positions, four of which are currently filled for the 20,000-acre park. One Ranger is on staff for the park during the day but is not stationed at the summit; however, there is a Park Aide at the summit during the day to staff the visitor's center. Similar to Mount Tamalpais, serious incidents are rare. Graffiti has been an occasional problem but not in a long time. Rangers call for backup about once per year. Most violations involve dogs off-leash, and several times a year there are violations involving non-payment of fees (under the state

park fee system for use). The park is cleared of visitors every night and the gates are locked at the bottom.

At Mount Hamilton's Lick Observatory, which is owned and operated by the University of California (UC), the full-time resident UC police officer position was eliminated two years ago due to budget cuts. UC now contracts with Santa Clara County to provide police enforcement on a part-time basis. Response time to the summit of Mount Hamilton is about one hour. The atmosphere is generally peaceful. However, this may be due in part to the 25-30 people resident at the summit who are employed at the observatory; thus, this is not entirely analogous to the project.

Conclusions

In summary, similar mountaintop "destination" locations in the Bay Area do not appear to experience elevated levels of patrol response, need for backup assistance, or afterhours trespass and vandalism. Incidents that do occur are predominantly non-violent, with the kind of serious civil infraction requiring the use of force or restraint occurring as rarely as once per year.

Further, CEQA is required to consider the physical effects of a project in determining significance. Law enforcement is a social issue. The question of whether District Rangers should be armed is a social policy issue, not a CEQA issue. Sheriff's patrols currently provide armed response if needed. No need for new facilities, the construction of which could result in significant environmental effect, were identified. Therefore, the conclusions in the DEIR are appropriate in light of CEQA requirements.

- 18-2 The comment states that the project will have, and already has had, a significant impact on parks and recreation facilities due to ongoing demands of other facilities within the District. As stated in Response 18-1, the District would only begin operation of the project if it is adequately staffed. Thus, staff resources needed for other preserves and facilities would not be compromised by project needs.
- 18-3 The commenter states that MROSD is currently understaffed. The commenter does not provide data to support this assertion..MROSD is currently filling two new Ranger positions created to add staffing capacity.. MROSD disagrees that the adequacy of the proposed staffing increase is "uncertain." The proposed project includes an estimated increase in staff of two additional Ranger and one maintenance staff to meet the needs of this project. As proposed, these staff would be added to MROSD operations by the time the proposed staging area and trail to the summit is opened to the public. By the end of the District's fiscal year, ending March 31, 2013, four teams of five Rangers, each with one Supervising Ranger, is expected to be achieved District wide. Future years are anticipated to see additional Supervising Ranger, Ranger, Maintenance Supervisor, and maintenance staff positions hired to meet the increasing use demands of the District. Please also see Response 18-1.
- 18-4 Page 4.5-9 of the DEIR addresses construction of trails on steep slopes, and includes analysis of how erosion and safety impacts are avoided by adherence to the District's *Road and Trail Typical Design Specifications*. Although the comment expresses skepticism that the project can follow this guidance, no specific information (other than reference to steep terrain) is provided to suggest the guidance cannot be followed. Further, a reconnaissance-level field investigation of the area proposed for a new multi-use trail on District property was conducted in early 2012 by staff and a local Certified Engineering Geologist (CEG). The CEG has worked with the District on trail design and construction for over a decade and assisted the District in developing the *Road*

and Trail Typical Design Specifications mentioned by the commenter. Preliminary assessment of the proposed alignment was that the route looked promising for an erosion-resistant and sustainable trail for multiple use (hiking, biking, and equestrian). While soils in the area are generally rocky and the entire area is characterized by steep terrain, suitable side-slopes and soil types were found in the proposed trail area that would satisfy District guidelines for a sustainable trail.

18-5 This is an accurate comment. District Rangers do act as first responders on wildland fires located on District property, as described on page 4.6-17 of the DEIR. Rangers' primary responsibility in this regard is to respond and report the fire to dispatch; if they can safely make a difference, they can attack the fire. The Ranger first on the scene of a fire acts as the Incident Commander. Once the jurisdictionally responsible fire agency arrives, that agency takes over the role of Incident Commander and the Rangers assist them with logistics.

18-6 The commenter is correct that four rangers and one supervising ranger are assigned to the South Area Outpost, with primary, regular responsibility for Mt. Umunhum patrol. Response time by vehicle from the Outpost to the summit of Mount Umunhum is approximately 30 minutes. Although it is highly unlikely that all of them would be available at the same time for response, it is accurately stated in the DEIR that there are a total of 25 badged peace officers available in total, located throughout the District, who can be deployed as needed. A number of District Preserves and Preserve sub-areas (portions of Preserves) are closed and will remain closed to the public until such a time as adequate patrol and maintenance staff can be provided. Similarly for this project, project elements such as a campground would not be constructed until after the District establishes sufficient presence to address law enforcement requirements. Please also see Response 18-1.

The District anticipates an increase in Ranger staff over the next decade as identified in the long-term, internal "master plan" for the District's South Area, which includes the Mt. Umunhum project area. If the District continues growing at the same rate as it has historically, and uses the same business model to accommodate that growth, ultimate, long-term plans anticipate converting the current Outpost into a formal South Area Field Office, initially staffed with one Area Superintendent, two Supervising Rangers, and two teams of five Rangers, for a total of 13 badged peace officers, plus Supervising maintenance staff and crews.

The commenter is correct that District Rangers do not work overnight. Late patrol shifts end at 10pm during the summer months and as early as 6:30pm during the winter months. The District has currently-vacant employee housing within a 45 minute after-hours response to the summit. This response time assumes: a) extra time for deployment and readiness, b) the employee occupying the residence is a Ranger, c) the Ranger is not on vacation or on sick leave at the time, and d) the dwelling is not vacant. The next closest Ranger available for overnight deployment under optimal conditions would require a 50 minute response time to the intersection of Hicks and Mt. Umunhum Roads and about 75 minutes to the summit. The District would like to take advantage of future opportunities, if appropriate, to house employees along the Hicks Road corridor or Mt. Umunhum Road, which would place employees closer to or within the project area. However, as discussed in Response 18-1, a campground host would serve at the campground during the summer months, if the campground is developed, providing additional District presence, and communication, associated with any incidents from overnight visitors.

Response times to other District Preserves are similar. For example, most coastal properties, including the lower parking lot at Purisima Creek Open Space Preserve, have an average 30-

minute response time, again depending on the location of the Ranger and the time of day of the call.

18-7 Please see Response 18-1 regarding staffing, including at analogous facilities. The commenter is correct about the historic presence of an armed police officer in residence at or near the peaks of Fremont Peak State Park (San Benito and Monterey Counties) and Mt. Hamilton (Santa Clara County) (see response to comment 18-1). Both peaks offer nighttime astronomical activities associated with observatories, a component that was not considered in the project nor evaluated in the environmental analysis.

Another significant distinction is that in addition to regular nighttime programming, Fremont Peak State Park allows year-round recreational vehicle camping with trailers, potable water, and legal campfires (none of which were considered in the project).

18-8 Comment noted. This authority is implemented as described in Responses 18-1, 18-2, 18-3 and 18-5 above. Beyond the strategies laid out therein, at a more general level, all MROSD land is encompassed within one fire agency jurisdiction or another (i.e., CAL FIRE, San Mateo County Fire, Santa Clara County Fire, and San Jose).

18-9 Please see Responses 18-1 through 18-8. MROSD acknowledges that if sufficient funding is not available to operate the project, including mitigation measures, the project would not be allowed to begin operations.

From: Dietrich Fellenz [REDACTED]
Sent: Wednesday, January 11, 2012 9:09 PM
To: MROSD - Mt. Um
Subject: Mt. Umunhum, Conceptual Summit Plan

The conceptual summit plan is practically illegible. Do you have a better image?
Also, do you have a detailed description of what is supposed to happen to the Radar Tower?
I would appreciate very much receiving copies thereof. .

Dietrich Fellenz

19-1

**Letter
19
Response****Dietrich Fellenz
January 11, 2012**

- 19-1 The commenter requests higher quality images of the concept plan, as well as a detailed description of the radar tower options. The DEIR provides a full description of the options being considered for the radar tower. With respect to higher quality images, MROSD provided the commenter access to larger sized exhibits. The comment does not raise issues related to the adequacy of the DEIR.

From: Jacob Finkle [REDACTED]
Sent: Monday, January 09, 2012 8:35 PM
To: MROSD - Mt. Um
Subject: Please Keep The Box!!!!!!
To Whom It May Concern:

My name is Jacob Finkle and I have been mesmerized by Mt. Umunhum for as long as I can remember. I have lived in the Bay Area for my entire life, and I spent all of my childhood in the South Bay. I am so excited to know that the mountain is well on its way to being accessible to the public, and I thank you, Midpeninsula Regional Open Space District, for taking the steps to open the mountain. However, I am writing you to say that I hope you don't remove what many people call "The Box". The 5-story concrete structure is a part of Mt. Umunhum and is a symbol of the South Bay. Although the building is not natural and its presence prevents the mountain from being truly restored, The Box is an integral part of the Mt. Umunhum experience. Without it, the mountain would look very silly. It has been leveled and would look like a flat-top mountain that needs something to complete it, it would look like a person without a head. The whole Sierra Azul range would look like a ridge- just a ridge- and from afar wouldn't look much different from Castle Rock Ridge: just a ridge. With The Box, Mt. Umunhum looks noble and commanding when viewed from the Santa Clara Valley floor- kind of like a mountain with a forbidden castle on top. It is the defining peak in the South Bay's section of the Santa Cruz Mountains, pretty much only because people recognize the peak with the little cube on top. I could go on and on and on about what The Box means to me, but I think you get the picture. Please consider this email, and I hope you decide to keep The Box- even if it means completely sealing it so no one can get inside. Just please don't take it down...

20-1

Thank you for your time.

Sincerely,

Jacob Finkle

**Letter
20
Response****Jacob Finkle
January 9, 2012**

20-1

Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower and its aesthetic character. It is important to note as well that, while the DEIR analyzes a range of options being considered with respect to the radar tower, a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

21

From: John Fox [REDACTED]
Sent: Wednesday, January 25, 2012 7:15 PM
To: MROSD - Mt. Um
Subject: Mount Um

Greetings - I just finished hiking Sierra Azul this afternoon and watched Mount Um along the trail.

Please keep the main building!

Cheers
John
(iPad)

21-1

**Letter
21
Response****John Fox
January 25, 2012**

21-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. It is important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: Craig Gamma [REDACTED]
Sent: Friday, January 27, 2012 12:51 PM
To: MROSD - Mt. Um
Subject: Mount Umunhum Draft Environmental Impact Report comments...
January 27, 2012

Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
300 Distel Circle,
Los Altos, CA 94022

Dear Meredith Manning,

There was a meeting Wednesday January 18, 2012 in Sunnyvale to collect Public Comments about the Mount Umunhum Draft Environmental Impact Report. The report (326 pages) is available on the web at the following url:
http://www.openspace.org/plans_projects/downloads/2011.12.12.MtUmNOA_DEIR.pdf

Fortunately, the Head of Ascent Environmental Inc (contractor who prepared the report) gave a short slide presentation about the results.

My concerns or comments cover three (3) important points in need of clarification:

1) "Paragliding" activities should be listed beside "Hang Gliding" activities:

The allowed Hang Gliding activity is described in page 3-11 and 3-12 of the report. The word "Paragliding" is not present in the report. Note the utilized phase on page 3-12 is "United States Hang Gliding Association". Please be aware that this organization is now called the "United States Hang Gliding and Paragliding Association" and has been called this for over 5 years and the organization even included Paragliding before the official name change. To confirm, just go to <http://www.usHPA.aero/> which is our organizations official web site. Another point to consider with the addition of "Paragliding" is the fact that paragliders can utilize a much smaller landing field then hang gliders. And, that paragliders fly much slower and land much slower than hang gliders.

22-1

2) Hang Gliding and Paragliding have no negative impact on the wildlife:

A couple of public comments came up stating a concern that Hang Gliding and/or Paragliding may have an impact on the wildlife. As an avid mountain biker and hiker for the area, I find that flying paragliders and hang gliders really have no impact on the wildlife whereas, hiking and mountain bike may have some minimal impact. In fact, quite often birds come and fly alongside and with us, to see one example first hand, go to <http://www.parahawkusa.com/Home.html> and witness the video clip on this web page. I just firmly believe that Hang Gliders and Paragliders have much less of an impact on the wildlife than hikers and bikers because we are airborne and fly from and designated Launch Zone and fly down to designated Landing Zone (LZ) rather than hike or bike through the country side like a hiker or biker.

22-2

3) During the meeting it appeared the Tower is a hot topic on Environmental Impact:

Note, we (hang gliders and paragliders) have no preference about the future of the tower, and whatever is decided will be OK for our activity. The tower will not impact our flying and we have many examples of sites where we fly adjacent to mountain top antennas. One example is at the top of Ed Levin Park (Milpitas, CA) and Mission Peak (Fremont, CA) where we fly safely from, despite the presence of the Meteo Station and many other mountain top antennas.

22-3

Sincerely,

Raymond (Craig) Gamma
Deputy Fire Marshal with Santa Clara Fire Department
Fire Prevention & Hazardous Material Divisions
Santa Clara County Fire Investigation Task Force
(Retired 12/2011 with 28.4 years)

Current Member #82045 of the "United States Hang Gliding & Paragliding Association"
Tandem Instructor - Paragliding Observer
Owner of www.Care-Flights.Org



Letter 22 Response	Craig Gamma January 27, 2012
22-1	This comment requests the addition of the word “paragliding” to the DEIR’s references to “hang gliding.” Response to comment 6-1 includes a revision to the DEIR that addresses this comment.
22-2	Please refer to Master Response 3, which addresses issues related to the impacts to the environment associated with hang gliding-related activities.
22-3	Please refer to Master Response 1, which addresses issues related to the treatment of the tower. It is important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Helen Garza [REDACTED]
Sent: Friday, January 06, 2012 12:36 AM
To: MROSD - Mt. Um
Subject: FW: Mount Umunhum Radar Tower
To Meredith Manning, Senior Planner

I am writing to express my support to keep the radar tower on Mount Umunhum. Mount Umunhum is very important to the Native American Indians of Santa Clara County. Keeping the tower will add to the local history of Santa Clara County. I have learned that Mount Umunhum was the name the Native Americans Indians gave to that area because that is the sound that Humming Birds make with their wings, when they are in flight.

At the Mexican American Cultural Heritage Gardens on Alum Rock Ave, there are walls of humming bird tiles. These tiles represent the humming birds that are part of our culture.

When I take people to visit the Mexican American Cultural Heritage Gardens I explain that the Native American Indians would hear the sound of the Hummingbirds wings and that is how Mount Umunhum got its name. Mount Umunhum can be seen from the valley floor. The visitors then want to know more about Mount Umunhun. They want to go see the tower and how we were protected during the Cold War by radar on Mount Umunhum.

Helen Garza

23-1

**Letter
23
Response****Helen Garza
January 6, 2012**

23-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. With regard to the origin of the name Umunhum, the comment is consistent with the analysis of cultural resources in the DEIR. Please see, for instance, pages 4.2-6 and 4.2-7. Note also that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



Mount Umunhum Draft Environmental Impact Report
Public Hearing
January 18, 2012

Midpeninsula Regional Open Space District

Comments may be submitted via email
at: mt.um@openspace.org,
dropped in the Comments Box, or
mailed to:
Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
300 Distel Circle, Los Altos, CA 94022

Name: SUE GAUMONT
Address: _____
Phone: _____
E-mail: _____
Wish to be added to this email list? Or mailing list? Already on list

How did you learn about this meeting: Newspaper Mail Email Other

COMMENTS:

I ATTENDED THE LAST MEETING IN SUNNYVALE 1-18-12 AND TOOK NOTES OF THE 20 OR SO PEOPLE WHO GOT UP TO SPEAK 15 WERE FOR KEEPING THE CUBE ON MT. UMUNHUM. 5 WERE AGAINST IT. (2 WERE ONLY TALKING ABOUT HANG GLIDING). I AM FOR KEEPING THE CUBE ALSO. I'VE ATTENDED SEVERAL MEETINGS AND TURNED IN SUGGESTIONS FOR KEEPING THE CUBE (MURALS DEPICTING MT. UMUNHUM'S HISTORY) AND IT IS HISTORY! WE'VE LOST ALL THE BEAUTIFUL ORCHARDS, AMONG OTHER HISTORICAL ICONS. WHAT DO WE GET (UGLY HANDS ON AN AIRPORT GARAGE), AN UGLY STATUE TO REMEMBER CESAR CHAVEZ, I HAVE TO WONDER, WHAT ARE CITY POWERS THINKING? THIS IS A WAY TO KEEP A BEAUTIFUL MOUNTAIN - A MEMORY. IT'S ALREADY THERE - MURALS, FLAG WHATEVER - THESE SUGGESTIONS ARE BROUGHT UP NEARLY EVERY MEETING - ONLY TO HEAR THE MAJORITY OF PEOPLE ARE AGAINST THE CUBE. GO BACK TO MY 1ST SENTENCE 15

24-1

Please use the reverse side or attach any additional pages



Mount Umunhum Draft Environmental Impact Report
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Midpeninsula Regional Open Space District

At the 1/18 meeting were for it - of those who spoke up.
I did hear a few complaints about camping on Mt. Umunhum.
Fire safety being the issue - we don't need another
campground - Uvas trails - has camping - Santa Cruz has camping
and there are other parks that offer camping - I agree
no camping, no smoking either (Nuss said about fire safety)
we can't have fires in home fire places why allow campfires
and smoking etc. Think about people. And for those with
homes on the mountain - they don't own the mountain.
People are free to walk on neighborhood streets, or
paths, consider yourself lucky to have the view - while
those of us on the valley floor, fight to keep the view
of the cube from this side. Put me down as keeper of the cube.

24-2

Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Place
Stamp
Here

**Letter
24
Response****Sue Gaumont
February 9, 2012**

- 24-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. It is important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.
- 24-2 Please refer to Response to comment 73-4, which addresses issues related to increased risk of wildland fire hazard.

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From: Michael Glazzy [REDACTED]
Sent: Thursday, February 09, 2012 5:17 PM
To: MROSD - Mt. Um
Cc: Mike GLAZZY/CADCA/CA#6
Subject: AMGEN TOUR OF CALIFORNIA
MROSD Planners,

One day I hope to read in the San Jose Mercury News an article titled: "Mount Umunhum Climb a Tour Addition",
America's biggest bicycle race comes to the Bay Area this coming May.

25-1

Consider this type of public event in your planning!

Mike Glazzy
[REDACTED]

**Letter
25
Response****Michael Glazzy
February 9, 2012**

- 25-1 The comment identifies hope for a future bicycle race involving the project site. Comment noted. The comment does not raise environmental issues or issues related to the adequacy of the DEIR.

From: Anne Louise Heigho [REDACTED]

Sent: Thursday, January 05, 2012 9:59 AM

To: MROSD - Mt. Um

Subject: tower

Sirs: any feasible way to preserve the Mt. Umunhum tower, especially with historical information and some sort of visitor experience, would be much preferable to destroying a unique and valuable part of Valley history. Our children need to know; we need to know; our history is essential to our future.

26-1

Anne Louise Heigho

Music Specialist, History San Jose Archives

[volunteer for 25 years]

**Letter
26
Response****Anne Louise Heigho
January 5, 2012**

- 26-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. It is also important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Frederick Hines [REDACTED]
Sent: Wednesday, January 25, 2012 8:07 PM
To: MROSD - Mt. Um
Subject: A vote for removing the radar tower

I think the greatest potential for serving the public interest and access to Mt. Umunhum is to remove the radar tower and provide public access to several viewing areas. Visitor-friendly facilities such as toilets, drinking water and informational panels explaining the history of the facility and the geographical features that can be seen from the viewing areas should be provided.

27-1

Fred Hines
Los Altos

**Letter
27
Response****Frederick Hines
January 25, 2012**

27-1

Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower and its aesthetic character. It is also important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: Carissa Zenorini [REDACTED]
Sent: Tuesday, January 24, 2012 1:40 PM
To: MROSD - Mt. Um
Subject: Mount Umunhum Cleanup & Restoration
Hello,

I would like to submit my comments regarding the Mount Umunhum cleanup and restoration project.

I strongly support keeping the radar tower that stands on top of Mount Umunhum. My father is a veteran who was stationed at Almeden Airforce Station. Our whole family is very proud of the work that he did there and extremely interested in the history that took place on this beautiful location. I think it is very important that we don't forget what happened here and keeping the radar tower standing tall will make sure to keep it prominent in our minds. I also happen to own an outdoor adventure company called Absolute Adventures. I routinely take people to beautiful and out of the way locations for hiking and more. There is no one looking forward to the opening of this open space more than I am. As a outdoor enthusiast and nature-lover, I still want the tower to remain in place. The history that can be found at the summit of a long hike is just as captivating as the beautiful view beyond. I do not see the radar tower as an eye-sore. It is actually my directional beacon when I am driving the city roads below, and it is fascinating bit of local history and source of personal pride when I stand at its base.

28-1
28-2

Thank you for the opportunity to share my views.

Sincerely,
Carissa Zenorini Hobbs

**Letter
28
Response****Carissa Zenorini
January 24, 2012**

- 28-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 28-2 Please refer to Master Response 2, which addresses issues related to aesthetics and visual resources. It is important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Ronald Horii [REDACTED]
Sent: Monday, January 23, 2012 11:49 PM
To: MROSD - Mt. Um
Cc: Ron Horii
Subject: Pictures and Comments on Mt. Umunhum

I am a decent and volunteer photographer for the Santa Clara County Parks, secretary of the Friends of Santa Teresa Park, webmaster for the New Almaden Quicksilver County Park Association, and photo contributor to the San Francisco Bay Trail and Bay Area Ridge Trail. Because of my involvement with these organizations, I had the good fortune to be invited to visit the Almaden Air Force Station site on Mt. Umunhum with the Air Force veterans on 9/24/11. Here are some pictures from that visit.

<http://www.facebook.com/media/set/?set=a.271059809584215.65287.100000405933924&type=1&l=db4cce7c73>

It was truly inspiring. The stories of the veterans were moving. The views were incredible. It was surprising to see the little city that was up there, though sad to see it being torn down. Close-up, the radar tower was an imposing and monumental structure.

Earlier in the year, I hiked the Woods Trail in Sierra Azul OSP and took these pictures. I got some nice pictures with Mt. Umunhum in the background. As I hiked along the trail, I got closer and closer to Mt. Umunhum. The radar tower came in and out of view, guiding me and beckoning me on.

<http://www.stpfriends.org/WoodsTrail/Wildflowers.html>

I'm very familiar with Sierra Azul OSP, as you can see from this webpage I made in 1997:

<http://www.rhorii.com/BABP/mprosd.htm>

I was at the opening of the Woods Trail in 2003, as you can see near the bottom of this page:

<http://www.newalmaden.org/AQSPark/englishtown.html>

I attended the Mt. Umunhum EIR meeting in Sunnyvale on Wednesday 1/18/12. It was my first meeting on the subject. I thought it was very interesting. Here are some comments on the radar tower:

Concerning the tower on Mt. Umunhum being ugly or out of place, that's a matter of taste. Objectively, there's no doubt that it's a prominent and unmistakable landmark that can be seen for miles. As a photographer, I frequently use it as an iconic point of interest and reference for my pictures. It's certainly a lot more recognizable and impressive to look at than the spikey top of taller Mt. Loma Prieta. I've taken lots of pictures of Mt. Umunhum from other parks. Here are examples from Santa Teresa Park:

<http://www.rhorii.com/PhotoGallery/STP-Pueblo-MtUm-Snow.jpg>

http://www.stpfriends.org/BART-TrailDay_11-05-11/PB054846.JPG

This is from Rancho San Vicente:

<http://www.stpfriends.org/RSV-040311/P4034701.JPG>

These are in Almaden Quicksilver:

<http://www.newalmaden.org/AQSPark/PioneerDay06/PICT7720.jpg>

<http://www.newalmaden.org/WoodRd0309/P3283271.JPG>

Mt. Umunhum is in the distance in this shot from the Mayfair Trail in Rancho Canada Del Oro Open Space Preserve:

<http://www.stpfriends.org/CanadaDelOro-031410/P3148301.JPG>

This is from Harvey Bear/Coyote Lake County Park in Gilroy:

<http://www.stpfriends.org/HB-Savannah/PC228541.JPG>

I help lead interpretive hikes in these parks and frequently use Mt. Umunhum as a landmark, pointing it out and talking about its history and geography.

29-1

I find the tower to be just as photogenic as Lick Observatory on Mt. Hamilton. Their form fits their function. The graceful round domes of Lick Observatory evoke curiosity, imagination, and scientific inquiry. The square, solid, monolithic tower on Mt. Umunhum symbolizes the nation's strong, unwavering resolve to defend itself. Just as science and defense have been the pillars of the area's economy, the two mountaintops are the twin pillars of Silicon Valley.

29-2

I think the comment about the tower being like a castle was quite appropriate. I've seen medieval castles and fortresses perched above the Rhine River in Germany. They are an ancient analog to the radar tower, as they were built high on hilltops to watch over and defend the lands around them. There are castles like these all over Europe. They don't necessarily blend in with

their surroundings and are not all beautiful, but you don't see the Europeans wanting to knock them down and replace them with signs. The radar tower is our castle.

29-2
cont'd

The tower on Mt. Umunhum reminds me of other structures around the Bay Area: the hangars at Moffett Field, the coastal gun emplacements around the Golden Gate, the buildings on Angel Island and Alcatraz, and the Nike Missile base in the Marin Headlands. What these have in common is that they were built for protection of the public, not for beauty, but now serve an important role as historic monuments. They allow visitors to experience history in real-life 3D, not just read about it. They tell a story, and their stories are important ones. The Mt. Umunhum tower tells a story of the most critical time in world history, when most of the human race and even life on earth could have been wiped out in a few minutes. What prevented this apocalypse were the people who manned our country's defenses in places like the Almaden Air Force Station. This was a war that they won, as we are alive and not piles of radioactive cinders. The tower is a dramatic memorial to that war and the vigilance, sacrifices, and courage of the people who fought it.

29-3

The tower has stood guard over Silicon Valley since 1962, around the time of the Cuban Missile Crisis and the start of the Vietnam War. The radar station was part of the SAGE system, which had the most massive computers ever built and led to great advances in computer technology that we depend on today. The station predates most of the companies and residents of the valley, who have grown up gazing up at it. Despite its vacuum-tube based technology, the station was in operation until 1980, four years after Steve Wozniak designed the Apple I computer. After the radar sail was removed, the tower remained, a mysterious, tantalizing, but forbidden object of interest. For years, it has been a source of wonder and curiosity. It was the tower that drove public enthusiasm about the site in the first place. People want to see this taboo landmark close-up. Without the tower, Mt. Umunhum is just another hill, not even the highest peak in the Santa Cruz Mountains. Would it have been worth the money, time, and trouble spent to obtain it? Would the members of Congress have fought so hard to obtain the funds clean it up? There is not nearly as much interest in obtaining public access to Mt. Loma Prieta, even though it's the highest point in the Santa Cruz Mountains and arguably has better views, because there's not as much worth looking at on top. What's most impressive about the radar tower isn't its footprint, it's its sheer massiveness, which can't be simulated by marking out its foundation. Would the pyramids of Egypt have the same impact if there were just lines in the sand outlining their bases?

29-4

The tower on Mt. Umunhum is reminiscent of another Bay Area defense structure that was eventually made obsolete by modern weapons. It was in the way of a civil engineering project and many wanted to knock it down, which would have been cheaper, easier, and faster than trying to save it. However, the chief engineer had the foresight to recognize the importance of that structure and saved it by designing his project around it. That man, Joseph Strauss, designed an arch in the Golden Gate Bridge to protect Fort Point, which is now seen by millions of visitors to the Golden Gate National Recreation Area. The fort, which once guarded the Golden Gate, immerses those visitors in a vital part of American history. The Almaden Air Force Station tower, which once guarded the Pacific Coast, dramatically tells a story that is no less important and should be treated with as much respect as Joseph Strauss had for Fort Point. Future generations will be forever grateful if we have the vision to follow his example and will never forgive us if we don't.

29-5

Ron Horii

Letter 29 Response	Ronald Horii January 23, 2012
29-1	Please refer to Master Response 2, which addresses issues related to aesthetics and visual resources.
29-2	Please refer to Master Response 2, which addresses issues related to aesthetics and visual resources.
29-3	Please refer to Master Response 1, which addresses issues related to the treatment of the tower. This comment summarizes many of the comments raised in support of retaining the tower.
29-4	Please refer to Master Response 1, which addresses issues related to the treatment of the tower, and Master Response 2 regarding design and aesthetic issues.
29-5	Please refer to Master Response 1, which addresses issues related to the treatment of the tower. It is also important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

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Sent: Thursday, January 05, 2012 6:56 PM
To: MROSD - Mt. Um
Subject: mount Umunhum

Please keep the tower. I'm not sure if you are taking 'votes' or whatever, but that's my input. People use it as a point of reference and appreciate it's historic value.

Leota Kuzma

30-1

**Letter
30
Response****Leota Kuzma
January 5, 2012**

30-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. It is important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



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mailed to:
Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
300 Distel Circle, Los Altos, CA 94022

Name: CORWIN H LAKIN

Address:

Phone:

E-mail: (U HAVE IT) ←

Wish to be added to this email list? Or mailing list? Already on list

How did you learn about this meeting: Newspaper Mail Email Other

COMMENTS:

Keep the CUBE, TOWER, LANDMARK, etc.

Multiple horizontal lines for additional comments.

31-1

Please use the reverse side or attach any additional pages

**Letter
31
Response****Corwin H. Lakin
January 18, 2012**

31-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. It is important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: Leeson
Sent: Wednesday, January 18, 2012 4:15 PM
To: MROSD - Mt. Um
Cc: Ana Ruiz; Gina Coony; Larry Hassett; Steve Abbors
Subject: DEIR Comments

Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Attention: Meredith Manning, Senior Planner

As long time neighbors of the Open Space District's Umunhum and Thayer properties, we share your well-publicized awe of the hushed silence, wonderful wildlife and panoramic views. We appreciated the District's efforts to complete in neighborly fashion the earlier clearance of hazardous materials. We write to comment on our concerns with points of the Draft Environmental Impact Report to be discussed this evening, and refer you for background to our letter of August 10, 2011 to Ms. Gina Cooney.

1. Based on your measurements in Table 4.9-3 (30.2 dBA Leq daytime level), we believe that the limit for daytime noise level in this remote rural mountain area should be 30 dBA, not 40 dBA. The nighttime limit should be 10 dB less, or 20 dBA, which is consistent with our own experience of the hush of the existing ambient noise level. A further 5 dB less is required to correct for the character of sound in the case of tones, speech or music (per county regulation noted on pg. 4.9-12)

32-1

Table 4.9-1 shows a typical rural nighttime level of 20 dBA. Daytime levels can be expected to be 10 dB higher, or 30 dBA. A 40 dBA level will in fact "create a substantial permanent increase in ambient noise levels in the project vicinity without the proposed project.". We are also concerned that the potential for unlimited numbers of visitors will result in a comparably unlimited permanent increase in the ambient noise level at our property due to traffic, speech and music.

We note that during the rehab project the individual beeping of truck backup tones and the voices of even a single worker were heard above our existing ambient level. Therefore, mitigation of some form would seem to be required to maintain the existing ambient levels.

2. The area is blessed with many beautiful soaring and roosting Turkey Vultures, whose graceful flight is seen daily. However, the DEIR makes no mention of impact on the habitat of this federally protected raptor (under the Migratory Bird Treaty Act, see pg. 4.3-20).

32-2

A key issue that should be treated is the question of which activities, especially active recreation as opposed to quiet viewing, can reasonably be expected to be above the threshold of significance (pg. 4.3-24 & 25), and hence be inconsistent with maintenance of protected species. Chief among these may be hang gliding, which should be permitted only after it has been properly established that there is no adverse effect on protected wildlife that share similar flight habits. Particular attention should be paid to nursery sites during the breeding season from February to September. Flight activities should be restricted from the 500-foot radius buffer zone around nests (pg. 4.3-26), but also restricted from roosting sites.

3. We continue to be concerned about fire safety (from camping fires, smoking and vehicles), water pollution (from waste discharge) and visual impact. As noted in our letter of Aug. 9, 2010: "Upper Soda Springs Rd. is a designated Scenic Road. We would appreciate assurance that, once the buildings are stripped of their existing coatings, they will be refinished in low reflectivity earth tones as required by county regulation. Additionally, we are concerned that bright illumination used during the project will shine offsite, a condition not permitted by the county for other properties here."

32-3

32-4

4. As with the McQueen Ridge site (pg. 1-5), we also operate a federally licensed communications facility, which by law must be afforded ongoing protection from trespassers, as well as freedom from harmful radio interference.

32-5

We appreciate the opportunity to provide these comments, which we hope will contribute to a stronger Final Environmental Impact Report. We'll make reference to this email at tonight's meeting.

Thanks for your ongoing interest,

David and Barbara Leeson

**Letter
32
Response**

**David and Barbara Leeson
January 18, 2012**

32-1

The commenters state that the nighttime noise limit should be 20 A-weighted decibels (dB). Regarding nighttime ambient noise levels, no ambient noise level measurements were taken during nighttime hours; it is therefore not certain whether nighttime noise levels in the project vicinity are indeed as low as 20 db. The day time measurements presented in Table 4.9-3 ranged from 30.2 to 41.1 dB and no predominant noise sources were observed during these measurements; these are very low ambient noise levels. Thus, it is unclear whether nighttime noise levels are noticeably lower than the noise levels measured during daytime hours. Regarding noise limits or thresholds, however, it is a common practice in CEQA to use locally-established noise standards as thresholds of significance, and noise standards are based on “acceptable” noise levels for applicable land use types (i.e. single family residential, multi-family residential, commercial, industrial, etc.). As explained in the first bullet on page 4.9-15, the standards used in the evaluation of potential noise impacts were established by the Santa Clara County Noise Ordinance and the Santa Clara County General Plan. Non-traffic related noise was evaluated in Impact 4.9-1, starting on page 4.9-16, using the 50 dB standard established for single-family residential dwellings by section B11-194 of the Santa Clara County Noise Ordinance (as presented on pages 4.9-13 and 4.9-14). (Although this is an exterior noise standard, to give an idea of this noise level, 50 dB is approximately as loud as a dishwasher in an adjacent room.)

Traffic-related noise was evaluated under Impact 4.9-3, starting on page 4.9-18. This analysis determined that the worst-case traffic noise level associated with operation and visitor use of the open space would have a day-night noise level (Ldn) less than 50 dB at 50 feet from the centerline of the main access road. Moreover, at the nearest sensitive receptor near Mt. Thayer, roadway noise would be less than 30 dB Ldn (given the distance of approximately one mile to where public vehicle access would be prohibited), which, therefore, would be less than the satisfactory noise level standard of 55 dB Ldn (a 24-hour standard) for residential land uses established by the Santa Clara County General Plan (See Table 4.9-5 on page 4.9-10), and is also less than the lowest measured ambient daytime noise level (30.2 Leq). Therefore, no noticeable increase in roadway noise would be expected to occur at the residences near the Mount Thayer site. Even if ambient nighttime noise levels are as low as 20 dB, no public vehicle access would be allowed during nighttime hours, and roadway noise at the project site would not contribute to the nighttime ambient noise environment. A summary of the existing and projected noise levels compared with the County noise standards is provided in the table below.

Measured Noise Level (Daytime)	Anticipated Traffic-Related Noise at Sensitive Receptors	Anticipated Project Operation Noise at Sensitive Receptors	County’s 24-Hour Noise Standard (Ldn)	County’s Nighttime Noise Standard
30.2 – 41.6	< 30 dB	40 dB	50 dB (non-transportation) 55 dB (transportation-related)	45 dB

The commenters also suggest that the noise impact analysis should reduce the noise standard by 5 dB if the character of sound consists of tones, speech, or music. This 5 dB adjustment to the applicable noise standards is identified in Section B11-192(d) of the Santa Clara County Noise Ordinance and presented on page 4.9-12 of the EIR. This means that the applicable nighttime noise standard at single-family residences would be 40 dB, which is 5 dB less than 45 dB, if project-related operational noise consisted of speech or music. The discussion under Impact 4.9-

1 on page 4.9-16 explains that noise-generating activities would not exceed 40 dB at any locations within 3,000 feet of the project site, and that no off-site noise-sensitive receptors are located within 3,000 feet of where noise-generating activities would occur (i.e., near or on the Mount Umunhum summit).

The commenters also refers to the typical nighttime noise levels of 20 dB for rural areas, as provided in Table 4-9.1 on page 4.9-1. The typical noise levels presented in Table 4.9-1 are not standards, however, and therefore are not the criteria by which the significance determinations were determined in the analysis. Even if they *did* represent standards, as explained under Impact 4.9-1, any new stationary equipment would be associated with the visitors center, which would be located near the Mount Umunhum summit. Because no camping spots would be located at the Mount Thayer summit, and the Mount Thayer summit would not be accessible from Mount Umunhum Road, it is not anticipated that any noise-generating activities (e.g., speech from hikers passing through) would occur at this location for any extended period of time. The center of most noise-generating activity would be on and near the Mount Umunhum summit, which is located more than 6,000 feet from any off-site sensitive receptors, including the houses northwest of Mount Thayer and the houses southeast of Mount Umunhum. As explained under Impact 4.9-1, minor sources could include operation of a heating, ventilation, and air conditional (HVAC) system (e.g., electrical motors, pumps, air compressors, and fans) at the visitor's center, and various vehicular noise at parking lots at Mount Umunhum. These could result in noise levels of more than 100 dB at 3 feet from the source depending on the exact type and size of the HVAC unit and number of parking spaces. These noise levels would attenuate to below 20 dB at a distance of 3,300 feet. At 6,000 feet, the noise would be even less. Thus, operational noise levels would not result in a permanent substantial noise increase in ambient noise levels at any offsite noise-sensitive receptors above levels existing without the project.

The commenters also express concern that the potential for unlimited numbers of visitors would result in a comparably unlimited permanent increase in the ambient noise level at their property. Visitor levels are discussed in Response to Comment 7-1. Allowing an unlimited number of visitors to visit the open space would not be consistent with MROSD's purpose, which is to preserve and permanently protect open space lands, while allowing some low-intensity recreation. Moreover, as explained on page 4.9-2 of the EIR, even a doubling of noise-generating activity would only result in an approximately 3 dB increase in noise levels due to the logarithmic nature of noise, which is not a substantial change.

The commenters also note that they heard voices and backup equipment beepers during the recent hazardous materials removal on Mount Umunhum. Construction-related noise is evaluated under Impact 4.9-4 on page 4.9-18 of the EIR. This analysis explains that because construction activities would be limited to daytime hours and because the construction phase would be short-term, it would not result in a substantial permanent increase in ambient noise levels. Furthermore, construction activity performed between 7:00 am and 7:00 pm Monday through Saturday is exempt from by Santa Clara County Noise Ordinance noise standards (for mobile equipment up to 75 dBA and stationary equipment up to 60 dBA), even if it is audible at off-site noise-sensitive receptors.

- 32-2 Please refer to Master Response 3, which addresses issues related to hang gliding, including potential impacts to birds in flight.
- 32-3 The commenter raises the issue that after the existing structures on the site were stripped of the hazardous materials, some of them no longer meet the County requirements for low

reflective earth tone paint color. Many of the on-site structures no longer have exterior surfaces; they consist of foundations and framing. If the project is approved, these structures would be demolished and therefore would not require painting. The tower is composed of cast-in-place concrete, which is a light gray color. Gray tones are considered “natural colors” in the County’s Zoning Code (§ 3.50.080[E][8]); however, it is unknown if the light reflectivity value (LRV) is below “45,” as specified in the Code. If the Board of Directors selects Tower Option 1 (retain and seal the tower), it is not anticipated that the existing tower would be required to comply with the various sections in the Santa Clara County Zoning Code that regulate color and reflectivity (i.e. §2.50.040[C][3][c][iv]), which generally apply to new construction or alternation of specific historic structures. Retaining the existing tower requires no approval from either the County’s Architecture and Site Approval (ASA) Committee or the Planning Commission, which would trigger these zoning requirements. However, after the Board of Directors select a tower option, MROSD would continue to coordinate with the County of Santa Clara planning department as site design is further developed. If the County planning staff raises planning-related concerns, such as the color of the tower, MROSD would work with the County to resolve such issues.

- 32-4 This comment raises nighttime lighting issues, which are addressed in the DEIR on page 4.1-15. The DEIR indicates that construction activities would not occur during nighttime hours and that minimal lighting would be emitted from the project site. The comment does not raise issues with the adequacy of the DEIR’s analysis.
- 32-5 The commenter indicates that they operate a federally licensed communications facility, which the commenter says requires neighboring landowners such as MROSD to provide protection from trespassers. The commenter provides no citation to legal authority for this premise, and none is presently known. Trespassing issues are addressed in response to comment 37-2. The commenter also states that there is an obligation on MROSD to protect the communication facility from radio interference. The proposed project includes open space facilities, which do not include notable radio transmissions. No radio interference is anticipated to result.

From: Jordan Makower [REDACTED]
Sent: Wednesday, January 25, 2012 9:31 AM
To: [REDACTED] MROSD - Mt. Um; Sandi Yellenberg
Cc: Basim Jaber; Scott Herhold
Subject: A UCO Observatory for Mt. Umunhum

An Observatory for Mt. Umunhum

Mount Umunhum (elev. 3489'), located on the fourth highest peak in California's Santa Cruz Mountains, is located in the Sierra Azul Open Space Preserve and is managed by the MidPeninsula Regional Open Space District. The District is seeking public input regarding their proposal to clean up and restore Mt. Um for public access. At present, the land contains a five-story concrete radar tower that was operated by the Almaden Air Force Station and related structures built as an early warning system from 1958 – 1980.

The federal government has been cleaning up the site, but work has slowed because of increasing costs, and the money originally allocated may not be enough to complete the job. Whatever is done to this area will need maintenance and funding. The MROSD hasn't yet decided on a plan to do this.

This letter is written to suggest the involvement of the University of California Observatories to build an observatory on this location, and assume responsibility for its development. The advantages of this proposal are that it would relieve the financial burden on the MROSD, open the area to the public, and preserve the tower for use as an observatory and classroom, while honoring the dedicated men who served our nation. The contact information appears below, and includes a time for response.

33-1

The advantages to UCO are: to provide another nearby location for work in astronomy for students of UC, allow an additional facility for supporting (and developing) UCO research projects, with the possibility of linking data from other sites to increase the effective aperture of present instruments, cut down on the costs involved in transporting students and personnel to sites outside the contiguous United States for their research.

The University of California Astronomy Task Force has recommended future investment in projects to "strengthen support for development and construction of instruments and adaptive optics". This site would be ideal for the furtherance of that goal.

Please contact the person listed below to indicate your interest.

"MROSD encourages public participation. Provide written comments on the Draft EIR or request additional information to the contact person below. **The 60-day public review period has begun. All mailed comments must be postmarked by (and emailed comments received by) 5:00 p.m. on February 10, 2012.**

Meredith Manning, Senior Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022
(650) 691-1200
Email: mt.um@openspace.org "

This letter was written by:
Jordan Makower,
Science Consultant for Pegasus Educational Services

[REDACTED]

**Letter
33
Response****Jordan Makower
January 25, 2012**

33-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. With respect to a University of California (UC) observatory, the comment is noted. While an interesting suggestion, and one that was considered by the Ad Hoc Committee, this is not part of the proposed project. .

To: Meredith Manning, Senior Planner Midpeninsula Regional Open Space District 330 Distel Circle Los Altos, CA 94022

From: Jordan Makower [REDACTED]

Sent: Thursday, January 05, 2012 6:33 PM

To: MROSD - Mt. Um

Cc: Scott Herhold; [REDACTED]; Sandi Yellenberg; [REDACTED]

Subject: A suggestion for utilizing Mount Um



On Thursday, December 22, 2011, Scott Herhold, a columnist for the San Jose Mercury News, wrote a story about Mount Umunhum. In that article, he noted that the fate of the defunct radar tower on Mt. Um is being presently decided. One contributor to that piece mentioned that, if the tower were destroyed, a piece of our history would be gone, without a trace. A similar situation occurred in a community in Westport, Connecticut. They had two Nike missile radar towers, and were debating about what should be done with the land (that had been returned back to the community by the Armed Services). Through a grant obtained in the mid-1960's, money became available to turn one of the towers into an Astronomy Observatory. A townspeople (Gerald Rolnick) donated a telescope, and the town proceeded to outfit the tower with a rotating dome to make it a teaching facility. It exists, greatly enhanced, today as a showpiece in the NorthEast. It seems to me that a similar thing could be done, to Mt. Um's tower, if the necessary financial support could be obtained. The Mt. Um site would have the additional feature of displaying and commemorating the time in our nation's history when protection and a U.S.-based warning system of a missile attack was necessary.

If the MidPeninsula Open Space District is to open this area to the public, as mentioned in a July 19, 2011 KQED-TV story by Chris Bauer, and attract people to the site which our taxpayers have paid for, the concept of creating an observatory similar to the one shown above would make this a unique showpiece. It would honor those who served to protect our nation, utilize its high vantage point on a remote peak, preserve the environment, and provide educational services for the community, in a similar way that the Lick Observatory does on Mount Hamilton. Perhaps the University of California Regents could be persuaded to assist in the financing of this site, in a similar way that they did for that site. Additional money could be provided by leasing some of the space for cell phone relay towers, and for emergency amateur radio repeater use in assisting surrounding towns with police and fire services.

34-1



Jordan Makower, Science Consultant, Pegasus Educational Services
 Earth-Physical Sciences Consultant
 Pegasus Educational Services
 [REDACTED]

**Letter
34
Response**

**Jordan Makower
January 5, 2012**

34-1 Please refer to response to comment 33-1, which addresses this same issue.

From: Shannon McElyea [REDACTED]
Sent: Wednesday, January 18, 2012 8:36 PM
To: MROSD - Mt. Um
Subject: Please save the tower. Please.

I'll write later. I love the view! Even at my age older than 50 and fifth generation palo alto andy great great geat grampa was Fremont older I did not know the history! Its amazing. I love it bits gorgeous up there but I do love the tower and the history. Would love to have a discovery archaeological dig as well. Don Johanson lives here in the bay area in SF. He discovered Lucy.

sent from my Nexus

35-1

**Letter
35
Response****Shannon McElyea
January 18, 2012**

35-1

This comment describes admiration of the view, the tower, and the history, and the hope for an archaeological dig. Please see Master Responses 1 and 2, which address issues associated with treatment of the tower. This comment does not raise issues with the adequacy of the DEIR. It is important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Evelyn McGarry [REDACTED]
Sent: Friday, January 06, 2012 10:31 AM
To: MROSD - Mt. Um
Cc: [REDACTED]
Subject: Draft EIR

Meredith Manning,

Please keep the tower as proposed in the current Draft EIR!

As a native of San Jose, I look out every day and 'know my place in the world' by viewing the tower atop Mt. Umunhum. The tower is an iconic fixture in our lives; from snow covered mornings to shimmering hot afternoons. On top of our local mountain range, the tower is there as a beacon watching over our valley of hearts delight.

36-1

The proposed project requires demolition of most, or possibly all, structures associated with the former Almaden AFS. Three options are proposed for addressing the radar tower:

1. Retain and seal entire structure;

Evelyn McGarry A754
LTC Unit @ BSC
SCC Social Services Agency

**Letter
36
Response****Evelyn McGarry
January 6, 2012**

- 36-1 Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower. It is important to note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



Robert J. Logan, Of Counsel

16450 Los Gatos Blvd., Suite 110 ▪ Los Gatos, CA 95032 ▪ Telephone (408) 402-9542 ▪ Fax (408) 402-8441 ▪ E-mail: info@loganpowell.com

Sent via electronic mail and U.S. Mail
February 10, 2012

Ms. Meredith Manning
Senior Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022-1404

**RE: Comments on Draft Environmental Impact Report- SCH#2010122037
Mount Umunhum Environmental Restoration and Public Access
Project**

Dear Ms. Manning:

This office represents Communications & Control, Inc. ("CCI"). CCI is the owner of the property which surrounds Mt. Umunhum. CCI's property includes a portion of the access road to the former Almaden Air Force Base ("Base"). Midpeninsula Regional Open Space District ("MidPen") is proposing to open the Base for public access ("Project"). As proposed, the Project requires public access through the CCI property. There are no public rights of access on that road. This project cannot move forward until rights of access are obtained or the Project is modified to eliminate any reference or implication of access across the CCI property.

37-1

Without access rights over the CCI property, a number of assumptions made in the Draft Environmental Impact Report ("DEIR") cannot be supported and the underlying conclusions of the DEIR are flawed. The Project as proposed which includes overnight camping, hangliding, hiking, biking, horseback riding and a visitor's center, will have significant impacts on emergency services, hazardous conditions and traffic and circulation. These impacts cannot be ignored or diminished.

Public Resources Code section 21002 requires agencies to adopt feasible mitigation measures in order to substantially lessen or avoid the significant impacts of proposed projects. As detailed below, that is not being done in this case.

37-2

McQueen/MidPen/ManningDEIR-ltr.9.12

Ms. Meredith Manning
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**FAILURE TO ADEQUATELY PATROL AND SECURE THE BASE WILL
CREATE SIGNIFICANT ENVIRONMENTAL IMPACTS**

The Base is remote and mountainous. The site can easily be targeted by vandals, trespassers, and graffiti artists due to its remote location and limited access. Since the clean up of the Base was publicized, trespassing on the Base and the CCI property has increased exponentially. Staff acknowledged such and installed signage in certain areas. That signage has proved ineffective. CCI has videotapes of the trespassing which occurs on a weekly basis. Some trespassing is just people curious about the site. Other trespassing involves much more nefarious activities (stealing scrap metal, graffiti, vandalism, scaling buildings and communication facilities). MidPen has no way of monitoring this activity now. It only becomes aware of these incidences when informed by CCI. Recently, a security guard was hired to prevent scrapping on the Base but little has been done to prevent the ongoing trespassing. The only way to secure the Base is to post a security guard or a Ranger at the SA08 gate overnight. This was done initially and was very successful at preventing and breaking up the teenage drinking parties which are a frequent occurrence on Mt. Umunhum Road.

37-2
cont'd

No steps are being taken to secure the site other than adding signage. Without regular patrol and supervision, significant impacts will result from this project.

Emergency Services Will Be Significantly Impacted By This Project

The Project is located behind locked gates without any after-hours emergency plan. As Anthony Correia, President of the Midpeninsula Regional Open Space District Field Employees Association stated "because the DEIR significantly understates the effects of a project of this magnitude on an already understaffed agency, the DEIR makes flawed assumptions about the feasibility and ramifications of the project and fails to address its maintenance and safety needs."

37-3

It takes law enforcement at least 40 minutes to respond to a call at the Base. That is assuming law enforcement is available and has the appropriate resources. In addition, with only one emergency call box proposed and very limited cellular service, it is doubtful whether or not people experiencing an emergency will be able to call for help. The public cannot be left on the Base without supervision. To do so is a recipe for disaster in this wooded environment.

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Pursuant to DEIR Impact 4.11-2- Increased Demand for Law Enforcement, it is anticipated that the Project would not substantially increase the demand for law enforcement services because the "site security measures" proposed would mitigate those impacts. This conclusion is flawed. There are no proposed site security measures after hours other than signage. The existing gates have proven ineffective. MidPen has insufficient staff to monitor the entire Sierra Azul Preserve and no plans have been outlined to monitor the Base at night despite the fact that people will be camping on site and trespassing has been and will continue to be prevalent. Without continual monitoring of the Base, vandalism, graffiti, underaged drinking, theft and trespassing will continue. This will result in a higher demand for law enforcement services.

37-4

The DEIR states "The project would not interfere with an adopted emergency response plan. There would be adequate emergency vehicle access to the project site. Therefore, this impact would be less than significant." Impact 4.6-4- Potential Hazards from Interference with Emergency Response. There is no direct access to the Base. The only access is through gated private property over which no public easements exist. Therefore, at this time, there is not adequate emergency vehicle access. Without easement rights over CCI's private property, this impact cannot be deemed less than significant. The limitations on vehicle access to the top of the Base is a significant impact which cannot be ignored. This impact must be mitigated.

37-5

Allowing Unsupervised Camping on the Base Will Significantly Increase the Need for Emergency Services

The Project includes the establishment of 10 campsites on the Base. These sites are proposed near the former housing area on the Base. It is assumed that campfires and smoking will be prohibited yet there is no MidPen staff on site to enforce that prohibition. Without any supervision, there is no one to ensure that the campers do not trespass on the CCI property and climb it's communications towers which has happened several times since the cleanup of the Base began. The DEIR assumes that all campers will follow the rules and not risk causing wildfires or trespass onto neighboring properties. As CCI has learned over months of watching people trespass through their property to get to the Base, that assumption is naïve. With greater awareness of and access to this site, the problem will only increase without full time supervision.

37-6

To mitigate fire danger, the DEIR mentions a fire hose but does not explain where it will be located and where the water will come from and be stored. There are 2 water tanks near the Base. One is owned by CCI. Due to the age and condition of the tanks, it is unclear whether or not they are usable for fire suppression purposes, assuming CCI granted permission to use its tank.

37-7

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Therefore, the ability to store water on site is speculative. Additional mitigation measures to address the fire dangers must be included.

37-7
cont'd

The DEIR indicates the fire risk is a less than significant impact because the Project would "legitimize public use of the site..." and the users would be patrolled and monitored. Impact 4.6-5- Exposure of People to Wildland Fires. However, there is inadequate monitoring and patrolling of the site. As stated above, MidPen is highly understaffed and will be unable to regularly patrol this Project. In addition, there are no plans to monitor the overnight campers. The addition of campers to this remote, unpatrolled environment will create a risk of wildland fires unless there is ongoing patrol and supervision of the campers at all times.

37-8

MT. UMUNHUM ROAD IS A SUBSTANDARD ROAD THAT WILL CAUSE SIGNIFICANT RISKS TO BICYCLISTS, PEDESTRIANS AND DRIVERS

Mt. Umunhum Road is a treacherous, two-lane road that does not meet County standards. The 5 miles of road from Hicks Road to the CCI property includes an elevation change of 1500 feet. This only exacerbates the situation by increasing the speeds of inexperienced and unfamiliar drivers. "The paved roadway width ranges from less than 17 feet up to more than 20 feet." DEIR, pg. 4.10.1. The road includes approximately 550 feet that are less than 17 feet wide. This roadway does not meet the County of Santa Clara Land Development office standards which requires Mt. Umunhum Road to be at least 20 feet clear width.

37-9

Opening the Base up to the public and inviting the public to drive this roadway without proposing any safety measures until a visitors center is opened is irresponsible and treacherous. The DEIR admits that adding pedestrian and bicyclists to the roadway "would result in significant safety concerns" but it proposes to mitigate those impacts with signage. The DEIR indicates that cars would have to swerve into oncoming traffic to avoid bicyclists on one of the many curves of Mt. Umunhum Road. To mitigate this inevitability, MidPen proposes to install "share the road" and "no passing" signs. This mitigation is wholly inadequate. Due to the current condition, width and path of the roadway, signage will not prevent automobile and bicycle accidents. The cars and bicycles have nowhere to go on this narrow, windy road. Additional mitigation measures must be implemented to improve the condition of the roadway before any part of the Base is open to the public.

CONCLUSION

The Project as proposed provides insufficient mitigation measures, assumes access it does not have and creates significant safety and environmental risks. These issues cannot be ignored because of the strong

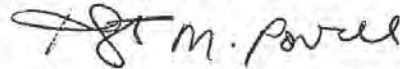
37-10

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desire to open this property to the public. It is incumbent on MidPen to ensure that the Project is only opened if it is safe, respectful of neighbors' rights and does not create significant environmental impacts.

37-10
cont'd

Very truly yours,



Kirsten M. Powell

KMP:as
cc: client

<p>Letter 37 Response</p>	<p>Kristen M. Powell Logan & Powell, LLP, Representing Communications & Control, Inc. February 10, 2012</p>
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- 37-1 The commenter indicates that their office represents Communications & Control, Inc. (CCI) and that portions of the access road cross CCI property. The commenter notes that without access rights, a number of assumptions in the DEIR cannot be supported. The commenter is correct that certain phases of the project proposed could not be implemented without resolving public access rights on certain segments of the road system. This will not, however, alter any of the assumptions, analyses or conclusions regarding potential environmental impacts of public access, whenever that is obtained.
- The DEIR states (p. 3-14) that, on Mt. Umunhum Road, hiking, biking, equestrian use, special uses, and limited vehicular access by special permit may begin after resolving public access easements and implementing safety upgrades to the road. Therefore, the DEIR correctly establishes that resolving public access easements on Mt. Umunhum is a necessary step for providing public access to the summit via Mt. Umunhum Road. If public access easements are not resolved on Mt. Umunhum Road, public access could only be provided via existing and proposed trails. Therefore, the primary components of the proposed project could still be implemented (i.e., environmental restoration and public access), albeit with much more limited public access (via trails only). It should be noted that even if public access on Mt. Umunhum Road is not resolved, no additional resulting significant impacts to the environment would occur that were not identified in the DEIR.
- 37-2 The commenter states that without regular patrol and supervision, significant impacts will result from the project, and that no steps are being taken other than signage to secure the site. The commenter offers as evidence recent trespassing occurrences at the adjacent property. This is an existing condition. The District anticipates that by legitimizing the recreational use at the summit and removing/sealing existing structures, as proposed, and the project site is regularly patrolled (it will be visited by Rangers, maintenance staff, and a campground host if the campground is activated), the level of trespass will diminish. By logic, trespass would diminish once “officials” are visible at the site. Staff from Marin Municipal Water District (MMWD) indicated that vandalism issues at Mill Valley Air Force Station, which is located on MMWD land on Mount Tamalpais, decreased after removal and sealing of buildings. (Swezy pers. comm. 2012)
- Moreover, although this is an important issue to MROSD, it is not a CEQA issue. Trespassing and vandalism are not environmental impacts. These issues only become environmental issues if increased trespass or vandalism leads to adverse physical environmental effects, such as significant urban decay or risk to public safety. (Urban decay would not be an issue in such a remote area.)
- Regarding public safety, trespassers or vandals could jeopardize public safety if they increased the potential for wildland fire ignition. The DEIR evaluated the potential for the proposed project to increase wildland fire risk, and indicates that risk of wildland fire ignition associated with illegal use of the site is expected to decrease as a result of the proposed project because the project would legitimize the use of the site for recreational purposes.
- Although the trespassing issue is not, itself, a CEQA issue, MROSD strives to be a good neighbor and recognizes the need for continued enforcement, and collaborative efforts with all of the

neighbors on the mountain, to address this problem. In addition to the signage mentioned by the commenter, additional strategies and steps that have already been taken by MROSD as deterrents to improve security at the site include:

- 1) Expanded closure areas;
- 2) Increased severity of trespass violation within hazardous areas on District Land to a misdemeanor. The larger penalty associated with a misdemeanor, which includes a substantially increased ticket fee and a permanent criminal record, deters trespassers.
- 3) Temporarily hired an outside security company for nighttime patrol to meet targeted needs;

MROSD is also preparing to install wireless security cameras in strategic locations on the project site. The internet connection and camera feed will send notifications that will be monitored.

MROSD anticipates that trespassing will decrease as a result of project implementation and, as a good neighbor, will continue to work with nearby property owners on this issue.

37-3

The commenter quotes Mr. Anthony Correia, President of the MROSD Field Employees Association, regarding the DEIR's assumptions related to staffing levels. Mr. Correia submitted a separate comment letter (Letter 18) that raises this same issue. Please refer to response to comment 18-1.

The commenter also indicates that the remote, wooded location of the project site and current response times in combination with the limited cellular service would be "a recipe for disaster" if the public were unsupervised. The commenter provides no detail regarding what specific type of disaster could result. It is important to make a distinction between "emergency response" and "armed backup," which is the issue raised by Mr. Correia. MROSD ranger staff would patrol the site regularly and would be able to respond to a call in fewer than 40 minutes, which is the potential response time for Sherriff's Department (armed) backup. Although District Rangers do not carry firearms, MROSD rangers are fully capable of providing emergency response in most situations. Further, as described in response to comment 73-4, MROSD would provide a camp host, if and when a campground was developed, that would be expected to deter most incidents occurring and would be able to contact Rangers and other emergency service personnel in case of an emergency. Please also refer to response to comment 18-1, which includes a more detailed discussion related to response times and emergency preparedness.

37-4

The commenter misquotes the DEIR, stating that Impact 4.11-2 concludes that the project would not substantially increase the demand for law enforcement services because the 'site security measures' proposed would mitigate those impacts. The DEIR's conclusion that the project's impacts to law enforcement service would be less than significant is based on several factors, not just the on-site measures. The first is that implementation of the proposed project would add an estimated two rangers to the District to meet the expected project need. The second is that the County Sheriff's Office indicated that the proposed project would not be expected to substantially or adversely affect law enforcement service at the site. The third factor, as the commenter mentioned, is the proposed on-site security measures. Please also see Response 18-1.

The commenter concludes that without continual monitoring, illegal activities will continue and will result in a higher demand for law enforcement services. Illegal activities are an existing condition. As explained in Response 37-2, the project would be expected to result in a decrease

of such activity. Thus, there is no reason that the project would result in a higher demand for law enforcement services than currently exists at the project site. There is much more evidence to suggest that implementation of the proposed project would result in a reduction of the type of activities requiring a law enforcement response. See response to comment 37-2, above. Also, response to comment 18-1 includes a detailed discussion related to law enforcement service and public safety.

37-5 The commenter indicates that the only access to part of the project area is through gated private property and therefore there is not adequate emergency vehicle access.

Emergency vehicles are not restricted from private roads. The DEIR's assumptions regarding emergency services availability are therefore valid. As well, the elimination of vehicular access to the summit would not result in additional significant traffic impacts. MROSD anticipates that if no public vehicular access is available to the summit, no expanded parking areas would be required. The DEIR appropriately describes the need to resolve public access easements and would remain valid if such access easements were not resolved because no new significant impacts would occur.

37-6 The commenter indicates that allowing unsupervised camping will significantly increase the need for emergency services. According to Carol Rice with Wildland Resource Management Inc., it should be noted that there are over 30 walk-in campgrounds and more than two dozen drive-up campgrounds in the San Francisco Bay Area. Supervision of campers at all times is extremely rare at campgrounds.

The District anticipates that opening the project site to legitimate recreational use would result in a decrease in the level of trespass. This reduction would, in turn, result in a decrease in the need for emergency response. See Response 37-2. As it relates to wildland fire, the DEIR states (p. 4.4-16) by opening the project site to the public, increasing the regularity of ranger patrol, and allowing only permitted campers overnight use of the site, illegitimate use and associated risk of arson and illegal campfires are expected to decline. The users of the proposed campsite, who would receive fire-safe education as part of the camping permit, are apt to intervene when illegal activities such as smoking or lighting campfires are occurring. This information is based on a Wildland Fire Risk Analysis prepared specifically for the proposed project by Wildland Resource Management, Inc, experts in wildfire risk analysis and prevention.

Additionally, MROSD will soon install strategically-placed cameras to deter trespass. Once public access is resolved, these monitoring cameras may continue to be used to bolster enforcement. Visitors would be informed they are being recorded upon entry to the preserve. This would further deter users from illicit activities.

In addition, as indicated in response to comment 73-4, MROSD would include the use of a campground host during the camping season and potentially include fire detection cameras. Therefore, the proposed project includes multiple monitoring systems to supervise camping activities. While staffing levels and response capacity as previously discussed, these additional measures may also be implemented to provide an enhanced level of protection as deemed necessary.

37-7 The commenter states that a water tank and fire hose are mentioned but not sized or specifically located in the document.

MROSD proposes to install one 10,000-gallon fire rated tank suitable for use by CALFIRE and others in the Mutual Aid Plan for Santa Clara County for emergency fire response. The best location for this tank will be determined following consultation with CALFIRE and will be addressed during later phases of the project development. Additionally, if a campground is established, MROSD will install a second tank and hose specifically to serve the facility, located adjacent to or within a reasonable distance of the campground. As with the first tank, the exact location will be determined at that time following consultation with CALFIRE. The commenter also states that one of the water tanks is owned by CCI, and raises concerns regarding its functionality. Use of the tank does not play a role in the project. The tank has been determined by an independent third party to be non-functional and more expensive to repair than the cost to replace and the District is placing no reliance on it for firefighting, with the project or without the project. The District will work with CCI to determine the ownership and best use of the tank in question, apart from the project analyzed in this EIR.

37-8 Please see response to comments 37-3 and 18-1, which address patrol issues, and 37-6 which addresses overnight camping.

37-9 The commenter indicates that Mt. Umunhum Road does not meet County of Santa Clara Land Development office standards which require a 20-foot paved clear width. The commenter is correct that currently, Mt. Umunhum does not meet the County standard roadway width; however, the commenter is incorrect to suggest that this standard requires a “20-foot clear width.” As described in the DEIR (p. 4.10-16), County of Santa Clara Land Development Office standards indicate that Mt. Umunhum Road should have a minimum paved width of 18 feet with three-foot all weather shoulders on both sides of the road or appropriately placed turnouts. The DEIR indicates (p. 4.10-16) that the entire length of Mt. Umunhum Road would be resurfaced with potholes eliminated as part of the proposed project. Also, existing guardrails would be upgraded or replaced and additional guardrail provided. Pullouts and drainage features would be cleared of debris. (It should be noted that debris, including sediment and dirt from slope failure, has accumulated in the roadside drainages and onto the roadways, resulting in decreased roadway width in some areas.) The DEIR states that ultimate roadway, lane, and shoulder improvements would meet all applicable emergency response standards. Note that the DEIR indicates on page 4.10-16 that Santa Clara County Fire Department standards would apply only if a visitor center or other occupied structure is developed at the site and that the standards allow the fire code official to determine alternate means for meeting the standards. Also see the clarification in Section 3 that revises this section of DEIR to provide more detail regarding the County’s process for applying fire standards to existing roads.

MROSD would continue to comply with all applicable County road standards and would incorporate any improvements which the County determines are necessary to provide emergency access and public safety.

The commenter further suggests that the DEIR does not include any safety measures until the visitor center is open. This is also incorrect. The DEIR describes several additional safety measures to improve driver and bicycle safety including reduced vehicle speed and curve warning signs (and potentially undulations in bicycle-safe locations) on the approaches to all major curves and in other locations with steep embankment drop offs. In addition, a signage program will be designed to address bicycle rider safety. Appropriately reduced speed limits will be posted, including speed limits on approaches to sharp curves or curves with restricted sight lines, and potentially rumble strips (partial lane width and in bike-safe locations) on approaches to select curves to obtain full driver attention to slow down. Also, in order to ensure the improved roadway would remain safe for auto drivers and bike riders, the proposed project

includes an ongoing roadway and drainage maintenance program for Mt. Umunhum Road, which would ensure that the paved travel surface, including paved pullouts and drainage facilities, are clear of debris that might pose safety concerns (DEIR, p. 3-13). Finally, the DEIR indicates that MROSD will review any accidents along the road to determine additional measures that may prevent future accidents at the location of the collision. The commenter's assertion that this "mitigation" (which the commenter only partially lists) is "wholly inadequate" is not consistent with the contents of the DEIR. The proposed project would improve Mt. Umunhum Road and would include extra safety measures to enhance driver and bicyclist safety. The DEIR's conclusion is appropriate.

37-10

This comment briefly summarizes issues described previously and concludes the letter. The responses above address the issues raised in the letter.

SAN JOSE CA 951

13 JAN 2012 PM 5 T



38

Meredith Manning
Midpeninsul Reg. Open Space Dist
330 Diskel Circle
Los Altos, Ca
94002

94022+1404



To: Meredith Manning

I don't understand why
one would consider destroying
the Mount Umunhum radar
tower.

Once one destroys something
they never can get it back -
I thank you - Betty Moore

38-1

**Letter
38
Response****Betty Moore
January 13, 2012**

38-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

LARRY EMIL MORRIS, M.D.

6475 CAMDEN AVENUE, SUITE 201
CROSS STREET TRINIDAD DR.
SAN JOSE, CA 95120

PSYCHIATRY
QUALIFIED MEDICAL EVALUATOR

TELEPHONE (408) 323-2302
FAX (408) 927-7431

January 18, 2012

Midpeninsula Regional Open Space District
330 Distal Circle
Los Altos, CA 94022-1404

RECEIVED
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MIDPENINSULA REGIONAL OPEN
SPACE DISTRICT

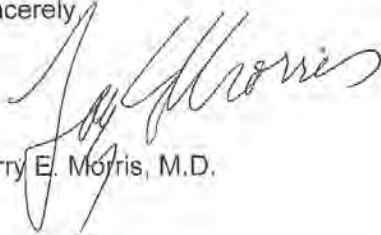
Re: Hearings on the Radar Tower on Mount Umunhum

I am unable to attend the hearings on the fate of the radar tower located on Mt. Umunhum.

Please consider the enclosed information in favor of taking down the tower as part of the restoration of the summit area.

39-1

Sincerely,



Larry E. Morris, M.D.

Hi Scott:

Never felt like an old timer in the Valley until I read your Sunday column, "Serving and living atop Mount Um" inspired by Basim Jaber's slide show of the Air Force Station there.

As a valley resident who hiked and camped Mount Umunhum throughout my teens, and later served in the Air Force in Vietnam, Mr. Jaber's slides would have jolted my memory and produced a mix of feelings. Your column did both.

The memories first. College, travel and med school kept me from San Jose during the tower's construction, and the first sight startled me. But the moment did nothing to dim my memories of climbing the mountain and camping the summit. I still longed to enjoy the sense of place that only the summit of Mount Umunhum can offer.

In the late 1940s parents didn't worry, and 13 year olds like us were on our own. And we didn't need money or cars. The trek from San Jose through the orchards, and to the summit of Mount Um, took most of the day. We skirted the ferocious landowners by following Guadalupe Creek to its source.

Memories of campfires, stories, singing and sleeping under billions of stars, stay with me always.

Located at the base of Mount Umunhum is a small year-around waterfall. We replenished our canteens and rested. Nearby, a hermitess lived in a ramshackle cabin. On each hike we visited her, and listened to her stories of living with the animals and birds. The cabin had an area filled with books and files, and we thought she was a writer. We never asked her anything personal, but years later wished we had. After a couple of years, we found the shack abandoned.

I was always curious about the hermitess. Years later I recalled seeing a photo of a Naval officer in the cabin. It was the only real clue to her existence. It was easy to believe the man in the picture frame was the woman's husband, who was killed in the war.

My Mount Um adventures were once the topic of an English writing assignment. Someone pointed out that there is no such word as "hermitess". But I liked it and left it in.

More memories. The descent down the east face was through a steep ravine filled with a mix of dirt, mulch and rock fragments. It was loose, like debris, and we rode it down like a water slide. In a flash, we reached the bottom hundreds of feet below the summit.

39-1
cont'd

Re: ANDREA TSEH
Date: January 3, 2012
Page: 2

The material in the ravine was very deep, and seemed unnatural. Given the importance of Mount Um to the Indian tribes, it occurred to me that the stuff in the ravine was actually the former top of the mountain. That is, the Indians needed a ceremonial ground, and they lopped off the top of Mount Um to create a flat place for it. This must have been a monumental task, but it was made easier by shoving the graded material into the ravine.

The ravine could have served as a landfill for the Indians who lived and celebrated on the summit, and its contents could be both graded earth and debris, or neither.

But when you view Mount Umunhum from the valley, its top has an unnatural, flat appearance. This is more evident from the vantage point of Almaden Valley, where Mount Um looks very different from Mount Thayer, which is a sister peak on the same ridge. Mount Thayer is the same height as Mount Um, but it is peaked, not flat. It is difficult for me to resist the idea that the flat top of Mount Um is manmade, not a product of nature.

And now the mix of feelings. The radar tower on Mt. Umunhum is a landmark that can have different meanings to different people. I live near the base of the mountain, and when traveling around the County the radar tower is visible for miles away. Admittedly, it is comforting to spot the tower, and to discover exactly how far I am from home. As a Vietnam vet, I don't mind having a monument to a war, and to those who served in one.

But anyone who has climbed the mountain and enjoyed the summit are struck by its sense of place. And to me there is no other such place in the valley.

Larry@coffeeshake.com

39-1
cont'd

LOCAL NEWS

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Serving and living atop Mount Um

Basim Jaber is a voluble 41-year-old San Jose resident with thinning hair and a neatly trimmed mustache. He has a day job in the tech industry. His private passion, however, rests 3,486 feet above the valley floor.

Jaber serves as the de facto historian of the Almaden Air Force Station, which existed from 1958 to 1980 atop Mount Umunhum, a visible peak in the Santa Cruz Mountains south of the Almaden Valley.

Longtime readers may know that one of my crusades is saving the dilapidated Mount Umunhum

radar tower. Astoundingly, the Midpeninsula Regional Open Space district, which owns the property, is debating whether to tear it down.

To know its real story, you have to listen to Jaber, a valley native and Cold War aficionado whose passion began when he volunteered in 2006 to photograph a reunion of airmen.

"It was a little bit of interest that snowballed into a machine," he said last week as he gave a slideshow to the Almaden Valley Kiwanis Club. "It's in motion now. I can't stop it. I don't want to stop it."

The Almaden Air Force Station was a self-contained community of 120 airmen and their families, with a radar tower, an operations center and apartment-like housing, along with a mess hall, commissary,



SCOTT HERHOLD
COLUMNIST



Jaber

TROUBLE IN SAME-SEX RELATIONSHIP

Violence i

In Santa Clara County, help is lacking for men, women who are abused

By Lisa Fernandez and Sean Webby
Staff writers

David X spilled his story to the other men seated around him, revealing how his boyfriend — angry about leaving the heater on too long — had punched him so hard that his eye socket shattered. Instead of receiving comfort at the counseling session, a man told him: You should have just punched him back. You're a guy.

That was the moment that David, a 56-year-old San Jose gay man whose last name is not being used to protect him, realized he was in the wrong place.

Santa Clara County is the wrong place for many gays and

lesbians suffering from abuse, local experts say is a dearth of help for abusive same-sex relationships. David said he's never received kind of therapy and support he needed. He said it shocked him that such a progressive-minded county be so far behind the times.

"I don't think I've had a sure," he said. "I wish there would have given me proper counseling. I might have been able to get past this already. I still feel like I have any real answers."

Experts say as difficult as it is to report and deal with domestic violence involving straight couples, the abuse is even harder to identify, report and remedy if it involves gays and lesbians, though there are gay domestic violence programs well root

WOUNDED IN THE LINE OF DUTY



can air. Fortunately, that never happened. But vigilance counted. A radar operator once followed the flight of a doctor who climbed into his Cessna and tried to head to Hawaii, a folly that demanded rescue.

"You didn't just work together," Jaber said. "You broke bread for dinner. You loved, you laughed, you cried together. If somebody got a new appliance, everyone came out to look at it."

From the valley floor, Mount Umunhum is bookmarked by the 85-foot radar tower, which was topped by a metal "sail" designed to detect incoming planes. An aerial picture of the tower was featured as the cover of the 1967 Pacific Telephone book for area code 408.

Jaber's slides depict the humor behind the folks who served on the hilltop. Airmen kept discipline and marched in loose formation — though Jaber says none of the veterans can remember the purpose.

Hilltop vows

Another slide depicts the wedding of Doug and Marylee Brawner, who were married in Mount Umunhum's chapel in June 1969. Tradition called for the couple to circle the station, and for Marylee to kiss every airman on the lips. It wasn't fatal to their union: In 2010, the Brawners returned to Mount Umunhum to renew their vows.

In dozens of details, the airmen and their families left their mark. A curved sign, done in the shape of the radar sail, welcomed visitors to the station. A wooden marker honored "Colonel Tom," the plump tomcat who hung around outside the mess hall. Kids played in a patch of lawn.

Like I do, Jaber thinks the open space district should keep the radar tower. "I think people get tired of just views," he said.

I can pound the table all day long about Mount Umunhum as a symbol for the valley. With a historian's touch for detail, Jaber gives the Cold War chapter life, sinew and pride. If you want to reach him, his email is bjaber@jaber.net.

Contact Scott Herhold at sherhold@mercurynews.com or 408-275-0917.

Army Pvt. Geoffrey G. Quevedo, 20, receives his Purple Heart from the VA Palo Alto Health Care System's Polytrauma Rehabilitation

Medals re soldiers' m

Two veterans of Afghanistan War earn Purple Hearts

By Howard Mintz

hmintz@mercurynews.com

For one sunsplashed Saturday afternoon in Palo Alto, the horrific wounds of combat took a backseat for Geoffrey Quevedo and Semisi Tokailagi, two veterans of the war in Afghanistan.

With family, friends and fellow vets hoisting American flags and encircling them, Quevedo and Tokailagi both received the Purple Heart in a courtyard at Palo Alto's Veterans Affairs hospital, where they are being treated for severe war injuries. Despite debilitating wounds, the two men beamed with pride, refusing to complain about their plights.

Quevedo, a Reedley native so boyish in appearance that he barely looks his 20 years of age, was just months from returning home when he stepped on a mine in November. He lost his left arm and left foot and suffered other

See HEART, Page 5



Army Pfc. Semisi Tokailagi and his mother, Katarina, receive their Purple Heart on Saturday.

"Over there, we don't look at it that we're going to go home. Your focus is your job."

— Army Pvt. Geoffrey Quevedo, Purple Heart recipient

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**Letter
39
Response****Larry E. Morris, M.D.
January 18, 2012**

39-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Further, MROSD thanks this commenter, and others with similar recollections, for sharing their stories about the project area. These pieces of information will provide for a fuller appreciation of issues associated with each of the options, as the project is further considered. In a related fashion, note that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



December 21, 2011

Meredith Manning
Midpeninsula Regional Open Space District (MROSD)
330 Distel Circle
Los Altos, CA 94022

RE: SCH# 2010122037 Mount Umunhum Environmental Restoration and Public Access Project; Santa Clara County.

Dear Ms. Manning:

The Native American Heritage Commission has reviewed the Notice of Completion (NOC) regarding the above referenced project. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archeological resources, the Commission recommends the following actions be required:

- ✓ Contact the appropriate Information Center for a record search to determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **Sacred Lands File check completed, no sites indicated.**
 - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

40-1

Sincerely,

Katy Sanchez
Program Analyst
(916) 653-4040

cc: State Clearinghouse

Native American Contact List
 Santa Clara County
 December 21, 2011

Indian Canyon Mutsun Band of Costanoan Ann Marie Sayers, Chairperson P.O. Box 28 Hollister , CA 95024 ams@indiancanyon.org 831-637-4238	Ohlone/Costanoan	Amah Mutsun Tribal Band Valentin Lopez, Chairperson PO Box 5272 Galt , CA 95632 vlopez@amahmutsun.org (916) 481-5785	Ohlone/Costanoan
--	------------------	---	------------------

Jakki Kehl 720 North 2nd Street Patterson , CA 95363 jakki@bigvalley.net (209) 892-1060	Ohlone/Costanoan	Amah/Mutsun Tribal Band Irene Zwielerlein, Chairperson 789 Canada Road Woodside , CA 94062 amah_mutsun@yahoo.com (650) 851-7747 - Home (650) 851-7489 - Fax	Ohlone/Costanoan
---	------------------	---	------------------

Katherine Erolinda Perez PO Box 717 Linden , CA 95236 canutes@verizon.net (209) 887-3415	Ohlone/Costanoan Northern Valley Yokuts Bay Miwok	Amah Mutsun Tribal Band Edward Ketchum 35867 Yosemite Ave Davis , CA 95616 aerieways@aol.com	Ohlone/Costanoan Northern Valley Yokuts
--	---	--	--

Trina Marine Ruano Family Ramona Garibay, Representative 30940 Watkins Street Union City , CA 94587 soaprootmo@msn.com 510-972-0645-home 209-688-4753-cell	Ohlone/Costanoan Bay Miwok Plains Miwok Patwin	Amah/Mutsun Tribal Band Joseph Mondragon, Tribal Administrator 882 Bay view Avenue Pacific Grove, CA 94062 831-372-9015 831-372-7078 - fax	Ohlone/Costanoan
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This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010122037 Mount Umunhum Environmental REstortion and Public Access Project; Santa Clara County.

Native American Contact List
Santa Clara County
December 21, 2011

Amah/Mutsun Tribal Band
Melvin Ketchum III, Environmental Coordinator
7273 Rosanna Street Ohlone/Costanoan
Gilroy , CA 95020
408-842-3220

Muwekma Ohlone Indian Tribe of the SF Bay Area
Rosemary Cambra, Chairperson
2574 Seaboard Avenue Ohlone / Costanoan
San Jose , CA 95131
muvekma@muvekma.org
408-205-9714
510-581-5194

Amah/Mutsun Tribal Band
Jean-Marie Feyling
19350 Hunter Court Ohlone/Costanoan
Redding , CA 96003
jmfgmc@sbcglobal.net
530-243-1633

The Ohlone Indian Tribe
Andrew Galvan
PO Box 3152 Ohlone/Costanoan
Fremont , CA 94539 Bay Miwok
chochenyo@AOL.com Plains Miwok
(510) 882-0527 - Cell Patwin
(510) 687-9393 - Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010122037 Mount Umunhum Environmental REstortion and Public Access Project; Santa Clara County.

Letter 40 Response	Katy Sanchez Native American Heritage Commission December 21, 2011
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40-1 This comment describes Native American Heritage Commission (NAHC) recommendations to mitigate project-related impacts on archaeological resources. The DEIR (page 4.2-28) includes mitigation for potential impacts on presently undocumented cultural resources, and these measures comply with the NAHC recommendations. The comment does not raise issues regarding the adequacy of the DEIR.

From: Jay Newman [REDACTED]
Sent: Friday, January 20, 2012 2:45 PM
To: MROSD - Mt. Um
Subject: DEIR
Meredith Manning:

I have been quite excited to review the draft EIR for the proposed Mt. Umunhum park and am in favour of virtually all of it. I do, however, have the following comment:

I was disappointed to not see any mention as to scheduling of work to be completed under Phase 2. I believe that now that the hazardous materials have been abated we need to prioritize hiking and bicycle access to the summit. Hikers and bicyclists have waited 26 years to access the Mt. Umunhum summit being told all this time that the primary impediments were:

- 1. Intervening private property and
- 2. Hazardous materials at the abandoned base.

41-1

The asbestos and lead materials are gone so now our only barrier is the intervening private land. This can be overcome by:

- a. Expediting construction of the trail entirely within the Open Space District from Barlow Trail to the summit.
- b. Expediting negotiations with the land owners along the upper portion of Mt. Umunhum Road so that hikers and bicyclists can access the summit from that direction.
- c. Also, prior to trail construction and the opening of upper Mt. Umunhum road, the area West of Woods Trail needs to be open to the public so that those interested in cross-country travel may access the summit.

(If the District is still concerned about remaining physical hazards on the station, temporary chain link construction fences and signage would, at minimal cost, provide adequate protection for the public and liability protection for the District.)

41-2

Also, please consider that hikers and bicyclists are a low impact user group. In recognition of the Districts mission to "provide ecologically sensitive public enjoyment" of open space there are few groups that fit that description better than Bay Area hikers and bicyclists. Anyone capable of the 2 mile hike or bike ride up this grade would be the kind of user that does not require many amenities and would be more than capable of avoiding any remaining hazards - especially if they are identified with signage and temporary fencing.

41-3

Thank you.

Jay Newman

Jay Newman AIA
Architect

BFGC - IBI Group Architecture Planning
[REDACTED]
[REDACTED]

NOTE: This e-mail message and attachments may contain privileged and confidential information. If you have received this message in error, please immediately notify the sender and delete this e-mail message.

**Letter
41
Response****Jay Newman
January 20, 2012**

- 41-1 The commenter expresses urgency in expediting agreements for public access over private land. The comment does not raise environmental issues or issues related to the adequacy of the DEIR.
- 41-2 The commenter recommends a chain link fence as a barrier. A similar fence is currently a proposed additional measure. The comment does not raise issues related to the adequacy of the DEIR.
- 41-3 The commenter indicates that hikers and bicyclists are “low impact user groups.” This comment does not raise issues with the adequacy of the DEIR.

From: Jay Newman [REDACTED]
Sent: Monday, January 16, 2012 1:19 PM
To: MROSD - Mt. Um
Cc: Jay Newman
Subject: bicycle access to summit of Mt. Umunhum
Dear Open Space District Representatives:

From your website it appears that removal of hazardous materials has been completed at the old Air Force base on the summit of Mt. Umunhum. I also understand Dozent led auto shuttles will be allowed to the summit later this year. Will bicycle access up Mt. Umunhum Road be allowed at that time as well? Is it accessible now?

42-1

Thanks,

Jay Newman

Jay Newman AIA
Architect

BFGC - IBI Group Architecture Planning
[REDACTED]
[REDACTED]

NOTE: This e-mail message and attachments may contain privileged and confidential information. If you have received this message in error, please immediately notify the sender and delete this e-mail message.

**Letter
42
Response****Jay Newman
January 16, 2012**

- 42-1 The commenter requests information regarding the status of hazardous materials cleanup, as well as timing for bicycle access to the summit. In response to the request, MROSD provided the anticipated EIR and hearing schedule to the commenter, but indicate that it is too speculative to estimate when (and if) bicycles may be allowed access to the summit. This comment does not raise issues related to the adequacy of the DEIR.

From: Zoltan Olah [REDACTED]
Sent: Friday, January 27, 2012 12:29 PM
To: MROSD - Mt. Um
Subject: Response to the Mt Umunhum Draft EIR

To whom it may concern,

I would like to address two concerns I have with the draft.

1) In the Hang Gliding section, a reference is made to the "United States Hang Gliding Association". This is out of date, the organisation has been since renamed to the "United States Hang Gliding and Paragliding Association". This reflects the fact that for operating purposes, the two types of aircraft are similar enough to be considered under the same set of regulations and standards. I would like to see the draft updated to include paragliding alongside hang gliding.

43-1

2) I would like to point out that hang gliding/paragliding activities have a known negligible impact on bird populations. The act of sharing airspace with birds does not seem to affect their population sizes and behaviour. Rather, it is the ground based intrusion on their nesting spaces and destruction of their habitat that is a concern. As hang gliding/paragliding activities share the same trails and ground based areas as other park users, their activities provide no greater threat to bird populations. I'm attaching a reference to a German based study on free flight activities' impact on bird populations:

43-2

<http://www.dhv.de/web/en/sites-nature/nature-conservation/the-influence-of-hang-and-paragliding-on-bird-population/>

Thank you for your time and please don't hesitate to contact me for further clarification,

Zoltan Olah

**Letter
43
Response****Zoltan Olah
January 27, 2012**

- 43-1 Comment 22-1 raises the same issue. See Response to Comment 22-1, above.
- 43-2 Please refer to Master Response 3, which addresses issues related to hang gliding.

From: Leon Pappanastos [REDACTED]
Sent: Thursday, January 26, 2012 11:14 AM
To: MROSD - Mt. Um
Subject: Keeping the Tower

Hi Meredith

I have been going to meetings over the period of the last few months. My first assignment to a radar site was in 1957, Klamath site in No. California. I was at eight different sites over my two years with the 28th Air Division. There were 3 sites in Nevada and five sites in CA. I was the first Dentist to visit Mt. Um in 1958 and rotated there 4-5 times. I eventually came back to San Jose/Los Gatos to live and practice for 29 years.

I was impressed with the variety of speakers at the meeting. As a Vet who spent time on the Mtn it felt good to hear so many in favor of keeping the tower even if in a state of suspended animation. I was interviewed by Scott Herhold (San Jose Merc writer) when he wrote his article and took his survey of his readers. I don't remember the exact numbers but it was in the range of 8-1 of keeping the tower.

It seems the the Board should look carefully at their decision and consider keeping the tower, since so many regular folks agree with those of us who want to keep the tower.

IF YOU TEAR IT DOWN YOU CAN'T PUT IT BACK

Sincerely
Leon E. Pappanastos

44-1

**Letter
44
Response****Leon Pappanastos
January 26, 2012**

44-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Mary Peddy [REDACTED]
Sent: Thursday, January 05, 2012 7:54 AM
To: MROSD - Mt. Um
Subject: Radar Tower on Mt. Umunhum
Dear Ms. Manning,

I am writing in hopes that the landmark radar tower watching over the Santa Clara Valley will be preserved, and that the space be open to visitors seeking a peek at our local history.

My father was stationed there briefly and I still remember getting to visit for the closing ceremony. As a parent (and grandparent) myself now, getting to bring my loved ones and show them a little of our valley and family history is so important. It's hard to imagine not seeing the tower and passing on the information about the funny name of the mount it stands on.

45-1

Thank you for considering this project!

Sincerely,

Mary Peddy
Administrative Coordinator

[REDACTED]

Imagine Supported Living Services

[REDACTED]

**Letter
45
Response****Mary Peddy
January 5, 2012**

45-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

46

From: Joyce Pennell [REDACTED]
Sent: Thursday, January 26, 2012 10:39 AM
To: MROSD - Mt. Um
Subject: Keep the blockhouse on Mt. Umunhum
I understand you are soliciting public comment on what to do with the blockhouse on Mt. Umunhum.

Please keep the blockhouse as an historic structure and a landmark on the mountain.

Joyce Pennell
San Mateo, CA

46-1

**Letter
46
Response****Joyce Pennell
January 26, 2012**

46-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: John Pfister [REDACTED]
 Sent: Thursday, February 09, 2012 11:04 PM
 To: MROSD - Mt. Um
 Subject: Comments on the Mount Umunhum EIR
 Hello Meredith Manning
 Please find attached my comments on the Mount Umunhum Environmental Restoration and Public Access Project Draft Environmental Impact Report SCH# 2010122037.

Thank you for the opportunity to comment on this important project.

Regards
John Pfister, PE

Date: February 9, 2012

From: John Pfister
To: Meredith Manning, Senior Planner, MRODS

SUBJ: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MOUNT UMUNHUM ENVIRONMENTAL RESTORATION AND PUBLIC ACCESS PROJECT

Thank you for the opportunity to comment on the subject EIR. I have reviewed major sections of the document and submit the following comments for consideration of the project. I have fond memories of this facility from my childhood and believe it is an important part of Bay Area history. The site has one of the area's most significant landmarks the 5-story concrete radar tower. I recall when the radar antenna was atop this building, fully functional, and scanning the skies to keep our community safe. The tower has become part of the landscape and skyline of the Sierra Azul Preserve in the Santa Cruz Mountains.

There are not many places in this region with such a beautiful environment and rich history as the Almaden Air Force Base. To capture and retain the history I encourage the project team to select Option 1: retain and seal the structure onsite. I understand that the entire base has many dilapidated buildings that must be decontaminated, demolished, and removed. I agree with removal of the structures with the exception of the concrete tower. Leaving the tower in place would save demolition and disposal costs as well as preserve the recent history of the site. I also would like to see the original flag pole site to remain for posterity sake.

47-1

Because it is concrete, the radar tower possibly could be stripped of the existing exterior and interior coatings and may not require significant maintenance. Since it was built to withstand a nuclear holocaust, I am sure it will last many more generations to come. Further, if it is decided that the site should have a visitor's center, the tower itself could serve the purpose using the bottom story only for the purpose of displaying the history of the former Air Force Station. If the tower is deemed impractical for the visitor's center, then I suggest the former Officer's Club be used for a possible visitor's center due to its majestic view of the Santa Clara Valley.

In conclusion, I would like to mention the importance the tower has for the people of the Santa Clara Valley. My family, many of my friends, and people I have met on the public trails in the vicinity of the former station have asked me about the large tower. I have always been proud that I know and can tell them the history of the iconic structure. In the future, people will be interested in learning about the history of the site, the technology at that point in time, and the mood of the American people during the Cold War era for which the structure exists. With the radar tower standing as a monument, it will preserve that history.

Regards
John Pfister
Environmental Engineer

**Letter
47
Response****John Pfister
February 9, 2012**

47-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

48

From: Patrick Pizzo [REDACTED]
Sent: Tuesday, January 17, 2012 10:22 AM
To: MROSD - Mt. Um
Subject: DEIR Delay

Obviously Open Space will have some structure and/or walkway/display on the top of Mt. Um. How much would be saved to process the existing concrete radar mount into concrete raw material available for construction on the mountain? How much saved with respect to hauling the necessary raw materials up the hill? ppizzo

48-1

**Letter
48
Response**

**Patrick Pizzo
January 17, 2012**

48-1

The commenter requests information regarding costs of concrete recycling versus off-haul. The comment does not raise environmental issues or issues related to the adequacy of the DEIR.

From: Bryce [REDACTED]
Sent: Saturday, January 14, 2012 7:29 AM
To: MROSD - Mt. Um
Cc: 'Bryce R'
Subject: DEIR
Ladies and Gentlemen,

Please save the radar tower. I grew up here and remember the sail spinning to protect us when I was a kid. If you destroy it, you destroy it forever. It is a landmark to this area. I can go to lots of places to see views of the valley, but I can only hope to enjoy seeing the tower someday if you KEEP it.

Think hard about this and the history of that site. There is no going back once it is gone.

Thanks for your consideration.

Regards,

Bryce R.

49-1

**Letter
49
Response****Bryce R.
January 14, 2012**

49-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



Mount Umunhum Draft Environmental Impact Report
Public Hearing
January 18, 2012

Midpeninsula Regional Open Space District

RECEIVED
FEB 6 2012
MIDPENINSULA REGIONAL OPEN
SPACE DISTRICT

Comments may be submitted via email
at: mt.um@openspace.org,
dropped in the Comments Box, or
mailed to:
Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
300 Distel Circle, Los Altos, CA 94022

Name: JOHNNY L. REED
Address: _____
Phone: _____
E-mail: _____
Wish to be added to this email list? Or mailing list? Already on list?
How did you learn about this meeting: Newspaper Mail Email Other

COMMENTS:
went to your meeting on the 18th.
Sad to see the Board is still
leaning towards taking down the
"Cube" 2 of the 3 proposals you
have as eliminating it. I was 1
of the approx. 20 or so speakers that
night and I still seem to see
that about 90% are in favor of
keeping the "Cube". You could look
up from 85, 87, 107 and say, "oh
yeah there is a park up there
(over)

50-1

Please use the reverse side or attach any additional pages



Mount Umunhum Draft Environmental Impact Report
Public Hearing
January 18, 2012

Midpeninsula Regional Open Space District

on Mt. Umunhum - I'm sorry
the Board seems to have
blindness on this Historical
issue.

50-1
cont'd

Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Place
Stamp
Here

**Letter
50
Response****Joanne C. Reed
February 6, 2012**

50-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

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From: Steve Rodrigues [REDACTED]
Sent: Friday, January 06, 2012 10:42 AM
To: MROSD - Mt. Um
Subject: DEIR
Dear MROSD,

In regard to the radar tower on Mt. Umunhum:

I feel that the building is ugly and disrupts the skyline of the mountain range. It is an unsightly reminder of our military complex and a blight on the natural environment.

I support option 3 that would remove the entire structure and environmentally restore the footprint.

Thank you for taking my opinion in consideration.

Sincerely,
Steve Rodrigues

51-1

**Letter
51
Response****Steve Rodrigues
January 6, 2012**

51-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its treatment will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



Moun. Umunhum Draft Environmental Impact Report
Public Hearing
January 18, 2012

Midpeninsula Regional Open Space District

Comments may be submitted via email
at: mt.um@openspace.org,
dropped in the Comments Box, or
mailed to:
Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
300 Distel Circle, Los Altos, CA 94022

Name: ROBERT SAUNDERS
Address: _____
Phone: _____
E-mail: _____

Wish to be added to this email list? Or mailing list? Already on list

How did you learn about this meeting: Newspaper Mail Email Other MIDPEN WEBSITE

COMMENTS:

PLEASE KEEP WORKING W/ SAN JOSE WATER CO
FOR CONTINUING FOR TRAIL ACCESS:
1 - to Mt Tabor
2 - to RALPHS MT.
3 - to ELLSMAN (LAKE) & WRIGHT STATION
EITHER BUY SOME LAND OR BUY AN EASEMENT.
S.J.W.CO HAS RECENTLY ALLOWED ACCESS FOR
EMERGENCY ACCESS/EVACUATION ROUTE.
"THEY HAVE NOT SAID "NO"

52-1

Please use the reverse side or attach any additional pages



Mount Umunhum Draft Environmental Impact Report
Public Hearing
January 18, 2012

Midpeninsula Regional Open Space District

ALSO: any chance to get access to MROSD
on Loma Prieta. EITHER THROUGH THE BLOCKING
PROPERTY (BILLINGSLEY) OR AROUND IT.

52-2

Meredith Manning, Project Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Place
Stamp
Here

**Letter
52
Response****Robin Saunders
January 18, 2012**

- 52-1 The commenter encourages MROSD to work with land owners to secure public access easements. The comment does not raise environmental issues or issues related to the adequacy of the DEIR.
- 52-2 this comment recommends facilities not included as part of the proposed project. The comment does not raise environmental issues or issues related to the adequacy of the DEIR.

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County of Santa Clara
Parks and Recreation Department

298 Garden Hill Drive
Los Gatos, California 95032-7669
(408) 355-2200 FAX 355-2290
Reservations (408) 355-2201
www.parkhere.org



February 8, 2012

Attn: Meredith Manning, Senior Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

SUBJECT: Notice of Availability of a Draft Environmental Impact Report for the Mount Umunhum Environmental Restoration and Public Access Project (SCH 2010122037)

Dear Ms Manning:

The County of Santa Clara Parks and Recreation Department ("County Parks Department") is in receipt of an NOA of a Draft Environmental Impact Report (EIR) for the Mount Umunhum Environmental Restoration and Public Access Project.

The County Parks Department's comments are primarily focused on potential impacts related to the *Santa Clara County Countywide Trails Master Plan Update* ("Countywide Trails Master Plan"), an element of the Parks and Recreation Section of the County General Plan that the Board of Supervisors adopted on November 14, 1995, relative to countywide trail routes, public access and regional parks.

Land Use, Public Services and Recreation, and Traffic

The EIR should demonstrate the project's consistency with and/or identify potential impacts to the *Santa Clara County Countywide Trails Master Plan Update* ("Countywide Trails Master Plan Update"), an element of the Parks and Recreation Section of the County General Plan that the County of Santa Clara Board of Supervisors adopted on November 14, 1995.

The County Parks Department, in partnership with other public agencies, is charged with furthering the implementation of the *Countywide Trails Master Plan*. The EIR should describe the following proposed countywide trail routes, which offer opportunities for non-motorized transportation connections to the surrounding neighborhoods, parks, trails, and open space areas.

53-1

- **Juan Bautista de Anza National Historic Trail** (Routes R1-A) - designated as a trail route within other public lands for hiking, off-road cycling and equestrian use.
- **Bay Area Ridge Trail: El Sombroso-Penitencia** (Route R5-C) and **Bay Area Ridge Trail: Santa Cruz Mountains** (R5-A) - designated as a trail route within other public lands for hiking, off-road cycling and equestrian use.

53-1
cont'd

The EIR should discuss the potential impacts that proposed rustic backcountry campsites will have on other uses in the vicinity, evaluate that use related to public access, and any potential impacts to day-use in Almaden Quicksilver County Park.

53-2

The EIR should include a Recreation section describing the nearby Almaden Quicksilver County Park as well as regional trails such as the Juan Bautista de Anza National Historic Trail and the Bay Area Ridge Trail and potential impacts

53-3

Vehicular access to Mt. Umunhum will increase traffic in the vicinity of the New Almaden Historical District and increase the need for staging for those who wish to access the project area via bicycle, on horseback or by foot. The EIR should evaluate the use of Hicks Road and other roads in the vicinity of the New Almaden Historical District to access Mt. Umunhum Road for project activities. The EIR should also evaluate impacts to the existing County Parks and Midpeninsula Open Space District's staging areas off of Hicks Road.

53-4

Thank you for the opportunity to comment on the NOA of a Draft EIR for the Mount Umunhum Environmental Restoration and Public Access Project. We look forward to reviewing the Final EIR when it becomes available. If you have any questions regarding these comments, please feel free to contact me at (408) 355-2230 or via email at Kimberly.Brosseau@prk.sccgov.org.

Sincerely,



Kimberly Brosseau
Park Planner II

cc: Elish Ryan, Acting Senior Planner

Letter **Kimberly Brosseau**
53 **County of Santa Clara Parks and Recreation Department**
Response **February 8, 2012**

- 53-1 The commenter raises issues related to the DEIR’s description of nearby County recreation facilities and associated trails plans. Specifically, the commenter identifies two trails: Juan Bautista de Anza National Historic Trail (Routes R1-A) and the Bay Area Ridge Trail: El Sombrero-Penitencia (Route R5-C) and Santa Cruz Mountains (R5-A). MROSD contacted the commenter from County Department of Parks and Recreation and it was clarified that the trail routes identified in the comment are actually different sections of the Woods trail. The Woods Trail is adjacent to the Project Area within the Sierra Azul Open Space Preserve, is owned and managed by MROSD, forms part of the Bay Area Ridge Trail, and intersects Barlow Road, which is proposed to provide a linkage between the Woods Trail and the proposed new trail to the summit. This information is identified throughout the DEIR. The DEIR does not catalogue all of the various trails and recreation facilities that could be indirectly accessed by Mount Umunhum visitors. This is because the DEIR did not include impacts to Recreation as part of its detailed analysis. As described on page 1-3, opening a new recreational facility does not necessarily increase the number of users of recreational facilities in the area and therefore does not result in an increase in demand for other recreational facilities. The DEIR does acknowledge (p. 1-3) that proposed trail connections would provide new access points to existing trails, which may slightly increase the use of the applicable trails. Sierra Azul Open Space Preserve already attracts visitors that travel to and from the Preserve to the County park. Implementation of this project will not deter visitors from traveling across both public lands and may increase, although not substantially, visitation into the County park. MROSD anticipates the majority of users to remain within the preserve with the summit of Mount Umunhum as their primary destination, given its high profile and attraction. The County and MROSD share the goal of regional connectivity to afford the public the ability to hike multiple open space public lands via an interconnected system of trails. This project is consistent with that goal. The DEIR concludes that the increased use would not be substantial and would not result in substantial increased wear on connecting trails. This level of impact on nearby park and recreation facility use does not constitute a potentially significant impact, which would be an increase in use “such that substantial physical deterioration of the facility would occur or be accelerated.” (CEQA Appendix G, Section XV)
- 53-2 The commenter extends the concern raised in the previous comment to the effects the backcountry campsites may have on other uses in the vicinity, including public access and day use in Almaden Quicksilver County Park. Regarding physical effects of the backcountry campsites, the physical effects of the campsite are evaluated throughout the DEIR. Regarding the effects of the campsite on other recreation uses, the response is similar to response to the previous comment. As described in the DEIR (p. 3-11), the proposed project includes very limited 10 hike- or bike-in camp sites available by advanced special permit only and open for six months of the year. Although users of the camp sites (similar to any other trail user) may access County trails and recreation facilities, the potential increase in use at these County (or other) facilities would not be expected to be substantial, and would not be expected to result in physical deterioration of the County (or other) facilities.
- 53-3 The commenter indicates that a Recreation Section should be included in the DEIR. See Responses to comments 53-1 and 53-2. The DEIR potential addressed potential impacts to recreation facilities on page 1-3; as stated therein, and in responses to comments 53-1 and 53-2, no significant impacts to recreational facilities are expected. While this comment raises the

prospect of potential impacts, it did not identify any specific instances where the project would adversely affect existing recreational facilities. The conclusion on page 1-3 of the DEIR, that the project would have no significant impacts recreational facilities, is appropriate.

53-4

The commenter raises the issue of the potential need for increased parking (staging areas) for visitors who wish to access the summit via bicycle, horseback, or by foot. It is important to note that parking supply/demand is no longer included among the environmental checklist questions in Appendix G of the State CEQA Guidelines and is not, per se, considered a significant environmental issue. However, it is also noted that for recreation facilities on two-lane roadways, parking overflow can lead to vehicle-related safety hazards, which is considered a potential environmental effect under CEQA that needs to be addressed. The commenter suggests that the EIR should evaluate the use of Hicks Road and the impacts to County staging areas. As described in the DEIR (p. 3-12), the proposed project not only includes new parking/staging areas at the summit, it also includes a new parking/staging area on Mt. Umunhum Road at the Bald Mountain trailhead. From this new staging area, bicyclists, equestrians, and hikers could easily access the summit via the proposed new summit trail. Similar to the point made in Responses to Comments 53-1 and 53-2, the creation of a new recreation facility does not necessarily increase the demand on existing recreational facilities. In the case of the proposed project, adequate parking is expected to be provided and therefore the project is not expected to adversely affect any of the existing County parking/staging facilities. Regarding impacts to Hicks Road, a traffic study was conducted and described in the DEIR (p. 4.10-1) and it was determined that implementation of the proposed project would not degrade existing and future roadway levels of service to unacceptable levels during either weekday or weekend peak traffic conditions.

County of Santa Clara

Department of Planning and Development
Planning Office

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110-1705
(408) 299-5770 FAX (408) 288-9198
www.sccplanning.org



February 10, 2012

Ms. Meredith Manning, Senior Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

RE: Comments regarding Mount Umunhum Environmental Restoration and Public Access Project – Draft Environmental Impact Report (DEIR)

Dear Ms. Manning:

Please find enclosed comments from the County regarding the Mount Umunhum Environmental Restoration and Public Access Project - DEIR. These include comments from Planning, Roads and Airports, and Land Development Engineering.

The attached comments include concerns the County has regarding historic resources, special-status species mitigation, cumulative growth impact analysis, roadways mitigation, and compliance with drainage requirements.

If you have any questions regarding coordination of comments on the DEIR from the County, please contact Colleen Oda at (408) 299-5797 and Priya Cherukuru in Planning at (408) 299-5787, Felix Lopez at (408) 573-2487 in County Roads and Airports and Chris Freitas at (408) 299-5732, in Land Development Engineering.

Sincerely,

Ignacio Gonzalez
Director of Planning and Development

cc:

- Colleen Oda, Priya Cherukuru – Planning
- Felix Lopez – Roads
- Chris Freitas – Land Development Engineering
- Roland Velasco, Mike Wasserman - Board of Supervisors District 1
- Sylvia Gallegos – Deputy County Executive, County Executive Office

54-1

Board of Supervisors: Mike Wasserman, George Shirakawa, Dave Correse, Ken Yeager, Liz Kniss
County Executive: Jeffrey V. Smith



County of Santa Clara

Department of Planning and Development
Planning Office

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February 10, 2012

Meredith Manning, Senior Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Subject: Comments regarding Mount Umunhum Environmental Restoration and Public Access Project – Draft Environmental Impact Report (DEIR)

Dear Ms. Manning:

Please find below comments from County Planning Dept. regarding the EIR prepared for the Mount Umunhum Environmental Restoration and Public Access Project. Planning is concerned with criteria for historic resources, special status species mitigation, and cumulative growth impact analysis as addressed below.

Please contact Priya Cherukuru at (408) 299-5787, Priya.Cherukuru@pln.sccgov.org regarding the following:

Historic Resources
Page 4.2-17

There is a discrepancy between the CEQA historic resource criteria cited in Public Resources Code 5024.1 and the designation criteria for the California Register of Historical Resources as listed with the Office of Historic Preservation. Public Resources Code 5024.1(c) cites the criteria for the National Register of Historic Places. However the criteria for eligibility to the California Register criteria is

Criterion 1 - Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States

Criterion 2 - Associated with the lives of persons important to local, California or national history

Criterion 3 - Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.

Criterion 4 - Has yielded or has the potential to yield information important to the prehistory or history of the local area, California or the nation.

54-2



Please include both criteria in the document to clearly demonstrate that the eligibility for local significance has been evaluated under the applicable California Register criteria.

54-2
cont'd

Page 4-2.18

The document says that General Plan R-RC 85 applies to discretionary actions, which is true, but then it goes on to cite building permits as an example. Building Permit is NOT a discretionary action.

Page 4-2.19

Under Santa Clara County Historical Preservation Ordinance the EIR states “proposed demolition of on-site structures requires a demolition permit from SCC. Therefore, the proposed project is subject to compliance with the Santa Clara County historic preservation ordinance.”

A Demo permit is **not** subject to the Historic Preservation Ordinance unless the demolition involves a Landmark or a resource listed in the County Heritage Resource Inventory or the property is listed in the –h Historic Preservation Combining District. (See Division C17-Article III Section C17-13 for accurate language on the requirements.)

Mt Umunhum is not a County designated landmark, is not listed in the County Heritage Resource Inventory, is not located in the –h Historic Preservation Combining District and is therefore not subject to the Landmark Alteration Permit requirements or the Historic Preservation Ordinance.

54-3

Page 4.2-23

The mitigation measures in the Draft EIR are adequate for undocumented resources. However given the conclusion that the property is not a historic resource “Mitigation Measure 4.2-1 would not be a “mitigation measure.”

Note: The State Concurrence Letter validates that “none of the 52 structures on Mt. Umunhum are eligible for listing on the NRHP within state, local or national historic contexts.”

Please contact Colleen Oda at (408) 299-5797, Colleen.Oda@pln.sccgov.org regarding the following:

54-4

Amphibians Mitigation (CA red legged frog, yellow legged frog, western pond turtle)

Page 4-3-26

Mitigation Measure 4.3-2(b) acknowledges that construction of trail connections across drainages and streams may impact amphibians. Need to incorporate pre-construction surveys, monitoring by biologist, etc. to mitigate impacts the identified trail connections may have in potential take of the species.

54-5

Cumulative Impacts – Growth Inducement

Page 5-9

It is understood that the project is in a very remote location and no major development activity in the vicinity, however the discussion should reference other projects that may in combination with the proposal result in cumulative impacts. Several options that may be used:

- (a) Discuss other federal AFB (radar station) closure and restoration projects (such as Mill Valley, etc.)
- (b) discuss other Midpeninsula project activity in the region and reference hillside residential development plus any other regional parks projects.

If have any questions regarding the comments of this letter, please contact Colleen Oda, or Priya Cherukuru as specified above.

Sincerely,



Rob Eastwood
Principal Planner

cc: Colleen Oda, Priya Cherukuru

54-6

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., Governor

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

1725 23rd Street, Suite 100
SACRAMENTO, CA 95818-7100
(916) 445-7000 Fax: (916) 445-7063
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



November 09, 2011

Reply in Reference To: DOD110415A

Meredith Manning
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

RECEIVED

NOV 14 2011

MIDPENINSULA REGIONAL OPEN
SPACE DISTRICT

RE: Mount Umunhum Environmental Restoration and Public Access Project, Santa Clara County, CA

Dear Ms. Manning:

Thank you for consulting with me on the above-referenced undertaking. Pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (NHPA), the United States Navy (Navy) is seeking my concurrence with a number of Determinations of Eligibility and a finding of No Historic Properties Affected.

The Midpeninsula Regional Open Space District proposes to use Department of Defense funds to restore the summit of Mount Umunhum to its pre-development condition. The project area was home to the Alameda Air Force Station, a radar facility constructed in the late 1950s and decommissioned in the early 1980s. The Area of Potential Effects (APE) for this project, as described in the archaeological survey report, includes the radar installation, associated residential quarters, and the paved surface road ranging from the radar facility to the access gate at Jacques Road. Project components include the following:

- Radar tower: possible actions include retain and seal, 2) removal of most of structure, leaving a remainder as a publically-accessible monument, or 3) removal of entire structure and ecological restoration of footprint
- Demolition of all other former military structures at Mount Umunhum and Mount Thayer
- Construction of multi-use trail connections to existing regional trails, including the Bay Area Ridge Trail
- Construction of parking areas to serve trail connections
- Development of self-guided interpretive features for Native American and military history
- Installation of visitor amenities, such as benches and vault toilets
- Construction of parking lots, ADA drop off point, and ADA trails at summit
- Demolition of foundations and other remnants of development
- Removal of impervious surfaces
- Ecological restoration of disturbed areas

November 9, 2011
Page 2 of 3

DOD110415A

- Installation of safety upgrades
- Repair and repaving of Mt. Umunhum Road in phases
- Construction of an interpretive center
- Development of a backpack camp and associated ADA vehicle-accessible sites

In addition to your letter, you have provided evidence of Native American consultation, and the following studies in support of this undertaking:

- *Negative Archaeological Survey Report: A Finding of No Effect to Archeological Resources, Mount Umunhum Restoration and public Access Project, Santa Clara County, California* (Mark G. Hylkema: January 2011)
- *Section 106 Technical Report: Former Almaden Air Force Station, Mt. Umunhum and Mt. Thayer, Santa Clara County, CA* (Page & Turnbull, Inc.: October 2011)

The reports summarize identification efforts undertaken within the APE. The *Section 106 Technical Report* includes evaluations of fifty two buildings, structures, and objects associated with the former Almaden Air Force Station (see attachment for complete list of properties evaluated). Qualified architectural historians considered all applicable National Register criteria. Additionally, all of the properties were evaluated for potential significance within the broader context of the Cold War and the more narrow focus of North American Aerospace Defense Command (NORAD) radar facilities in California. The report notes that more intact examples are still extant in California and concludes that none of the properties meets the criteria for listing in the National Register of Historic Places (NRHP) or the California Register of Historic Resources, either individually or as a district.

The *Negative Archaeological Survey Report* includes the results of a pedestrian survey of the project area. A qualified archaeologist walked the access road and grounds of the radar facility. The APE is composed of paved and graded surfaces, and multiple abandoned buildings of the former facility. Occasional areas of Native soil were encountered and these locations were carefully examined for surface indications of either prehistoric or historic elements that might be considered significant. No archeological sites or features were identified.

Having reviewed your submittal, I have the following comments:

- 1) I concur that the APE has been properly determined and documented pursuant to 36 CFR Parts 800.4 (a)(1) and 800.16 (d);
- 2) I further concur that none of the fifty two buildings, structures or objects are eligible for listing on the NRHP within state, local, or national historical contexts;
- 3) I further concur that your Finding of Effect is appropriate pursuant to 36 CFR Part 800.4(d)(1) and that the documentation supporting this finding has been provided pursuant to 36 CFR Part 800.11(d);

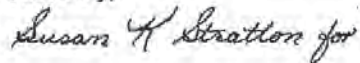
November 9, 2011
Page 3 of 3

DOD110415A

- 4) I understand that some aspects of the project have yet to be finalized. If any of these components fall outside of the APE, as described and delineated on Page 3 of the *Negative Archeological Survey Report*, I would like to be consulted;
- 5) Please be reminded that in the case of an inadvertent discovery or a change in project description, you may have additional responsibilities under 36 CFR Part 800.

Thank you for considering historic resources during project planning. If you have any questions or comments, please contact Tristan Tozer of my staff at (916) 445-7027 or by email at ttozer@parks.ca.gov.

Sincerely,



Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Section 106 Technical Report

Former Alhambra Air Force Station
Mt. Umunhum and Mt. Thege, Santa Clara County, California

Resource Identifier	Applicable NR to: Historical Significance	Integrity (10 CFR 800.201(d))?
001: Flag Pole (1957)	N/A	Yes
100: Operations (1957, addition in 1959)	A	No
102: Radar Tower FPS-24 (1959-1961)	A, C	No
103: Helicopter Pad (1962)	N/A	No
105: Fallout Shelter (1961)	N/A	Yes
108: Radar Tower MPS-14 (1962)	A, C	No
110: Training (1957)	A	No
112: Electrical Power Station (1960)	N/A	Yes
114: Sheet, Pipe & Paint Storage (1965)	N/A	No
115: Security Sentry House (1964)	N/A	Yes
118: Diesel Fuel Pump (1957)	N/A	Yes
119: CE [Civil Engineering] Maintenance Shop (1957)	N/A	Yes
120: Warehouse Supply & Equipment (1957)	N/A	No
200: Water Pump Station (1957)	N/A	Yes
205: Bachelor Officers' Quarters (1957)	N/A	Yes
206: Fire Hose House (ca. 1957)	N/A	No
207: Squadron Headquarters Orderly Room (1957)	N/A	Yes
211: Auto Maintenance Shop, aka Motor Pool (1960)	N/A	Yes
212: NCO Open Mess (1957, addition 1975)	N/A	Yes
213: Dispensary (1957)	N/A	Yes
215: Fire Hose House (ca. 1957)	N/A	No
217: Bowling Alley (1961)	N/A	Yes
225: Airman's Dining Hall (1957)	N/A	Yes
226: Fire Hose House (ca. 1957)	N/A	Yes
230: Commissary (1957; addition in 1967)	N/A	Yes
232: Fire Hose House (ca. 1957)	N/A	No
233: Barracks, aka Airman's Dormitory and Chapel (1957)	N/A	Yes
234: Fire Hose House (ca. 1957)	N/A	Yes
245: Recreation (1957)	N/A	Yes
250: Auto Maintenance Storage (1958)	N/A	Yes
275: Swimming Pool (1957)	N/A	Yes
276: Bath House (1966)	N/A	Yes
300: Sewage Treatment Building (1958)	N/A	Yes
303: Sewage Area Storage (1958)	N/A	Yes
505: Carport (1958)	N/A	Yes
506: Fire Hose House (ca. 1957)	N/A	Yes
507: Fire Hose House (ca. 1957)	N/A	No
508: Fire Hose House (ca. 1957)	N/A	No
509: Fire Hose House (ca. 1957)	N/A	Yes
510: Fourplex Apartment (1958)	N/A	Yes

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Section 106 Technical Report

Former Almaden Air Force Station
Mt. Umunhum and Mt. Thayer, Santa Clara County, California

Resource Identifier	Applicable NR or Historic Significance	Integrity (as of February 2010)
511: Fourplex Apartment (1958)	N/A	Yes
512: Fourplex Apartment (1958)	N/A	Yes
513: Fourplex Apartment (1958)	N/A	Yes
514: Fourplex Apartment (1958)	N/A	Yes
515: Triplex Apartment (1958)	N/A	No
516: Commander's House (1958)	N/A	Yes
517: Triplex Apartment (1958)	N/A	No
700: Communications Transmitter/Receiver (GATR Building) (1962)	N/A	No
715/ 722: Security Sentry House (1966)	N/A	No
884B: Steel Water Tank (1958)	N/A	Yes
TELCO (1957)	N/A	No
Pipe Storage (post-1962)	N/A	No

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County of Santa Clara

Roads and Airports Department



101 Skyport Drive
San Jose, California 95110-1302
(408) 573-2400

February 8, 2012

Ms. Meredith Manning
Senior Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Subject: Mt. Umunhum Environmental Restoration and Public Access Draft Environmental Impact Report

Dear Ms. Manning:

We have reviewed a copy of your Draft Environmental Impact Report for Mt. Umunhum Environmental Restoration and Public Access Project under File No: SCH# 2010122037. The following are our comments:

Section 4.10-1 Mitigation Measure bullet 6 - Revise to state "Survey Mt. Umunhum and Hicks Road on a weekly basis during all demolition off haul, excavated material haul and any fill importation to determine whether pavement condition remains adequate in all locations along entire haul route for safe truck traffic activity including no loose hauling material. If not, provide interim pavement repairs as needed."

54-7

Section 4.4.2 - Regulatory Settings (Local, page 4-4-7) - The Santa Clara County Drainage Manual should also be referred to for drainage analysis.


54-8

Mitigation 4.4-1a. (page 4-4-9) - Include the County of Santa Clara as part of consultation process. The County is a permittee in the Municipal Regional Permit (MRP) and is required to review and approve developments that are subject to the conditions identified by the MRP.

54-9

Thank you for the opportunity to review and comment on this project. Please call me at (408) 573-2462 for any questions.

Sincerely,


Felix Lopez
Project Engineer

cc: MA, KV, DC, RN, Colleen Oda, file

Board of Supervisors: Mike Wasserman, George Shirakawa, Dave Cortese, Ken Yeager, Liz Kniss
County Executive: Jeffrey V. Smith



County of Santa Clara
Department of Planning and Development

County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110



	Administration	Development Services	Fire Marshal	Planning
Phone:	(408) 299-6740	(408) 299-5700	(408) 299-5760	(408) 299-5770
Fax:	(408) 299-6757	(408) 279-8537	(408) 287-9308	(408) 288-9198

Via USPS

February 3, 2012

Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Attention: Meredith Manning
Senior Planner

Applicant: Lands of Midpeninsula Regional Open Space District

Road Name: Mt. Umunhum Road Improvements

Dear Ms. Manning;

This letter is in response to your "Draft Environmental Impact Report – Mount Umunhum Environmental Restoration and Public Access Project", prepared for the Midpeninsula Regional Open Space District by Ascent Environmental, and dated December 2011. This letter discusses floodplain, grading, and drainage, and storm water quality issues only. Other letters from Santa Clara County may be forthcoming.

54-10

Floodplain Issues:

This project is outside the floodplain areas identified on the 2009 Federal Emergency Management Agency (FEMA) Floodplain maps. No additional comments are necessary

Grading, Drainage, and Storm Water Quality Issues:

This study does not address issues associated with Santa Clara County's Grading and Drainage Ordinance, nor does it provide specific earthwork volumes, proposed cut or fill heights, nor requirements for potential permits from Santa Clara County. Specific requirements for mitigations outlined in the 2007 County Drainage Manual have not been addressed. Low Impact Development and Hydrograph Modification Issues associated with the Santa Clara Valley Urban Runoff Pollution Prevention Program's (SCVURPPP) Phase I Municipal Regional Permit have not been discussed nor addressed.

54-11

If you have any questions about this letter, please call me at phone (408) 299-5732.

Sincerely,

Christopher Freitas, P.E.
Senior Civil Engineer

CF:cf

Cc:

Board of Supervisors: Mike Wasserman, George Shirakawa, Dave Cortese, Ken Yeager, Liz Kniss
County Executive: Jeffrey V. Smith

Letter **Ignacio Gonzalez**
54 **County of Santa Clara Department of Planning and Development**
Response **February 10, 2012**

- 54-1 This comment from the Planning Director introduces the comments from other County departments attached to the letter. The responses to those comments are provided below.
- 54-2 The commenter is correct that the specific language differs between the criteria for the California Register of Historical Resources as listed with the Office of Historic Preservation and the criteria stated in Public Resources Code 5024.1 and CEQA (Section 15064.5[a][3]). The criteria listed in the California Register includes additional wording relating to local history, as highlighted by the commenter. The DEIR included an evaluation of local significance (p. 4.2-26) based on the County of Santa Clara designation criteria, which is identical to the criteria of the California Register of Historical Resources. It described criteria for inclusion in the California and National Registers of Historic Places. In addition, as indicated in the DEIR, the State Historic Preservation Officer determined that none of the onsite structures or objects are eligible for listing on the National Register of Historic Places within state, local, or national historical contexts (emphasis added) and concurred with the Finding of Effect. The proposed project was evaluated using the appropriate criteria. The commenter does not provide any information that suggests the analysis in the DEIR was incorrect.
- 54-3 The commenter points out that the DEIR incorrectly states that the proposed project is subject to compliance with the Santa Clara County historic preservation ordinance. The commenter is correct. Because none of the structures on the site are listed as a Landmark or a resource listed in the County Heritage Resource Inventory, compliance with the County's preservation ordinance is not necessary. Therefore, the third paragraph on page 4.2-19 of the DEIR is revised as follows (~~strikethrough~~ = deletion; double underline = insertion):
- ~~Proposed demolition of on-site structures requires a demolition permit from the County of Santa Clara. Therefore, the proposed project is subject to compliance with the Santa Clara County Historical Preservation Ordinance. Applicable text from t~~The County's preservation ordinance is provided below.
- The minor text change above provides clarification and does not alter any of the conclusions of the DEIR and is not considered substantial new information.
- 54-4 It is assumed that the commenter is referring to Mitigation Measure 4.2-2, which is a voluntary mitigation measure. (The DEIR does not include a Mitigation Measure 4.2-1) It is appropriate to use the term "mitigation measure" because the measure still mitigates project-related impacts even though the impacts are not "significant." A less-than-significant impact does not necessarily mean that no impact would occur, only that the change is not substantial. While agencies are only obligated by CEQA to mitigate significant impacts, when feasible, there is no prohibition to providing measures that reduce impacts that are less than significant. In this case MROSD recognizes the importance of existing buildings to the history of Mount Umunhum; even if this history is not significant under CEQA, MROSD feels it important to recognize it. No changes to the DEIR text are necessary.
- 54-5 The commenter states that pre-construction surveys and monitoring by biologists need to be incorporated to mitigate the impacts to California red-legged frog, foothill yellow-legged frog, and western pond turtle potentially resulting from construction of trail connections. As

described on page 4.3-24 of the DEIR, no suitable habitat for these species is present at the summit of Mount Umunhum or adjacent to the Mt. Umunhum Road. The proposed trail connections would follow ridgelines and would not cross any major riparian or wetland areas. If the proposed trail alignment would cross any seasonal or ephemeral drainages, it would be at the headwaters of the creeks where suitable aquatic habitat for special-status amphibians or reptiles is naturally limited. Following MROSD trail construction guidelines would avoid impacts to wetland and aquatic habitat. However to ensure that habitat for these species is avoided during trail construction, MROSD would be required to construct trail crossings, river drainages, or streams when the drainages are dry, and thus reduce the likelihood that these species are present in the work area. The DEIR concludes that impacts to California red-legged frog, foothill yellow-legged frog, and western pond would be less-than-significant.

54-6 The commenter points to the growth inducement discussion for comments related to cumulative projects and cumulative context. The DEIR includes a description of the cumulative development assumptions on page 5-1, which includes growth assumptions and cumulative projects. Regarding cumulative impacts related to closure and/or restoration of other radar stations, the DEIR (p. 4.2-8) includes a list of 9 other permanent radar facilities in California, and two that were described merely as predecessors to later sites. The DEIR states that the Almaden AFS does not stand out as particularly significant compared with other Cold War-era Air Force radar stations in California. Of the other nine radar stations, buildings at Mill Valley AFS, Mt. Laguna AFS, and Red Bluff AFS have been dismantled. However, only Mill Valley AFS has been identified as a historic resource and has already been impacted by its own demolition. Because the DEIR concluded that the former Almaden AFS was not found eligible for listing in the California or National Registers, the proposed project would not contribute to cumulative impacts related to radar station closures.

54-7 The commenter requests that entire haul route, including Hicks Road, be included in mitigations undertaken for Mt. Umunhum Road during demolition and off-haul.

Mt. Umunhum Road is a five-mile-long private road, the majority of which is owned by MROSD, and the remaining owned by one party. The lower 1.75 miles is open to the public but vehicular access is restricted past this point by virtue of a locked gate. Non-vehicular public access on Mt. Umunhum Road is permitted for an additional 1.25 miles to the property boundary, which is indicated by signs but no gate. Beyond this point, the upper 2-mile portion of Mt. Umunhum Road is closed to all public access, and is only accessible to private property owners, MROSD, and their contractors. MROSD recently completed an extensive survey of the existing road conditions of Mt. Umunhum Road. Because the District knows the current condition of the road, and due to the very limited traffic on this road, the District will be able to monitor impacts of the truck traffic on this road, if any.

By contrast, Hicks Road is a well-traveled public road. There are many property owners along this road, and, over the last two years, MROSD has observed extensive truck traffic on this road for various private and public road work, grading, hauling, tree trimming, and road repair work. It would be inappropriate and infeasible (if not impossible) for MROSD to monitor the entire length of Hicks Road for impacts which could easily be the result of other projects and/or parties.

Demolition off-hauling would be completed in full accordance with all state and local regulatory requirements.

54-8 The commenter indicates that the DEIR should also refer to the Santa Clara County Drainage Manual. In response to this comment, the following text is hereby added to page 4.4-8 of the DEIR (just above the title “4.4.3 Impacts and Mitigation Measures”):

Santa Clara County Drainage Manual

The Santa Clara County Drainage Manual identifies the multiple design standards, methods of analyses, and engineering tools required for the planning and design of storm drainage systems and flood control facilities within the County. The manual sets forth County standards for storm drainage design in accordance with the County’s subdivision and land development regulations.

The minor text change above provides clarification and does not alter any of the conclusions of the DEIR and is not considered substantial new information.

54-9 The commenter suggests that the County of Santa Clara should be listed alongside the San Francisco Bay Basin RWQCB as part of the water quality consultation process. In response to this comment, Mitigation Measure 4.4-1(a) on page 4.4-9 of the DEIR has been revised as follows:

- a. *Prior to earthmoving activities (e.g., grading, excavation, construction), MROSD will consult with Santa Clara County Department of Public Works for Municipal Regional Permit review and will also consult with the San Francisco Bay Basin Regional Water Quality Control Board (RWQCB) to acquire the appropriate regulatory approvals that may be required to obtain Section 401 water quality certification, State Water Resources Control Board (SWRCB) statewide National Pollutant Discharge Elimination System (NPDES) stormwater permit for general construction activities, and any other necessary site-specific waste discharge requirements. No grading or other soil disturbance will occur until the appropriate regulatory approvals and permits have been issued.*

The minor text change above provides clarification and does not alter any of the conclusions of the DEIR and is not considered substantial new information.

54-10 This comment indicates that the proposed project is outside the floodplain areas identified on the 2009 Federal Emergency Management Agency (FEMA) Floodplain maps. This is consistent with the information provided in the DEIR.

54-11 The comment indicates that the DEIR does not address issues associated with the Santa Clara County Grading and Drainage Ordinance and does not provide specific earthwork volumes, proposed cut or fill heights, nor requirements for potential permits from Santa Clara County. The DEIR includes a level of detail necessary to accurately and appropriately evaluate the potential impacts to the environment associated with the proposed project. Any grading on the site would be expected to be minor and would involve primarily balanced cut and fill. Several areas at the summit will likely require clean fill and topsoil in order to perform landform restoration and recontouring for proper drainage and establishment of native plants. The information requested by the commenter will be available when grading plans are developed and as site improvement plans are prepared (which would include specific onsite drainage if required by the County). Again, this level of detail is not necessary to appropriately evaluate impacts to the environment. No changes to the DEIR text are necessary in response to this comment.



February 10th, 2012

Via email

Meredith Manning, Senior Planner
 Midpeninsula Regional Open Space District
 330 Distel Circle
 Los Altos, CA 94022
 Email: mt.um@openspace.org

Re: Environmental Impact Report for the Mount Umunhum Environmental Restoration and Public Access Project

Santa Clara Valley Audubon Society (SCVAS) is pleased to comment on the Draft Environmental Impact Report (DEIR) for the Mount Umunhum Environmental Restoration and Public Access Project. SCVAS members typically share a passion for wildlife and natural resources, especially birds. The mission of SCVAS is to preserve, to enjoy, to restore and to foster public awareness of native birds and their ecosystems, primarily in Santa Clara County. We are pleased to see that plans to restore Mount Umunhum are progressing, and that the Midpeninsula Regional Open Space District (District) continues to endeavor to develop sustainable visitor destinations that balance public access, enjoyment, and education with environmental restoration. We are disappointed, however, that our advocacy for improvements that would serve the thousand-strong birding community of the region failed to motivate the District to include these improvements and evaluate them in this DEIR.

Comment I: Bird watching

SCVAS has participated in the Project's planning and evaluation process since June 2010. Repeatedly, we requested that the plan include components that would serve the bird watcher community of the region. We advocated for:

- An "Audubon trail" that is bird friendly, single track, hikers only, with special constructions such as bird-watching blinds and nest boxes.
- A raptor-viewing platform or equivalent site.

I.1 Improvements for bird watchers: We continue to ask that these requested improvements be

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22221 McClellan Road, Cupertino, CA 95014 Phone: (408) 252-3748 * Fax: (408) 252-2850
 email: scvas@scvas.org * www.scvas.org

55-1

incorporated into the project plan, and that the EIR evaluate any associated potential impacts. Birdwatchers move very slowly on a trail. When a bird is being watched by a group of birders, a hiker or cyclist is likely flush it away and eliminate the birder’s sport and enjoyment. In addition, a raptor viewing area would create an important attraction for our community. Impacts resulting from birding-oriented improvement are likely to be minor, and evaluating them in the EIR would give MROSD the opportunity to develop these in the future.

55-1
cont'd

I.2 Policy: Please include the birding community in the proposed projects goals and objectives. In Section 3.4 PROJECT GOALS AND OBJECTIVES (page 3-5), please modify objective 4 to state, “Provide ample, rich, and diverse trail experiences for hikers, bird watchers, bicyclists, and equestrians”

55-2

Comment II – Nuisance species

In our scoping letter SCVAS expressed concerns regarding availability of food to wildlife due to trash, visitors neglect, or visitors feeding wildlife at campsites and picnic tables. Human food attracts nuisance species such as corvids, starlings, rats, mice, wasps and more. These species may prey on or displace local mammals, birds, reptiles, and amphibians species. Thus, allowing picnics and camping can potentially result in a pervasive and persistent impact on local fauna. “Pack in Pack out” is a good solution, but its effectiveness at Mt. Umunhum should be monitored in an Adaptive Management process. Please describe how monitoring for trash and for nuisance species will be implemented, and provide an adaptive management plan to ensure that impacts on wildlife do not become significant over time. Removing picnic tables and closing camping sites should be considered in the palate of adaptive management tools.

55-3

Comment III – Impacts of increased traffic on wildlife connectivity

The proposed project would increase volumes on Hicks Road and on Mt. Umunhum Road (Section 4.10, Traffic and Circulation). The EIR should evaluate the impacts of increased traffic and road infrastructure (including guardrail, fences) on wildlife crossings (including migration of amphibians) and potential for road-kill. Wildlife crossings should be identified and the EIR should assess whether additional crossing should be constructed to mitigate for the increase in traffic on the roads.

55-4

Comment IV - Nesting Birds

The DEIR identifies various mitigations for Impact 4.3-2c) “Avoid and Minimize Impacts to Golden Eagle, White tailed Kite, and Other Nesting Birds” during construction and ground disturbing activities.

IV.1 Raptor nests: Existing raptor nests get used every year, sometimes by the same pair of raptors, sometimes by a Raven, sometimes by a Great-horned Owl. Golden Eagles demonstrate strong fidelity to their nests. We believe that MROSD should delineate trails that avoid removing trees with raptor nests or encroaching upon them by trail or by hand-gliders.

55-5

IV. 2 Purple martins: Populations of purple martins are declining over much of North America, including California. The decline can potentially be attributed to invading starlings and house

p. 2 of 3

sparrows that displace the purple martins from suitable nest cavities. In Santa Clara County, purple martin range has contracted to a 15-km segment of the Summit Ridge in the Santa Cruz Mountains, including Mt. Umunhum. The DEIR states that in spring 2011, several purple martins were observed at the summit of Mt. Umunhum and a nest with chicks was identified in a cavity in a power pole. The purple martin is a California Species of special Concern, and potential impacts of the project to this species should be recognized as significant.

- The DEIR proposes, “a number of currently non-functioning power poles would remain on-site and would be re-purposed to provide nesting habitat for Purple Martin.” Please fit the poles with cavities / birdhouses. Please provide an adaptive monitoring plan for occupancy by purple martins and/or nuisance species.
- Preconstruction surveys should be biologically relevant. The DEIR proposes, “The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of construction in a particular area. “ Since purple martin (and many other birds) can construct a nest, lay eggs and raise chicks within the proposed 14-30 day window, we ask that a qualified biologist survey for purple martins nests no longer than 2 days prior to any disturbance.

55-5
cont'd

V. Impact 5-3 **Cumulative Biological Resource Impacts.** Please provide support for the conclusion that “the project’s contribution would not be cumulatively considerable” is not supported. The DEIR acknowledges that the proposed project would result in significant impacts on special status plant and animal species. The EIR should not defer mitigation to an unspecified requirement to participate in mitigation plans approved by the federal and state resource agencies. Please provide detail on the mitigation plans that the project would participate in, and explain how this participation would result in lowering the cumulative impact on special status plant and animal species so it is no longer significant.

55-6

Thank you for the opportunity to present these comments, and please contact us if you have any questions. Please send a copy of the Final EIR to Santa Clara Valley Audubon Society and notify us of future hearings or other actions concerning this project.

Sincerely,

Lisa Karpinski,
Environmental Action Committee Volunteer

Shani Kleinhaus,
Environmental Advocate
shani@scvas.org

**Letter
55
Response** **Lisa Karpinski and Shani Kleinhaus
Santa Clara Valley Audubon Society
February 10, 2012**

- 55-1 The commenter describes previous requests for the proposed project to include bird watching facilities. These comments do not raise environmental issues, or issues related to the adequacy of the DEIR. No further response is necessary; however, in order to provide the public with specific information related to the facilities planning, the following information is provided.
- MROSD supports and encourages bird watching as a low-intensity recreational activity on all of its lands. As part of this project, it is MROSD's intention to provide an area that would accommodate bird watching, but not necessarily an actual structure for doing so. A local ornithologist/biologist has visited the site on several occasions to perform informal species counts and to help craft the proposed project elements related to bird watching. It is expected that the most unique and productive sites for birds and bird watching will be the mountain top and ridge areas. The site is unique because it allows the possibility to witness raptors, raptor migration and diurnal migrations of other land birds including an active hummingbird migration. The hilltop destinations are conceptually designed for easy-access and wherever possible, conform to ADA accessibility standards. These easy-access areas are proposed to feature trails that would not be rugged but interspersed with benches facing the views, and would be open only to hikers. These proposed areas are well-suited for quiet bird watching without the need for a dedicated platform that would gather, rather than disperse, visitors.
- During the nesting season, Purple Martin is found at the summit. This bird is a California Species of Special Concern. Therefore signage and areas dedicated to bird observation are intended to be focused on the hilltops. The construction of blinds (hides) is not seen as a good option for this area, as these installations function best at sites where a large section of land with ample bird use can be scanned from one spot, examples being marshes, mud flats, beaches, and grasslands. A blind would not increase wildlife viewing opportunities in forested areas or a hilltop, and construction, if near prime habitats, could be disruptive. The use of nest boxes, as mentioned in the DEIR, is under consideration, but only with reference to providing possible nesting sites for the Purple Martin.
- 55-2 The commenter requests that language related to bird watchers should be added to the project objectives. These comments do not raise environmental issues, or issues related to the adequacy of the DEIR. No further response is necessary; however, in order to provide the public with specific information related to the facilities planning, the following information is provided.
- Bird watching is arguably primarily a hiker's activity, but is also enjoyed by cyclists and equestrians. Any of the three user groups can engage in bird watching, and often do on other District lands without the need for a specific category for user type; therefore, it is also not appropriate to identify birdwatchers as a specific user type for this particular project.
- 55-3 To reduce the likelihood of human food and trash becoming available to nuisance wildlife species, such as corvids, starlings, rats, mice, wasps, the commenter requests that the effectiveness of the "pack it in, pack it out" policy be monitored in an adaptive monitoring program to ensure that impacts to native wildlife do not become significant over time.
- It is important to note that many of the nuisance wildlife species mentioned by the commenter are currently present at the site. For example, multiple occurrences of Stellar's jay, western

scrub jay, and common raven have been documented at the project site. Rodent species (rats and mice) are present within many of the abandoned structures as evidenced by the large amount of droppings. Demolition of these structures could result in reduction of the existing nuisance wildlife populations associated with these structures.

MROSD biologists visit the project area in the regular course of their work. In addition, MROSD rangers regularly patrol their facilities, especially areas of more intense public use such as camping, picnic, and parking areas. MROSD rangers are trained to enforce MROSD policies (including the “pack in, pack out” policy where applicable), are expected and authorized to protect the lands they patrol, including its flora and fauna, and are skilled at identifying nuisance wildlife populations. A campground host has also been included as an additional mitigation measure if the campground is developed (see Response to Comment 73-4), which will serve to curtail trash and monitor for problem wildlife populations.

With demolition of existing rodent-infested structures, enforcement of the “pack in, pack out” policy, monitoring by rangers skilled in natural resources protection and required to protect the environment, and presence of a potential on-site campground host, implementation of the proposed project is not anticipated to result in substantial increases in the existing population of nuisance wildlife. See response to comment 55-5 below for information specific to European Starling, Purple Martin, and adaptive management measures.

55-4

The commenter requests that the impacts of increased traffic and road infrastructure on wildlife be evaluated and wildlife crossings be identified. As the commenter correctly notes, the proposed project would increase traffic volumes on Hicks Road and Mt. Umunhum Road during demolition of existing structures, construction of new facilities, and operation of the new facilities once the area is open for public access (Section 4.10, Traffic and Circulation). Currently Hicks Road is a public two-lane rural road that provides connection to other roadways in the area. Mt. Umunhum Road is a two-lane local road extending about five miles uphill from its intersection with Hicks Road to the entry gate of the former Almaden AFS. Existing traffic on these roads is generally light, with vehicles observed driving at speeds from 20 to 35 mph. The greatest increase in traffic would occur on Mt. Umunhum Road, which is currently closed to public access. The current peak hour 2-way trips are 4 and 2 on Friday and Saturday, respectively, and would increase to a projected 26 and 65 trips during the peak hours. Unlike Mt. Umunhum Road, there is existing traffic on Hicks Road; therefore, the percentage of traffic increase along Hicks Road is projected to be much smaller (see DEIR Section 4.10, Traffic and Circulation for details).

Although the use of the existing roads would increase with the proposed project, the effect on wildlife is not expected to be significant with this level of increase. These are existing roadways that have been in use for decades to access the former Almaden AFS prior to its closure in 1980 and are currently used daily by private landowners and their contractors to service a significant number of communications towers at the summit. The road is also used by MROSD staff and their contractors. There are no known major wildlife corridors that cross the road, including migration routes for amphibians. Most amphibian movements occur at night, in particular during rainy nights, when vehicle speeds are anticipated to be slower. The project area would be closed to the public just after sunset. The speed limit on the roadways would remain the same, at between 20 and 35 mph. All traffic to the project area would occur during daylight hours when animals are more visible to drivers.

Although increased traffic could result in some additional accidents with wildlife, it is not expected that the impact would substantially affect the regional wildlife populations or substantially interfere with wildlife movement. This impact is not significant.

55-5

The commenter notes that raptor nests are used in multiple years, sometimes by different species and that some species, such as golden eagles, show strong nest fidelity. The commenter suggests that trails be delineated to avoid removing trees with raptor nests or encroaching upon them by trail or hang gliders. The commenter also expresses that potential impacts to Purple Martin be recognized as significant. The commenter suggests that cavities or birdhouses be created for martins and an adaptive monitoring plan be developed and preconstruction surveys be biologically relevant.

In addition to the mitigation measures included in DEIR Section 4.3 “Biological Resources” that reduce impacts to sensitive biological resources, it is MROSD policy to avoid such resources when siting trails or other recreational facilities. Proposed trail alignments and hang glider routes would avoid existing known raptor nests and removing trees greater than 6 inches would be limited to the greatest degree possible. Furthermore, additional mitigation as described under Master Response 3 would reduce impacts to soaring raptors associated with hang gliders in flight.

MROSD recognizes the importance of the Santa Cruz Mountains, including Mount Umunhum, to the breeding population of Purple Martins. Even if the proposed project were not under consideration, now that the species has been discovered at the project location, MROSD is eager to take management actions and work with species experts to support Purple Martin conservation. Certain components of the proposed project are included to directly benefit this conservation effort. These efforts include proposals to: 1) retain defunct power poles known to previously be occupied by nesting pairs to provide future nesting habitat for returning migratory Purple Martin, and 2) provide new nest boxes on new steel poles (resembling those used in a successful nest box program in the Puget Sound—Vancouver area) .

DEIR Impact 4.3-2c identifies potentially significant impacts to Purple Martins during construction and proposed measures to reduce the likelihood that active nests would be disturbed. Purple Martin young typically hatch after 15-18 days of incubation and require 26-31 days from hatching to being capable of independent flight (e.g., fledging). The DEIR proposes for pre-construction surveys for Purple Martin to be conducted between 14 and 30 days prior to construction to allow sufficient time to protect a nest, should one or more be present, and reschedule construction activities accordingly.

Whether or not the proposed project is approved or implemented, MROSD intends to manage, foster, and protect the existing Purple Martin population at Mount Umunhum. During monitoring of Purple Martins, it will be important to note presence and numbers of corvids (crows, ravens, and jays) and especially Eurasian Starlings as this species, although not in the corvid family, has been considered as detrimental to the martins. It should be noted that whereas corvids may be attracted to camping and picnic uses, starlings do not necessarily show the same correlation. Starlings are not picnic area scavengers unless the area itself is very open, urban, or otherwise highly degraded. The presence and abundance of starlings is more closely associated with simplified habitats than directly available food. It should also be noted that whereas other corvids have been documented at the project site, starlings have not.

Although numbers of corvids can increase due to camping and picnic activities, enforcement of policies by Rangers such as “pack in, pack out” and the on-site campground host (as well as

other visitors), would reduce the potential for substantial increases in populations of these nuisance species (see response to comment 5-3). Any increases in population are expected to be minor; however, even if increases in the populations of these species should increase as a result of the proposed public access, at best the existing population of Purple Martins would remain at the site and cohabitate with these species as they currently do, or, at worst, the increase in these species could push the existing martins off of the project site to nest elsewhere. Even if this worst-case indirect effect were to occur, it would not exceed the thresholds of significance as outlined in the DEIR (p. 4.2-22) because it would not result in the take of, or substantially modify the habitat of, a rare, threatened, or endangered species, or substantially limit the range of a wildlife species (which is understood to be limited within the project area). However, MROSD intends to manage this Purple Martin population and foster population growth; therefore, even though expulsion of Purple Martins from the site by increased populations of nuisance birds would not be considered significant under CEQA, this would be counterproductive to MROSD's intent to foster the population growth of Purple Martins at the site. If this situation arises, MROSD may decide to take an adaptive management approach, which could include closing recreational facilities at the site, such as the campground and/or picnic areas, to discourage increased populations of corvids and other competing nuisance species.

In response to the comment regarding preconstruction surveys, DEIR Mitigation Measure 4.3-2 requires that presence and evidence of nesting in Purple Martins be monitored during the breeding season, specifically during any construction phase. With weekly monitoring during the breeding period all potential nesting poles and the 2011 nest site can be surveyed. Purple Martin populations tend to be synchronous in their nesting timing and the incubation and fledging periods are well known. Nesting stage can therefore be readily estimated observationally, based on the behavior of the birds, without need to conduct a direct nest inspection. Ongoing weekly monitoring allows an estimate of whether the martins will have finished their nesting by the time construction begins near a nesting area. These surveys can inform the timing and location of construction.

55-6 The commenter requests support for the conclusion that impacts to biological resources would not be cumulatively considerable. The DEIR acknowledges that the proposed project would result in significant impacts to biological resources. The mitigation outlined in Section 4.3 describes how those impacts would be reduced to less-than-significant levels and provides details on how and when the mitigation would be achieved. Note that mitigation requiring participation in State or Federal programs does not include any "credit purchase" programs (i.e. purchase of "credits" representing acreage of preserved off-site habitat), but rather includes restoration or re-creation of any adversely affected resources on a "no net loss" basis, which means that any habitat lost would be created or restored acre-for-acre. Therefore, the post-mitigation impact would not considerably contribute to a cumulative impact. The DEIR's discussion in Impact 5-3 also describes how the project-specific impacts would be reduced to less than significant and are not cumulatively considerable. No changes to the DEIR text are necessary.

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AN EQUAL OPPORTUNITY EMPLOYER

File: 32486
Guadalupe Creek

January 11, 2011

Ms. Meredith Manning
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Subject: Notice of Preparation of an Environmental Impact Report for Mount Umunhum
Environmental Restoration and Public Access Project

Dear Ms. Manning:

Santa Clara Valley Water District (District) staff has reviewed the Notice of Preparation of a
Environmental Impact Report (EIR) for the Mount Umunhum Environmental Restoration and
Public Access Project, received on December 15, 2010.

The District does not have any land rights; therefore, in accordance with the District's Water
Resources Protection Ordinance, a District permit is not required for this project. Although a
District permit is not required for the work, the site is located at the headwaters of the
Guadalupe Creek and other tributaries to Guadalupe Creek and Lexington Reservoir.
Therefore, the site needs to be designed to include measures to prevent erosion, pollutants
from entering the creek, minimize increases in runoff from the site, and preserve and/or
enhance existing riparian habitat.

If you have any further questions, please contact me at (408) 265-2607, extension 2586. Please
reference District File No. 32486 on any future correspondence regarding this project.

Sincerely,

Kathrin A. Turner
Assistant Engineer
Community Projects Review Unit

cc: S. Tippets, C. Haggerty, K. Turner, File

32486_53783kt01-11

56-1



Letter 56 Response	Kathrin A. Turner Santa Clara Valley Water District January 11, 2011
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56-1 The commenter indicates that the proposed project does not require a permit from the Water District and requests that the site design include measures to protect water quality. The proposed project addresses impacts to water quality in section 4.4 "Hydrology and Water Quality," which includes mitigation measures to minimize project-related impacts to water quality. The comment does not raise issues related to the adequacy of the analysis of the DEIR.

From: Jim Showalter [REDACTED]
Sent: Friday, December 16, 2011 11:50 PM
To: MROSD - Mt. Um
Subject: DEIR
I advocate:

Remove entire structure and environmentally restore the footprint.

The temporary impact on the environment of demolishing this eyesore will be more than offset over time by public enjoyment of the restored mountaintop.

57-1

**Letter
57
Response****Jim Showalter
December 16, 2011**

57-1

Please refer to Master Responses 1 and 2, which address issues related to the treatment of the tower and to the aesthetic character of the site. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Richard Simpson ([REDACTED])
Sent: Thursday, December 22, 2011 1:09 PM
To: sherhold@mercurynews.com
Cc: MROSD - Mt. Um
Subject: Mt Um
Response to Scott Herhold's column in the 22 December San Jose Mercury News:

- 1) It's ugly. If preserved, at least put a replica of the antenna on top to show how it worked; the concrete box alone is an eyesore (and corrupts the ridge line).
- 2) \$700K to patch crumbling concrete? There must be better ways to spend that much money.
- 3) Historic at 51? In the grand scheme of things, the Cold War may turn out to be 'big' only to the Baby Boomers who lived through it.
- 4) A veterans' memorial? My guess is that Mt Um was one of the most coveted assignments during its era. If you want to honor vets, consider Korea or Vietnam; or put some of the funds into rehab programs for the vets who survived the hot spots.

58-1

Dick Simpson
Palo Alto
[REDACTED]

**Letter
58
Response****Dick Simpson
December 22, 2011**

58-1

Please refer to Master Response 2, which addresses issues related to aesthetic character of the site. Please see Master Response 1 regarding options for treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: Dennis Smith [REDACTED]
Sent: Monday, December 26, 2011 5:35 PM
To: MROSD - Mt. Um
Cc: Dennis Smith
Subject: DEIR

My comments, very briefly:

Please retain the radar tower - it is a valuable landmark for many constituencies, including MROSD Docents;

59-1

Please do NOT install picnic tables - keep this Preserve like all the other District Preserves. A picnic area invites waste, bad food for native animals, and a continuing problem with trash pickup and cleanup;

59-2

I do not think that overnight camping should be allowed, for personal safety reasons. Unlike the area in Monte Bello, it appears that people will be able to drive to, or near, the summit. If so, the chances for crime are significant. However, if vehicle access is not allowed, I am neutral on overnight camping under the rubric 'pack it in, pack it out.'

59-3

Dennis H. Smith
NRDB Database Administrator
[REDACTED]

**Letter
59
Response****Dennis Smith
December 26, 2011**

- 59-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.
- 59-2 The comment raises issues related to picnic tables and trash. Please refer to response to comment 55-3.
- 59-3 The comment raises issues related to the proposed camp site and safety issues. The commenter indicates that if vehicle access is not allowed, that he would be neutral on overnight camping under the policy of “pack it in, pack it out.” As indicated in the DEIR project description (p. 3-11) the 10 camp sites would be accessible only by hikers and bicyclists, and parking would be made available for visitors displaying disabled placards in their vehicles under special permit. The DEIR states (p. 4.3-28) that recreational users of District preserves are instructed to dispose of all garbage in proper locations, under a “pack it in, pack it out” approach. The comment does not raise issues related to the analysis in the DEIR.



From: Rich Stephens [REDACTED]
Sent: Sunday, January 08, 2012 6:21 PM
To: MROSD - Mt. Um

Subject: Re: Mount Umunhum Environmental Restoration and Public Access Project: Notice of Public Hearing for Jan 18 2012

Unfortunately I can't make it to the meeting but can you confirm that it is now OK to ride over the top? I saw an email that the guy, Rick Estrada, that used to threaten bikers no longer lives there and that it was now safe for bikers to connect to Loma Prieta? I'd love to use Mt Umunhum to connect over to Santa Cruz as it is a whole safer than 9/35. Is there any truth to this?

Thank you
Rich Stephens.

60-1

**Letter
60
Response****Rich Stephens
January 8, 2012**

- 60-1 The commenter requests information related to specific residences near the project site. MROSD staff responded to the commenter by email. The comment does not raise environmental issues or issues related to the adequacy of the DEIR.

61

From: Laura Sternberg [REDACTED]
Sent: Friday, December 23, 2011 11:37 PM
To: MROSD - Mt. Um
Subject: Mt. Umunhum Cube
Hello, and I'd like to add my 2 cents.

I want the cube to remain, not just for the reasons Herhold mentions but because it is an easy-to-see landmark from all over this valley, as well as from planes. I know if I'm heading home if it's in front of me. And for 44 years I've used it as my homing device--I live 3 blocks from Camden and Coleman. Only Mount Hamilton, on the other side of the valley, is a comparable landmark. But Mt. Um. has the historical significance, also.

Thanks for listening!
Laura

61-1

**Letter
61
Response****Laura Sternberg
December 23, 2011**

- 61-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: DICK SWEETAPPLE [REDACTED]
Sent: Thursday, December 22, 2011 6:39 PM
To: MROSD - Mt. Um

Subject: Commenting on options for addressing radar tower.

Hello: I read with interest the three options for addressing the radar tower. I favor the third option, removing the entire structure and environmentally restoring the footprint. I feel the mountain top has such potential beauty that it should be restored to a natural setting as much as possible. The air force presence on the mountain should be remembered and acknowledged by information boards that convey the entire history of the mountain, done in an informative and tasteful way. I am also concerned that saving the tower would involve ongoing expenses, initially the cost to make it safe for visitors at the site and then for continuous maintenance fees in the coming years. These expenses could be better used for regular maintenance for the site and maintenance of other parks within the open space. The tower would be a graffiti and vandalism magnet and the cost to clean and repair would take money from other maintenance needs the site would require. Thank you for your consideration. I look forward to visiting the site when it opens to the public. It will be a wonderful asset to our open spaces here in the County.
Carol Sweetapple

62-1

**Letter
62
Response****Dick Sweetapple
December 22, 2011**

62-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: Mike Vandeman [REDACTED]
Sent: Thursday, December 15, 2011 11:48 AM
To: MROSD - Mt. Um
Subject: Mountain Biking at Mt. Umunhum

Please share with all appropriate and interested parties.

Bicycles should not be allowed in any natural area. They are inanimate objects and have no rights. There is also no right to mountain bike. That was settled in federal court in 1994: <http://mjvande.nfshost.com/mtb10.htm> . It's dishonest of mountain bikers to say that they don't have access to trails closed to bikes. They have EXACTLY the same access as everyone else -- ON FOOT! Why isn't that good enough for mountain bikers? They are all capable of walking....

A favorite myth of mountain bikers is that mountain biking is no more harmful to wildlife, people, and the environment than hiking, and that science supports that view. Of course, it's not true. To settle the matter once and for all, I read all of the research they cited, and wrote a review of the research on mountain biking impacts (see <http://mjvande.nfshost.com/scb7.htm>). I found that of the seven studies they cited, (1) all were written by mountain bikers, and (2) in every case, the authors misinterpreted their own data, in order to come to the conclusion that they favored. They also studiously avoided mentioning another scientific study (Wisdom et al) which did not favor mountain biking, and came to the opposite conclusions.

Those were all experimental studies. Two other studies (by White et al and by Jeff Marion) used a survey design, which is inherently incapable of answering that question (comparing hiking with mountain biking). I only mention them because mountain bikers often cite them, but scientifically, they are worthless.

Mountain biking accelerates erosion, creates V-shaped ruts, kills small animals and plants on and next to the trail, drives wildlife and other trail users out of the area, and, worst of all, teaches kids that the rough treatment of nature is okay (it's NOT!). What's good about THAT?

For more information: <http://mjvande.nfshost.com/mtbfaq.htm> .

--

I am working on creating wildlife habitat that is off-limits to humans ("pure habitat").
Want to help? (I spent the previous 8 years fighting auto dependence and road construction.)

Please don't put a cell phone next to any part of your body that you are fond of!

[REDACTED]

63-1

**Letter
63
Response****Mike Vandeman
December 15, 2011**

- 63-1 The commenter indicates that bicycles should not be allowed at the project site. The commenter suggests that bicycles have greater impacts to the environment than hikers. The DEIR evaluates impacts to the environment resulting from use of the site by hikers and bicyclists. The comment does not raise issues with the adequacy of the DEIR's analysis.

From: Jaime Villarreal
Sent: Thursday, January 26, 2012 12:31 PM
To: MROSD - Mt. Um
Subject: round house space?

I was thinking the mountain area should have enough real estate to reserve an area where a future Ohlone structure can be built. When I toured Point Reyes Kule Loklo Miwuk replica village, our group (farm staff and docents) were shown two possible buildings, one a sweat lodge and another a round house.

The round house was very impressive. It was built by park staff, but once it was used by modern-day Native Americans, for example a wedding, the building became a sacred place, requiring a ritual before entering and what you can do inside. It is can be reserved for occasions like this. It is fully functional and can have a capacity of scores of people. Their ceremonies require a fire pit. Regulations prohibited taking pictures.

I would like this to be considered as a possibility and what the EIR may say about it.

For more information, see

http://www.nps.gov/pore/historyculture/people_coastmiwok.htm

It would be interesting to hear what our Ohlone contacts have to say about this.

BTW, there is not enough space at the Farm's village for a round house.

Jaime Villarreal [REDACTED]
Farm Maintenance Worker

[REDACTED]

64-1

**Letter
64
Response**

**Jaime Villarreal
January 20, 2012**

64-1 The commenter raises operational issues. The comment does not raise impacts to the environment and does not raise issues related to the adequacy of the DEIR.

65

From: Jaime Villarreal
Sent: Friday, January 20, 2012 9:43 AM
To: MROSD - Mt. Um
Subject: Few more comments D EIR
Nice job on the hearing and interesting comments,

Besides my comment at the hearing on capacity controls (KIOSK?),

- Inexperienced backpackers may not be prepared to filter non-potable water and will engage staff for assistance
- Ridge trail backpackers may want to cache supplies somewhere in the area and there may need to be a cabinet for this purpose
- The no-waste policy will cause some visitors to empty their trash in the restrooms, just like at Rancho past the farm

65-1

Jaime Villarreal [REDACTED]
Farm Maintenance Worker

[REDACTED]

**Letter
65
Response****Jaime Villareal
January 26, 2012**

65-1

The commenter suggests additional facilities be considered for the project. The comment does not raise issues related to the environment or issues related to the adequacy of the DEIR.



From: Ed Von Runnen [REDACTED]
Sent: Friday, February 10, 2012 4:52 PM
To: MROSD - Mt. Um
Subject: Mt. Umunhum DEIR comments

Option 1. Retain radar tower in its entirety to be used as visitor center; retain the Commander's house; retain some operational and personnel housing units (unaffected by the abatement as stated in Introduction section 1.1).

Include original or reproduction radar equipment to be used in the visitor center.

Allow unrestricted public access by car at all times.

Allow campsites.

66-1

**Letter
66
Response****Ed Von Runnen
February 10, 2012**

- 66-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Please note that all housing previously at the site will be demolished; existing housing facilities are in state of disrepair due to long-term lack of maintenance and recent hazardous materials removal activities, which resulted in removal of much of the structural components of the housing areas.

From: Jenny Walicek [REDACTED]
Sent: Thursday, January 05, 2012 8:24 AM
To: MROSD - Mt. Um
Subject: Preservation
Dear Ms. Manning,

I strongly believe that the radar tower on Mt. Umunhum, which I've lived beneath for nearly thirty years, should not be destroyed. Those who argue that its unpleasant connotations should doom it should realize that on that principle, most historic landmarks around the world would disappear – including castles, battlegrounds, and cemeteries. The radar tower is a visible, appreciable piece of history and a fascinating focal point in a valley that's too often condemned by our neighbors to the north (and beyond) as devoid of culture, architecture, and general interest. To remove one of our truly interesting "conversation pieces" and historical landmarks seems self-defeating, and disrespectful to the past. I do hope it will be preserved – or at least allowed to stand until time takes its own natural toll.

67-1

Thank you for your time,
Jenny Walicek

**Letter
67
Response****Jenny Walicek
January 5, 2012**

67-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

68

From: karla werninghaus [REDACTED]
Sent: Thursday, January 26, 2012 11:06 PM
To: MROSD - Mt. Um
Subject: Mt. Um

I am a Bay Area resident and pilot. I support allowing both hang-gliding and paragliding recreational activities on Mt. Um. This happens safely at multiple sites in the area, and has for years. There need not be any negative impact on wildlife or other recreation.
Karla Werninghaus

68-1

**Letter
68
Response**

**Karla Werninghaus
January 26, 2012**

68-1 Please refer to Master Response 3, which addresses issues related to hang gliding.

Jeffery White

Dear Meredith, Senior planner

I didn't see reference to Light pollution. It is critical we maintain nighttime esthetics along the Ridge. Some private properties have not and thereby have caused a major trespass that continues today.

69-1

Consider what a bright light does to the eye when viewing the Mountain.

As a side note: please consider ANY LOCAL tradesmen, LABORERS, CONTRACTORS, suppliers, etc. over "out of the Area" Advertise locally for local workers.

69-2

Give precedents to these locals

Thanks for all your efforts and work!
you doing a great thing!

Sincerely Jeff White

**Letter
69
Response****Jeff White
December 31, 2011**

- 69-1 The commenter indicates that he did not see reference to light pollution. The DEIR evaluates impacts associated with impacts from night lighting on page 4.1-15. The comment does not raise issues related to the adequacy of the DEIR.
- 69-2 The commenter suggests that local labor and suppliers should be considered. This is not an issue related to the environment. The comment does not raise issues related to the adequacy of the DEIR.



From: Bruce Williamson [REDACTED]
Sent: Tuesday, December 13, 2011 5:06 PM
To: MROSD - Mt. Um
Subject: To the MROSD Board of Directors — I Support Radar Tower Option 2
Meredith,

First of all, thank you for all the hard work you and your team have done to produce such a comprehensive document! Wow!

I Absolutely, 100%, Totally, Unrelentingly, Utterly & Forever Oppose Radar Tower Option 1.

Here's why—

- 1. Obstructed Views. If the radar tower remains intact there will be no place on top of Mt. Um where a visitor can stand in one place, turn 360°, and in that single turn see ALL of the incredible views that everyone had access to prior to the Air Force Station being built. The only place to do that would be on top of the tower, which would be off limits. 70-1
- 2. Risk & Liability. A large concrete structure of this sort becomes a natural target both for vandalism and attempts to climb or launch from the structure. This puts the District at risk for liability, as well as the extra costs of removing graffiti and repairing other damages. Having any kind of access to the roof for maintenance crews, etc. invites misuse of the site by those who always have to test such limits. Since MROSD owns the site, I think it needs to highlight this as a reason for tearing down the tower. It has no obligation at all to the general public to spend unnecessary and increasingly precious financial and physical resources to maintain a block of concrete that serves no purpose and that can actually pose a public safety hazard. 70-2
- 3. Irrelevance. The tower has served its purpose. "Thank you, radar tower and all those who served within your walls." There are respectful ways to memorialize its role in the Cold War without subjecting all future generations living in the Bay Area to the constant visual impact—both from near and afar—of a structure that has absolutely no current usefulness or purpose and that does not blend with its surroundings. 70-3
- 4. Human History. All the people who ever worked and lived in the vicinity of Mt. Um over the past 12,000 years need to be honored. If the radar tower is allowed to remain, by its sheer 5-story bulk it gives an overwhelmingly and literally massive preference only to the Cold War military era and does not allow equal honoring of all those others who were also intimately tied to the area for a much, much longer span of history. 70-4
- 5. Inappropriate Scale. The scale of the radar tower is just too huge to ever restore any kind of natural proportion to Mt. Um. If it remains it will always cast an enormous shadow over all other attempts to remediate the site for more appropriate and human-scale uses. 70-5

I Enthusiastically Support Radar Tower Option 2.

I like that it preserves a portion of the structure, which can serve as a kind of easel on which to display the most recent history as well as the more ancient past of the place, including honoring those who served at the AFS. (This will hopefully defuse what I consider an overly emotional—sometimes bordering on hysterical and irrational—argument from military families that the radar tower just “has” to remain intact because a family member or ancestor worked there.) My only requirement with Option 2 would be that the cut walls have to be low enough so that visitors to Mt. Um have a totally unrestricted view of all the surrounding landforms near and far without any break in the line of sight. (I assume that people will also be able to safely stand on the low cut foundation remnants to enhance those views.) 70-6

I Think Radar Tower Option 3 Tries To Create A Silk Purse Out Of A Sow's Ear.

The damage to the top of Mt. Um sustained during the building of the radar station is permanent, especially in terms of the mountaintop leveling process. It makes most sense to me for MROSD to concentrate its considerable ingenuity and creative efforts on remediating the surrounding landscape as best it can, and let the remaining low walls of the radar tower in Option 2 remain what they are. 70-7

Thanks for your time and consideration of these opinions,

Bruce Williamson
[REDACTED]

**Letter
70
Response****Bruce Williamson
December 13, 2011**

- 70-1 Please refer to Master Response 2, which addresses issues related to aesthetics and visual resources.
- 70-2 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Regarding safety risk associated with the tower, assuming Tower Option 1 is implemented, the tower would be sealed, and access to the roof for maintenance would only be available from stairs within the sealed structure. The public would not have access to the top of the tower.
- 70-3 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 70-4 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 70-5 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 70-6 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 70-7 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.

Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

71

From: Beth Wyman [REDACTED]

Sent: Thursday, January 05, 2012 10:07 AM

To: MROSD - Mt. Um

Subject: Mt. Um Tower

SAVE THE TOWER! For what its worth, my vote is cumulative of my son, his daughter, my son-in-law and his two children. It doesn't represent the cold War. It represents the profile of Mt. Um!

Thanks,

Beth Wyman

71-1

**Letter
71
Response****Beth Wyman
January 5, 2012**

71-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.



From: Leeson [mailto:]
Sent: Thursday, February 23, 2012 7:48 AM
To: Meredith Manning
Cc: Larry Hassett; MROSD - Mt. Um
Subject: Additional Umunhum DEIR comments

Hi Meredith,

We have two additional comments re the Draft EIR:

1. Cellphone service will not replace on-site emergency patrol: In our own and others' experience, cellphone service is unreliable along the Umunhum ridge. So a cellphone for emergency service cannot be counted on. There are two technical reasons for this, interaction with multiple sites and distance limitations from sites.

Cellphones in motion "hand off" to an approaching site, as determined by signal strength. Because of multipath fading, this is not completely reliable, and if a stationary cell phone is illuminated by a large number of sites (especially if from two different area codes, as here) calls fail or are dropped on the slightest change in position, cell site loading or radio conditions. Also, cell systems deny access to cellphones that access multiple sites, in order to preclude handoff and capacity problems for other users.

Also, in order to prevent the saturation of distant cell sites under unusual radio propagation conditions (such as mountaintop extended line of site), there is a "latency" (time delay) limit that drops calls from a distant cell phone. This can result in a call apparently being accepted, but immediately dropped. See for example <http://www.sarinfo.bc.ca/Library/Communications/CellphoneOperation.txt>

Fire and medical services take approximately 30 minutes to reach the Umunhum area. By policy, emergency helicopters cannot land without radio guidance from an official already on the ground.

So the use of a dedicated cellphone kiosk, or of visitors' cellphones, cannot be relied upon in an emergency here, especially one such as a rapidly spreading wildfire.

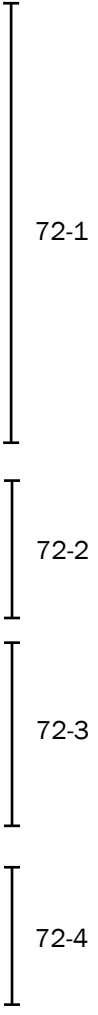
2. Extensive recreational park use requires a formal Use Permit: In addition to the recognized budget expansion, the use of open space lands for park activities (overnight camping, hang gliding, etc.) would seem to be a major change in use, requiring specific county permit applications and hearings. We note that there are provisions for user permits in other open space areas, and most are limited to the daylight hours (http://www.openspace.org/activities/permit_information.asp). We would suggest that the extent, isolation and cost of the Umunhum project are quite beyond what the District has managed to date, and would dictate a County Use Permit process for the proposed new and expanded uses.

The general public seems mostly interested in the opportunity just to enjoy the view from Umunhum, aside from certain vocal special-interest groups. We note these groups have not offered the moneys to fund their requests. Given the high risk and cost of providing new recreational uses, we suggest more consideration be given to an affordable dawn-to-dusk "Plan B," with on-site ranger presence, that would specifically address just the primary demand for access to the view.

This would be much more in line with the District's Open Space mandate.

Thanks for your ongoing appreciation of how our own decades-long mountain experience can be applied to the Umunhum project.

Dave & Barb Leeson



**Letter
72
Response****Dave and Barb Leeson
February 23, 2012**

- 72-1 The commenter discusses reasons why cell phone service would not be reliable at the project site and would not replace emergency patrol. The proposed project would not rely on cell phone use for contact emergency responders. As indicated in the DEIR (p. 3-13), the proposed project includes a dedicated 911 call box (connected to nearby telephone lines) and ranger staff would patrol the site year-round. Therefore cell phone service would not replace emergency patrol.
- 72-2 The commenter indicates that fire and medical services take approximately 30 minutes to reach the Mount Umunhum area, and that emergency helicopters cannot land without radio guidance from personnel already on the ground. The commenter is correct that this response time is within the range of normal vehicle response; however, CALFIRE has indicated they can deploy a helicopter for emergencies that would arrive at the summit within two to three minutes of deployment. These wildland fire helicopters routinely land in remote areas without ground assistance. Medical helicopters are typically called in from emergency personnel already on the ground seeking additional assistance for medical emergencies. Furthermore, the proposed project includes water tanks and fire hoses specifically designed for on-site fire suppression.
- 72-3 The commenter indicates that a land use approval should be required from the County. MROSD consulted with Santa Clara County personnel representing planning, building, fire, engineering, historic, and environmental health very early in the project development phase. Communications have been ongoing, including a field tour of key planning personnel to the project area, in the effort to develop a project description that was feasible and fit within guidelines set for land use by the County. Further, a copy of the DEIR for this project was provided for comment to the County, and comments from the County were received and are addressed in this FEIR (See responses to comment letter 54). The proposed use has not generated concern regarding a conflict with the existing land use designation of the project site.
- The commenter also indicates the preferred tower options. Please see Master Response 1, which addresses concerns related to the treatment of the tower.
- 72-4 The commenter indicates that the general public does not seem to demand much in terms of recreational facilities, but that the public is most interested in the view. The commenter recommends consideration of a more limited “dusk-to-dawn” facility that provides mostly public access to views with onsite ranger presence. This comment does not raise environmental issues; however, the limited-intensity recreation use suggested by the commenter is similar to the “Reduced Amenities/Increased Restoration Alternative” that was evaluated in the DEIR under Section 6 “Alternatives” (see DEIR p. 6-9).

DEIR Hearing Transcript

January 18, 2012

Historic Del Monte Building

100 South Murphy Avenue, # 103

Sunnyvale, CA 94087

7:00 Call to Order

Roll Call—Present: Harris, Hassett, Riffle, Cyr, Kishimoto, Siemens,

Absent: Hanko

No reportable action at closed session.

Motion to adopt agenda. Carries. (Unanimous)

Introduction by (Director?)

Meeting Procedures

Welcome by Steve Abbors

Staff Presentation (Meredith Manning, MROSD and Gary Jakobs, Ascent)

No clarifying questions from the Board.

Open Public Hearing

Bryce Reynolds

I certainly didn't expect to be first, so I guess I'll start it out. I'm just here to say that I hope the Board seriously considers keeping the landmark of the tower up on the hill. I'm sure that's going to be a big topic tonight. It's been there since I was a kid. I remember watching the dish spin around and I remember my am radio being interfered with. We need to be able to get near it, touch it, whatever. The other thing I've also noticed both talking to people since I've been interested in this for a couple...well I've always been interested in the mountain, ever since MidPen started their meetings and things, I've had an interest that's been heightened...I talked to people about and I say, 'I'm going to a meeting about Mt. Umunhum.' 'Mt. what?' 'Well, you know that big mountain with the big building on top.' 'Oh, yeah, yeah, I know exactly what you're talking about.' It's the only way people know where it is, much to my understanding. And the other thing I think that's interesting too is whenever you see anything relative to publication, news media, whatever, what's it a picture of? The tower. So I just feel that there are a lot of mountain peaks around we can all go to and enjoy the views, but there's only one tower in the Bay Area, and it's that one. So, that's it.

73-1

Jack Nadeau

I'd also like to speak on the tower issue. I can see it's a very emotional issue. If you interviewed everyone in this room I think most people would be very much for keeping the tower as it is and then very much in favor of some other way of dealing with it such as alternative 2 and 3. I'd like to see everybody happy, but I'm afraid not everybody's going to be happy when the final decision is made. That's unfortunate. I'd like to see a compromise. I'm in the Preservation Action Consolate of San Jose, where we try to maintain and keep old buildings as they were. I really believe in historic preservation, but this issue is different. This issue involves a completely unnatural structure in a natural setting. So what I'd like to see is a compromise. I like #2 where there's a foundation kept the same size as the original building which would be an observation deck with a nice fence around it. You'd have a 360 degree view of the Pacific Ocean and the Valley. It would be beautiful. I know the people that want to keep the tower don't like this idea because they want to see it there to remind everybody what it was, what it represented, how important it was. I grew up in San Jose. I was born there in '43 when 10-speed bicycles came into vogue. I used to go to Mt. Hamilton a lot, but every time I headed to Mt. Umunhum there was a gate there, and I wanted so much to see what the view was from Mt. Umunhum. I used to look at it with my binoculars and watch the screen go round and round and I thought, 'we're protected from those bad people that may be coming to bomb us.' That's great. The thing is the tower has no aesthetic value other than a strictly functional stand to put that radar screen on. And to me the skyline is marred horribly by this building which looks like it belongs in a downtown area, not on top of a beautiful mountain that the Indians used to consider sacred. So that's what I want to remind these people that want to keep the tower. I just don't like the idea of keeping it. I'd just like to see it gone. To me it's one of the ugliest things I've ever seen, is that tower on top of a beautiful mountain top. The thing is, I would go for a compromise. Like I say, keep the foundation, put a fence around it. I believe strongly in keeping the history alive. Ideally, I'd like to see a museum, have a scale model of the mountain just as it was, with the barracks there, just as it was. There are modelers who could make a fine representation of the mountain. It would show the tower in scale to be the best thing ever, it would actually have a radar screen with a little motor, and it would turn at the same rate that it turned when it was there for real. The history would be preserved, and yet the view would not be diminished. Thank you very much.

73-2

Basim Jaber

Thank you Board of Directors for letting me speak tonight. I'll be mindful of time so I did write it down so I remember what I wrote, or what I wanted to say. My name's Basim, and I represent a large group of 230+ veterans and dependants who were stationed and lived up at Almaden Air Force Station. These are the men and women of the 682nd radar squadron. I'm here to comment on their behalf to keep the radar tower. You're going to hear from a lot of individual people actually some of the veterans are here and will speak with us tonight. They're all in favor of keeping the radar tower. And not because they have any sentimental value to it. At this point I think we ask you just not to make any rash or hasty decisions. If you don't have funding for it now, just keep it. Make a more informed and educated decision in the future based on a richer set of alternatives than those that are presented today, and possibly when more funding is available from either private or public funding. Beside the spectacular views, when you go visit Mt. Tamalpais, Mt. Hamilton, and Mt. Diablo, they all have something else up there, there's not just a view. Whether there's visitor centers, there's museums (the summit museum on

73-3

Diablo, that is), there's a historic light beacon on Diablo, there's a world class observatory from 1887 on Mt. Hamilton. The concept is there's more than just views, and trails, and benches and parking lots. Like the one on Mt. Umunhum there are 17 concrete towers, 18 total, not one of them has been torn down. Every one of them had a use after the Cold War. They're incredible buildings with so much potential. Aesthetically, it's not any more disruptive than Lick Observatory, or the summit museum on Mt. Diablo, or the FAA radome, which actually was another radar station on top of Mt. Tamalpais. You could even look at power lines on El Sombroso in Sierra Azul. Personally, I find those to be more aesthetically disruptive than any kind of tower...they are power lines. Environmentally, the tower's been remediated of all its hazardous materials; it's a blank canvas ready to be a piece of art later art...something you can do with it...a blank canvas. This entire project is nothing like the District has done before. One can only hope that the end result is nothing like the District has done before.

73-3
cont'd

Andrew Gere

Hello, my name's Andrew Gere, and I'm the chief of operations for the San Jose Water Company. As the District's largest neighbor to this preserve, the water company certainly appreciates the outreach made by Meredith and the rest of the MidPen staff as this project has evolved. They've really done a great job of keeping us informed, answering our questions, so they should be commended for that. Our adjacent watershed land is the first step in protecting the water supply for approximately 100,000 people in Los Gatos, Monte Sereno, San Jose. So it's a very important relationship, and protecting the watershed is a very important mission for San Jose Water Company. According to our comments on the EIR are focused primarily on the proposed backpack camp. And specifically, the Water Company believes that establishment of the camp will create an unacceptable increase in the risk of wildfire ignition as experienced in the 1961 Austrian Gulch fire, which started very near the Mt. Umunhum preserve, and the 1984 Lexington fire. Wildfire in the critical watershed has absolutely detrimental effects on water quality and to the extent that we are not able to provide enough treatment to make that water useable for a period of one or more years. Specifically our concerns are these: while the EIR acknowledges in most circumstances that the risk for fire ignition is higher with increased visitor-ship, it concludes that the project is expected to result in decreased sources of ignition because illegal trespassing will be reduced by legitimate access to the site. I don't think the EIR does an adequate job of substantiating that or demonstrating that that's the case, so we'd like to see that addressed. The EIR states that open fire and smoking would be prohibited, but it doesn't provide much detail on how these provisions would be enforced within the campground. San Jose Water Company is concerned that the District may not have adequate range staff dedicated to preventing these potentially dangerous activities. Throughout the document there is a lot of language that talks about when funding is available or if funding is available so it wasn't clear that there were enough resources dedicated to managing the camp particularly after hours during wildfire season. Although the camp is called a backpack camp those sites are located less than ¼-mile from a public access road and again the Water Company is concerned that it may be against the rules to be used as a drive-in camp and the remote location of the camp may make it attractive to folks who are thinking about breaking the rules and having illegal campfires and again we think that that's a high risk. And finally, I just want to say that I do appreciate all the additional mitigation relative to wildfire that was included in the EIR and I think all that is really significant and

73-4

meaningful and should move forward; however, the Water Company disagrees that, with the inclusion of the backpack camp, that the effects are less than significant.

73-4
cont'd

Brian Carr

Thank you very much. My name is Brian Carr. I am a long time hiker, volunteer, and contributor deposed, because of the beautiful lands you have up there in the open space. They are really truly some of the most beautiful areas in the Bay Area. I have to say I was surprised and disappointed when I saw that there were plans (and I understand that this is just a draft EIR) for hang gliding. Aside from the technical issues, and I haven't really had time to read through the 1,000-page document, but I wonder if it's addressed the impact on breeding eagles for instance under other wildlife there. But aside from that, I think it's inconsistent with the spirit and the purpose of the open space district. If you haven't had a chance, drive up Hicks Road and then Mount Umunhum Road as far as you can go and you can hike out along the ridge and you can look down at a beautiful quiet peaceful valley. Similar to that of the view from the Long Ridge Open Space District when you're at the Stegner Bench. I'm sure most of you have gone there and you know what Wallace Stegner said there and the quote on the bench when he talks about the serenity and peace that drifts down from the quiet green hills. I don't think you would allow hang gliding at the Long Ridge Open Space District and I don't think you should allow it at Sierra Azul. I would think that 90% of regular hikers and people who normally go there would agree with me. I know there's probably a very vocal and enthusiastic group of hang gliders, but I think it's a tiny minority. So I would ask you to keep in mind the values and the purpose of the open space district. Hang gliding, skateboarding and those things are not consistent with it. Please keep it natural and please keep in mind Wallace Stegner's vision.

73-5

Dave Leeson

Good evening Board and staff, I'm Dave Leeson, my wife Barbara and I are neighbors, and as do you, we view our the stewardship of our acreage very seriously. I provided some written comments, but I wanted to just briefly summarize them. One of our concerns has to do with the fact as just mentioned that it is a very quiet area. And I believe there's an error in the EIR with respect to the acceptable noise level which is given as 40 dBA, that's substantially above the existing ambient in the daytime and much above the existing ambient at nighttime. One of the issues with noise is that it goes up directly with the number of people, and nowhere in the EIR do I find any limit on the number of people. If you have 100 times as many people you have 100 times as much noise power, and I believe there should be some issue of that sort addressed. The other issue with noise is that a noise which has a character of a tone or music or speech is required by County regulation to be 5 dB less than white noise or background noise. And I didn't see that that was actually adopted in the setting of the level. So I recommend 30 dBA for the daytime limit and 20 dBA for the nighttime limit with 5 dB below that for the noise which has the character of speech or tone. The other issue: we love our turkey vultures. They're the thing I see in the sky when I get up in the morning. I see them at sunset. And they come and they perch on our radio towers and they nest in the area. They roost. They are gorgeous birds in flight. And I'm concerned that they were nowhere mentioned in the EIR. They are a protected animal. And I believe that there should be no hang gliding unless it's well-established that there is no impact on their nesting or their roosting or other habits as they share the same thermals. And I haven't seen anything to that effect and I think

73-6

that’s a significant issue. Thirdly, as are others who occupy the immediate area, we have safety concerns that stem from the fact that you’re going to increase the population of the area by ten- or 100-fold. We’re concerned about fire, we’re concerned about visual impact. We’ve noticed that since the mitigation, the buildings are much brighter, and they no longer meet the County’s requirements for earth-tone finish, and we’d like to see that as mitigation. That’s all I have to say, and we do appreciate being able to address you and the work of your wonderful staff.

73-6
cont'd

Sam Drake

Thank you to the Board. I appreciate you letting me speak here tonight. I am Sam Drake, and I’m not representing anyone. I’m a hiker and I’ve lived in San Jose for 28 years. I moved to San Jose originally from Kansas. Kansas is known as a very flat place, and that’s accurate. When I came out to San Jose to interview, when the sun came up I was fascinated by the hills that surrounded me. My eye was immediately drawn of course to the cube on Mt. Umunhum and the observatory on the eastern hills. And they really, from that very first morning of that very first day they made an indelible impact on me and made this valley into something very special. I think the EIR is an excellent document. I’m ashamed to say I read every word of it. Of course the one thing I disagree with is its conclusions about aesthetics. It’s clear to me and I think a significant number of people here and in the community as a whole if either option 2 or option 3 are taken something of aesthetic value will be lost and it will be impossible to mitigate, and for the EIR to say that it would be less than significant in this area is an error, and it should not be allowed to be approved in that state. Reasonable people can disagree about the ultimate resolution about the tower. There are cases that can be made for option 2 and option3, and I can see the value of those. But there is also a case to be made for option 1. I think the language the EIR and frankly the EIR itself is not an appropriate vehicle and not an appropriate place to litigate what happens to the tower. So where the EIR deviates from talking about facts into talking about aesthetics and feelings and “one could argue that this is a butt-ugly building, etc.” I think none of that’s appropriate in the EIR. The Board will have to decide at a later date, but warping the EIR into doing these mental gymnastics to make it seem like knocking down the tower if of no significance is not appropriate and should not be allowed to stand.

73-7

Jaime Villereal

My name is Jaime Villereal. This location is going to be a destination. Where I currently work is also a destination at Deer Hollow Farm located at Rancho San Antonio the busiest preserve at our open spaces, and my comment is that even when things are at peak when Rancho is closed down when the rangers put the no parking signs, somehow the crowds seem to still manage to enter the preserve, especially at the farm. It seems like there’s a constant flow sometimes. So I think the EIR needs to mention crowd control, capacity issues, what is the capacity, how do we limit that. For example if you need a kiosk to control the crowds, there’s no mention in the EIR of a kiosk. So that was my main comment. I don’t want the location to be a place where people are fighting to get a parking space. It should be a peaceful place.

73-8

Craig Hofstetter

Good evening, I’m Craig Hofsteter. I appreciate the opportunity to speak to you tonight. I’m a 60-year Bay Area resident and former air force officer. Obviously I have strong opinions on the retention and

73-9

restoration of the site. I would like to echo the previous speakers who did a much better job than I could of advocating for retention of the tower. I was actually disappointed to see that there wasn't a fourth option in there, maybe I'm covering ground that was addressed at previous meetings, and that would be to retain the tower as a special use facility under the District's basic policy, and I guess it's a question for Meredith whether that was considered at previous meetings and discarded.

73-9
cont'd

Dylan Baker

Hi, my name is Dylan Baker and I'm just representing myself so this shouldn't take too long. I'm an economics major from Santa Clara and as part of my studies I had to study sustainability, so just keeping sustainability in mind, part of something being sustainable is it to have economic sustainability. I know that's not what this document is about, but I know that some people have raised issues about fire safety and proper policing of the area, and as part of addressing those issues, the site will need to generate either enough interest or enough revenue every year to address those issues. So that's actually part of the environmental sustainability, as I see it. With that said, the Mt. Umunhum box I believe from everything I've encountered in my life generates a ton of interest. So I think the interest generated by this box is part of the environmental sustainability of this whole project. So that's it. Thank you.

73-10

Jacob Finkle

Hi my name is Jacob Finkle. So first, thanks for all the work you've done and thanks for this meeting. This is great. I'm just speaking solely on the issue of the radar tower. I think it's an integral part of the mountain. And I think it should stay. It's really important to me, and I know a lot of people that I've spoken with about the box feel the same way. And that's all I have to say.

73-11

Johnny Reed

Hi my name's Johnny Reed, and I do want to keep reiterating about that radar tower. I grew up in the east bay and I've worked here since '76 in Santa Clara County and I've owned a condominium in Milipitas since '79. And growing up in the East Bay we had a NORAD tower up in the San Leandro Hills, which is basically what we call the golf ball. Once they removed that golf ball it was just a hill again. You didn't know where it was again. And if you take down that radar tower, then all of a sudden it's just the hills and you don't know where Mt. Umunhum is. You've had these meetings at Distel Circle in Los Altos, and in Los Gatos and you can't even see Mt. Umunhum from there. You drive down 101 toward my fiancé's down in Blossom Hills off of Coddle and Santa Theresa down there, and it's just beautiful to look up and go "Oh there's Mt. Umunhum. I know right where it's at." So I don't like option 2 and 3 because you're totally just eliminating that ability to see it from the valley floor. Because it would be nice to go up there and see that tower also think about what to do with it, why not paint the sides of it with hummingbirds on one side and military pictures on the other. Instead of having an airport with a parking garage with hands like this instead of airplanes or something that makes a little more sense. You could definitely adorn that tower a little bit, but to tear it down then you take away totally any idea of where that mountain is when you're driving down 101 and you're heading to Gilroy and Morgan Hill. You're like where is it? I don't know. Plus I'd like to get back to the fact of transportation up to the top of the hill. I might look really healthy, but I'd like to drive my vehicle up to the top of the hill, because my knee cannot go walkin' all over the place like some of you gentlemen—I'm real happy that you have that physical ability—but to be able to have the transportation where I don't have to wait for transportation

73-12

to go up there and I can take my own, but again I'd like to see you keep that tower for the rest of us that can drive along 101 and say "Wow, look at that, there it is." Thank you very much.

73-12
cont'd

Michael Cook

Hi, Dr. Michael Cook. I'm a 682nd radar veteran, but I'm speaking for myself and not the group, and you'll see why I said that disclaimer in a second. I can echo what the last speaker just said. I drive from Fremont to Milipitas every day. I look along the hill line, look along the hill line, and ah.. there it is. And only because the tower is there. I had a look at the draft EIR and unfortunately it seems to be heavily skewed toward tearing down the tower, but I don't think it adequately expresses the process that you used to reach that decision. I think the Board should make available the Page and Turnbull report and I think the structural analysis report should be made available to the public to see how you come to the process. I think the public needs to better understand the process, and I think we need to see it's a real process, and I agree with the other speaker who said the EIR is an inappropriate place to discuss the fate of the tower. We need to see it's a real process not consultants paid to produce results that match a pre determined agenda. Second point. I got a little construction experience in my background, and to me it's just really hard to justify or understand how a couple coats of paint and a foam roof is more expensive than tearing that thing down and trucking all that debris down off the hill. Does not compute. As my grandpa used to say, "That dog don't hunt." I just can't see how you come to the figures. A little bit more on how you came to that process would be nice for the public to see. And lastly, I think it's the height of irony that we're having this meeting in a restored historic structure and yet the Board seems like the narrow and outdated mission statement that's on the back of all your business cards would make you so cavalier about destroying an equally historic structure.

73-13

Daniel Bremond

Thank you for giving me the opportunity to talk. I am Daniel Bremond and I work with Bay Area Hang Gliding Association, and I am also a member of the Association of Wings of Rogallo, which is a paragliding and hang gliding association. First I would like to apologize for my strong foreign accent. I will try to speak slowly and do my best to be understood. I have three points to make. The first one is to correct what has been said today about the impact of hang gliders on wildlife. There is no impact of hang gliders on wildlife. As a pilot, I have often flown with vultures around me or other migratory birds, so we fly with other birds and we fly to preserve and paraglider or hang glider is not any danger for flying with wildlife. The other thing I want to state is paraglider or hang glider has less impact than a single hiker. Why? Because even if we hike up, we fly down. So we use the trail only once. We put our feet on the ground less than hikers. So don't say that the paraglider or hang glider has an impact on nature and on the ground. My second statement is about the tower. The flying community has no preference about removing or keeping the tower. The tower is not a danger for the flying community. We have an example on the top of a hill in Milipitas. There is a ???? and we can take off with no problem around that. So we cast no vote about the tower. And my last statement is about wording. Other people talk about only hang gliding. I would like the wording specified hang gliding and paragliding.

73-14

Kerry Carlson

Kerry Carlson, I'm vice president of the Midpeninsula employees association. We have an interest

73-15

because we know that whatever comes out of this we know that eventually it's the field staff that will be managing this site. And the field staff has concerns. We have submitted a written letter, which is more detailed, but I'll just touch on a few points that we included in our letter. Like a lot of the folks out there—let me just state that I've been a ranger for 26 years—I can remember going up the day that the commander handed the keys to us when we took possession of the air force station. And before that, I can remember, we had a black and white TV, I went down to my mom and we got at the S&H Green stamps store, she was saving green stamps, and we plugged that black and white TV in and there was a beep, and we thought that maybe there's something not right with the TV, but it turned out it was just the screen going around on Mt. Umunhum, because we lived in Cambria Park there and we were close enough that the screen would show up on our black and white TV. Back to the project, one of the areas we had a concern about was the staffing. It says in the EIR that we would add 2 rangers and 1 maintenance. That's a big concern because for the Board and Sango that might remember, we had 2 positions in 2010 that were not funded and those positions were never filled, so just getting 2 positions for a project this immense, the staff feels that would not be adequate, especially when you hear Jaime talk about the use at Deer Hollow Farm. The EIR talks about how we have 9 rangers available to go to Mt. Umunhum. Yes, that's probably somewhat true, but those rangers are also assigned to take care of Deer Hollow Farm and Holgus, which is up in San Carlos. In reality we have 4 rangers that work out of the south area office, the Hicks Road office, and we currently lost the south area resident ranger that would be available at night. A couple more things we're worried about is fire. It's not so much the campground would be a risk, but the other thing that people haven't addressed that I've seen in my years of experience is vehicles. Vehicles seem to be one of the bigger sources of fire. Most recently we had a limousine catch fire trying to get up there. I went to a fatality of a person that crashed when their brakes went out and we've had a lot of brake issues just coming up and down the road, and I think more thought needs to be put into the grade of the road. I know the County document addressed width but it didn't mention grade. Since I'm out of time, we'll give you the written letter.

73-15
cont'd

Fred Eggers

I'm Fred Eggers and I'm a mountain resident. I'm kind of new at this property taking deal with Midpeninsula Open Space District, they seem to take a lot of it, and when they do, private property goes by the wayside. Someday I'd like to have a house up there. I'd like to build my own. If this goes into effect, no one will be able to purchase property. When people own their own property they take care of it. We've had two disastrous fires in the area that went rampaging through because no one was there to make fire grades and clearings and take care of it. I live on Summit Road and there's ever more and more people coming through the area. This would open it up to even more people in the area. The roads to Mt. Umunhum are treacherous and dangerous at best, and people are going to go flying up there drunk or otherwise and this presents more hazards to local residents; therefore, I'd like to see this project put on hold for future private property development. Again, when people own their own property, they take care of it. When you have strange people coming into the area they have no regard for people's private property. They throw trash, fires everything else in the area. Therefore, I'm totally against it.

73-16

Bern Smith

Hi, I'm Bern Smith, and before I get to my comments as a representative of the Ridge Trail Council, I'd like to say in response to the last speaker, the two big fires that happened in the last decade and a half were started on private land (and by the way I have so many comments I won't get to all of them tonight). The Ridge Trail Council places a high value on this project. It's one of our highest priority projects in Santa Clara County and across the nine-county Bay Area region for a number of reasons. One, it would be the highest elevation that the Ridge Trail would ever reach once we get to the Spur Trail that gets to the top which is pretty exciting. You can see 11 counties from the top of Mt. Umunhum. It's also a high priority for the Coastal Conservancy which has partnered with the Ridge Trail Council to fund about 7 million dollars of projects in support of the Ridge Trail with about two dozen partner agencies around the 9 Bay Area Counties, including the MidPen a number of times, so we will work very hard to support the District when it comes to the Coastal Conservancy for a funding request for building the Ridge Trail and staging area and amenities at the summit. Secondly, about the cube, and I'm now no longer speaking for the Ridge Trail Council, I think that the statement on 4.1-10 that removal of the cube would not result in a substantial adverse change in the scenic vista, I think is woefully shortsighted. My sense of the cube, having been a Valley resident for many years, born in San Jose, the cube was a mid-20th century cultural icon and it takes its place alongside several other cultural icons that sit atop mountain tops around the Bay Area, as have been described before, so the scenic vista has to be both directions, it can't just be thinking about what it is like when you're in the immediate vicinity. That being said, when you're on the mountain top, the cube gets in the way of a really good view, it really does, and that can't be denied when you're up there. Third, regarding fire risk, the data that CALFIRE typically publishes regarding the highest instances of causes of wildland fire, first illegal fires, and illegal fires are already covered by numerous regulations. You can't start fires where you're not supposed to. Secondly smoking, I really strongly recommend that you ban smoking in Sierra Azul generally. And I'll leave it at that. I have several more and I'll leave them in writing.

73-17

Wayne Michelson

I'm Wayne Michelson. I'm a member of the hang gliding community. And first off, I'd like to thank the MROSD of continued consideration of our activities on Mt. Umunhum. We are a very low impact activity, as has been mentioned here tonight already. We don't spend much time on the ground, and our only impact at ground level is at launch and at the landing zone, itself. I think in general the non-hang gliding community views us with interest and a fair amount of entertainment. I think we have that kind of track record at Mission Ridge 11 and I think we have a stellar record at Windy Hill, which is also part of your district. With regard to soaring birds and our impact on wildlife, as far as I know soaring birds don't really seem to have much of an issue with us. I have been personally joined by raptors and condors when I'm soaring in a thermal. And specific, for example down toward Pinnacles, Condor #313 and #10 came and joined me in a thermal, and the reason I knew that is because they came close enough that I could read their wing tag. So if there is any substantiated evidence that we have an impact, we also have a record of coordinating our hang gliding activities where there is a nesting or breeding pair of birds or if for example if we're at Funston there a certain times of year when there are nesting turns and we stay away from their nesting areas, so we can also negotiate those types of

73-18

activities, or those types of restrictions. Anyway, I want to thank the MROSD again for supporting our activities on Mt. Um.

73-18
cont'd

Taylor Wing

Hi I'm Taylor, and I just wanted to comment on the points on the tower. I was a little bit confused on the first point, sealing it and stuff like that. I assume that means talking about the \$700,000 it takes to epoxy all the cracks and stuff like that that were damaged in the earthquake and stuff like that. And then it just sits there. I'm not sure exactly what that means. And then the second option to me is unacceptable, I mean the foundation that is destroying the building and stuff like that. It seems like one of the obvious alternatives is not being considered and that's to keep the tower and restore it in a historically sensitive manner and eventually open up all the floors. And since that's likely to be a lot, a lot of money, it will give us time to dream up the possibilities and stuff like that. And as far as the aesthetic value goes it is a big block of a building, but it makes for a heck of a landmark and from a distance silhouetted from the sky it is not an eye sore at all; it is a mysterious castle. And it's tied to our local history, and that's pretty darn cool. And up close you might have an argument that it's an ugly building, but that can be remedied, as has been said before. And as far as it getting in the way of views, I'm sure the view from the top of the tower is pretty spectacular. Anyhow, to me it means home, born and raised in San Jose like many others here. Thanks.

73-19

Peter Green

My name's Peter Green; I'm currently a resident of Sunnyvale. I think the Environmental Impact Report, the draft, is incorrect. I think the cube is a historic landmark. I'm a retired firefighter/paramedic. In my retirement, I've been doing amateur medical history. And the military, since before the Civil War, has made a tremendous impact on Californian immigration, but also bringing folks such as physicians and surgeons and nurses to California. My own parents came here before World War II from out of state, adopted California. I think it's a historic military item. I was born and raised here in Sunnyvale, so I point out just as many other speakers did that this building resided across the street and was looked at as garbage and was going to be torn down and through lots of litigation was eventually moved here and ultimately recycled to a practical purpose and has helped as far as the historic Murphy District. And I think the cube fits the same thing. For example, I'm not sure if you're aware, the Santa Monica Mountain Conservatory, which is a state agency, they own a Nike radar site in the Santa Monica Mountains. What they chose to do when they opened a park there was to preserve two radome sites. You can hike to the sites go up the stairs and see the view. It also gives other people in other parts of the park an idea of where the radomes were and their impact, and they are historically significant items. One other issue that was brought up, for 15 years I lived near Mt. Funston, hiked, used the beach. I worked as a firefighter/paramedic for the City and County of San Francisco. I would say the hang gliders not only don't have any negative impact, as far as I know the GGNRA has never found any negative declaration about birds. I think there's a flight limit a certain time of year for nesting. I think they're incredibly quiet, quite frankly probably quieter than some of the hikers. And numerous times they've flown back in to report to the resident ranger at Fort Funston medical emergencies, animals in distress, improper use of the park lands, so I think they're actually a positive resource to allow into the park. Thank you.

73-20

Roberta Home

Hi my name is Roberta Home, I'm 45-years old. I was born at Good Samaritan Hospital in San Jose and was raised in the house my parents still live in just one block off of Camden and Redmund. And from my childhood bedroom window I could see Mt. Umunhum and I remember watching the radar tower spin around. I remember seeing the big star up around Christmastime. I remember whenever we went away on vacations or whatever, I knew I was close to home because I could see the tower now. My boyfriend and I love hiking around the open space preserves. We love hiking the Ridge Trail. But if Ridge Trail means we have to tear down the tower, I'm not in favor of it. I will volunteer myself in whatever capacity is necessary to keep the tower going, to keep the tower there. I will help restore it to the best of my ability. I just don't want to see it go. As many other people have said here, it means home to me, and it's a piece of history, it's a historical landmark. You can see it from anywhere in the Valley, and it stands for something, and I would like to continue to see it.

73-21

Kevin Mankin

My name is Kevin Manken. Thank you for the opportunity and the Board for allowing me to speak. I'm a teacher at a public school near the foot of Sombroso with a clear view of the wonder and the inquiry stimulator that is the tower. Options two and three retard the stimulus of that tower and its history in a YouTube and Facebook world. Quite frankly my students ask me and my fellow teachers questions because of the view up to the tower, and what unfolds is a much richer history, including the 682nd and its role in the defense of our country. If options 2 and 3 are executed from the Valley floor will a kid ever again look up and wonder, really wonder, what's up there and the history behind it. Thank you.

73-22

Steven Clark

Good evening, I've heard a lot of opinions, questions from the public. The tower is a historical landmark. I was just thinking of this idea. Since that one guy said 101 and the other guy said 101 and travel in that direction and they see that cube tower. Well I thought about it to make it a better eye sight install a tall American flagpole. It's similar when I went to the Fremont Mission Peaks there's a special rock up there and they have an American Flag up there. So I suggest keep the tower intact and original and to improve it install a secure American flagpole, and that would really make it confirmed history there—a historical area. The other thing I want to comment on, and this other guy I do agree with him in a way, I'm from Summit Road. He was concerned about private property—like those no trespassing signs, beware of dog—I like hiking around in that area a lot and mountain bike riding in that area and I did some mountain bike riding in the past and there were these signs and they get you scared or worried because you want to be adventurous and roam around more and more, but you see these obstacles and it makes you want to turn back around and not continue on the trail. But I was wondering if this is better in the long run for the trails. Do you have an idea if you're going to connect trails to Weaver Road. You know there's a Weaver Road on Soda Springs Road and it just ends. You can't continue any more. And there's another area I'm thinking about like Right Station Road and Lake Ellsman. There's some secret trails up there too, but are you able to connect them there. And I agree with that guy that some of those might be private property, but maybe the owners can reconsider, you know. And are you planning on extending trails on the other side of Mt. Umunhum where the Summit Road Mt. Madonna is. There's some other secret trails there that would be nice to connect to Mt. Umunhum if you're really plan on

73-23

this Mt. Umunhum project to become real—to become in effect. Those are my thoughts on trail access, because that’s a big deal, in a way.

73-21
cont'd

Close Public Comment Period

Director Kishimoto

Thank you. Well, I just wanted to thank everyone for coming. I agree that they were very helpful comments. And thanks staff and our consultants for an excellent EIR, for these very exciting comments. I have a few comments and questions so we can move to the Final EIR. One has to do with water, and I was interested to read that one limitation of the mountain top is that there is no local water source. I wonder if you could include a little bit more information such as what size water tank we would provide and what impact that might have on capacity (you know we’ve had a couple questions on that) and firefighting. So that’s one, and I guess another has to do with the fact that the mountain is named after a Native American name—Mt. Umunhum. So my thought when I was reading through some of the mitigations, and if I could ask my fellow Board members to look at page 2-7, I thought of a very small change, and I did actually have a chance to talk to staff about it, I thought that maybe since this is named after a Native American name, if the small possibility that we do come across a Native American archaeological dig, that on the 1th line from the bottom it talks about that treatment required to mitigate. The sentence above that states: “if there is a significant find, and it cannot be avoided the District will not proceed with construction activities within 100 feet until the treatment plan has been reviewed and approved” and I would just add “reviewed by the General Manager.” I don’t know if staff and consultant want to comment whether that fits within the mitigation framework. Yes...I see nodding. So the last speaker mentioned a flag. That thought has occurred to me as well. It’s not an idea that I’m married to, but possibly when we’re developing our interpretive facilities to just take that into consideration. And then I did just have a couple suggestions about the aesthetic impact issue regarding the tower because I know this is going to be a enormous interest to the public, and a lot of the discussion, as people have said, it’s really not whether it’s an environmental impact. A lot of it’s going to be a policy decision that the Board will be making with your help. But I heard a couple good suggestions one was—I assume members of the public can see the Page & Turnbull Report, the other reports, are they on the website for example?

73-24

Gary Jakobs

They are in the appendices to the EIR, so they are currently available in the EIR. So they are online.

Director Kishimoto

Oh they are online. OK. So it sounds like all the backup information is available, which is great. The other thought I had was that a lot of the policy dilemma is going to be...I agree there’s a big visual impact from Highway 101 and the Valley floor...and the view that the members of the public have not been able to see is from the top of the mountain. And as a Board member, I’ve been able to go up there once, and I’ve seen it. But possibly when we have this discussion again, I don’t know if it’s during the EIR process, or during the policy discussion, if we could see some comparative views of those as well.

73-25

Gary Jakobs

Director could you please clarify what it is exactly you're looking for there.

Director Kishimoto

Well, let's see. Again, I don't know if the right time and place is during the CEQA process or during the policy discussion. But for example you have some pictures of the view of the tower from below in this document, but one thing we don't have is views and maybe even hypothetical views of the mountain top with and without the tower.

73-25
cont'd

Director Hassett

I too want to thank you all for coming out and sharing your views on this. What I've found, and my compliments to staff and Ascent environmental, as I was going through this word by word for the last several weeks I would come across many questions, but they always seem to show up with answers 20 to 30 to 50 pages later, so I mean it was really everything that you have that came up was eventually answered in the document. Very well done and I appreciate it. Just a comment that what we're really looking at now is the Environmental Impact Report. We're not making policy decisions, we're not making choices as to what uses or non-uses, but we're just looking at the environmental impact of everything, and I think Ascent has done an awful good job along with staff in representing those. Thank you.

Close hearing.

**Verbal
Comment
73
Response**

**Verbal Comments Received at the Public DEIR Hearing
January 18, 2012
At the Historic Del Monte Building, Sunnyvale**

- 73-1 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 73-2 Please refer to Master Response 1, which addresses issues related to the treatment of the tower and its historic context. As a point of clarification, though, the tower is not considered a historic building, under state, federal, or local listing criteria. No further response is necessary. Also, please refer to Master Response 2, which addresses issues related to aesthetics and visual resources.
- 73-3 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. No further response is necessary. Also, please refer to Master Response 2, which addresses issues related to aesthetics and visual resources. Comments such as this, and similar comments, provide valuable information for consideration by the Board. Note as well, however, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.
- 73-4 The commenter raises concerns related to wildland fire, especially associated with the proposed backpack camp, and indicates that the DEIR does not adequately substantiate the conclusion that wildland fire risk associated with the campground would be a less-than-significant impact. The DEIR's analysis of wildland fire risk (Impact 4.6-5) is based on a Wildland Fire Risk Analysis prepared specifically for the proposed project by Wildland Resource Management, Inc., experts in wildland fire risk and prevention. The DEIR concludes that, although increase in human presence may increase fire risk, the proposed project would 1) legitimize the use of the site, 2) restrict campfires and smoking, 3) be consistent with existing local and State fire codes and requirements, 4) include water tanks and fire hoses, 5) increase emergency vehicle access, 6) provide a dedicated 911 call box, 7) provide a CAL FIRE helicopter landing zone, 8) provide adequate evacuation for users of the site, and 9) include a campground host, if a campground is provided, and therefore, for all of these reasons, the impact related to wildland fire risk would be less-than-significant.
- The commenter indicates that more substantial evidence is needed to support the DEIR's claim that legitimizing the recreational use of the site would result in decreased risk of wildland fire ignition. The DEIR explains that a current lack of any supervision, lack of regular ranger patrol, and lack of residences contributes to an existing fire risk that is high. The DEIR points to evidence of several examples of fires in coastal California where illegal campfires have caused wildland fires with significant damage (p. 4.6-16) Responses to comments 18-3 and 37-2 include detailed discussions of issues related to trespassing and provide further evidence that legitimizing the recreational use of the site would result in a reduction in vandalism and trespass. As indicated in the DEIR, implementation of the proposed project would substantially increase the supervision at the site by providing increased ranger patrol. Supervision is also increased by allowing camping by permit only. Campers required to undergo a permit process are generally more responsible and care more about adhering to rules (as evidenced by

obtaining a permit). As explained in the DEIR, these permitted users are apt to intervene when illegal activities such as smoking or lighting campfires are occurring.

The DEIR includes required mitigation that MROSD has volunteered to implement despite the fact that the impact is less than significant. Aside from several of the measures just listed, these additional measures include 1) preparation of fire prevention plan by construction contractors, 2) removal of fine dead fuels around campsites, 3) irrigated native landscaping (until plants are established), 4) vegetation managed to create defensible space, 5) additional emergency signage, 6) training and information with camp permit application/approval, and 7) closure of the facility during red flag days.

The commenter raises issues related to MROSD's ability to enforce its no fire and no smoking policies, but offers no evidence to suggest that MROSD's enforcement of such policies has been previously inadequate. MROSD understands that the wildland fire issue is a major concern to the public. Although MROSD disagrees with the suggestion that the impact related to wildland fire should be significant, in order to fully respond to public concern related to wildland fire hazard associated with the proposed backpack camp, MROSD is adding further fire prevention measures into this mitigation measure, including a volunteer camp host, an infrared camera, and an adaptive management strategy for the campground. Therefore, Mitigation Measure 4.6-5 (Voluntary) on page 4.6-17 of the DEIR is revised as follows.

Mitigation Measure 4.6-5 (Voluntary)

No significant impacts associated with wildfire would occur. MROSD policy and standard practices include the following fire management practices/features that will be implemented for the proposed project as applicable project facilities are developed:

- › *Water tank(s) and campground fire hose;*
- › *Emergency landing zone;*
- › *Dedicated emergency call box;*
- › *Roadside fuel management;*
- › *Signage of fire safety regulations; and*
- › *Collaboration with agencies and neighboring landowners on planning and implementing fire-safe projects.*

However, in order to further minimize risk associated with wildfire hazard in response to the public concern, the District will voluntarily implement, in addition to the standard practices/features, the following mitigation measures recommended by Wildland Resource Management:

- › *Preparation of fire prevention plan by construction contractors;*
- › *Removal of fine dead fuels around campsites;*
- › *Irrigated native landscaping (until plants are established);*
- › *Vegetation managed as appropriate defensible space to improve vegetation structure and decrease volume of vegetation around campsites;*
- › *Additional signage specifying emergency protocol;*
- › *Training/ information associated with permit application or approval; and*

- › Closure of facility during red flag days-;
- › Presence of a volunteer camp host for, and during, the camping season;
- › If feasible, install at least one fire detection camera prior to opening campground: and
- › Prepare and implement an adaptive management strategy for the campground that includes consideration of campground closure if fire ignition is more than rarely detected/reported;

The following discussion provides additional detail to the voluntary mitigation measures in the bullet-list above. Specifically, MROSD will implement the following fire hazard minimization measures recommended by Wildland Resource Management:

Construction-Related Fire Risk Reduction

Prior to initiation of construction (including activities associated with mitigation measures, such as vegetation clearing), MROSD's contractor will prepare a fire prevention plan. This fire prevention plan will include such measures as a list of tools to have on hand, proof of spark arrestors on all gas-powered engines, a description of available communications, specifications for the supply of water to have on hand, and descriptions of other actions that will reduce the risk of ignition and immediate control of an incipient fire. This requirement should be included in the contract with the District.

To minimize the risk of wildfire ignition, all motorized vehicles, including earth-moving equipment, used during this project will be equipped with spark arresters, per California Public Resources Code 4442, and Health and Safety Code 13001 and 13005. Other motorized vehicles used on the project site will not be parked where vegetation may come in contact with exhaust systems and catalytic converters.

Fuel Management and Fire-safe Restoration Design

Prior to initiating construction of the proposed campground or other restoration areas, MROSD will prepare a site-specific fuel management plan for the campground area as part of the specific site planning and design that dictates which species of trees/shrubs should be removed or pruned, and which plants should be planted or maintained (i.e., conifers may be replaced with hardwoods to reduce the chance of torching and ember production and distribution). The plan will include measures above and beyond MROSD's standard fuel management plan, such as a strategically located visitor safety zone, which includes fuel conditions appropriate for a safety zone (i.e., large paved or graveled area such as a parking lot). This area will need to be inspected at least annually for compliance. The site-specific fuel management plan will apply to the campground, the former AFS housing area, and the summit areas, where the environmental restoration is proposed.

The fuel management plan will also identify indigenous plant materials and/or seed mixes at staging areas or along trails. Indigenous plants are ideal due to their low maintenance and drought and fire resistant characteristics.

The vegetation palette for the proposed restoration will identify native species that are shrubby or non-curing herbaceous cover (as opposed to grassy species), with little ignition potential. Plantings will be irrigated at least twice during the camping season to keep the moisture of the vegetation foliage high (keeping the dead material wet is not effective); if plantings cannot be irrigated twice a year, fuel volume will be reduced

to meet the equivalent results in fire hazard. The spacing and design of the vegetation is more critical than the species planted. The restoration design will place plant species such that appropriate horizontal spacing occurs between masses of shrubs and specimen trees and appropriate vertical spacing will occur between tree branches, shrubs, and ground cover. This will discourage the creation of "fuel ladders"—a continuous fuel path by which a fire can climb from the ground to a shrub, to a tree, and ultimately produce and distribute embers than can start new fires far away.

The restoration design will identify a palette of appropriate native plant species that have a low fuel volume and high foliar moisture and do not have a tendency to produce and "hold" dead wood and which also have a proper growth form. Factors that must be considered in rating the fire performance of plants include:

- › Total volume. The greater the volume of plant material (potential fuel) present, the greater the fire hazard.
- › Moisture content. The moisture content of plants is an important consideration; high levels of plant moisture can both lower fire risk and act as a heat sink if a fire occurs, reducing its intensity and spread.
- › Amount and distribution of dead material. The amount of dead material in a given plant influences the total amount of water in the overall plant; the dead material is usually much drier than living tissue. Whereas dead material rarely has a moisture content higher than 25%, live foliage moisture content ranges from 60 to 80% for chaparral species in xeric conditions to a high of 200 to 400% for succulent plants or plants under irrigation.
- › Size of leaves, twigs, and branches. Materials with large surface areas (such as needles, twigs, or large flat leaves) dry more rapidly under fire conditions than materials with lower surface ratios (such as branches and fleshy leaves).
- › Geometry and arrangement of the plant (overall spatial distribution of the biomass). The shape of a plant and the way in which the biomass is distributed throughout the plant is important because this bulk density affects the air flow and heat transfer through the plant. The arrangement of material within the plant affects its fuel continuity and its tendency to undergo preheating and promote fire spread.

Examples of plants that may be appropriate include (but are not limited to) the following: coffeeberry, madrone, coast live oak, bay, ceanothus, and toyon. Examples of species to remove include coyote brush, black sage, and sagebrush. The fuel management plan will include a maintenance component. The maintenance program will require annual removal of dead material and maintenance of the vertical and horizontal spaces that create a fire-safe design. Maintenance requirements are incorporated in the District guidelines.

Signage, Education, and Closure

Prior to opening the proposed campsite to the public, MROSD will install a signboard in a central and conspicuous location at the proposed campsite that addresses fire safety, re-states MROSD rules including prohibition of open fires, and identifies appropriate action and behavior during a wildfire. Specifically the signboard will identify where to go, how to stay safe, and location of call-boxes. Further, MROSD will send permitted campers additional information/training including statement of rules and location of call boxes in case of emergency.

MROSD will close the site during times of Red Flag Warnings to further reduce the chance of ignition due to visitor usage.

Camp Host

Prior to opening the campsite to the public, a camp host will be selected from volunteers offering such services. The campground hosts will provide a presence of authority in the campground, will be trained in initial attack of small fires, and will have access to the landline dedicated 911 telephone, in addition to two-way radio communication for emergencies.

Fire Detection Camera(s)

The Santa Clara County FireSafe Council has requested the County purchase several fire detection cameras to be placed on Mount Umunhum. The cameras detect fires using infrared wave spectrum, and also allow the viewer to see visual light waves. The camera can be aimed and zoomed remotely so that it can be operated by other offices in the District, or by the emergency service dispatch center. Thus detection of illegal activities, including fire ignition, can be facilitated and response hastened. If feasible, MROSD will install at least one of these cameras and establish a monitoring and record-keeping system prior to opening the proposed campground. MROSD will also install signage indicating that fire detection cameras are in use and that rule violators will be fined.

Adaptive Management Strategy for Campground

MROSD will prepare and implement an adaptive management strategy for the proposed campground prior to its opening. This adaptive management strategy will be prepared in coordination with a qualified wildland fire prevention expert and will establish a limit for the frequency of fire/smoking reports and detections. The frequency limit will be conservative, and would be exceeded by anything more than a rare fire or smoking report/detection. The adaptive management strategy will require that, if the established frequency limit is exceeded, the campground will be closed, at least temporarily, until additional rule-enforcement mechanisms can be identified and implemented. Permanent closure of the campground will be considered.

- 73-5 Please refer to Master Response 3, which addresses issues related to hang gliders, especially with respect to potential impacts to birds.
- 73-6 The commenter summarizes written comments that were also submitted. (See comment letter 32.) Responses to comment letter 32 provide detailed responses to these verbal comments. Please refer to the responses to comment letter 32.
- 73-7 Please refer to Master Response 2, which addresses issues related to aesthetics and visual resources.
- 73-8 The commenter expresses concern that the project will create an overcrowded destination, and does not include measures to manage crowds (such as a kiosk) or address the potential for the site's carrying capacity to be exceeded. These are valid planning-related concerns which relate to the future management of the site and are addressed in detail below. However, the impact of overcrowding on a future visitor's experience of Mount Umunhum, where there is currently no legal public access, is not considered an impact to the physical environment and is therefore not analyzed in the EIR.

Implementation of the proposed project could potentially attract a large number of visitors. An estimate of potential visitor use was made using data from Mount Hamilton, a comparable local mountaintop destination. Mount Hamilton was chosen for comparison, rather than Mount Diablo or Mount Tamalpais, because the latter two parks provide a wide range of amenities along the road to the summit in addition to the “view destination” at the summit. Mount Hamilton is similar to Mount Umunhum in its proximity to San Jose and other Bay Area population centers, the approximate drive-time to the summit (from the nearest city street), and the relative lack of amenities other than a view and minimal visitor facilities. Please also note that the visitor use estimate assumes that public access rights to Mt. Umunhum Road are secured, and that the road has undergone extensive maintenance and repair as well as safety upgrades. Given these assumptions, peak annual visitation at Mount Umunhum is estimated to range from 20,000-25,000 with minimum amenities, to as much as 35,000 to 40,000 (also see response to Comment 7-1). As a comparison, Rancho San Antonio Open Space Preserve is visited by over 500,000 people annually. The close proximity of Rancho San Antonio to Cupertino and I-280, the attraction of a working farm and garden at Deer Hollow, and the wide range of hiking/running trails available, create a different type of destination with frequent or regular repeat visitors. Mount Umunhum would not provide this type of convenient, family-friendly, neighborhood destination and is therefore not expected to see the magnitude of use experienced by the commenter at Deer Hollow Farm.

Nevertheless, visitation at Mount Umunhum is expected to be high on peak season weekends. Visitor numbers on a peak weekend day could reach approximately 400 people (roughly based on the DEIR’s estimate of 190 vehicles and an occupancy rate of 2 visitors per vehicle), a conservative estimate based on Mount Hamilton traffic data. (See response to Comment 7-1 for a detailed discussion related to visitor estimate.) The project includes two paved parking lots at the summit, which would accommodate up to 120 vehicles, and one approximately 40-stall parking lot at Bald Mountain that is connected to a trail to the summit. Although these permanent lots are expected to provide ample capacity, an unpaved overflow/special event lot is also planned at the summit. The project will therefore provide adequate parking and thus visitor conflicts over parking (such as those which occur at Rancho San Antonio) are not expected to occur. Also, given the expansive viewshed at Mount Umunhum, the relatively large size of the summit area, and the open, airy nature of the planned improvements, it is not likely that the summit would feel crowded, even on peak visitation days. For these reasons, crowd control measures are not proposed. However, the District will take an adaptive approach to future management of the site. If overcrowding, visitor conflicts, and/or degradation of the natural environment are observed at the site, the District may choose to control visitation at that time.

- 73-9 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 73-10 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. With respect to revenue and economic sustainability, these are economic issues and are outside of CEQA’s scope of issues addressed in an EIR. However, the District will need to consider revenue and funding issues in considering the long-term operations and staffing for the project. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

- 73-11 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 73-12 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 73-13 The commenter requests information such as the structural report and the Page & Turnbull report. The Page & Turnbull Report was provided as Appendix D of the DEIR. The structural report is a highly technical document and is available upon request at MROSD District Office. The commenter also raises skepticism as to the cost associated with retaining the tower versus demolition. Costs associated with the various Tower Options are outside the context of CEQA, which by law is focused on physical environmental impacts. However, these issues are appropriate for discussion at hearings when the Board of Directors will consider the merits of the project and will make a decision on the proposed project, including the radar tower. Also the potential for the removal of the tower to result in impacts to historic resources is discussed in the DEIR (Section 4.2 “Cultural Resources”) and is also discussed under Master Response 1. As discussed, the existing radar tower is not eligible for listing on a local, State, or Federal register of historic places. Nevertheless, MROSD recognizes that the tower has an important historic story to tell, and even if no significant impacts were identified, mitigation is included in the DEIR in the event Options 2 or 3 are selected. It is important to note that because partial or complete removal of the tower is being contemplated, the DEIR accordingly evaluates the potential associated impacts. That stated, the EIR is not “skewed” toward one option or another; and the decision as to which option to select is up to MROSD Board.
- 73-14 Please refer to Master Response 3, which addresses issues related to hang gliders, especially with respect to potential impacts to birds. Regarding the suggested language change, please refer to Response to Comment 6-1.
- 73-15 The commenter raises issues related to staffing levels and fires caused by vehicle accidents. The staffing concerns are addressed in response to comment letter 18. Regarding collision-related fire, the lower 9,200 foot (1.75 miles) section of road is open to the public; the vehicle fire referred to by the commenter occurred on this publically-accessible segment. This project would not place the public in an unusually hazardous situation or significantly increase the risk of vehicle-related fires due to the grade of Mt. Umunhum Road. Mt. Umunhum Road is a winding mountain road to a summit. The specific grade of Mt. Umunhum Road has not been formally surveyed and is therefore unknown; the County standard maximum is 16% with up to 20% allowed in certain situations. Mark Crane of Crane Transportation Group walked and drove Mt. Umunhum Road and did not note any grades that would pose significant safety concerns. Mt. Umunhum Road is comparable to other roads in the Santa Cruz Mountains such as Page Mill Road or Highway 9 that are also hilly, winding mountain roads to a summit. Accidents due to brake loss occasionally occur on these roads (See DEIR Section 4.10 for discussion and mitigation related to traffic safety) but wildfire is not considered to be at a significantly greater risk due to the public driving these roads. Mt. Umunhum Road was constructed to withstand heavy truck traffic to operate and service the former Almaden Air Force Station, and for approximately twenty years the road experienced traffic loads, including four school bus trips per day. The District is not aware of any major wildfire occurred related to vehicles traveling on Mt. Umunhum Road during this time. As indicated in the DEIR, prior to allowing public vehicular access to the road, Mt. Umunhum Road would be improved (which, as stated in the DEIR, may include alternate requirements as determined by the County fire code official). Implementation of the proposed project would not increase risk of vehicle-related fire hazard.

- 73-16 The commenter indicates that if the project site were privately owned there would be fewer potential environmental impacts (i.e. vehicle and fire hazards). The DEIR evaluates impacts from the proposed project and also evaluates the project against a range of reasonable alternatives to the proposed project. MROSD is the Lead Agency and consistent with its objectives is considering an open space project. Private ownership and development is not consistent with project objectives and therefore would not be a viable alternative to the project. Because it would not attain any of the project objectives, such an alternative need not be evaluated the EIR.
- 73-17 The commenter expresses support for connection of proposed trails to the Bay Area Ridge Trail. This is not an environmental issue and does not require further response. The commenter also raises issues with the DEIR's conclusion regarding impacts to visual resources. Please refer to Master Response 2, which addresses issues related to aesthetics and visual resources. Finally, the commenter refutes a previous commenter's claim that public open space would result in greater fire hazard than privately owned land. This comment does not raise issues related to the adequacy of the DEIR.
- 73-18 Please refer to Master Response 3, which addresses issues related to hang gliders.
- 73-19 Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Also, please refer to Master Response 2, which addresses issues related to aesthetics and visual resources. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.
- 73-20 Master Response 1 addresses issues related to the treatment of the tower and includes a discussion of potential impacts to historic resources. Please note that while the commenter's opinion that the DEIR was incorrect in its finding regarding the historic eligibility of the tower structure, no additional information is provided in the comment to support this conclusion. Master Response 3 addresses impacts related to hang gliders.
- 73-21 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 73-22 Please refer to Master Response 1, which addresses issues related to the treatment of the tower.
- 73-23 The commenter raises issues related to treatment of the tower. Please refer to Master Response 1, which addresses issues related to the treatment of the tower. The commenter also encourages connection of other trails in the vicinity. This is not an issue related to potential impacts to the environment.
- 73-24 This comment is from Director Kishimoto. She requests clarification regarding water tank size. A 10,000-gallon fire rated water tank will be installed at the summit prior to opening to the public. Director Kishimoto also requests a few clarifying text changes, which are provided below. The following text changes are made to Mitigation Measure 4.2-3, which is located in the Executive Summary Table (p. 2-7) and in Section 4.2 "Cultural Resources" (p. 4.2-29):

Mitigation Measure 4.2-3

Protection of Undocumented Cultural Resources.

During all ground-related construction activities (i.e., grading, excavation, etc.) on the project site (including roadway and trail construction), if cultural materials (e.g., unusual amounts of shell, animal bone, glass, ceramics, structure/building remains) are inadvertently encountered, all work shall stop within 50 feet of the find until a qualified archaeologist can assess the significance of the find. A reasonable effort will be made by the District to avoid or minimize harm to the discovery until significance is determined and an appropriate treatment can be identified and implemented. Methods to protect finds include fencing and covering remains with protective material such as culturally sterile soil or plywood. If vandalism is a threat, 24-hour security will be considered and evaluated based on threat level, remoteness of site, materials found, significance of find, etc. Construction operations outside 50-feet of the find can continue during the significance evaluation period and while mitigation is being carried out; however, if the archaeologist determines that the nature of the find may signify a high potential for other finds in the area, the construction will be monitored by an archaeologist within 100-feet of the find. If a discovered resource is identified as significant and cannot be avoided, a qualified archaeologist will develop an appropriate treatment plan to minimize or mitigate the adverse effects. The District will not proceed with construction activities within 100 feet of the find until the treatment plan has been reviewed and approved by the General Manager. The treatment effort required to mitigate the inadvertent exposure of significant cultural and/or historical resources will be guided by a research design appropriate to the discovery and potential research data inherent in the resource in association with suitable field techniques and analytical strategies. The recovery effort will be detailed in a professional report in accordance with current professional standards. Any non-grave associated artifacts will be curated with an appropriate repository. Project construction documents shall include a requirement that project personnel shall not collect cultural and/or historical resources encountered during construction. This measure is consistent with federal guideline 36 CFR 800.13(a) for invoking unanticipated discoveries.

Prior to any trail construction, MROSD will hire a qualified archaeologist to conduct a pre-construction survey of the proposed trail alignments. If any potential archaeological resources are identified during the survey, and are found to be significant, the archaeologist shall recommend avoidance measures to ensure that no impacts result from trail construction or trail operation. If the found resource cannot be avoided, the archaeologist shall prepare a treatment plan, as described above.

This text change is a minor clarification and would not change the effectiveness of the mitigation for reducing impacts to undocumented cultural resources and would not change the conclusions of the DEIR.

Director Kishimoto also asks if the Page & Turnbull Report is available online. Response was provided at the hearing indicating that the report was an appendix to the DEIR.

73-25

Director Kishimoto raises the issue of scenic views from the top of Mount Umunhum. Please see Master Response 2, which addresses issues related to aesthetics and scenic views, including views from the top of Mount Umunhum.

From: [REDACTED]
Date: May 5, 2012 12:06:20 PM PDT
To: Board <board@openspace.org>, District Clerk <clerk@openspace.org>, Web <web@openspace.org>, Information <info@openspace.org>
Subject: 05/05/2012 - [REDACTED] - Contact Board

First Name: Leon
Last Name: Pappanastos
Email Address: [REDACTED]
Ward / Location: [REDACTED]
Comments:

Dear Open Space
I am a retired Dentist and was stationed at Almaden Radar site in the years 1958-1959. I was the dentist for all of the 28th Air Division out of Hamilton AFB. My duty carried me to seven other sites in CA an NV. One thing that has not been mentioned is the fact that in those years one had to serve if healthy enough. It goes without saying that if you tear down the tower you cannot put it back some time in the future. So preserve the memories for the vets, their families and public.

74-1

**Letter
74
Response****Leon Pappanastos
May 5, 2012**

74-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

75

Meredith Manning - Senior Planner
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022-1404

RECEIVED
MAR 21 2012
MIDPENINSULA REGIONAL OPEN
SPACE DISTRICT

3/19/2012

Hello and thank you for taking your valuable time to read my brief letter.

I wanted to express my support for saving the Radar Tower at Mt Umunhum. I realize there is a cost to do this. Here is why I believe whatever the cost the return on investment is greater.

I recently went to the Casa Grande in Almaden and noticed it was recently and beautifully restored and turned into a museum depicting excellent and detail displays of the past history of New Almaden. There was a Boy Scout troop in attendance which a County Park Ranger was teaching the group of Scouts about the mining process. Needless to say the members of the Boy Scout troop were silent and seemed to be fascinated with the mining process and valuable history of New Almaden. What an enriching experience for them. I bring this point up because the money invested in restoring the Casa Grande resulted in a great return. The return is the knowledge imparted to anyone who tours the Casa Grande.

I strongly feel that keeping the Radar Tower will provide a most memorable experience in history for school children (and adults of course) who one day can visit the Almaden Air Force site and gaze up at the awesome Radar Tower and learn about literally what it stood for and what stood on it. (A 130' x 50' red and white radar dish, weighing approximately 80 tons and turned 360 degrees every 11 seconds). This is not only amazing but is awesome!

I do realize there is an expense to keep the Tower but I am optimistic as our local and national economy improves the funds to preserve some of the history of Mt Umunhum from the Ohlone Indian period to current will become more plentiful. I do know there are many complex situations that exist pertaining to the clean up the base. I believe these obstacles will eventually be overcome.

I also believe preserving the Radar Tower would be a great gift to pay respect to those who served at Almaden AFS. They kept us safe during the very tense times of the Cold War.

(I lived in Almaden from 1969 to 2003 and looked up at Mt Umunhum almost every day. I conclude that the Radar Tower is an Iconic structure that must be saved)

Thank you again for reading.

Sincerely



William J. Barclay Jr.
4464 Cobra Drive
Sparks NV, 89436

75-1

**Letter
75
Response****William J. Barclay Jr.
March 21, 2012**

75-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

76

From: Michael Glazzy [REDACTED]
Sent: Wednesday, May 09, 2012 8:16 AM
To: MROSD - Mt. Um
Cc: Mike GLAZZY/CADCA/CA#6
Subject: FWD: Fw: AMGEN TOUR OF CALIFORNIA

Hi Again MROSD Planners;
Reading SJMN Sports May 9, 2012 is an another article titled: "AMGEN TOUR OF CALIFORNIA - Bay's Peak of Interest" riders might look to save energy when they reach Mount Diablo. Lets replace Mount Diablo with Mount Umunhum???

Mike Glazzy
[REDACTED]

----- Forwarded Message -----

From: Michael Glazzy [REDACTED]
To: mt.um@openspace.org
Cc: Mike GLAZZY/CADCA/CA#6 [REDACTED]
Sent: Thu, February 9, 2012 5:17:52 PM
Subject: AMGEN TOUR OF CALIFORNIA

MROSD Planners,

One day I hope to read in the San Jose Mercury News an article titled: "Mount Umunhum Climb a Tour Addition", America's biggest bicycle race comes to the Bay Area this coming May.

Consider this type of public event in your planning!

Mike Glazzy
[REDACTED]

76-1

**Letter
76
Response****Mike Glazzy
May 9, 2012**

76-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

From: [REDACTED]
Date: May 5, 2012 3:10:04 PM PDT
To: Board <board@openspace.org>, District Clerk <clerk@openspace.org>, Web <web@openspace.org>, Information <info@openspace.org>
Subject: 05/05/2012 - [REDACTED] - Contact Board

First Name: Edward
Last Name: Doherty
Email Address: [REDACTED]
Ward / Location: Sunnyvale
Comments:

Dear Board of Directors,

This is regarding the Tower on top of Mt Umunhum in South San Jose. I have a hard time understanding what is wrong with having Cold War Memorials. It hurts me and many others deeply knowing we have no pride for what America and its Military achieved during the Cold War. With all the arguments every person on this planet and what is printed in the media about the use of the Military and the Military "Use of Force" in a conflict and all the families torn apart and death and destruction that goes with it, we always seem to erect huge monuments in their honor, as should be. But for all the years of the Cold War not a shot was fired. It is the epitome of how conflict's should be handled. This is what we and the rest of the world beg for yet, almost no monuments or any real appreciation is shown for anything or anyone that participated in it. Even when performed to perfection. Here you have a monument already there and we are debating on what it will look like, after it's torn down. So for the new volunteers of our military, for the media, all the people that sound off when a war erupts answer me this. Should we use negotiations and technology or just bomb them? If this Tower was never there or if we didn't perform our duties and the Cold War turned Hot, there may never have been anyone here to walk on those paths, to breath the fresh air or to take in the precious views from up there, or anywhere else. With a war fought like the Cold War and ending the way the Cold War ended we all have to be reminded the real memorial is the planet it self and all life on this planet. The fact is, every person that goes up there to hike or take in a big breath of fresh air and look out over the ocean or the city lights below should first walk over and give that Tower a big kiss and thank it and thank everything it stands for before continuing on there merry way.

The Tower on this Mountain stands as a reminder that a war can be fought without destruction and this Tower is the cost of fighting a war this way, yet you are going to destroy it.

Ed Doherty
682ND USAF. Power Plant 75-78

77-1

**Letter
77
Response****Ed Doherty
May 5, 2012**

77-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

78

From: [REDACTED]
Sent: Tuesday, May 08, 2012 9:35 AM
To: BOARD; Clerk; Vicky Gou; General Information
Subject: 05/08/2012 - [REDACTED] Contact Board

First Name: Jerry
Last Name: Hess
Phone Number: [REDACTED]
Email Address: [REDACTED]
Ward / Location: San Jose
Comments:
Re: Almaden AFS Tower

You know the "Berlin Wall" is one of the biggest ICONS of the "Cold War". It was torn down but parts still remain as a reminder and as a merorial to all that suffered during that time period. (http://en.wikipedia.org/wiki/Berlin_Wall)

The "Tower" is our own "Berlin Wall". It should remain to remind us of the how governments can act toward each other over ideals of the way of life causing great strife to not only the their own people but also neighboring countries. It was a waste of resources and lives over what? Our "Tower" reminds us of the gallent men and women who defended our country from forces determined to destroy us. Pure and simple question, where is our memorial so no one will forget?

Respectfully,
Jerry Hess, OPS, Almaden AFS 1967-68

**Letter
78
Response****Jerry Hess
May 8, 2012**

78-1

Please refer to Master Response 1, which addresses issues related to the treatment of the tower. Note as well, that while the DEIR analyzes a range of options being considered with respect to the radar tower; a decision concerning its fate will be considered after the EIR is completed and MROSD certifies its adequacy. Any non-environmental impact issues not addressed here will be considered as a part of that subsequent process.

3 CORRECTIONS AND REVISIONS TO THE DEIR

This section contains changes to the text of the DEIR that are being made based upon agency and public comments received and responded to in Chapter 2 of this FEIR, as well as changes initiated by staff to correct minor text errors. The changes are presented in the order in which they appear in the DEIR and are identified by DEIR page number. Text deletions are shown in ~~strikeout~~ and additions are shown in double underline.

Impact 4.3-4, beginning on page 4.3-28 of the DEIR, is revised as follows:

Impact 4.3-4 **Effects of Increased Recreation on Native Species and Interference with Wildlife Movement.** Implementation of the proposed project would result in public access to wildlife habitats that previously have had limited human disturbance. Proposed trail connections would provide recreational opportunities for hikers, mountain bikers, and equestrians. Proposed hang glider launch sites would provide facilities for hang gliders. These Hiking, mountain biking, horseback riding, and hang glider launching/landing are unlikely to substantially adversely affect native terrestrial wildlife or plant communities. The construction and use of trails are also not likely to substantially interfere with wildlife movement in the region. Therefore, this is considered a less than significant impact. However, birds, especially nesting raptors, have been known to exhibit aggressive or agitated behavior in response to perceived aerial intruders such as hang gliders, particularly during the breeding season. This behavior signifies a disturbance. Allowing a recreational use that results in the disturbance of local wildlife is not consistent with MROSD policy. It is unknown if local bird species might react this way to the proposed hang gliding activities. Without an appropriate adaptive management strategy, this impact is considered potentially significant.

The proposed trail connections would be constructed in phases in the future to increase opportunities for public access and recreation on MROSD lands. The trail connections would link Mount Umunhum to Bald Mountain to the east, and link Mount Thayer towards the Lexington Basin through Ralph's Mountain to the west. These trails would be open to hiking, equestrian use, and mountain biking. Dogs would not be permitted. Hang gliding would be subject to special-use permit, with designated launch and landing areas in previously disturbed or cleared areas. Recreational use of the trails in previously undisturbed areas may deter some wildlife species from using the area immediately adjacent to the trails. ~~but~~ The effect of these recreational activities is is not expected to be severe enough in magnitude to cause localized extinctions or restrict the range of native species. Launch and landing of hang gliders would result in no loss of terrestrial wildlife habitat. The use of the launch and landing areas, as well as the use of the air space and thermals above the Preserve, could deter some terrestrial wildlife species from using the area temporarily when the hang gliders are present. For example, deer may scatter if a hang glider shadow passes overhead. Raptors have been known to exhibit aggressive behavior toward hang gliders during the nesting season or display agitation by "roller-coaster" type aerial displays, and/or by increased vocalizations or temporarily leaving the area. Other soaring species, such as vultures, may also fly out of the area to avoid the disturbance. Although evidence does not suggest that hang gliding activities would substantially reduce the range or population of local species, disturbance to wildlife resulting from a recreational use conflicts with MROSD's mission to protect and restore the natural diversity and integrity of its resources, specifically to "favor protection of resources when use significantly interferes with resource protection." While increased disturbance to nesting raptors and vultures may not occur as a result of hang gliding activities at the proposed project, an adaptive management strategy is necessary to ensure the local raptor and vulture populations are protected consistent with MROSD policy.

A wildlife corridor connects fragmented habitats and, by doing so, helps to increase movement and gene flow between core habitat areas resulting in improved ~~fitness for a~~ viability of populations or species. The Sierra Azul region has been identified as an important linkage, or wildlife corridor, between the Santa Cruz Mountains on the west and the Diablo and Gabilan mountain ranges to the east and south (Elkhorn Slough Coastal Training Program 2007, p. 2). Researchers have found that habitat in this area is mostly intact and fairly available to large vertebrate migration. However, two linkages between the Santa Cruz Mountains and areas of the Diablo Range are of critical concern, especially with respect to the integrity of the mountain lion population in the Santa Cruz Mountains. The first linkage, between the Sierra Azul region and the northern Diablo Range, is across Coyote Valley in southern Santa Clara County. There is also a biotic connector between the Santa Cruz Mountains and the southern Diablo Range and Gabilan Range at Chittenden Gap, along highway 129. Both linkages are very important and in danger of being lost due to urbanization, development, and other land use changes. These two corridors represent the last remaining biotic connectors between the Santa Cruz Mountains and other mountain ranges in the region (Elkhorn Slough Coastal Training Program 2007, p.3).

Creation of trail connections from Mount Umunhum to other existing trails is unlikely to substantially deter wildlife movement through the Sierra Azul region. The trail bed will be approximately 4 feet wide and would not present a substantial barrier to wildlife movement. While construction of trails would not likely create a wildlife barrier, some movement patterns may shift or change, as some species would avoid areas with trails and human scent, and other species may prefer to use the trails for easier access routes. However, these changes are expected to be minor and would not constitute a significant change in wildlife movement patterns.

MROSD implements measures on preserve lands to deter pest species, such as rats, raccoons, jays, and crows. Large populations of predatory pest species can reduce the number of other native species, including migratory birds. MROSD typically does not provide picnic tables on its lands; where they do minimally exist, the District avoids concentrating recreational picnic sites in large areas that may become feeding stations for pest species. In addition, garbage collection is not provided on District land. Recreational users of District preserves are instructed to dispose of all garbage in proper locations, under a “pack it in, pack it out” approach. This approach has served the District well and preserve users are accustomed to this policy, and as a result, large populations of predatory pest species are not usually an issue.

The recreational use of trails would not have a substantial adverse effect on native species and is not expected substantially interfere with wildlife movement; ~~therefore, impacts are less than significant.~~ However, because it is currently unknown whether proposed hang gliding activities would result in increased agitation to native birds, especially nesting raptors, the impact associated with proposed hang gliding use is considered **potentially significant.**

Mitigation Measure 4.3-4

~~No mitigation measures necessary.~~

MROSD will take the following actions to educate hang glider pilots and other visitors regarding the potential to disturb birds, especially nesting raptors and vultures, and establish an incident reporting program:

- › Hang glider permits will include a brochure prepared by a qualified ornithologist that describes agitated and defensive behavior of wildlife, focusing mostly on soaring birds, such as raptors and vultures. The permit will include a map that identifies protected air space that restricts hang gliding within a minimum of 1,000 feet of a known nest.

- › Hang glider permits will include an agreement, to be signed by the pilot, that the pilot shall:
 - Respect local wildlife by maintaining appropriate distance and altitude (as safety permits) to minimize disturbance.
 - Watch for active/occupied raptor or vulture nests and communal roosts, and, if spotted, keep at least 1,000 feet clear.
 - Avoid approaching soaring birds. (Note that if a bird peacefully approaches a hang glider, this is not considered a disturbance.)
 - Report to MROSD any bird observed behaving aggressively or agitated as a result of the pilot's glider or any other glider.
 - Immediately leave the area (as safety permits) after a bird has exhibited aggressive or acutely agitated behavior.
- › MROSD will post signs at hang glider observation locations describing aggressive or acutely agitated bird behavior, and encourage preserve users to report any of these observations to the provided telephone number.

MROSD will implement an adaptive management plan, prepared by a qualified ornithologist, to monitor and mitigate observed agitation or potential disturbance to birds. The adaptive management plan will include (at a minimum) the following measures:

- › MROSD staff will immediately investigate and document any legitimate reported incident of bird aggression or acute agitation in response to presence of a hang glider.
- › MROSD staff will review these bird incident records continuously. If incidents in a specific area exceed three per month, MROSD will either reduce the number of hang gliding permits issued to 5 at one time with no more than 2 hang gliders per launch site or restrict the use of the affected area as a condition of the special use permit. (Note that if the excess number of incidents occurs only during the raptor nesting season, then the permit reduction may be limited only to March through August and may resume to normal permitting levels after the nesting season.)
- › If repeated incidents occur with a specific hang glider or group, MROSD may revoke hang gliding privileges to those individuals.
- › If, after reducing the number of permits or restricting the use of specific areas where the incidents have occurred, the bird incidents are not reduced below three per month, MROSD will consider discontinuance of the issuance of hang gliding permits at the project site.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

Significant impacts associated with disturbance to birds from hang gliding activities and subsequent inconsistency with MROSD policy would be reduced to a **less-than-significant** level by educating hang glider pilots and other visitors of the potential disturbance for birds, by establishing an incident reporting program, and by monitoring incidents and taking appropriate action to reduce any increased agitation levels in native birds and raptors resulting from proposed hang gliding activities.

Page 1-1 of the DEIR is revised as follows:

The project includes phased public access to the summit of Mount Umunhum, as well as roadway and access improvements, ecological restoration, and development of public use facilities and a range of possible amenities such as trails, observation and reflection areas, interpretive displays, picnic tables, shade structures, restrooms, camp sites, hang glider facilities, and a visitor center. (Note that throughout this DEIR, the term “hang glider” or “hang gliding” refers to both hang gliding and paragliding.)

Page 4.2-9 of the DEIR is revised as follows:

~~Proposed demolition of on-site structures requires a demolition permit from the County of Santa Clara. Therefore, the proposed project is subject to compliance with the Santa Clara County Historical Preservation Ordinance. Applicable text from t~~The County’s preservation ordinance is provided below.

Page 4.4-8 of the DEIR (just above the title “4.4.3 Impacts and Mitigation Measures”) is revised as follows:**Santa Clara County Drainage Manual**

The Santa Clara County Drainage Manual identifies the multiple design standards, methods of analyses, and engineering tools required for the planning and design of storm drainage systems and flood control facilities within the County. The manual sets forth County standards for storm drainage design in accordance with the County’s subdivision and land development regulations.

Mitigation Measure 4.4-1(a) on Page 4.4-9 of the DEIR is revised as follows:

- a. *Prior to earthmoving activities (e.g., grading, excavation, construction), MROSD will consult with Santa Clara County Department of Public Works for Municipal Regional Permit review and will also consult with the San Francisco Bay Basin Regional Water Quality Control Board (RWQCB) to acquire the appropriate regulatory approvals that may be required to obtain Section 401 water quality certification, State Water Resources Control Board (SWRCB) statewide National Pollutant Discharge Elimination System (NPDES) stormwater permit for general construction activities, and any other necessary site-specific waste discharge requirements. No grading or other soil disturbance will occur until the appropriate regulatory approvals and permits have been issued.*

Mitigation Measure 4.6-5 (Voluntary) on Page 4.6-17 of the DEIR is revised as follows:**Mitigation Measure 4.6-5 (Voluntary)**

No significant impacts associated with wildfire would occur. MROSD policy and standard practices include the following fire management practices/features that will be implemented for the proposed project as applicable project facilities are developed:

- › *Water tank(s) and campground fire hose;*
- › *Emergency landing zone;*
- › *Dedicated emergency call box;*
- › *Roadside fuel management;*

- › Signage of fire safety regulations; and
- › Collaboration with agencies and neighboring landowners on planning and implementing fire-safe projects.

However, in order to further minimize risk associated with wildfire hazard in response to the public concern, the District will voluntarily implement, in addition to the standard practices/features, the following mitigation measures recommended by Wildland Resource Management:

- › Preparation of fire prevention plan by construction contractors;
- › Removal of fine dead fuels around campsites;
- › Irrigated native landscaping (until plants are established);
- › Vegetation managed as appropriate defensible space to improve vegetation structure and decrease volume of vegetation around campsites;
- › Additional signage specifying emergency protocol;
- › Training/ information associated with permit application or approval; ~~and~~
- › Closure of facility during red flag days;
- › Presence of a volunteer camp host for, and during, the camping season;
- › If feasible, install at least one fire detection camera prior to opening campground; and
- › Prepare and implement an adaptive management strategy for the campground that includes consideration of campground closure if fire ignition is more than rarely detected/reported;

The following discussion provides additional detail to the voluntary mitigation measures in the bullet-list above. Specifically, MROSD will implement the following fire hazard minimization measures recommended by Wildland Resource Management:

Construction-Related Fire Risk Reduction

Prior to initiation of construction (including activities associated with mitigation measures, such as vegetation clearing), MROSD's contractor will prepare a fire prevention plan. This fire prevention plan will include such measures as a list of tools to have on hand, proof of spark arrestors on all gas-powered engines, a description of available communications, specifications for the supply of water to have on hand, and descriptions of other actions that will reduce the risk of ignition and immediate control of an incipient fire. This requirement should be included in the contract with the District.

To minimize the risk of wildfire ignition, all motorized vehicles, including earth-moving equipment, used during this project will be equipped with spark arresters, per California Public Resources Code 4442, and Health and Safety Code 13001 and 13005. Other motorized vehicles used on the project site will not be parked where vegetation may come in contact with exhaust systems and catalytic converters.

Fuel Management and Fire-safe Restoration Design

Prior to initiating construction of the proposed campground or other restoration areas, MROSD will prepare a site-specific fuel management plan for the campground area as part of the specific site planning and design that dictates which species of trees/shrubs should be removed or pruned, and which plants should be planted or maintained (i.e., conifers may be replaced with hardwoods to reduce the chance of torching and ember production and distribution). The plan will include measures above and beyond MROSD's standard fuel management plan, such as a strategically located visitor

safety zone, which includes fuel conditions appropriate for a safety zone (i.e., large paved or graveled area such as a parking lot). This area will need to be inspected at least annually for compliance. The site-specific fuel management plan will apply to the campground, the former AFS housing area, and the summit areas, where the environmental restoration is proposed.

The fuel management plan will also identify indigenous plant materials and/or seed mixes at staging areas or along trails. Indigenous plants are ideal due to their low maintenance and drought and fire resistant characteristics.

The vegetation palette for the proposed restoration will identify native species that are shrubby or non-curing herbaceous cover (as opposed to grassy species), with little ignition potential. Plantings will be irrigated at least twice during the camping season to keep the moisture of the vegetation foliage high (keeping the dead material wet is not effective); if plantings cannot be irrigated twice a year, fuel volume will be reduced to meet the equivalent results in fire hazard. The spacing and design of the vegetation is more critical than the species planted. The restoration design will place plant species such that appropriate horizontal spacing occurs between masses of shrubs and specimen trees and appropriate vertical spacing will occur between tree branches, shrubs, and ground cover. This will discourage the creation of "fuel ladders"—a continuous fuel path by which a fire can climb from the ground to a shrub, to a tree, and ultimately produce and distribute embers than can start new fires far away.

The restoration design will identify a palette of appropriate native plant species that have a low fuel volume and high foliar moisture and do not have a tendency to produce and "hold" dead wood and which also have a proper growth form. Factors that must be considered in rating the fire performance of plants include:

- › Total volume. The greater the volume of plant material (potential fuel) present, the greater the fire hazard.
- › Moisture content. The moisture content of plants is an important consideration; high levels of plant moisture can both lower fire risk and act as a heat sink if a fire occurs, reducing its intensity and spread.
- › Amount and distribution of dead material. The amount of dead material in a given plant influences the total amount of water in the overall plant; the dead material is usually much drier than living tissue. Whereas dead material rarely has a moisture content higher than 25%, live foliage moisture content ranges from 60 to 80% for chaparral species in xeric conditions to a high of 200 to 400% for succulent plants or plants under irrigation.
- › Size of leaves, twigs, and branches. Materials with large surface areas (such as needles, twigs, or large flat leaves) dry more rapidly under fire conditions than materials with lower surface ratios (such as branches and fleshy leaves).
- › Geometry and arrangement of the plant (overall spatial distribution of the biomass). The shape of a plant and the way in which the biomass is distributed throughout the plant is important because this bulk density affects the air flow and heat transfer through the plant. The arrangement of material within the plant affects its fuel continuity and its tendency to undergo preheating and promote fire spread.

Examples of plants that may be appropriate include (but are not limited to) the following: coffeeberry, madrone, coast live oak, bay, ceanothus, and toyon. Examples of species to remove include coyote brush, black sage, and sagebrush. The fuel management plan will include a maintenance component. The maintenance program will require annual removal of dead material and maintenance of the vertical and horizontal spaces that create a fire-safe design. Maintenance requirements are incorporated in the District guidelines.

Signage, Education, and Closure

Prior to opening the proposed campsite to the public, MROSD will install a signboard in a central and conspicuous location at the proposed campsite that addresses fire safety, re-states MROSD rules including prohibition of open fires, and identifies appropriate action and behavior during a wildfire. Specifically the signboard will identify where to go, how to stay safe, and location of call-boxes. Further, MROSD will send permitted campers additional information/training including statement of rules and location of call boxes in case of emergency.

MROSD will close the site during times of Red Flag Warnings to further reduce the chance of ignition due to visitor usage.

Camp Host

Prior to opening the campsite to the public, a camp host will be selected from volunteers offering such services. The campground hosts will provide a presence of authority in the campground, will be trained in initial attack of small fires, and will have access to the landline dedicated 911 telephone, in addition to two-way radio communication for emergencies.

Fire Detection Camera(s)

The Santa Clara County FireSafe Council has requested the County purchase several fire detection cameras to be placed on Mount Umunhum. The cameras detect fires using infrared wave spectrum, and also allow the viewer to see visual light waves. The camera can be aimed and zoomed remotely so that it can be operated by other offices in the District, or by the emergency service dispatch center. Thus detection of illegal activities, including fire ignition, can be facilitated and response hastened. If feasible, MROSD will install at least one of these cameras and establish a monitoring and record-keeping system prior to opening the proposed campground. MROSD will also install signage indicating that fire detection cameras are in use and that rule violators will be fined.

Adaptive Management Strategy for Campground

MROSD will prepare and implement an adaptive management strategy for the proposed campground prior to its opening. This adaptive management strategy will be prepared in coordination with a qualified wildland fire prevention expert and will establish a limit for the frequency of fire/smoking reports and detections. The frequency limit will be conservative, and would be exceeded by anything more than a rare fire or smoking report/detection. The adaptive management strategy will require that, if the established frequency limit is exceeded, the campground will be closed, at least temporarily, until additional rule-enforcement mechanisms can be identified and implemented. Permanent closure of the campground will be considered.

Mitigation Measure 4.2-3 on Page 4.2-29 of the DEIR is revised as follows:

Mitigation Measure 4.2-3

Protection of Undocumented Cultural Resources. During all ground-related construction activities (i.e., grading, excavation, etc.) on the project site (including roadway and trail construction), if cultural materials (e.g., unusual amounts of shell, animal bone, glass, ceramics, structure/building remains) are inadvertently encountered, all work shall stop within 50 feet of the find until a qualified archaeologist can assess the significance of the find. A reasonable effort will be made by the District to avoid or minimize harm to the discovery until significance is determined and an appropriate treatment can be identified and implemented. Methods to protect finds include fencing and covering remains

with protective material such as culturally sterile soil or plywood. If vandalism is a threat, 24-hour security will be considered and evaluated based on threat level, remoteness of site, materials found, significance of find, etc. Construction operations outside 50-feet of the find can continue during the significance evaluation period and while mitigation is being carried out; however, if the archaeologist determines that the nature of the find may signify a high potential for other finds in the area, the construction will be monitored by an archaeologist within 100-feet of the find. If a discovered resource is identified as significant and cannot be avoided, a qualified archaeologist will develop an appropriate treatment plan to minimize or mitigate the adverse effects. The District will not proceed with construction activities within 100 feet of the find until the treatment plan has been reviewed and approved by the General Manager. The treatment effort required to mitigate the inadvertent exposure of significant cultural and/or historical resources will be guided by a research design appropriate to the discovery and potential research data inherent in the resource in association with suitable field techniques and analytical strategies. The recovery effort will be detailed in a professional report in accordance with current professional standards. Any non-grave associated artifacts will be curated with an appropriate repository. Project construction documents shall include a requirement that project personnel shall not collect cultural and/or historical resources encountered during construction. This measure is consistent with federal guideline 36 CFR 800.13(a) for invoking unanticipated discoveries.

Prior to any trail construction, MROSD will hire a qualified archaeologist to conduct a pre-construction survey of the proposed trail alignments. If any potential archaeological resources are identified during the survey, and are found to be significant, the archaeologist shall recommend avoidance measures to ensure that no impacts result from trail construction or trail operation. If the found resource cannot be avoided, the archaeologist shall prepare a treatment plan, as described above.

STAFF-INITIATED CHANGES

After the close of the DEIR public comment period, staff identified two sections of DEIR text that require revision. The first is a textual inconsistency in the Summary of Environmental Impacts in the Alternatives Section. The summary of the impacts to historic resources was not consistent with the analysis and conclusion in DEIR Section 4.2 “Cultural Resources.” For the purposes of internal consistency, Page 6-3 of the DEIR is revised as follows:

As discussed in Section 4.2, “Cultural Resources,” the radar tower is ~~likely~~ not eligible for listing on the federal, State, or County register as a significant historic resource; ~~however therefore, because the tower is important to veterans and has been a geographic reference point for the region,~~ MROSD considers the impact resulting from partial or full demolition of the tower to be less than significant ~~potentially significant~~. (Retaining the tower would also result in a less-than-significant impact.) However, because the tower is important to veterans and has been a geographic reference point for the region, voluntary ~~Mitigation~~ mitigation measures requiring interpretive displays and tours are included to further reduce this less-than-significant ~~to a less-than-significant level~~. No known archaeological resources exist on the project site; however, mitigation measures are included in the Draft EIR to reduce the potential for damage to unknown archaeological resources or human remains to a less-than-significant level.

The second section of DEIR text that requires revision is the third paragraph on page 4.10-16. The existing DEIR is accurate, but after coordinating further with the Santa Clara County Fire Department, the District is providing clarification regarding the specific process that the County uses to apply their roadway standards to existing roadways, which may include “alternate means of compliance.” Page 4.10-16 of the DEIR is revised as follows:

Santa Clara County Fire Department standards state that 20 feet clear width is the minimum required for all fire department access roads. (2009 International Fire Code which was adopted in 2010~~Santa~~

~~Clara County 2009~~) However, the width of secondary access roads may be reduced to less than 20 feet provided turnouts are installed adjacent to the roadway every 500 feet with a minimum dimension of 10 feet wide and 40 feet long, or as otherwise determined by the fire code official. The County Fire Department standards would likely apply to Mt. Umunhum Road only if a visitor center (or other occupied structure) is developed on site. Since Mt. Umunhum Road is an existing road constructed in the late 1950's it may not meet all the current provisions in the Fire Code for new road construction. In these situations, the County Fire Marshal assesses the existing road conditions to determine what, if any, alternate means of compliance would be required to meet the intent of the Fire Code to facilitate emergency access. In addition, although County Fire provides review and permitting for proposed structures and access thereto, the responding agency will likely be San Jose Fire (Darrell Wolf, CALFIRE, pers. comm. 2012). San Jose Fire ~~(the primary fire response agency)~~ drove Mt. Umunhum Road and *indicated that the roadway provides adequate emergency vehicle access.*

Chapter 8 References of the DEIR is revised as follows:

Darrell Wolf, CALFIRE, pers. comm. 2012. Personal phone communication between Darrell Wolf, Battalion Chief, CALFIRE and Meredith Manning at MROSD.

Mike Swezy 2012. Marin Municipal Water District. Email communication with Meredith Manning from MROSD regarding trespassing and vandalism. April 30, 2012.

The above text changes to the DEIR are minor and provide clarification. These changes do not alter the analysis or conclusions of the DEIR and do not constitute significant new information as defined by in the State CEQA Guidelines Section 15088.5.

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