

Yes: 4 - Chair Alexander III
Vice Chair Pasqua
Commissioner Kenton
Commissioner Pochowski

No: 1 - Commissioner Schneck

Commissioners Kenton, Pochowski, Vice Chair Pasqua and Chair Alexander voted yes. Commissioners agreed a ban on leaf blowers would have severe economic implications. Commissioner Pasqua stated a green gardener certificate would be beneficial for the profession, Commissioner Pochowski stated that better technology could lead to alternatives in the future.

Commissioner Schneck voted no, she stated she believes public education is not enough. She stated the data is clear that there are extreme negative health and environmental implications from gas powered leaf blowers and she would like more active options considered. She stated she was not in favor of a ban, but would like to see incentivizing options and limiting the hours of leaf blower use.

3 [15-0128](#) Biological Constraints and Opportunities Analysis for the Sunnyvale Landfill and Baylands Park and Protecting Burrowing Owl Habitat on City Facilities (Study Issue)

Assistant Director of Public Works Craig Mobeck presented the staff report. He answered Commissioner questions regarding the Baylands agreement with Santa Clara County and the financial impact of locating the Animal Assisted Habitat (AAH) at Baylands Park. He answered questions about burrowing owls and the existing mounds at Baylands, and where the owls are currently nesting. He stated there is no current plan for public education.

Chair Alexander opened the public hearing at 8:09 p.m.

Shani Kleinhaus of the Santa Clara Valley Audubon Society thanked the City for giving consideration to the burrowing owls and suggested if nesting occurs that funding could be available through a Habitat Conservation Plan. She said the area looks relatively nice already and hopes to continue the partnership with the Public Works Department. She also explained that Baylands Park is one of the hot spots to watch birds in the San Francisco Bay Area, especially during the migration season. The test area, which was the suggested location for AAH, is used by people observing birds. She asked the Commission to consider a more appropriate place for AAH instead of locating it at Baylands Park and indicated there is little

space along the bay for migratory birds.

There were no further public comments. Chair Alexander closed the public hearing.

Commissioner Pochowski moved and Commissioner Kenton seconded Alternatives No. 1, 2 and 3, Recommend that Council: 1) Direct staff to work with Animal Assisted Happiness if they choose to provide a proposal for locating their facilities at Baylands and the County is amenable to considering this type of use at the park; 2) Direct staff to submit a proposed project in the Capital Program for constructing low impact park enhancements and planting native perennial in various locations at the Landfill including installing additional artificial burrows at both the Landfill and Baylands preserve and providing other habitat enhancements for owls at the Landfill; and 3) Direct staff to incorporate into the operating budget additional costs, estimated to be \$10,000 for Baylands and \$25,000 for the Landfill, related to enhancement and management of habitat. The motion carried by the following vote:

Yes: 5 - Chair Alexander III
Vice Chair Pasqua
Commissioner Kenton
Commissioner Pochowski
Commissioner Schneck

No: 0

Commissioners explained their rationale. Commissioner Pochowski said he supports alternatives 2 and 3. Commissioner Pochowski expressed concern that he doesn't have enough information about using the land for AAH compared with leaving it undeveloped, or about the impact on migratory birds. He stated he is comfortable recommending staff explore options. All the Commissioners stated they agreed with exploring AAH for further information gathering. Commissioner Pasqua asked if anyone from AAH was present, and noted they were not at the prior meeting to represent their program. Commissioner Kenton also said he would like to see the park enhancements installed, and that he supports alternative 3. Commissioner Schneck agreed with the other commissioners and stated that California is biological diversity hot spot and it is a small cost to make a positive difference. She said she has faith the City will do their best to create proper education and care for burrowing owls. Vice Chair Pasqua also stated he still holds hope that the South Hill will become a dog park.