

ATTACHMENT 4

RESPONSES TO COMMENTS ON THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

All comments received from the Santa Clara Valley Water District.

Comment #1: MM BIO-1.2: Any stream diversion plan with a pumped system should use screened intakes and a baffled diffuser at the discharge site downstream. The screened intakes will minimize impacts to aquatic animals and fish. The diffuser will reduce any potential erosion.

Response #1: *The City concurs with this suggestion.*

Comment #2: MM BIO-2.7: It is recommended that a creek water quality monitoring program be utilized on site during certain construction activities such as the installation and removal of the coffer dams as well as the dewatering of the construction site. The water quality monitoring data is a standard requirement for working in live streams.

Response #2: *MM BIO-2.7 specifies that the water must be clear if dewatering/diversion occurs. The City believes that this standard is sufficient to prevent degradation of water quality. Nonetheless, if the RWQCB requires a water quality monitoring program as a condition of the Section 401 Water Quality Certification, that program will be implemented.*

Comment #3: MM HAZ-1.2: No construction spoils or earth material shall be stored within Calabazas Creek channel for the duration of the project without prior written approval of the District.

Response #3: *The City concurs with this comment.*

Comment #4: MM HYD-1.1: You may reference or include the language identified above for MM BIO-1.2: and BIO 2.7 as appropriate.

Response #4: *Please see the responses above.*

Comment #5: Section 2.3.3 Improvement to the Surrounding Trail/Maintenance Paths (Page 8): Please identify the grading that was recommended by the District: A lowering of the maintenance roadway to allow for a vertical clearance of 12-feet under the bridge.

Response #5: *The City respectfully declines to implement re-grading and lowering of the existing Calabaza Creek Trail/SCVWD Maintenance Road for the following reasons:*

- *Since the project is raising the bottom of the bridge slightly to better pass the 100-year design storm event, the project is providing a modest increase in the existing vertical clearance from roughly 8.17 feet to roughly 8.75 feet.*
- *Further raising the bridge is not practical due to roadway and right-of-way constraints at the site.*
- *The project is federally funded and is limited to replacement of the existing deteriorated bridge structure. The proposed Calabazas Creek Trail/SCVWD Maintenance Road improvements are beyond the approved scope of services for the bridge replacement project.*
- *The project has been environmentally cleared under NEPA which does not include the general re-grading of the site nor does the City want to subject the Calabazas Creek Trail to increased occurrences of flooding, due to the proposed lower profile, which would pose additional inconvenience to the public and potential public safety issues.*
- *Likewise, the CEQA document does not include provisions for general re-grading of the site which would be required to lower the Calabazas Creek Trail/ SCVWD Maintenance Road.*

Comment #6: Fish Passage (Page 23): Please clarify that the proposed project will replace, modify, and/or expand the existing concrete lining under the bridge. This was identified as part of the hydraulic analysis recently submitted and reviewed by the District for the bridge project.

Response #6: *Channel lining spot removal and reconstruction is shown on Sheet S25 "Channel Lining Reconstruction Details. In general, per previous discussions with the SCVWD, the existing channel lining is to remain and be modified as follows:*

- *At locations where existing piers are being removed, piers will be removed below the top of channel lining and new channel lining will be installed to patch the void left by the removed pier wall.*
- *At locations where new pier walls will be constructed, the existing channel lining will be saw cut and removed, the new pier wall constructed and new channel lining will be installed to conform the existing lining to the new pier wall.*

Comment #7: Construction Impacts (Page 23, 24): Please identify what measures will be employed to remove fish that may be in the channel during a coffer dam installation. Standard practices consist of electro fishing and nets at the site to remove and relocate fish prior to beginning constructing the dams.

Response #7: *As stated in the Initial Study, dewatering or diversion and any other work requiring access within the low-flow channel will occur during the dry season only (15*

June to 15 October). During this time, creek flows are expected to be at annual lows and steelhead, salmon, sturgeon, and smelt are not expected to be present on the site. Further, a biologist will be present during dewatering to ensure that any fish, in the unlikely event they are present, are not harmed. The recommendations of the on-site biologist will be followed should fish be present and subject to potential harm.

Comment #8: As was stated in the document, an encroachment and construction permit from the District is required prior to beginning work in the channel. Thank you for the opportunity to review and comment on the subject document. If you have any questions please feel free to call me at your convenience.

Response #8: *The City concurs. An encroachment and construction permit will be obtained from the SCVWD.*