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RE: EAST BAY REGIONAL PARK DISTRICT
STANFORD AVENUE STAGING AREA EXPANSION PROJECT
PUBLIC MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS
MONDAY, NOVEMBER 9, 2015, 6:07 P.M.
WARM SPRINGS COMMUNITY CENTER
47300 FERNALD STREET
FREMONT, CALIFORNIA

Reported by Amber Emerick, CSR No. 13546
CLS JOB No. 48361
CENTEXTLEGAL.COM - 855.CENTEXT

1 MONDAY, NOVEMBER 9, 2015, 6:07 P.M.

2 FREMONT, CALIFORNIA

3
4 PROCEEDINGS

5 MR. NISBET: Okay. I think we'll start. Welcome
6 everyone. Thanks for coming tonight. Thanks for taking
7 the time to be here.

8 My name is Bob Nisbet. I work for East Bay
9 Regional Park District. I'm the Assistant General Manager
10 over the division Acquisition, Stewardship, and
11 Development. Our division is responsible for doing all
12 the plans for our parks, acquiring land for new parks,
13 doing planning efforts for what we will turn the lands
14 that we buy into, and doing projects like this, where
15 we're contemplating expansion to one of our existing parks
16 for providing more parking. And part of that process is
17 looking at the environmental impacts for such a project.

18 So, again, welcome everybody. Thanks for taking
19 your time to be here. We really appreciate it.

20 As most of you know -- but I'll go into why we're
21 here tonight a little bit. Then I'm going to turn it over
22 to couple other folks, who will go into it in more detail.

23 The purpose -- this is a community meeting to
24 receive input. The purpose of this meeting is to receive
25 input because we have released what is known as an

1 "Environmental Impact Report" for the project, The
2 Stanford Avenue Staging Area Expansion Project. So that
3 document -- if anyone has it in their hand, will they
4 please hold it up. Thank you -- has been released
5 publicly.

6 And the environmental -- state and environmental
7 laws that govern jurisdictions, when they look at the
8 impact of projects that we do, require that a draft
9 Environmental Impact Report is released publicly for a
10 45-day period. We receive comments during that period.

11 And during that period, we are allowed and/or
12 encouraged to have a meeting like this to consolidate
13 receiving input so we can collect that input, decipher it,
14 make comments on it, and take the Draft EIR and turn it
15 into a document that we can then bring to our Board, for
16 them to make a decision on.

17 You might note that we have a court reporter here
18 today. We felt it would be very important and easier for
19 people to do that. Given the comments I just made about
20 why we're here today, to receive comments, our feeling was
21 that if we have a court reporter here, if you choose to
22 speak tonight, your exact comments are being transcribed.

23 And we will consider your comments -- we'll
24 translate those into written form, and those comments will
25 be considered a comment to the EIR and one that will be

1 responded to when the Draft document goes before our
2 Board. So that is this woman over here (indicating),
3 taking notes already.

4 And the process -- and we'll have time for
5 questions later. But as I mentioned, 45-day period.
6 We'll get into the holidays here towards the end of the
7 year. But it will be our intention to be back to our
8 Board in, say, March of next year. Very loosely, we'll
9 see what happens.

10 With that, I want to make some introductions.
11 And then I'll turn it over to my staff to my left -- to my
12 right.

13 The first people I would like to introduce are a
14 few of our Board members. We have seven Board members
15 that govern the East Bay Regional Park District. There
16 are a few here tonight. First, right in front of me, is
17 Ayn Wieskamp. And she represents the Ward where this
18 project is taking place.

19 And the second Board member who is here just
20 walked in a few minutes ago; Dennis Waespi, standing in
21 the back. Thanks for being here, Dennis.

22 MR. WAESPI: Pleasure.

23 MR. NISBET: Then I'd like to introduce our
24 project team. So first, over to my left, is Larry Tong.
25 He's the Chief of Planning and GIS. So all planning

1 documents and EIRs that the District produces are done in
2 his department.

3 Next is Julie Bondurant. She's in the back.
4 Julie is a Principal Planner working in the Planning
5 Department.

6 And then immediately to my right, who you're
7 going to hear from in a minute, is Michelle Julene. And
8 she is the -- many of you already know her, of course.
9 She is the project lead on preparing this EIR. So she is
10 going to have some comments in a minute about the history,
11 the process, and so forth.

12 Kristina Kelchner is here, also right in front of
13 me. She's District Counsel.

14 In the back, Glenn Hillcrest. He's the design
15 engineer who will be designing the parking lot that we
16 have proposed as the subject of this EIR.

17 Also right in front of me is Jim O'Connor. He's
18 Assistant General Manager over our Operations division.
19 And, Jim, I think you have some other staff here. If you
20 want to raise your hand --

21 MS. JULENE: I see Alicia.

22 MR. NISBET: Alicia is here. Terri is here.
23 They are both in the back. So they are also here, if any
24 questions come up. Let's see. Make sure I don't miss
25 anyone.

1 Finally, as many of you are aware, we're in the
2 City of Fremont. And this is really a partnership with
3 the City of Fremont. The land that this park is on is
4 City of Fremont land. We have a lease and operating
5 agreement with the City, and they are really a partner all
6 the way through in any endeavor we have at this park,
7 especially this one.

8 So I just want to note that there may be members
9 of the City Council here, the Recreation Commission, and
10 possibly staff. I didn't get around to see everyone, but
11 if you would, if you want to stand up now and introduce
12 yourself, that would be most appreciated.

13 Any City Council members from the City of
14 Fremont?

15 JIM BAY: Jim Bay, City of Fremont.

16 ANNABELL HOLLAND: Annabell Holland, Community
17 Services Director.

18 KIM BERANEK: Kim Beranek, Deputy Director.

19 FRANK PIRRONE: Frank Pirrone, Director of
20 Commission.

21 MR. NISBET: Is that everyone from the City?
22 Okay. Great. Thank you, Larry.

23 One more look at my notes; make sure I didn't
24 miss anyone. Very important.

25 So that's all I have. Again, thanks for coming

1 tonight.

2 I'm going to turn it over to Michelle. She's
3 going to make some comments. Then she's going to turn it
4 over to our consultant, who will go through the EIR. And
5 then we're going to open it up for public comment.

6 So, Michelle, the microphone is yours.

7 MS. JULENE: Thank you. I'm going to lower it
8 down a little bit. Bob is a little bit taller than I am.

9 Hi, everyone. I'm Michelle Julene. I'm the
10 planning lead for the District in preparing this Draft
11 Environmental Impact Report. You know, our scoping
12 meeting for this project was three years and one week ago.
13 And it was a dark and stormy night, much like this one. I
14 just want to thank you all for coming out.

15 And three years ago was when I met many of you
16 for the first time. Some of you I've been in
17 fairly-regular contact with as we've been moving through
18 this process. And, you know, I sincerely appreciate you
19 bearing with us and waiting for us to get this Draft EIR
20 out on the street and ready for your review, and
21 especially for giving up your time this evening and coming
22 out to participate in our public meeting for the Draft
23 Environmental Impact Report.

24 So, yes. The EIR has taken three years to get
25 out on the street. But during that time, in addition to

1 preparing the Draft Environmental Impact Report, the
2 District has been really busy.

3 So in particular, our Public Affairs division has
4 hosted multiple public information events for the last two
5 years out at Mission Peak. They got our Mission Peak
6 Facebook page up and running, and have been doing a real
7 good job hosting all kinds of information out on the
8 Facebook page, and also have been updating the Mission
9 Peak Web page, which you find by going through our regular
10 District website.

11 In addition, our Operations division has been
12 busy with numerous trail restoration projects. They got
13 trail counters out at both the Stanford Avenue Staging
14 Area entrance and the Peak Trail that's accessed off of
15 Ohlone College so we can get a rough idea of how many
16 visitors are passing through those entrances every day.

17 They initiated seasonal hours at the Stanford
18 Avenue entrance and on the lands that we lease from the
19 City of Fremont. And most recently, we have been working
20 with the City of Fremont in partnership to get their arms
21 around a residential permit parking program. And I
22 understand that there will be a community meeting here at
23 this location next week, on the 18th, for that program.

24 So, you know, the District has been pretty busy;
25 not just working toward the Draft Environmental Impact

1 Report, but also working towards several different avenues
2 to help resolve issues out at Mission Peak.

3 So the project that was analyzed in the Draft
4 Environmental Impact Report has evolved over the last
5 three years. And we really refined the focus so that it
6 would really take a close look at the potentially
7 significant environmental impacts of developing a new
8 staging area at the Stanford Avenue entrance. And that's
9 really the focus of the Draft EIR.

10 And so without further ado, I'd like to ask
11 Theresa Wallace, of LSA Associates -- that is the
12 consulting firm that prepared the Environmental Impact
13 Report -- to come and give a presentation.

14 And after that, we will hear your comments. If
15 you haven't already given me a speaker card, you can give
16 them to Aaron in the back. And that's how we will proceed
17 with the public comments from the speaker cards. All
18 right.

19 MS. WALLACE: Thanks, Michelle. Just grab my
20 notes.

21 So, good evening. Like Michelle said, my name is
22 Theresa Wallace. I'm with LSA Associates, the firm hired
23 by the District to prepare the Environmental Impact
24 Report, or the "EIR" for the Stanford Avenue Staging Area
25 project.

1 I'm the Project Manager for the EIR. And
2 tonight, with me also is Judith Malamut. She is the
3 principal in charge of the EIR. And Emily Gerger, right
4 in front of me, assisting me with the slides, as the
5 Project Planner.

6 So this slide -- the next slide that's a brief
7 overview of what I will cover in my presentation,
8 including the purpose of this meeting; an overview of the
9 proposed project; the purpose of the California
10 Environmental Quality Act, or CEQA; an outline of the CEQA
11 process and time line; and an overview of the findings of
12 the EIR analysis. Finally, I will identify the next steps
13 in the process.

14 After my presentation has concluded, you will all
15 have the opportunity to provide your comments on the EIR.
16 Again, a court reporter is here, and there will be a
17 transcript of all of your comments. Each comment received
18 tonight on the EIR will then be formally responded to in
19 writing.

20 So the purpose of tonight's meeting is to present
21 the proposed project and a summary of the Draft EIR
22 findings to you and to hear your comments. The public
23 comment period began on October 16th, and comments will be
24 accepted through November 30th.

25 After the close of the 45-day comment period, LSA

1 will assist the District in preparing what's called a
2 "Response to Comments" document. This document will
3 include all comments received on the EIR, including those
4 received in writing, and the transcript from tonight's
5 meeting. All comments that relate to the adequacy of the
6 EIR will be responded to in that document. The District's
7 Board will then consider certification of the Final EIR,
8 which will include the Draft EIR, and the Response to
9 Comments document.

10 So the next few slides will provide a brief
11 overview of the project itself. The project area is
12 located at the Stanford Avenue entrance to Mission Peak in
13 Fremont, as shown on this figure. Although the project is
14 on land owned by the City of Fremont, it is leased by the
15 District.

16 As you all know, the entrance to Mission Peak
17 here is very popular and provides access to several trails
18 that directly access the summit of the peak. There are
19 currently 43 parking spaces at the existing staging area,
20 and currently overflow parking occurs on nearby
21 residential streets because the existing lot does not
22 provide enough parking to serve the demand.

23 The purpose of the project is to provide
24 additional parking and restrooms to better accommodate
25 visitor demand for trail access from this location. So

1 two potential sites are under consideration, and these are
2 called the Option A and the Option B sites.

3 So this slide shows the main components of the
4 proposed project. These improvements apply to development
5 of the project at either the Option A site or the Option B
6 site. Ultimately, the proposed project would include 300
7 new parking spaces, for a total of 400 -- 343 spaces,
8 including those that are already at the existing staging
9 area.

10 So this slide just shows the location of the
11 Option A and the Option B sites. The green color shows
12 the Option A area disturbance, and the orange shows the
13 Option B disturbance area. And there's some overlap
14 between the two.

15 So the total area of disturbance includes all
16 areas that would be affected by project development,
17 including areas that would be temporarily disturbed by
18 construction activities and grading. All construction
19 areas will be restored to their natural conditions after
20 completion of the project.

21 This slide shows the conceptual site plan for the
22 Option A site. Might be a little bit hard to read, but it
23 is included in the Draft EIR. The Option A site includes
24 about 11.71 acres of total disturbance. Of this, 9.64
25 acres will be permanently disturbed, and would include

1 such things as the new staging area and parking lot,
2 roadways, trail connections, and the detention pond. Only
3 about 2.78 acres of this would actually be paved surfaces.

4 So unique to the Option A site is that an
5 existing headwall of a culvert to the Agua Caliente Creek
6 would be repaired as part of the project. And that's also
7 shown on here.

8 So this slide shows the conceptual site for the
9 Option B area. Option B includes 16.76 acres of total
10 disturbance. Of this, 10.45 acres will be permanently
11 disturbed. And only about 3.1 acres will include paved
12 surfaces.

13 Unique to the Option B site is that an existing
14 culvert within the creek would be removed, and the channel
15 would be restored to its natural condition. The Option B
16 project also includes development of two bridges over the
17 creek; one for vehicles, and one for pedestrians, as part
18 of the existing trail network.

19 So a number of approvals are required for either
20 Option A or Option B, as shown on the slide. For the
21 purposes of CEQA, the District is the Lead Agency for
22 environmental review of the project. The District is
23 responsible for certifying the EIR and approving the
24 project. The other approvals listed here relate to
25 regulatory permits that would be required to construct the

1 project.

2 So as I mentioned previously, the project is
3 being evaluated under the California Environmental Quality
4 Act or CEQA, which is a state a law. CEQA requires that
5 lead agencies, or all agencies that approve projects, such
6 as cities, counties, or special districts, like the Park
7 District, evaluate the environmental impacts associated
8 with projects. This evaluation must adequately inform the
9 District's Board, other agencies, and general public about
10 potential environmental consequences of project approval.

11 If environmental impacts are identified, then the
12 lead agency needs to identify ways to mitigate or avoid
13 those impacts. CEQA documents are disclosure documents.
14 The lead agency is using the information provided in the
15 CEQA document to make informed decisions about a project
16 and disclose potential environmental impacts associated
17 with construction and operation of the project.

18 An important point note is that the environmental
19 document does not dictate whether or not the project is
20 approved. Because the project has the potential to result
21 in significant impacts to the environment, the District,
22 as the Lead Agency, determined that preparation of an
23 Environmental Impact Report or EIR was necessary to comply
24 with CEQA.

25 So this slide shows where we are currently with

1 the environmental review process and the time line. As I
2 mentioned earlier, the 45-day comment period on the Draft
3 EIR goes through November 30th. After the close of the
4 comment period, LSA and the District will prepare the
5 Response to Comments document, and what's called a
6 "Mitigation Monitoring and Reporting Program," or an MMRP.
7 The MMRP will outline all the project mitigation measures,
8 and how and when they will be implemented. The District's
9 Board will then consider certification of the Final EIR,
10 the MMRP, and approval of the project.

11 So just quickly, these are all the elements of
12 the Draft EIR, as required by the CEQA guidelines. And
13 each of the topics shown on this slide are analyzed and
14 thoroughly addressed in the EIR. These represent each of
15 the issue topics that are required to be addressed by
16 CEQA.

17 So please note the "S" and the "LTSM" notations
18 after some of the issue topics; indicate that significant
19 impacts were identified for those topics, but that with
20 implementation with the recommended mitigation measures in
21 the EIR, these impacts would be reduced to a
22 less-than-significant level. So the absence of this
23 notation indicates that no impacts were identified for
24 those topics.

25 It should also been noted that no significant

1 unavoidable impacts were identified for the project. All
2 impacts can be mitigated to a less-than-significant level.

3 AUDIENCE MEMBER: I have a question.

4 MS. JULENE: Just keep going.

5 MS. WALLACE: So, I'm just going to continue.

6 To evaluate potential environmental impacts, we
7 identify significance thresholds for each topic. I will
8 note that the slide did not originally include -- or the
9 previous slide did not include the "LTSM," as it's shown
10 on here -- on your printout. So there is a minor
11 difference. I apologize for that.

12 So to evaluate potential environmental impacts,
13 we identified significance thresholds for each topic. The
14 threshold may represent the degree of impact, or a
15 specific increase that can be quantified. We conduct our
16 analysis and then the results are compared to a baseline,
17 to determine if the project would rise above or below the
18 threshold.

19 If the project would exceed the threshold, but
20 can be mitigated to below the threshold, then it would be
21 considered to be less than significant with mitigation.

22 If an impact rises above the threshold, but
23 cannot be mitigated, it would be significant and
24 unavoidable.

25 As I previously stated, we do not have any

1 significant unavoidable impacts, and all impacts can be
2 mitigated to below the threshold that we identified for
3 each issue topic. So for CEQA purposes, impacts are
4 direct physical changes to the environment, and reasonably
5 foreseeable indirect physical changes.

6 So this slide just shows a quotation from the
7 CEQA guidelines, which tells what makes an EIR adequate.
8 Basically -- and EIR should be prepared with a sufficient
9 degree of analysis to provide the public and
10 decision-makers with information about the environmental
11 consequences of a project. The courts have not looked for
12 perfection, but for adequacy, completeness, and a
13 good-faith effort at full disclosure.

14 So I'm now going to get to the key findings of
15 the EIR. First, I'll give a brief overview of the impacts
16 that were identified as less than significant and do not
17 require mitigation. Then I'll go over impacts that would
18 be avoided by project design features.

19 I'll then summarize the potential construction
20 and operation period impacts of the project and describe
21 some of the mitigation measures that would be implemented,
22 to ensure that all impacts are less than significant.
23 I'll then wrap up with a discussion of the Alternatives
24 Analysis.

25 So for the issue topics listed on this slide, no

1 significant impacts were identified. The EIR determined
2 that all impacts for these topics would be less than
3 significant, and that no mitigation measures would be
4 required.

5 I'm going to further discuss the topics of
6 transportation and visual resources in the next few
7 slides, but will not go over the rest of the topics.

8 So for Transportation and Circulation, it is
9 important to note that the project itself is designed to
10 provide enough parking to reduce issues that currently
11 occur with the lack of adequate parking at the Stanford
12 Avenue Staging Area.

13 The Draft EIR analysis determined that with the
14 exception of peak use on Saturdays, the new parking
15 facilities are expected to accommodate the demand for
16 parking by park users. In other words, based on our
17 analysis, a total of 343 parking spaces at this location
18 should be enough to accommodate parking needs at the
19 Stanford Avenue trailheads most of the time, and to reduce
20 the overflow parking on nearby residential streets.

21 For the topic of visual resources, impacts were
22 identified as less than significant because the project
23 itself was designed to reduce or avoid impacts to scenic
24 vistas, and to the visual character of the site and its
25 surroundings.

1 Grading, berms, and landscaping would all screen
2 direct and open views of the staging area from nearby
3 residences, and also from park users within the immediate
4 vicinity.

5 Expansive and scenic views available from the
6 upper elevations of Mission Peak would not be
7 substantially affected, and the staging area would blend
8 in with nearby urban development due to its location at
9 the edge of the park.

10 So this slide shows the view from the fence line
11 at the Option A site. It's a simulation of the completed
12 project. As you can see, the topography, including
13 grading and the new berm along the landscaping, would
14 screen the parking lot from ground-level views.

15 Views from the second story of nearby residences
16 were also considered. The EIR analysis determined that
17 views from these locations would also mostly be screened
18 by project features, and while the proposed staging area
19 may be somewhat visible from some private residences,
20 direct and open views of the staging area would be
21 diminished due to distance, and the site would generally
22 blend in with surrounding development.

23 So this slide shows a view from the upper
24 elevations of the Peak Meadow Trail. A simulation of the
25 Option A staging area can be seen just to the right of the

1 center of the photo. As you can see, the staging area
2 would blend in with surrounding development, as seen from
3 this location.

4 So similar to Option A, views from the Option B
5 staging area would also be screened from view. This slide
6 shows the view from the fence line at the Option B site.
7 As you can see, the parking lot would not be visible from
8 the ground level.

9 Also similar to Option A, the EIR analysis
10 determined that views from the second stories of nearby
11 residences would also be mostly screened by project
12 features. And that while most of the -- while the
13 proposed staging area may be somewhat visible from some
14 nearby private residences, the site would be partially
15 screened by natural materials, and the staging area would
16 not dominate the view.

17 So this slide, again similar to the previous one,
18 shows the view from the upper elevations of the Peak
19 Meadow Trail. And the Option B site can be seen from the
20 upper left side of the photo. As you can see, again, the
21 staging area would blend with surrounding development.

22 So in the next series of slides, I'm going to
23 discuss the significant impacts that were identified in
24 the EIR, starting with construction-period impacts and
25 then operation-period impacts. So this slide just shows

1 the impacts that were identified from the construction
2 period. Most of the impacts identified in the EIR would
3 occur during the construction period and would be
4 temporary.

5 So, starting with biological resources. The
6 Draft EIR identified impacts to special status wildlife
7 and plant species as listed here. The Draft EIR
8 recommends mitigation measures to be implemented during
9 the construction period to ensure that these impacts are
10 avoided.

11 Mitigations include monitoring for the presence
12 of these species prior to and during construction,
13 education for construction personnel, installation of
14 fencing to keep animals out of work areas, establishments
15 of buffers, avoidance of known nesting areas and other
16 similar measures. These are all standard measures that
17 are typically implemented for construction in areas that
18 have similar biological sensitivities as the project area.

19 In addition, project construction would result in
20 indirect and direct impacts to trees, either through
21 trimming or direct removal. These impacts would be
22 mitigated with new plantings that exceed the City of
23 Fremont's requirements.

24 So for cultural resources, the Draft EIR
25 identified impacts to known prehistoric archaeological

1 resources at both sites. These areas cannot be avoided by
2 project construction activities, but the impact can be
3 reduced to a less-than-significant level through resource
4 documentation, education, and recovery efforts.

5 Impacts to previously unidentified resources that
6 may be encountered during construction activities can also
7 be mitigated through implementation of fairly-standard
8 construction-period mitigation measures that are
9 implemented at many sites that are undeveloped.

10 For air quality, in the Draft EIR, we identified
11 construction-period impacts that would be associated with
12 exhaust emissions and dust from construction equipment.
13 Implementation of the Bay Area Air Quality Management's
14 District's best management practices, which apply to most
15 construction sites, would reduce this impact to a
16 less-than-significant level.

17 For the topic of noise, temporary noise increases
18 would be generated for construction equipment, creating a
19 short-term impact. Compliance with the City of Fremont's
20 Noise Ordinance, which regulates construction noise,
21 including hours of construction, would reduce this impact
22 to less than significant.

23 So for geology and soils, grading activities
24 could cause temporary slope and soil instability if not
25 carefully considered and coordinated. However, as is

1 common for all construction activities, a design-level
2 geotechnical plan would be required to be reviewed and
3 approved by the City of Fremont prior to issuance of
4 grading or building permits, and implementation of the
5 recommendations in the plan would ensure that potential
6 impacts associated with geologic and soils hazards would
7 be less than significant.

8 A monitor would also be required to be on site
9 during clearing and grading activities, to ensure
10 compliance with the plan.

11 So for hydrology and water quality, there would
12 be no construction-related impacts at the Option A site,
13 and standard, best management practices would be
14 implemented at both sites to ensure that impacts to water
15 quality would be avoided.

16 However, for Option B, because of the excavation
17 work that would occur near the creek as part of bridge
18 construction, erosion or localized flooding could occur if
19 the bridges are not constructed in such a way to avoid
20 these impacts. Mitigation measures are required to ensure
21 that the bridges are designed and constructed to ensure
22 that this impact would be less than significant.

23 So that covers the construction-period impacts of
24 the project. There are also a few operation-period
25 impacts that could occur once construction is completed,

1 as shown here.

2 So for biological resources, the project would
3 result in the permanent loss of grassland habitat for some
4 wildlife species. This habitat loss would be less with
5 Option A than Option B, because the area of permanent
6 disturbance would be smaller with Option A.

7 In either case, the District would be required to
8 mitigate this impact by preserving or purchasing new
9 grassland habitat that is known to support these species.
10 The mitigation ratio would be 3:1, or three times the area
11 that is impacted.

12 Implementation of this kind of mitigation measure
13 is commonly accepted by federal and state resources
14 agencies, and would ensure that this impact is less than
15 significant.

16 So for geology and soils, there's a known
17 landslide area near the Option A site, and both sites are
18 known to have expansive soils. However, both sites would
19 be designed to avoid hazards associated with unstable
20 slopes and soils. And the project itself would not affect
21 the existing landslide near the Option A site, or
22 otherwise create unstable conditions.

23 During project operation, however, these existing
24 conditions could impact the project itself, and could
25 result in cracking or other deterioration of other paved

1 surfaces. Mitigation measures are recommended in the EIR
2 to ensure that the staging area is regularly inspected,
3 and that appropriate repairs are made to ensure that park
4 users do not experience hazards associated with unstable
5 soil conditions at the site.

6 So finally, for hydrology and water quality,
7 similar to the construction-period impacts for Option B,
8 erosion or localized flooding could occur if the bridges
9 are not designed to avoid those impacts. Mitigation
10 measures are required to ensure that the bridges are
11 placed at an elevation that avoids blockage of flows
12 during intense runoff events. And that impact would also
13 be less than significant. So I've covered all the impacts
14 identified for the project.

15 The EIR also identifies and evaluates
16 alternatives to the project. Alternatives are developed
17 for the purpose of avoiding or reducing identified impacts
18 of the project and must be both feasible and meet the
19 basic project objectives. So all the alternatives listed
20 here were fully evaluated in the EIR.

21 The analysis for the "No Project" alternative
22 determined that all impacts of the project would be
23 avoided because no development would occur. However, none
24 of the project objectives would be achieved, and the
25 existing staging area would continue to be insufficient to

1 meet visitor demand.

2 The analysis for the "Reduced Project Size"
3 alternative determined that some of the project impacts
4 would be reduced, but none would be avoided. And all
5 mitigation measures identified for the Option A project
6 would still be required. Also, the project objectives
7 would be met, but would not be maximized to the same
8 extent as the proposed project.

9 The analysis of the "Parking Structure" at the
10 existing staging area alternative determined that there
11 would be greater or more severe impacts associated with
12 development of a multistory parking structure at the
13 existing staging area. In particular, impacts associated
14 with land-use compatibility, visual resources,
15 transportation and circulation, and noise could be greater
16 than those identified for the proposed project. Some of
17 the project objectives would also not be met, even though
18 the same number of parking spaces would be provided as the
19 proposed project.

20 The analysis for the "Off-Site Parking"
21 alternative would avoid some of the impacts to resources
22 within the Preserve that would occur with the project.
23 However, this alternative would not meet many of the
24 project objectives, including the provision of adequate
25 parking to meet visitor demand.

1 So the analysis of the "Maximum Parking"
2 alternative, which would develop both the Option A and
3 Option B sites, would meet and even exceed the demand for
4 parking at the Preserve. However, it would result in
5 greater and more severe impacts than those identified for
6 the proposed project, which consists of either Option A or
7 Option B; not both.

8 So in the strictest sense, the "No Project"
9 alternative would be the environmentally-superior
10 alternative because all of the impacts for the proposed
11 project would be avoided under this alternative. However,
12 as I said before, this alternative does not meet the
13 objectives of the project.

14 Among the remaining alternatives, the "Reduced
15 Project Size" alternative would likely be considered the
16 environmentally superior alternative, primarily because
17 the development footprint would be smaller than Option A.
18 It would reduce the impacts to cultural and biological
19 resources, compared to the project. It would also result
20 in continuing issues on nearby neighborhood streets, and
21 more so than the proposed project, and would not meet the
22 objectives of the project, to the same extent as the
23 proposed project.

24 So the EIR also includes a description of the
25 alternatives that were considered, but that were not fully

1 evaluated in the EIR. Many of the alternatives listed
2 here were suggested by the public during the scoping
3 period for the EIR. Most of the alternatives address the
4 management and operation at Mission Peak. And many are
5 aimed at reducing visitor demand at the Stanford Avenue
6 Staging Area.

7 Therefore, most of these alternatives would not
8 meet the project's primary purpose, which, again, is to
9 provide additional parking and restrooms to better
10 accommodate visitor demand at this location. While the
11 District's Board could consider any of these operational
12 measures separately from the project as part of its
13 ongoing management of the park, these measures do not
14 provide feasible alternatives to the project. Therefore,
15 they were not selected for further analysis in the EIR.

16 So please note that the District's Board will
17 consider the proposed project and the project
18 alternatives, and will decide to either approve one of the
19 project options, or they could direct District staff to
20 further analyze any of the project alternatives discussed
21 in the EIR.

22 So that concludes my overview of the project and
23 the CEQA process and the results of the EIR analysis.
24 Again, the comment period closes on November 30th. So
25 please provide your comments by that date.

1 The next steps in the CEQA process will be to
2 collect all the comments that are submitted to the
3 District and to prepare that Response to Comments
4 document. As I mentioned before, all comments that
5 address the environmental analysis will be responded to,
6 and the Final EIR will consist of the Draft EIR and the
7 Response to Comments document. The Response to Comments
8 document may also include text revisions to the Draft EIR
9 that may be required to clarify the analysis.

10 So the purpose of the EIR document is to disclose
11 the environmental effects of the project to allow the
12 District's Board to make an informed decision about the
13 project. Once the Final EIR is completed, the Board will
14 consider the Final EIR for certification; and after that,
15 as a separate action, will consider project approval.
16 And, again, we expect this to occur in the Spring of 2016.

17 So that concludes my presentation. Michelle will
18 facilitate the public comment portion of this meeting.
19 Her contact information is shown on the slide, which we'll
20 leave up. And even if you make verbal comments at
21 tonight's meeting, we would really encourage you to also
22 submit comments in writing, so we can carefully consider
23 them.

24 So thank you all for your attention, and we look
25 forward to hearing your comments.

1 MS. JULENE: So before we get started with the
2 public comment, are there any more speaker cards? For
3 some reason, I was expecting a lot more.

4 So given the scant number of cards I have -- and
5 I know you guys can continue to bring them up -- but this
6 is the time where I set the time allotted for the
7 speaking. So I'm hoping to collect a few more.

8 At this point, I think that we can -- we can go
9 for a four-minute time allotment on hearing your comments.
10 So I hope that's helpful to you guys. Some people have
11 already told me that they have more than two or three
12 minutes' worth of comments to deliver. So I hope that's
13 helpful.

14 So just a few things: We're not going -- I'm
15 going to set the timer at four minutes. And I'm going to
16 have to reprogram my thing. Do you think you know how to
17 do that? We might need a second to reprogram it because
18 we set it for three minutes.

19 Before we get going with that, I just want to say
20 that we're not going to, you know, add time. So say, if
21 somebody doesn't take up their full four minutes -- they
22 only speak for two minutes, we're not going to, like, add
23 time and give another speaker six minutes because that
24 gets really complicated for us. So if you have more than
25 four minutes' worth of comments to give us tonight, I

1 suggest that you hit the bullet points, and then use your
2 written comments as your opportunity to fully express
3 everything you want to say about the Draft EIR.

4 It's been mentioned several times, we have a
5 court reporter here. So I ask that everyone speak as
6 clearly as possible to aid our court reporter in
7 transcribing the notes of what everybody is saying
8 tonight. If she is having difficulty understanding the
9 comments, then she is going to give us a signal so that we
10 know that it's time to take a deep breath and then
11 continue on with the comments.

12 We're not going to respond to questions and
13 comments tonight. Really, the purpose is to hear your
14 verbal comments and then encourage the written comments by
15 -- you know, through November 30th.

16 And then LSA, in conjunction with the District,
17 we will develop a written document that will respond to
18 all the questions and comments. So that will include
19 those we hear from you verbally tonight, as well as those
20 we receive in writing. And you can send me a letter by
21 mail, too, or P.O. Box or e-mail. It will count the same
22 way; whatever is easier for you.

23 And, finally, just a note that disability counts.
24 I know there's a lot of people that have different
25 opinions about the project, the results of the Draft

1 Environmental Impact Report, actions the District has been
2 taking, in terms of park operation; actions that people
3 think the District should be taking, in terms of park
4 operations and the project.

5 So I would encourage us to be respectful of one
6 another and everybody's opinions. It all comes together
7 during this time of an EIR process. And so I would just
8 encourage everybody to be respectful of one another as
9 you're making your comments.

10 So as I start calling people up, please -- this
11 will be the podium, and the microphone that you can use.
12 And I would just ask that you restate your name, even
13 though I will be calling it out. And forgive me for any
14 mispronunciation.

15 So as you restate your name, it will be your
16 opportunity to correct my pronunciation, if I goof it up.

17 Were we successful?

18 MS. WALLACE: I think we've got it.

19 MS. JULENE: Yay.

20 Our first speaker is David Hu.

21 DAVID HU: Good evening. I'm --

22 MS. JULENE: Oh. From the podium. Thank you.

23 DAVID HU: Yeah. Good evening. I'm David Hu. I
24 live in the park -- Mission -- the Mission Peak park;
25 45901 Hidden Valley Terrace.

1 So I can see the problems we are facing every
2 day. Every Saturday and Sunday, there's a lot of traffic.
3 And almost -- why I almost hit somebody's car when I go
4 out.

5 And I can see the studies, even though only a
6 very microscopic area in the parking lot in the
7 construction. It doesn't address the problem that we are
8 facing; the traffic congestion, the parking evaluation.

9 After the property -- after the parking lots are
10 built, then the crime, all the different things there. So
11 many juveniles gather there. We will have another crime
12 problem. And then the property value nearby will be
13 greatly reduced. But I did not see anybody address this
14 topic. I don't know why. Maybe I'm not an expert, even
15 though I have a Ph.D., but my Ph.D. is not in this area.

16 But I would suggest that whoever makes the
17 decision, talk to us. Talk to the neighborhood. Talk to
18 the association, so that they know what we are facing and
19 our thinking. Don't wait until we sue them or sue the
20 City. It's not a good idea to make us so mad, seeing --
21 even though we are protesting all the time; making every
22 meeting. We are still seeing the projects almost going to
23 be approved. I don't know whether that's true or not.
24 But I can see the path of approval is coming. And we are
25 asking ourself, "Why? Don't we have any voice?"

1 Are we in the democratic society, or are we
2 silenced just because the government or the state or the
3 parking whatever -- the society wants to build the parking
4 lot? Is that the case, or do we have a voice? And that's
5 my question.

6 And also in this analysis, I did not see any
7 potential impact on the flooded area. Sometimes when you
8 make a movement of the earth, it will impact the flow of
9 water. And during El Nino, most likely there is going to
10 be a flooding problem. I did not see an address for that
11 one.

12 Not only that, when there's a flooding, we will
13 be impacted, but nobody is going to pay us for the damage.
14 The City will say, "Hey. It's not our problem." The
15 state is going to say, "Hey. We don't have any problems.
16 It's all yours." So who is going to pay for this?

17 The problem of flooding. The problem of traffic
18 congestion. The problem of property devaluation. And
19 this, the reason I'm speaking. And I want the
20 authorities, whoever can make decisions, think about us --
21 us -- us first. Don't just do something granted and take
22 it because pushes everything onto our throat, and we are
23 not going to say anything.

24 Thank you.

25 MS. JULENE: Thank you for your comments.

1 Okay. Next up is Colin Hsi, H-S-I. And I look
2 forward to you restating your name, so I can know how to
3 pronounce it in the future.

4 COLIN HSI: My name is Colin Hsi. I live on
5 Hidden Valley Terrace. Thanks for having me. I wasn't
6 going to speak, but after hearing your presentation, I
7 think I need to say something.

8 First off, the EIR -- I know you did a good job.
9 You only satisfied visitors' demand. But you are not
10 considering the people factor. People who live here, we
11 all complain like crazy. They -- complaints are not
12 included in the EIR. It's like we can complain like hell,
13 but it doesn't appear anywhere in the report. So people
14 say, "Yeah, we hear you; but sorry. We got our EIR report
15 to handle it. There is no impact."

16 So by the way, just back to your visitor demand.
17 I don't -- what is the visitors' demand? Okay. They want
18 parking. Have you considered, once they got parking, have
19 you consider lodging? Maybe you want to build a hotel for
20 them? Maybe RVs? Maybe restaurants? They all -- I'd
21 like to have that.

22 I want to have lots of parking space for Yosemite
23 Park. But very difficult to get. They are not giving me
24 any more parking space in Yosemite National Park. We all
25 understand why; because it's a park. We don't want to

1 trade park for parking.

2 But the East Bay Park District treat the park
3 like your personal property. You can do anything you want
4 with it. You are trading park for parking space. It's a
5 basic violation, and I don't quite -- cannot wrap this
6 around idea. I just don't understand how you guys think.
7 This is a park space. You cannot touch it for parking.

8 If you follow this principle, we won't be here
9 tonight. We save all the argument. This is very simple
10 arguments. And Yosemite Park, we all understand. Right?
11 This is a national park. Many of us go there, but nobody
12 complain, demonstrating we need more parking space.

13 I need more hotels. We all need that. Millions
14 of people all need that. But government are not doing
15 anything.

16 By the way, if I got more time, in 2000, same
17 thing happened in the School District. After all this
18 work, the School District, they say same thing; hired
19 consultant, and they say school overcrowding, and we need
20 to shuffle all the people around to save 70 spaces. They
21 shuffled thousand of kids around.

22 In the end, the people fed up. We organized
23 lawsuit and caused \$150,000. I knew this because I was
24 involved. And I hope we don't get to this stage. And I
25 don't think we'll do that. We all intelligent people. Do

1 not trade park for parking space.

2 Thank you.

3 MS. JULENE: Thank you for your comments.

4 Appreciate that. Okay.

5 Next up is Suresh Bazaj. There you are.

6 SURESH BAZAJ: Hi. My name is Suresh Bazaj. So
7 one of the question that I know you won't answer today,
8 but when the EIR is proposed, I think there were three
9 alternatives. And somewhere, the third alternative got
10 dropped off. And so hopefully you can answer that. I
11 think the third alternative was building a staging area.

12 As to my comment, it's interesting that the park
13 has been there long before the City of Fremont took away
14 what should have been the green space, or what was the
15 green space to build -- allow several hundred people to
16 build the "McMansions." And now the occupants of the
17 McMansions are complaining and trying to take over the
18 rights of all the other people who have been hiking there
19 for many, many years.

20 I've been hiking there since '95, and it is
21 frustrating to know that now these people claim that this
22 is their property, this is their parking space, and the
23 rest of the occupants of the Alameda County or the East
24 Bay Area do not have any rights.

25 Thank you.

1 MS. JULENE: Thank you for your comments.

2 Next up is Ruth Orta.

3 RUTH ORTA: Good evening. Hi. My name is Ruth
4 Orta. I'm an Ohlone elder. And I'm surprised that most
5 the natives are not here tonight. I found out about this
6 through the grapevine.

7 So the reason why I'm here, and I feel for the
8 homeowners here, but you got to feel for me more because
9 this was our land. And I'm really disappointed that they
10 are going to put parking lots on -- parking spaces on land
11 that shouldn't even be touched. It should be left the way
12 it is. You should find another place to put your parking
13 spots at.

14 To us, Mission Peak is a sacred place. I am a
15 native from this part of the world. Somebody said he's
16 been here since '90s. I was born August the 20th, 1934,
17 in Newark, California. I am 81 years old. My mother was
18 born in Pleasanton. She was a native. My grandmother was
19 born in Pleasanton. She was a native. My grandmother was
20 full blooded; my mom was half. And I'm a quarter; proven
21 23 percent by a DNA that I had to take to prove who I am.
22 I've always known who I am.

23 And it's sad to see that our part of the world
24 here is getting covered over by cement homes and buildings
25 and all kinds of stuff. And as far as I'm concerned, I

1 wish all of this -- the people going up and down Mission
2 Peak would not be there, if I had my way. But that's not
3 going to happen. So I am really disappointed in the Park
4 District for even considering putting a parking space
5 where it's going to be at.

6 I've been out to the area. As a child, I picked
7 prunes up here in Warm Springs. And we knew there was
8 natives here back then. So now, all of a sudden, they are
9 all dug up.

10 Now, we have a little bit of protection because
11 we have monitors that monitor when these people come out
12 here and dig up, and they hit a burial. So we do have
13 that protection now. But it's sad that it has to come to
14 that point.

15 So as far as I'm concerned, as a native, I wish
16 none of this would be here. Period. But to -- and the
17 homeowners, I can see where they're coming from because I
18 live on Thornton Avenue, in Newark. And I have no
19 privacy. There's cars up and down that street every day.
20 So I know what you feel.

21 But I feel that the Park should have done some
22 other kind of planning to make the parking space in
23 probably -- in near the business area, to have a park
24 where they could park their cars and stuff -- or even make
25 a parking garage somewhere, but not where the homes are

1 at, and not where the natives have their spiritual spots.

2 So thank you for listening to me. Next time,
3 please let me know. I'm not a computer person. I'm 81
4 years old. I have a huge family, and I do not do
5 Internet. I don't do texting. I hate it when I see
6 people drive on the street that are texting. So I'm one
7 of those old-fashioned ladies.

8 So, please; I have my address put down, and I am
9 familiar with the park, and they know who I am.

10 Thank you.

11 MS. JULENE: Thank you, Ruth.

12 Next up -- and I know I'm not going to say this
13 name correctly -- Sushil -- you know who you are. If you
14 could please be sure to say your name.

15 SUSHIL SHUKLA: Yes, sure. My name is Sushil
16 Shukla.

17 MS. JULENE: Thank you.

18 SUSHIL SHUKLA: So I have been living in Fremont
19 for a very long time, and I enjoy going to the Mission
20 Peak. What I do not enjoy is, I end up spending too much
21 time trying to find a parking in that area. So I think it
22 is good for everybody -- the people who live there and
23 people who want to enjoy the Mission Peak -- to have a
24 good parking space there.

25 I think the residents would also benefit from

1 that because we would not park in front of their homes.
2 And so I think it's good for the neighborhood to have a
3 good parking space there to use and enjoy the Mission
4 Peak. That's it.

5 MS. JULENE: Thank you. Okay.

6 Al Minard.

7 AL MINARD: Hello. I'm Al Minard. I represent
8 Alameda County Parks Recreation and Historic Commission.
9 We reviewed this project a few days ago, and we wanted to
10 make some comments here in public.

11 Number one, Aqua Caliente Creek stands for "hot
12 water," and that's why this area is called "Warm Springs."
13 And this is probably one of the most historic districts in
14 all of Alameda County. The Indians -- the Ohlone Indians
15 and other Native American Indians settled here some 10,000
16 years ago.

17 And in 1797, the Spanish Padres came and settled
18 in Mission San Jose. And they managed to run hot water
19 from the hot water springs here, all the way down to the
20 Mission. So it's one of the few missions that had running
21 hot water in it.

22 We've reviewed this project, and we believe that
23 if a project is going to go -- a parking project is going
24 to go, we would prefer project site "A" over any of the
25 other projects, if the project is going to be approved.

1 The reasons are that site "B" will have to cross
2 Aqua Caliente Creek, which is a very significant creek.
3 And it's pretty much undisturbed. And it would have two
4 bridges, and impact the bridges. And it would impact
5 probably some Indian relics and Indian ruins in that area.
6 And we don't think that's good for anybody. There's
7 certainly Indian ruins in that area. And I know that the
8 -- it will be a major problem.

9 Additionally, site "A" will provide a fire break
10 for a larger selection of the homes on -- it would be the
11 north side of the creek there by the parking area, if it's
12 put in.

13 I noticed tonight that there was some proposals
14 for additional parking. And we're concerned that the
15 trail may not be able to withstand and hold up under
16 additional 300 cars or parking in that area -- or if it
17 goes up to 4- or 500, we think that's far too many to
18 withstand the erosion from the trailhead going up to
19 Mission Peak.

20 And if the parking lot is going in, we would
21 prefer that a porous parking lot be put in, so it will
22 reduce the water runoff into the area.

23 And also, no matter what happens here, we would
24 like to see an information plaque put up, to inform people
25 about the significance of Mission -- of Aqua Caliente

1 Creek, and how important it was to the historic
2 environment of this area thousands of years ago.

3 Thank you very much.

4 MS. JULENE: Thank you for your comments.

5 Next up is William Yragui.

6 WILLIAM YRAGUI: My name is William Yragui. I'm
7 with Mission Peak Conservatives. We're an organization
8 that was formed to advocate for park visitors who do not,
9 did not -- still do not appear to have much of a voice.
10 So I'll keep my comments pretty short.

11 We appreciate everything that East Bay Regional
12 Park District has done over the last four years. They
13 have gone out of their way to protect this park.

14 And this is a fairly significant statement. 23
15 years ago -- in 2011, when I first approached park
16 advisory member and asked for his help, which was not
17 forthcoming.

18 I went to Gordon Willey. Gordon Willey is the
19 Park Supervisor assistant --

20 THE REPORTER: Sir, can you please use the
21 microphone for me?

22 WILLIAM YRAGUI: I'm sorry.

23 And so Gordon has been responsive. In fact, the
24 high point of the trail right now, which is a heavy-used
25 trail, was repaired in the last week. So out of the

1 23-use trails, all of them need to be repaired.

2 So speaking about the EIR, increased user --
3 increased visitors could impact the park, as long as East
4 Bay didn't respond to usage. But East Bay has been
5 responsive. 80 percent of park visitors use the Hidden
6 Valley Trail, which is the main trail out of Stanford.
7 That represents .25 percent of the total park. So you're
8 talking about a very small area from the bottom of the
9 Stanford Trail all the way to the top. That includes
10 Hidden Valley Trail and Peak Trail.

11 The curfew was implemented in 2014; has reduced
12 visitor count by almost 40 percent. That's by far from
13 the -- in the EIR. It may be less; it may be more.
14 Nobody chokes how the information is funny, but bottom
15 line is, usage in the park has declined quite
16 precipitously.

17 Those using the park outside the curfew hours has
18 also dropped. That's because the Park District started
19 enforcing the curfew.

20 So in terms of the parking itself, we actually
21 support the parking because --

22 MS. JULENE: William, can you please use the mic?
23 We are trying to keep your voice up for the court
24 reporter.

25 WILLIAM YRAGUI: We actually support parking

1 inside the park. And the reason is because we want to
2 reduce conflicts with the neighborhood. The only way
3 you're going to do that is by withdrawing some of the
4 people in the park.

5 So if we can withdraw 80 percent of the people in
6 the neighborhood -- I mean, 85 percent of the time have
7 the people out of the neighborhood, that's good.

8 There are approximately 326 parking spaces along
9 Antelope and Vineyard, if you're using a 15-foot size for
10 a vehicle that are not in front of houses. Those could
11 still be used. That was pointed out in the EIR comments
12 in 2012.

13 If you go down Stanford Avenue today, what you'll
14 find is that most houses that have driveways, which is all
15 of them -- and all of them have either a two- or three-car
16 garage.

17 On a Saturday morning, at heavy usage, there's
18 only seven to ten cars parked in front of houses, which
19 implies that people don't really need public parking.

20 But if they do need the public parking, according
21 to the EIR, most of the hours of operation are after 3
22 o'clock in the afternoon, the neighborhood is going to be
23 open. So we support the EIR. I think I've made -- a
24 couple more quick points:

25 Designated parking in the neighborhood, I've got

1 a problem with that. You're taking -- this is something
2 the Park District says you're not doing, but you're
3 actually involved in funding this through the City of
4 Fremont.

5 We have a problem with it; that you're taking
6 public parking, and you're converting it into private
7 parking. The neighborhood already has enough. They've
8 got their curfew. Converting public parking to private
9 parking in front of these houses is an outrage.

10 Parking fees? We represent park visitors. We
11 want the park to have -- park visitors to have access to
12 the park at a minimal cost. If you have a family of four
13 in Fremont, and you're living on a minimal wage, \$5 is a
14 lot of money.

15 We would prefer you find some other way to fund
16 maintenance of the parking lot, if that's what's required.

17 Thank you.

18 MS. JULENE: Thank you, William. All right.

19 Next is Jannet Benz.

20 JANNET BENZ: Hi. My name is Jannet Benz, and
21 I'm here to express concerns regarding the Draft EIR for
22 the Stanford Staging Expansion.

23 First, the scope of the project is flawed. At
24 the Public Scoping Meeting on November 8th, 2012, the
25 District stated the project's purpose was -- and I quote

1 -- "to reduce the occurrence of overflow parking on the
2 neighborhood streets in the vicinity of the existing
3 Stanford Staging Area."

4 On November 13th of 2012, the City of Fremont
5 City Council voted to support the District's Stanford
6 Avenue study and specifically said, "focus of EIR needs to
7 be to reduce impacts to neighborhoods and to continue
8 discussions with Ohlone College."

9 The Park District did not follow the direction of
10 the City Council, mainly to reduce the impacts for the
11 surrounding neighborhoods. Since 2012, the Park District
12 has been preparing the EIR to evaluate adding a 300-car
13 parking lot and other amenities inside the park at the
14 Stanford Staging Area as a foregone conclusion.

15 The EIR should be at the program level, not the
16 project level; should include Ohlone College entrance and
17 be based on a broad capacity study before any reliefs are
18 considered.

19 Please do not certify this EIR. An EIR cannot
20 begin with a predetermined outcome; build a parking lot,
21 which then eliminates other alternatives -- in this case,
22 more effective solutions.

23 Adding parking to this entrance will dramatically
24 increase visitor numbers, as confirmed in your BAE
25 reports; cause more damage to the park's own habitat; more

1 overflow parking to the surrounding neighborhoods;
2 increase traffic, noise, trash, greenhouse grass
3 emissions, et cetera.

4 A parking lot is not the solution. It will not
5 address the issues inside or outside the park.

6 Second, construction of a parking lot raises
7 serious concerns regarding the geo-track and the
8 hydrology, due to soil instability and landslide
9 potential. Special Publication 117(a) indicates that
10 studies involving landslides should be certified by both a
11 geotechnical engineer and a certified engineering
12 geologist.

13 The current report of Rockridge Geotechnical is
14 signed only by a geotechnical engineer. If this project
15 moves forward for consideration, it must be certified by
16 two independent individuals in each of these areas of
17 expertise.

18 Third, the project must focus on solving the root
19 cause of the issues; namely, too many visitors to this
20 single trail entrance. The EIR does not consider the
21 underlying issue. The Park District needs to reconsider
22 options dismissed in the EIR that if implemented in
23 combination, provide effective solutions with less
24 negative environmental impacts and less cost to taxpayers.

25 The BAE Parks and Management Survey clearly

1 outlines alternative solutions that address the issues
2 more effectively, with less environmental impact.

3 However, this report is also flawed, as it does
4 not accurately reflect the reality of known near-term
5 users and demographics. And it lacks consideration for
6 implementation of a hiker permit or reservation system,
7 which has been suggested to the District on several
8 occasions.

9 At the December 2014 City Liaison Meeting,
10 District staff specifically states consideration of a
11 hiker permit reservation system would be included in the
12 EIR. However, it is not.

13 A hiker permit reservation system at this trail
14 entrance would allow park users to manage the visitors to
15 a low -- a level -- a low level that the park can sustain
16 long term; eliminate the issues in the surrounding area.
17 It is also an environmentally-superior solution, yet not
18 considered. This option must be considered in this EIR.

19 Finally, the EIR recommends the "No Build" option
20 as the environmentally-superior alternative. Please do
21 not proceed further with the solution of a parking lot.
22 Do not certify this EIR.

23 The District must focus on addressing the root
24 cause of the issue: Too many visitors to this single
25 trail entrance. Please manage the visitor numbers to a

1 level the park can sustain, and that it will eliminate the
2 issues in the surrounding area, add consideration of the
3 hiker permit reservation system at Mission Peak Stanford,
4 and reconsider options that were previously dismissed in
5 the EIR, which, if implemented in combination, provide
6 effective solutions with less negative impact to the
7 environment, and less cost to taxpayers.

8 Thank you.

9 MS. JULENE: All right. Let's do the next
10 speaker. Gary Parikh.

11 Did you hear that? Gary Parikh.

12 GARY PARIKH: Good evening. I'm Gary Parikh. I
13 live in the Vineyard Heights neighborhood. I was on the
14 board of directors. I'm a practicing geotechnical
15 engineer myself. I have my own practice. And I've been
16 doing it for about 24 years.

17 I've seen a lot of EIR documents. There are
18 good, bad, and ugly. I think this one falls under the
19 category of ugly because of -- a lot of issues have been
20 set under the rug. It will be mitigated, and those
21 mitigations are not even discussed.

22 You cannot just focus on the Park District
23 property. There are properties surrounding this area.
24 They are going to be impacted. This site -- actually,
25 your own study says that this site is (inaudible) by

1 landslide; the project. Okay? Nobody denied it, but yet
2 your consultant says that.

3 None of the investigation we have done is deep
4 enough to find out or characterize the landslide. They do
5 test bit and shallow borings. They forget the geo report
6 that was done in 1998. City of Fremont paid for that
7 report only half a mile away.

8 Very similar characteristics of the slope, except
9 that this particular site is dormant landslide. It has
10 stabilized. Nature has done its job. It has stabilized
11 itself over the years. However, if you look at the recent
12 movement there, it started.

13 After so many years, we could have the same
14 problem, if you do not -- if you start touching this
15 slope. Even a minor cut or minor water seepage can cause
16 problem.

17 I notice that in our last communications, when I
18 -- when we had brought up water is going to soak into the
19 ground, effect the neighborhood down below, now you are
20 going to build a parking lot. Okay. That's great. This
21 is the marginally stable, you know, area.

22 If you build a parking lot, NPDS requires that
23 you are going to take care of the storm water. All of
24 this 2.8 acres is going to be disturbed. Anyway, that
25 much water is going to be collected? Has anybody looked

1 at that? 300,000 gallons of water is going to be ponded
2 on the slope that's unstable right next to the creek. By
3 the way, the environmental document says U.S. water is
4 GMA. But right downstream of that, there is a creek
5 there. There's a stream that flows into the neighborhood
6 through the Vineyard Heights, and all the way down to
7 Vintage Grove. Alameda County Parks and Water District
8 build a big detention on the bottom of Antelope. There's
9 a reason for that. All the water goes through our
10 neighborhood, out that, and then it goes in the storm
11 drain system. That is completely ignored.

12 And, Michelle, I'm going to give you some of this
13 -- copies of this document for record.

14 Even your own study, own report refers to
15 geologist report, but they ignore it completely. They
16 show this detention pond in area -- it's 300,000 gallons.
17 In area, it would be 450,000 gallons.

18 And by the way, it's only 10 percent of volume on
19 a two-year storm. Forget about El Nino. Only two-year
20 storm. That's the quantity of water.

21 If we generate a ten-year storm or a hundred-year
22 storm, we're going to be all wiped out. Okay? You are
23 sitting on top of a pond of a landslide. On your own
24 report, it says -- there's a landslide map shown. At this
25 point, it's sitting right on top.

1 There's a habitat -- if you look at Google Earth
2 pictures in October, in August, in January, they are all
3 green. The water seeps through this. You're at the mid
4 or two of this old landslide. You cannot play with this.
5 Thank you.

6 And by the way, your -- the policy, NRM13, the
7 District policy says that you cannot -- or you will not
8 disturb projects or slopes anywhere within the park
9 property. It doesn't say anything about surrounding area.
10 All it says is that you're going to notify these people.
11 "Hey, guys, you may have a landslide."

12 How is that possible? Where is the stewardship
13 of the Park District where you are going to take care of
14 everybody? This doesn't make any sense. And, again, I'm
15 going to read through it; that you have -- actually, back
16 up.

17 This 10,000 -- 300,000 gallon and 480,000 gallons
18 of water itself is a big element on the project. It is
19 not part of the project. It's not a parking lot. Itself,
20 it demands an EIR for that particular project. It's a lot
21 of impact on the property downhill.

22 The stream can get plugged, and you can have a
23 damming effect. It will flood all the way up to the
24 Vineyard Heights too. And once it bursts, it's going to
25 flood everything downstream.

1 So this is a flaw. This is basically trying to
2 manipulate the parking lot option through inaccurate
3 studies. This cannot be mitigated.

4 MS. JULENE: Gary, I ask that you wrap it up.

5 GARY PARIKH: And more will come in written
6 comments.

7 MS. JULENE: Okay. Thank you.

8 Okay. Next up. Dr. Singh.

9 SUKHMANDER SINGH: Well, now that enough has been
10 said, I will only focus on the technical part.

11 The data used to analyze the stability of this
12 old landslide debris on which these parking lot will be
13 sitting is flawed; less than credible. I challenge that.

14 By the way, I'm also a professional engineer --
15 licensed as a -- licensed geotechnical engineer, and also
16 professor for hydrology, geology.

17 I've been traveling -- no. I've been walking
18 this trail nearly every single day -- I've been hiking
19 this trail nearly every single day for the last 28 years.
20 What has been ignored, if you look up those creeks, every
21 rainy season brings the deeper erosion, exposes those
22 layers of soils and the gravels and all those things,
23 exposes for more water to seep in.

24 There are several seepage bats I observe every
25 summer. There's a stream right in front of my own house.

1 They have been ignored.

2 As Gary pointed out, the investigation is so
3 shallow. On one end, it is recognized; this parking is
4 sitting on an old landslide.

5 In one part of the report, says, "Oh, it's not
6 part of it." Then it says, "Yes, it's part of '98 slide
7 -- Mission Peak slide."

8 If that's a part of the large slide, such a huge
9 slide, with the -- the slips of this extending thousands
10 of feet, and investigating shallow and localized, small
11 area, and extending that dirt through entire area, my
12 engineering sense tells me, how could somebody do that?

13 Other thing which I noticed that -- I see my time
14 is running out -- is that loading not only with the pond,
15 which Gary pointed out, even the loading of the cars. If
16 there's loading, and it turns out that the runoff -- you
17 surely will disturb the seepage at that section.

18 And the way we define every landslide is that --
19 in essence, it moves. All of a sudden, "Oh, my goodness.
20 There is mud hole." So the "less than significant"
21 terminology, to me, looks like dream.

22 I will read this -- five things here: Criteria
23 of Significance established by the people. The proposed
24 project would have a significant impact related to the
25 geology and soils if it would: Expose people or

1 structures to substantial risk of loss, injury, or death
2 involving: Rupture of a known active or potentially
3 active earthquake fault, or area based on other
4 substantial evidence of a known fault.

5 Number two: Strong seismic ground shaking. Yes,
6 this area will have it.

7 Number three: Seismic-related ground failure;
8 including liquefaction. Liquefaction is stated as a
9 complete loss of strength. But clays swell and argue, it
10 will not. But it does have a loss of strength, which will
11 make instability more prone.

12 Landslides. Number three: Result in substantial
13 soil erosion or loss of topsoil. That's the one from...

14 Number -- soil that's unstable. That's number
15 three. That's also true. Be located on a geologic unit
16 or soil that is unstable.

17 Or the last one is the one -- have soils
18 incapable of adequately supporting the use of septic
19 tanks.

20 But that four criteria for significant loss has
21 been violated.

22 How can you say, "less than significant"?

23 How does this -- this terminology really
24 literally mean? I fail to understand.

25 Thank you very much for your attention.

1 MS. JULENE: Thank you, Dr. Singh.

2 SUKHMANDER SINGH: They have viewed the stable
3 analysis -- because I tell my student all the time. Using
4 that type of program, which is completely undisturbed
5 sample, and highly 20,000 psf strength; never heard of
6 that. System is flawed. I challenge it.

7 MS. JULENE: All right. Next up, I can't read
8 the last name, but Naeru Rahan.

9 NAERU RAHAN: Hi. My name is Naeru Rahan, and
10 I'm a resident of Vineyard Heights and a board member. So
11 I'm going to refer to these numbers with a reference to ER
12 report.

13 On Page 309, it states an increase of over 80,777
14 visitors if the parking lots were to be installed. How
15 can this be 38.8 percent increase, when, on Page 426,
16 there is an average of 22,000 park visitors per month?
17 This is closer to an 85 percent increase, and not the 38.8
18 increase stated in this report.

19 But if the Park District adopted a \$5.00 parking
20 fee, latent demand would actually decrease by 44 percent,
21 according to this report.

22 If a parking lot were installed, this statement
23 alone supports the need to charge for parking lot -- or an
24 entrance fee at an equal or greater to \$4.00 parking fee
25 at Ohlone College. You know, similar to that; right?

1 According to the ER report, 121 additional new
2 trips would be generated. How will be the public streets
3 hold up to the increased use?

4 Again, why should Fremont residents pay for the
5 street repairs, when most of the park users are from out
6 of the area?

7 Look at Figure BJ-8, where 70 percent is coming
8 from Mission Boulevard off of I-680 from the south, and 22
9 percent are coming from Mission Boulevard, probably most
10 coming off I-680 from the north. Combined, 92 percent of
11 the park users are coming from Mission Boulevard, and most
12 likely off the freeway.

13 On Page 318 of the ER, the number of parked cars
14 stated in the surrounding communities would put the park
15 car level at 2012 level, which was the start of this
16 report.

17 In other words, having a parking lot really will
18 not help, since it would create a latent demand increase
19 of over 38 percent with existing levels.

20 All right?

21 MS. JULENE: All right.

22 NAERU RAHAN: Thank you.

23 MS. JULENE: Thank you for your comment.

24 Next up is Veronica Pang.

25 VERONICA PANG: Good evening, everyone. I'm

1 Veronica Pang, resident of Vintage Grove. I'm here
2 tonight to talk about some of the deficiencies in the
3 Draft EIR and give a suggestion.

4 First, from the report, the traffic studies and
5 car count of those parked on the streets, which was 464 as
6 reported, were done only on May 1st, Friday, 8:00 p.m.,
7 and May 2nd, Saturday, a.m., this year.

8 However, we know May was not the peak month for
9 visitors and car traffic. The numbers projected and the
10 conclusions reached based on the low numbers of parked
11 cars in May and just one Friday and one Saturday cannot be
12 reliable.

13 Also, the report does not state on what streets
14 the parked cars were counted. Although, it says in the
15 report that May was the best month to evaluate park and
16 ambient traffic because both of them are near the peaks.

17 It is also shown in the appendices of the EIR,
18 the table named "Visitor Counts by Trailhead 2014,"
19 January's count of visitors at the Stanford Trailhead was
20 actually the highest in the first half of 2015. Besides,
21 the trail counts in June and July were higher than in May;
22 though one is about the count of cars, and the other is
23 about the count of people.

24 We did our own count in January this year, on a
25 Saturday morning at 9:30, and got the number 636. Another

1 count in the same month, same day and time, you get the
2 number 515. It convinces me that the one-time counts done
3 in May, and the projections, are not reliable.

4 Secondly, the latent demand in this study has not
5 considered the demand from the planned developments in
6 Fremont, particularly the 4,000 homes for the Warm Springs
7 Park area. Nearby Milpitas, just a few miles away, has
8 over 6,000 homes in the pipeline.

9 I know Milpitas is not a city served by the
10 District, but I want to ask, how is this -- how is the
11 proposed parking lot going to address the growth of
12 population and more cars and visits to the trails?

13 This is not just from Fremont, but also from some
14 of the nearby cities, whose residents also drive to the
15 area and use the trail. There is no mentioning of this in
16 the report.

17 There are some other ways that can address the
18 excessive use of the trail entrance, that if used in
19 combination, can reduce the parking issues in the area
20 greatly without building the parking lot, which will have
21 serious implications for the wildlife habitat, and the
22 safety of the immediate neighborhood.

23 As Jannet suggests, one of the effective means to
24 manage the trail is to implement a hiker permit or
25 resident system that would set a quota of the number of

1 visitors who could get into the park through this
2 trailhead each day. This will keep the park to a
3 manageable level.

4 Please look into this suggestion and reject the
5 parking lot idea.

6 Thank you.

7 MS. JULENE: Thank you, Veronica.

8 Next speaker is Randy Buswell.

9 RANDY BUSWELL: Hi. I'm Randy Buswell. I live
10 on Vineyard. Unfortunately, Veronica just took most of
11 what I was going to talk about. But I would like to talk
12 just a little bit about what she said.

13 In the EIR, it states that there were 464 people
14 or cars on May 2nd, 2015. That's what the EIR is based
15 off of. It's flawed.

16 As Jannet -- or as Veronica mentions, we've
17 counted 580 to over 700 cars at different times during the
18 day, on both Saturday and Sunday, and during the week.
19 And if you take that and also consider the document that
20 says increased visitor demand by adding the parking lot
21 will be 33 to 38 percent, that gives you 640 to over 1,000
22 cars at any given point during the day in the area, which
23 is far below the 343 parking spaces that are currently
24 planned.

25 Nor does the Park District consider, as somebody

1 else mentioned, the neighborhoods. I live on Vineyard.
2 I'm always impacted. There are always cars in that
3 street. And an increase in traffic will just make that
4 street more dangerous and harder for the residents and for
5 everybody to move around on that street.

6 Lastly, I'd like the consideration to talk about
7 alternatives. The EIR does not consider closing the park
8 at that location, which should be considered when the
9 lease comes up at the end of 2020.

10 It does not consider, as Jannet and Veronica
11 talked about, the impact of adding additional parking
12 permits or parking fees that could help reduce the overall
13 occupancy of the park. But the three main streets,
14 vineyard, Stanford, and Antelope, are not being
15 considered. The people aren't being considered.

16 And I'm really disappointed that neither the City
17 nor the Park District are doing something for the
18 neighborhoods.

19 Thank you.

20 MS. JULENE: Thank you, Randy.

21 Our next speaker is Vijay -- Vijay. I look
22 forward to hearing how you say your last name.

23 VIJAY PITCHUMANI: Good evening. My name is
24 Vijay Pitchumani, and I'm a 22-year Fremont resident.
25 Thank you for allowing me to speak. It's always good

1 etiquette to thank people before you beat them up,
2 figuratively, of course.

3 So my position is this: This EIR should not be
4 certified because its core is fundamentally flawed. The
5 correct problem statement is this: "Manage the number of
6 visitors," because under this Park District stewardship,
7 the Mission Peak has become the poster child for a
8 thoroughly-abused natural resource.

9 Instead, the EIR's hope is artificially
10 restricted to building a large parking lot. That's like
11 saying, "I know how to solve the crime problem. Just
12 legalize it."

13 Too many visitors; no problem. Just build a
14 large parking lot, and let even more people abuse Mission
15 Peak, this time with our blessing.

16 Is there logic here somewhere?

17 How exactly does it solve the abuse problem?

18 There were 270,000 visitors last year, according
19 to the infrared sensors, which notoriously undercount.
20 With a parking lot, the usage will go up 38.8 percent, and
21 that doesn't count 3,500 homes that will be added from the
22 BART extension.

23 Greater than 80 percent of the Park District's
24 budget comes from Alameda and Contra Costa County
25 taxpayers. But 60 to 90 percent of the visitors come from

1 other counties, according to Fremont Police. Why is the
2 Park District so generous when these counties are not?

3 Henry Kissinger, he famously said that "The
4 absence of alternatives clears the mind marvelously." The
5 Park District has done just that. They have artificially
6 eliminated reasonable alternatives, like the hiker permit
7 reservation system, so that the parking lot looks like the
8 only solution. It isn't.

9 In closing, I quote the Park District's own
10 vision from its Web page. It says, "The Park District
11 will preserve a priceless heritage." "Preserve." That's
12 a wonderful word, and I hardly recommend it to the Park
13 District.

14 Thank you.

15 MS. JULENE: Okay. Our next speaker is Alfonso
16 Ramirez.

17 ALFONSO RAMIREZ: Good evening, everybody. Thank
18 you for allowing us the opportunity to express ourselves.
19 My name is Alfonso Ramirez. I'm also an Ohlone Native
20 American. I'm also a resident of Fremont, and I'm a
21 quality manager for a medical device manufacturer
22 manufacturing delicate instruments for surgery of the
23 brain.

24 When you build products that go into the brain,
25 you learn two very important things: You learn precision,

1 and you learn risk mitigation. I have concerns with the
2 assessment that I've seen for both of these regarding the
3 cultural resources that are in the area that we are
4 discussing.

5 My concerns are that the mitigations may not be
6 enough to actually preserve these sites in an untouched
7 way that would preserve their ability to keep our
8 connection with the past, and the history of California.

9 I believe this cultural connection and the
10 historical connection is vital, not just for Native
11 Americans, but for nonnative Americans, and for anyone who
12 has adjoined the history culture of California, for those
13 of us who are living in Fremont, and who enjoy today the
14 history that has made Fremont and California great.

15 I'm concerned that these resources, unlike many
16 other natural resources that naturally replenish
17 themselves -- anybody who has ever tried to remove a
18 raccoon from your backyard, or stomped out a weed that is
19 growing in the crack in the cement of your driveway knows
20 that many of these resources will come back and try to
21 replenish themselves. But cultural resources don't do
22 this. When they are contaminated, they cannot be cleaned.
23 When they are destroyed, they do not grow back.

24 There have been many good and sound reasons that
25 have been brought up, both scientific and other, of other

1 options that have been presented.

2 I would encourage the council here, and those who
3 are decision-makers, to consider these carefully because
4 once these resources are gone, they do not grow back.

5 Thank you.

6 MS. JULENE: Thank you, Alfonso.

7 Next speaker is Surinder Chowdhury.

8 SURINDER CHOWDHURY: Hi. Good evening. With a
9 lot of good intentions, the Park District brought this
10 proposal forward in 2012, to alleviate inconveniences to
11 hikers and to the neighborhood. A lot of us objected to
12 it because we didn't think that those indications were --
13 not really thought through at the time.

14 Since then, the traffic of hikers has increased
15 significantly, and the damage to the park has worsened.
16 So I would like to ask, why should a parking lot be built
17 to attract even more traffic into the park? Isn't the
18 (inaudible) of the park more important than something --
19 inconvenience to hikers?

20 Now, on the parking needs, Veronica has already
21 mentioned that the number is flawed. The 300-car parking
22 lot is not going to serve the needs of the hikers, if
23 that's what we are addressing here.

24 The key issue is not weekdays; it's weekends and
25 holidays. And I have done a count several times over the

1 last year and a half. And I see that the peak -- average
2 peak amount is about 550 to 570.

3 So the EIR protects additional 38 percent
4 increase in hiker traffic. But it turns out the future
5 increase in housing and businesses in the Warm Springs
6 area and advent of BART. BART is going to be a
7 game-changer. It's going to affect the numbers
8 significantly.

9 And the number of housing units is not -- units
10 should be built is not 1,000; it's 4-and-a-half thousand.
11 So this additional increase in population will be in the
12 vicinity of the park itself and will have a
13 disproportionate impact on the traffic of the park.

14 So the parking lot does not even cater to the
15 current peak demand, how can it satisfy the expected
16 increase in traffic from all of the factors?

17 People have already talked about the
18 environmental aspects. I would remind people that some
19 years back, the City was planning a golf course inside the
20 park. The instability of the area, the impact on
21 wildlife, and the landslides, and the hydrology issues
22 were considered then, and the golf course was rejected.
23 The same arguments apply now.

24 And the impact is no good when it means the
25 habitat is going to be very badly impacted; the coyote,

1 the bobcat, the burrowing owl, the tiger salamander will
2 be severely disturbed. It may also result in the
3 elimination of some of these species from this area.

4 Now, in conclusion, I would like to read today
5 that Mission Peak is a preserve and not a park. We
6 consider the Park District as the custodian of this park,
7 and we believe it's the primary responsibility of East Bay
8 Regional Park District to preserve its integrity for
9 future generations and prevent irreversible damage.

10 Considering the damage that the park has suffered
11 in the last ten years, that means not incurring additional
12 traffic into the park. Why should parking lots be built
13 to accommodate traffic from San Jose and Santa Clara
14 counties, where you have to pay for park entry?

15 We all know that in spite of Park District's
16 valiant efforts, they can hardly keep up with the
17 ever-widening trails, the road trails, the hillside
18 erosion, the loss of cover over huge areas -- some of them
19 as big as football fields.

20 I think the park would be better served if the
21 money is instead spent on repairs of the trails, retaining
22 walls at key places, and restoration of cover.

23 I strongly urge you to discard any proposal for
24 additional parking lot inside or even outside in the
25 vicinity. Let's not make things worse.

1 The traffic into the park from the Stanford side
2 is self-limiting, based on the current parking spaces
3 available. We should encourage hikers to use the Ohlone
4 entrance and focus efforts on park recovery. There are
5 means to address the inconvenience for residents from the
6 area and to fund the Stanford Avenue in particular.

7 Several proposals have been put forward in the
8 past. All it requires is serious considered discussions
9 on this subject with the City of Fremont and the Park
10 District.

11 Thank you.

12 MS. JULENE: Thank you. Okay.

13 Our next speaker is Anthony Garside.

14 ANTHONY GARSIDE: Good evening. My name is
15 Anthony Garside. I'm an ordinary walker and hiker up the
16 hill. I come there every week. I have to drive. I have
17 to get there.

18 If there was a mass transit to the bottom of the
19 hill, I would take it willingly. But there is none.

20 One of the ways that we could resolve the problem
21 -- and I haven't heard any solutions tonight to the
22 problem -- we ordinary people, we come up the hill. We
23 have to get there somehow. I haven't heard any solutions
24 to the problem.

25 The parking may be a solution. The user fee may

1 be a solution as well. Reduce the number of people who
2 come up there; maybe a shuttle. I thought of a shuttle,
3 but you would have a very noisy vehicle coming up Stanford
4 Avenue, which is very, very steep. And at the moment, we
5 have a lot of noisy people.

6 I've been walking up this hill for 20 years. And
7 in the early years, there weren't very many people coming
8 up here. We would be able to park in the upper parking
9 lot and walk up there. Maybe 500 people maximum on a day.
10 But it's now 5,000 people.

11 But to me, it is a very important health welfare
12 and spiritual resource because during the week, we are in
13 traffic; we're at our keyboards, and we come out into the
14 open space.

15 And it belongs to me. I personally believe the
16 hill belongs to me. I'm a resident of the Bay Area. I'm
17 also an American citizen.

18 When I became an American citizen, I said, that
19 is now my hill. I want to respect everybody who walks up
20 it; who lives nearby. I'm very sorry for the noise that
21 has -- is just transcended everything around there.
22 Vineyard Avenue is full up every single week. I don't
23 know how to solve the problem, but we do need a solution
24 to the problem. And I would very much like to see the
25 park properly used.

1 I do know that cattle are more sensible than
2 people. They walk around the ridges. The people will go,
3 including me, when it was blocked off -- we would take all
4 the shortcuts, and we would erode the hillsides.

5 Humans tend not to do very well in open spaces.
6 We erode things. We mess them up. We drop our trash, but
7 we're entitled to use it somehow.

8 We've just got to have respect for use of it.
9 And we've got to promote it because our health and our
10 welfare and our spiritual time is very, very important to
11 me.

12 MS. JULENE: Thank you, Anthony.

13 Our next speaker is Prakoon Chen.

14 PRAKOOK CHEN: Thank you for your time. My name
15 is Prakoon Chen, and I've been resident of Fremont for the
16 last 18 years.

17 Here are my concerns: The option that we look at
18 in the EIR mainly focus on the parking lot. However, it
19 does not look at other alternative and potential better
20 solutions, which includes implementing residential parking
21 on Stanford and vicinity streets, use of fees, and mass
22 transit in response to the previous speaker -- shuttles
23 from Ohlone or from BART parking area.

24 Ultimately, the narrow scopes of the EIR does not
25 look at all the possible solutions.

1 Number two, the Draft EIR mentioned numerous
2 sections that would impact environment, such as a
3 permanent upland habitat for California tiger salamander,
4 striped raiser, and destruction of burrows for borrowing
5 owls, for stripes and whitetail kites, and other native
6 birds.

7 Although the EIR mitigate or reduce the impact of
8 all the issues, the overall cost environment impact is too
9 high, when comparing with the purpose of what we're trying
10 to do; mainly to put in a parking lot.

11 When is the cost of environment too high,
12 compared to the purpose of the project?

13 Number three, the Draft EIR mentioned, on Page
14 318, that based on the estimate, 38.8 percent increase in
15 demand, which predicts to be about 644 vehicles on
16 Saturday. The parking lot that was proposed can only hold
17 about 300, which means that it does not solve the overflow
18 of about 300 vehicle that's going to be in the nearby
19 streets. At the end of the day, it seems that the
20 proposed parking lot did not resolve the issue, and we're
21 back to the same issue again.

22 Number four, parking lot Option A and B require
23 the attention on the size of 400,000 gallons of water.
24 This is equivilent to about three to four 25-meter
25 swimming pool. Both detention ponds are upslope of the

1 residential area. In the event of a landslide or a major
2 earthquake, this can be a big issue for all the homes
3 downstream.

4 Number five, in 1997 and 1998, the last El Nino,
5 the Aqua Caliente Creek was flooded, causing damage to two
6 or three homes in our association of Hidden Valley. At
7 that point, we approach the City, and the City response is
8 that they are not liable because it's a natural setting,
9 and no improvement has been done to the creek area.

10 Subsequently, we have also received letter from City
11 stating the same thing.

12 With improvement to the land to devote parking
13 lot A and B, the EIR mention on Page 51 that a parking lot
14 could cause erosion in and near the Aqua Caliente Creek
15 and tributary [verbatim].

16 On Page 52, the parking lot could cause localized
17 flooding by blocking the road to Aqua Caliente Park Creek.
18 If the flooding was to occur when the parking lot is in,
19 would the East Bay Regional Park or the City be
20 responsible for the damage to the home in our association?

21 Number five, with a new parking lot, I could not
22 find in the EIR any mention of subsequent pollution study
23 resulting from oil leaks, coolant leak, trash, or other
24 waste material that would enter the Aqua Caliente Creek
25 due to the overflow when we have big rainstorms, causing

1 pollution to the creek.

2 Number six, the EIR mentioned that in 2014, that
3 176 calls to the police services received from the Mission
4 Peak area. I want to know who would pay for the increase
5 cost if we have to service more calls in the future?

6 Finally, the cost for both Option A and B is 1.5
7 million and 2.5 million respectfully. It would be better
8 to use for improvement of the park.

9 And in summary, with all the global warming
10 that's happening, I'm not sure why we're encouraging
11 people to drive their cars to the parking lot. We should
12 look at alternative means of getting to the park.

13 Thank you.

14 MS. JULENE: Thank you. Okay.

15 Next up is Kelly Abreu.

16 KELLY ABREU: Good evening. So this -- the Park
17 District put out surveys in 2007, and again in 2012, and a
18 lot of people's comments were recorded. Many of them --
19 so I'd like to comment on some of them.

20 A lot of people say, "Close the park," but they
21 are not thinking about the impact that would have on their
22 home prices.

23 A lot of the neighbors were complaining for years
24 about trail erosion. But the Park District Operations and
25 Maintenance staff has repaired a lot of that trail erosion

1 and put up fences. And now they're complaining it's too
2 expensive to maintain the park properly.

3 But I think the Park District should continue to
4 maintain the park properly. And the repairs are very
5 effective.

6 Crime is a problem in this neighborhood. But it
7 is a problem in every neighborhood. And we have to
8 compare the crime rate in this neighborhood with other
9 parts of Fremont. It's the lowest crime rate in Fremont.

10 Sanitation was a problem, and it was a big
11 problem. And somehow no one thought to put in more
12 toilets until some people started complaining. And now
13 there's a lot more temporary toilets there. They are good
14 through the 31st. I'd like to thank the Park District for
15 putting in those toilets. And I look forward to January
16 1st, to making sure that the toilets are still there.

17 Runoff from the parking lot. We just heard about
18 that. If those cars aren't parked in your parking lot
19 with proper wastewater treatment and runoff treatment,
20 they are going to be parked on city streets. And I think
21 the city streets of Fremont -- or any other city don't
22 have any runoff treatment. So we better get all the cars
23 into your parking lot immediately before the rainstorms,
24 so that those runoffs don't go untreated off into the bay
25 with those dirty city streets.

1 Geotechnical issues. Those are very big
2 technical things. But if you expand your view and look
3 around the neighborhood, you'll notice that the landslide
4 areas extend beyond the limits of the City and the park
5 and the -- they go all over the foothills; all the way
6 down Avalon; all the way down into the Vineyard Hills
7 Homeowners Association.

8 People are building big houses and swimming pools
9 that can go sliding down hills. The safest thing in that
10 neighborhood is probably the empty dirt hillsides and the
11 parking lot that you guys are going to build because at
12 least it's not going to go anywhere, and it's probably
13 going to be pretty well engineered, and it's not too tall.

14 There are too many people on the trails.
15 Actually, the problem here is that there's not enough
16 parking because those trails are not overcrowded, even on
17 the busiest day of the year. Nobody's elbows are bumping.
18 This overcrowded trails is a red herring.

19 Next, let's talk about -- oh, the EIR has a
20 problem. It counts cars very well. It has an extensive
21 traffic survey. But when you talk about pedestrians, you
22 kind of mention that there's some sidewalks there. Every
23 street has a sidewalk. That's what your EIR says.

24 You never bothered to count the pedestrians. And
25 let me give you a hint. East of Vineyard Avenue, at that

1 Stanford intersection, for 700 feet, the sidewalk is
2 overflowing, and the neighbors were complaining about it
3 three years ago; overflowing sidewalks.

4 You should just take that bike trail -- bike lane
5 on the south side of Stanford Avenue there for 800 feet
6 and convert it into a sidewalk and send out some people
7 there this Saturday with orange cones to block it off and
8 make it safe for pedestrian access because all you guys
9 think about is cars, and you should think about
10 pedestrians first, bicycles second, and cars last.

11 Next, the temporary measures you put in last year
12 in October, according to General Manager Robert Doyle, the
13 new hours -- if you read your Minutes -- are a temporary
14 measure. So that was a one-year temporary measure, and
15 we're waiting for the temporary -- or the normalization of
16 park hours.

17 So the goal of this Park District is to improve
18 public access. This is not the Stanford Avenue country
19 club. Your goal is to improve public access.

20 Building a kiosk and charging for public parking
21 would reduce public access. The kiosk is contrary to
22 project goals, and it should be dropped. Current parking
23 --

24 MS. JULENE: Kelly, we're out of time now.

25 KELLY ABREU: -- is contrary to your goals also.

1 Good bye.

2 MS. JULENE: Okay. Next speaker is William Hsu.

3 WILLIAM HSU: Okay. Good evening. My name is
4 William HSU. I'm a long-time resident outside of the
5 park.

6 Living close to the Hayward Fault, and the City
7 declared very high fire danger zone; emergency evacuation
8 plan is always on top of concern among neighbors. And
9 Stanford Avenue is our -- one of our major assets for
10 everybody. Right now we have the one side street parking.
11 It barely provides two-lane traffic for regular-sized
12 vehicles.

13 So on the EIR report, Page 286, it mentioned the
14 project's impact to the evacuation is less than
15 significant. Yeah.

16 My question is: How can you not create a
17 bottleneck in area by adding 300 vehicles and potentially
18 40 percent more traffic to the area in a disaster
19 scenario?

20 So I think that really needs more explanation,
21 and we are very concerned.

22 Thank you.

23 MS. JULENE: Thank you, William.

24 Our next speaker is Bob Cracolice.

25 And after Bob, we only have one more speaker

1 card.

2 BOB CRACOLICE: I agree that -- I'm Bob
3 Cracolice, by the way. And I live in Vineyard Heights.

4 I do agree that park -- the no parking in the
5 park -- no expansion of the parking in the park, I agree
6 with all the folks that pretty much discussed that.

7 I also have not heard of any alternatives if you
8 don't build a park. And I have a few, and if it were my
9 park, this is what I would do: First of all, I would not
10 build a parking lot in the park, but I would then have no
11 parking on Stanford, Vineyard, and Weibel on Saturday,
12 Sundays, and holidays.

13 Antelope would be available seven days a week,
14 with the exception of some homes close to Mission. I
15 would give special permits for the homeowners, so they can
16 park their cars in front of their property.

17 And then I would work with Ohlone College. I
18 would have parking for the cars -- I'm not quite sure how
19 large their new garages are.

20 AUDIENCE MEMBER: 900 spaces.

21 BOB CRACOLICE: Well, then that tells me there's
22 ample room for the overflow at the Stanford staging area.

23 They could park at Ohlone, get on a shuttle,
24 supply as many shuttles as we need, and all of that will
25 be free for the people that want to ride the shuttle, in

1 fact, on Saturdays, Sundays, and holidays. And that would
2 be all at no charge, and you can -- you'd get some
3 pushback on that. But because you're saving 3- to \$4
4 million on a parking lot, you can push those funds into
5 that column.

6 That's all I have to say. I live up there. I
7 see it. I know it, and I'm not going to stop it. So
8 we've got to find an alternative.

9 MS. JULENE: Thank you, Bob.

10 Our last speaker is Ben Yee.

11 BENJAMIN YEE: Hi. My name is Benjamin Yee, and
12 I'm a volunteer with the Bike Patrol and a member of the
13 Park Advisory Committee for East Bay Regional Parks and
14 have been biking Mission Peak for close to 25 years.

15 Why has the purpose changed? Prior to the 2012
16 surveys, I've never heard of park users demanding for a
17 parking lot and amenities on a daily basis. The report
18 states to either move, remove, or cover existing animals,
19 plants, and Ohlone people artifacts, houses
20 environmentally friendly to wildlife and respectful to the
21 Ohlone people's ancestors.

22 The Draft EIR is inconsistent with the BAE
23 report, which stated possible solutions that are much more
24 environmentally friendly and can address overcrowding in
25 local communities more effectively for the Park District

1 and taxpayers.

2 In the past, I have seen accumulated soil just
3 outside the front gate that needed to be bulldozed back
4 into the park from a heavy rain. So landslide and
5 flooding are an issue at these locations.

6 These parking locations will severely hinder the
7 effectiveness of our Eagle helicopter rescuing park users
8 as well.

9 For the first time this year, patrolling Mission
10 Peak, I've had to stop multiple times before leaving the
11 mountain due to the increased number of park users not
12 giving me a clear path, even when I called out or used my
13 bell.

14 Also, I see people parking on Paseo Padre Parkway
15 and Cougar Circle. If park user demand is going down, I
16 sure don't see it. Build a parking lot and more will come
17 to destroy the park and the surrounding communities, which
18 -- while increasing the potential for crime and fires.

19 With the new barb-wired fencing, I see people
20 going around them and carving new bootleg trails. When
21 will it end? Only when we barbwire both sides of the main
22 trail and corral the park users like cattle.

23 Do people realize that the original trails were
24 anywhere from one-half to one-fourth their current width?

25 And then addressing the anti-NIMI comments. You,

1 the inconsiderate park users, started these problems only
2 in the last few years and were here last. If you were
3 caring to the park and the local communities, we wouldn't
4 have to be having these discussions at all.

5 In summary, the Draft EIR has many flaws, and it
6 manipulates the data and makes all issues significant to
7 any of the environmental, historical, and local community
8 issues. It ignores other solutions that are more
9 environmentally friendly and cost effective.

10 And as a Park Advisory Member and Fremont
11 resident, I cannot endorse this Draft EIR as it's
12 currently written.

13 And also, one last point: I am also announcing
14 that I will no longer be a volunteer with the Bike Patrol
15 for safety reasons. Since the installation of the
16 additional fencing, my frequency of encountering the worst
17 park users has gone up. Now I have to carry a GoPro
18 camera while I'm on patrol, for my own personal safety.

19 MS. JULENE: Okay. Thank you, Ben.

20 Are there any more people who would like to
21 speak?

22 I'm out of cards. Okay.

23 Well, that concludes our public comment portion
24 of the meeting, and essentially concludes our meeting.

25 Again, I would like to say that all of your

1 comments tonight have been recorded by a court reporter,
2 and they, along with any comments we receive in writing,
3 will be responded to in a written document.

4 You have my contact information up here and in
5 your handout. So I look forward to receiving the rest of
6 your comments.

7 Thank you.

8 (Meeting concluded at 8:07 p.m.)

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REPORTER'S CERTIFICATION

I, Amber Emerick, Certified Shorthand Reporter in
and for the State of California, do hereby certify:

That the foregoing proceedings were taken before
me at the time and place herein set forth; that the
proceedings were reported stenographically by me and later
transcribed into typewriting under my direction; that the
foregoing is a true record of the proceedings taken at the
time.

IN WITNESS WHEREOF, I have subscribed my name on
this date: November 23, 2015.

Amber Emerick, CSR No. 13546