

This business about a mitigation bank excludes mention of the site currently being a recognized Environmentally Sensitive Habitat Area (ESHA) by such agencies as the United States Fish and Wildlife Service (USFWS) and the California Coastal Commission (CCC). Also, the proposed site is currently the only part of the 88-acre quarry site considered reclaimed by the State Mining and Geology Board (SMGB).

The document has deliberately cherrypicked quotes from the Swaim report, and leaves out the language of the USFWS permit her study was granted, which clearly states a negative finding for the California red-legged frog (CRLF) and/or San Francisco garter snake (SFGS) cannot be returned as USFWS considers the entire area ideal habitat. This is also stated in the Trammell Crow EIR from 2002 that states the CRLF is pervasive throughout the site (see response to comment I submitted at the time).

Furthermore, the document doesn't mention an off-site development that will be using the proposed mitigation, so there is not currently a need for this proposal.

If you are on the Open Space and Parkland Advisory Committee (OSPAC), please note that the entire site is ESHA, including the pampas grass. USFWS

confirmed this when a group of us were considering radical removal of the grass from the site in 2006. USFWS informed us that the pampas grass was considered habitat because the Swaim group found CRLF under almost every stand of the grass they inspected.

The report given you by the Zentner Company is not only misleading, it is misleading on purpose. I would suggest that any informed feedback, as requested by staff, would include the above comments.

Thank you for your consideration of this comment.

Todd McCune Bray