

**From:** [herb](#)  
**To:** [Council, City](#); [Clerk, City](#)  
**Subject:** October 16, 2023 Council Meeting, Item #10: Salt Removal Facility  
**Date:** Sunday, October 15, 2023 2:40:59 PM

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**OCTOBER 16, 2023 CITY COUNCIL MEETING, ITEM #10**

**SALT REMOVAL FACILITY AT THE REGIONAL WATER QUALITY CONTROL PLANT**

This proposal requires a Supplemental Environmental Impact Report (EIR) to evaluate the effects of Sea Level Rise that were analyzed in the Sea Level Rise Adaptation Study plus additional analysis suggested in that study.

The original EIR Addendum and its approval included the ridiculous statement that a Supplemental EIR was not needed, but that statement has no value because a Supplemental EIR considers facts that become known after the EIR Addendum was approved and it is therefore illogical to claim in the EIR Addendum anything about subsequent facts that were not known at the time that Addendum was approved.

The Sea Level Rise Adaptation Study included analysis only of sea level rise, but also indicated that separate analysis of ground water intrusion and liquefaction from earthquakes are also acquired.

These issues were included in my letter to the Council of November 18, 2019 that is shown below.

Herb Borock

To: [city.council@cityofpaloalto.org](mailto:city.council@cityofpaloalto.org); [city.clerk@cityofpaloalto.org](mailto:city.clerk@cityofpaloalto.org)

Tue 11/19/2019 1:52 AM

Herb Borock  
 P. O. Box 632  
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November 18, 2019

**BY ELECTRONIC MAIL AND HAND DELIVERY**

**NOVEMBER 18, 2019 CITY COUNCIL MEETING**  
**AGENDA ITEM #9: STATE REVOLVING FUND APPLICATION**  
**AGENDA ITEM #17: (a) APPROVAL OF ADDENDUM TO RECYCLED**  
**WATER PROGRAM ENVIRONMENTAL IMPACT REPORT; AND (b)**  
**APPROVAL OF AGREEMENT WITH MOUNTAIN VIEW AND VALLEY**  
**WATER**

Dear City Council:

I urge you to remove both of these items from your agenda, because the Addendum to the Environmental Impact Report (EIR) is not adequate to evaluate significant effects related to sea level rise that were not discussed in the previous EIR, and you are prohibited from approving the State Revolving Fund Agreement and the Agreement with Mountain View and Valley Water until you abide by the California Environmental Quality Act (CEQA).

CEQA requires you to prepare a Subsequent EIR due the significant environmental effects regarding sea level rise, and CEQA prohibits you from approving a project that violates adopted the City Council adopted Sea Level Rise Policy.

You recently adopted a Sea Level Rise Policy based on a presentation that showed the path of any new recycled water pipeline being inundated by sea water during the term of the agreement discussed in the staff reports for these agenda items.

At the March 18, 2019 City Council meeting the Council unanimously adopted the following Sea Level Rise Adaption Policy:

MOTION: Council Member Cormack moved, seconded by Council Member Kniss to:

A. Accept the Sea Level Rise Adaptation Policy, which will serve as a guide for the development of a subsequent Sea Level Rise Adaptation Plan. This Plan will serve as the Sustainability and Climate Action Plan-Sea Level Rise chapter; and

B. Direct Staff to return to Council with a Sea Level Rise Adaptation Plan by December 2020.

MOTION PASSED: 7-0

The Policy includes the following item #2:

"2. For critical development and infrastructure (e.g., wastewater treatment facility or utilities that are essential to public health and safety), a risk assessment should be completed based on the SLR projections to 2100 and to include the lifetime of the building using the Medium-high or Extreme Risk Aversion Projection

See Power Point slides 24-26  
at: <https://www.cityofpaloalto.org/civicax/filebank/blob.t=72191.97&BlobID=69942> that accompanied  
staff's presentation of the agenda item on Seal Level  
Rise.

Thank you for your consideration of these comments.

Sincerely,

Herb Borock