



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
San Francisco Bay National Wildlife Refuge Complex  
1 Marshlands Road  
Fremont, California 94555

4 December 2018

Re: Comments on Proposed Settlement Agreement for Westpoint Harbor

To: San Francisco Bay Conservation and Development Commission  
455 Golden Gate Avenue, Suite 10600  
San Francisco, CA 94102

We are writing this letter with regards to the proposed Westpoint Harbor Settlement Agreement. The Don Edwards San Francisco Bay National Wildlife Refuge (Refuge) was established in 1972 to preserve the natural resources of the San Francisco Bay. Refuge lands are found in close proximity to the Westpoint Harbor property. Greco Island, part of the Refuge, is located across the slough from the Harbor. It is one of the few remaining historic tidal marshlands and houses one of the largest populations of the endangered Ridgway's Rail in the South Bay. The marsh habitat also provides protection for waterfowl, waterbirds and shorebirds, and is important to recovery efforts for endangered species such as the aforementioned Ridgway's Rail, and the Salt Marsh Harvest Mouse.

As we mentioned in our comment letter in November of 2017, for the last sixteen years the Refuge has worked intermittently with management at Westpoint Harbor to ensure that the natural resources in the adjacent Refuge habitat are protected. This included initial comment letters in 2001 about the proposed Westpoint Harbor project and subsequent meetings/communication about how to best address our natural resource concerns. Many of the basic concerns about potential for disturbance to Refuge lands and the wildlife in them remain the same sixteen years later.

Most important is our concern about human/pet impacts to Greco Island and the sensitive habitat and endangered species that are found there. At no time should individuals or pets get out of their watercraft and walk in the marsh, on berms or levees, or on boardwalks, the only exception being during waterfowl hunting season for the retrieval of downed waterfowl. Over the last year we have worked with Mr. Sanders from the Westpoint Harbor to plan for the replacement of signage (fitted with perch deterrents) to inform the public about the sensitive habitat on Greco Island, the fact that the area is closed, and that trespass is not allowed. We look forward to installing replacement signs with the Harbor's help later this month.

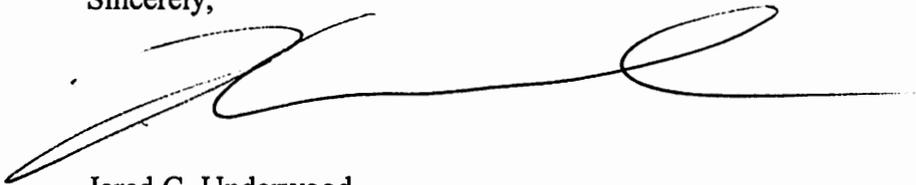
Second, we reaffirm that a "no wake zone" in Westpoint slough is needed to prevent loss of sensitive marsh habitat from increased erosion to Greco Island via wave action that occurs during transit of the slough. We appreciate the efforts by the Harbor to modify the buoy at the mouth of

Westpoint Slough and the confluence of Redwood Creek to add "No Wake-Slow". Unfortunately, we feel this could still be confusing as the buoy now says "No Wake- Slow", but then displays a speed limit of 10 mph, which in some vessels is fast enough for a wake. We have communicated our concern with Mr. Sanders and have been informed that the buoy is beyond the Harbor's control. We still feel it would be important to make it clear that no wake is allowed while in Westpoint Slough.

Lastly, we see that maintenance dredging is to be covered under this action. As we expressed in our original letter, we do have some concerns about dredging. We are concerned that increased tidal flows post dredging could result in increased erosion of Greco Island. While we understand that some modeling and analysis has been completed, and results show little to no effect from the proposed Harbor dredging to Greco Island, a more comprehensive modeling effort and environmental review would need to be conducted prior to the action for the Refuge to truly feel comfortable with the proposed dredging.

The Refuge appreciates the efforts of all parties to ensure that impacts to Refuge lands and protected species are minimized. The Refuge looks forward to working with all parties to ensure that these natural resources are adequately protected. Thank you for your consideration and if you have any questions, please feel free to contact me at (510) 792-0222 ext 125 or email [jared\\_underwood@fws.gov](mailto:jared_underwood@fws.gov) .

Sincerely,

A handwritten signature in black ink, appearing to read 'Jared Underwood', with a long horizontal flourish extending to the right.

Jared G. Underwood  
Refuge Manager  
Don Edwards San Francisco Bay National Wildlife Refuge