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**REDWOOD CITY
PLANNING COMMISSION**

STAFF REPORT

DATE: January 20, 2004

AGENDA ITEM NO. 5

PROJECT: Westpoint Marina

FILE NO. Environmental Assessment – EA 2003-10
(Addendum to Environmental Assessment 10913-01, approved on October 16, 2001)

PROJECT PLANNERS: Charles Jany, Principal Planner
Jill Ekas, Senior Planner (jekas@redwoodcity.org)

APPLICANT: Mark Sanders (Property owner)

PROPERTY OWNER: Mark Sanders, 280 Bernardo Way, Mountain View, CA 94043

PROJECT LOCATION: 1501-1599 Seaport Boulevard northeast of the terminus of
Seaport Boulevard (portion of Assessor's Parcel Number 054-300-620)

ZONING DISTRICT: Tidal Plain (TP)

GENERAL PLAN LAND USE DESIGNATION: Open Space

PUBLIC HEARING: Not Applicable **NO. OF NOTICES:** 21 (Courtesy Notices)
LEGAL AD PUBLISHED: Not Required

APPLICATION REQUEST: That the Planning Commission confirm that the proposed addendum to the previously approved Negative Declaration for the Westpoint Marina project satisfies the requirements of the California Environmental Quality Act (CEQA) for proposed revisions to the Westpoint Marina project.

RECOMMENDATION:

1) Approve and confirm that the addendum to the Negative Declaration and mitigation measures adequately assess and mitigate the environmental impacts associated with the Westpoint Marina project as revised.

PROJECT DESCRIPTION: As originally proposed, the Westpoint Marina project included the construction of a new 408-slip marina with an eighteen (18) acre basin, a boat maintenance area, an approximately 10,000 square foot restaurant, and approximately 20,000 square feet of support retail space with approximately 400 parking spaces on an approximately 43 acre site. Access was proposed through the Pacific Shores Center office campus.

The revised proposal includes the addition of approximately seven (7) acres to the 43 acre site. All of the additional site area, as well as some of the existing site area, would be incorporated into the marina basin, increasing the basin area from 18 to 26 acres. All

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of the other specifications, including the proposed number of boat slips, parking stalls, and gross building floor area, are unchanged. Please refer to Attachment 1, which consists of conceptual site plans, to compare the original and revised site plans. Also refer to Attachment 2 for consideration of the new site plan.

Both the original and revised proposal include three phases as follows:

1. Marina: Estimated completion late 2004
2. Boatyard: Estimated completion late 2005
3. Restaurant/Retail: Estimated completion late 2007

SITE DESCRIPTION: The original project site area was approximately forty-three (43) acres, consisting of vacant waterfront property that was formerly used by the Cargill Salt Company. Previous to this proposal, the site consisted of a storage pond for bittern (a toxic by-product of the salt production process). The bittern has recently been removed. To the west is the Pacific Shores Center office complex. To the north and east is the Westpoint Slough, with Greco Island beyond to the north. To the south is Cargill Salt Pond 10.

The revised project site incorporates seven (7) additional acres along the southern boundary of the original parcel. This is being done to address requirements imposed by the Bay Conservation and Development Commission (BCDC), as described later in this report. The applicant will be purchasing the additional land area from Cargill Salt after the City processes the associated Lot Line Adjustment. The additional land area is part of Cargill Pond 10. The revised total site area is 50 acres.

LAND USE CONFORMANCE: The existing General Plan Land Use Designation is "Open Space" and the site is zoned Tidal Plain (TP). The proposed use of the site as a marina is consistent with both the General Plan and the Zoning designations. The Open Space land use designation specifies areas of land or water which are devoted to the preservation of natural resources, the managed projection of resources, as well as outdoor recreation, which would include marinas. Marinas are allowed as conditional uses in the TP Zoning District, and thus a Use Permit review is required for project approval.

SPECIAL STUDY AREA: Bayfront Study Area

FLOOD HAZARD AREA: Zone A1 – Areas subject to the 100-year flood

DEPARTMENTS COMMENTING: Engineering

ANALYSIS: The City of Redwood City Planning Commission approved a Negative Declaration for the original project proposal on October 16, 2001. The October meeting was a continuation of a public hearing opened on September 18, 2001. The Planning Commission continued the September hearing in order to assess additional written and oral comments that were received immediately prior to and at the September hearing. A Negative Declaration with mitigation measures #1–20 was presented to the Planning Commission at the September meeting and is included as Attachment 3. The staff report for the October meeting is included as Attachment 4. The October 16, 2001 staff report addressed the public comments and includes additional mitigation measures, #21–48. The Negative Declaration approved by the Planning Commission included all 48 Mitigation Measures.

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The Westpoint Marina project requires permits and/or reviews by the City of Redwood City as well as several other agencies. Primarily, these other agencies include the Port of Redwood City, the Bay Conservation and Development Commission (BCDC), and the Army Corps of Engineers. Typically, BCDC's review takes place after the local jurisdiction and is followed by the US Army Corp permit process, which is the final step for these types of projects. After the Planning Commission's approval of the environmental document in 2001, the applicant continued the review process with these other agencies and of most consequence, with BCDC.

BCDC considers water coverage of significant importance. In their review, BCDC determined that the proposed 18 acre marina basin area did not meet the criteria for the conversion of salt ponds, which requires that a substantial portion of the pond area be maintained as open water to support wildlife habitat. BCDC determined that either the number of slips should be reduced or the marina basin area needed to be increased. The applicant was able to work with Cargill Salt to obtain additional acreage so that the marina area could be increased to 26 acres. BCDC subsequently granted a permit for the Westpoint Marina subject to Redwood City's consideration of the revised project and environmental analysis of the increased basin area. The City has a copy of the BCDC permit on file with the Community Development Services Department. BCDC's primary directive is to protect the San Francisco Bay by minimizing bay fill and to create public access to the bay. BCDC considered their requirement for an increased basin area to be environmentally superior to the original project proposal.

The applicant submitted the revised Westpoint Marina plans to the City and requested that the environmental review be considered as an addendum to the originally approved Mitigated Negative Declaration. Addendums to CEQA documents, either Environmental Impact Reports (EIRs) or Negative Declarations, are permissible, provided that only minor technical changes or additions are necessary in the environmental document. Furthermore, no new conditions can be present that would require that a subsequent EIR or Negative Declaration be prepared. Staff has carefully reviewed these criteria, and has determined that the proposed revision, of increasing the marina basin area, does not require any substantial revision to the approved Negative Declaration and Mitigation Measures, nor does the revised project result in a significant increase in the severity of identified impacts on the environment that cannot be mitigated with the approved mitigation measures. Staff has prepared a draft addendum to the Negative Declaration. The draft addendum is incorporated into the original Negative Declaration and is included as Attachment 5 to this report. The changes are shown underlined. Attachment 6 includes the Mitigation Monitoring Reporting Program that was approved with the Negative Declaration. This program does not require any amendment to accommodate the larger project area.

The City of Redwood City is considered to be the "lead agency" for the Westpoint Marina project in that the City is responsible for assuring compliance with the California Environmental Quality Act (CEQA). CEQA requires that lead agencies provide an explanation of the decision for not preparing a subsequent Negative Declaration. This explanation must be supported by "substantial evidence." The following discussion constitutes this explanation. The discussion identifies key areas

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where the project could affect the environmental document. For each topic, the potential impacts of the revised project are identified and the effect on the mitigation measures is described.

Basin Area: The revised project includes increasing the marina basin area from 18 to 26 acres. According to BCDC this revision is environmentally favorable because the eight (8) additional acres of toxic bittern pond area will be replaced with open water, which will be permanently maintained as open space. The bittern pond area is currently barren. The biologist that conducted the original assessment of the marina has reviewed the revised proposal and concludes that the proposed revision will not increase impacts on biological resources (see Attachment 7).

Channel Width: Once the marina basin is excavated, the levee wall will be broken and the basin will be connected to Westpoint Slough. In the originally proposed project, the marina channel width was 150 feet. The revised project has a channel width of 300 feet. The increased channel width is expected to improve the environmental conditions of the basin and its relationship to the slough. BCDC considers this change environmentally favorable because the increased channel width allows more open water and improves water circulation and quality. The biologist also considered the increased width of the channel and concluded that this revision will not impact biological resources, specifically vegetation on the levee (again, please refer to Attachment 7).

Site access: The original proposal included access through the Pacific Shores Center parking lot. Mitigation Measure #7 required that the applicant secure secondary access, but it was not yet specified. At this time, the primary access is still through the Pacific Shores Center parking lot. There are now two secondary/emergency access locations, including one through the Pacific Shores Center parking lot and the other via a levee road through Cargill Salt lands. This proposed configuration fulfills the requirements of Mitigation Measure #7.

Roosting site: Mitigation Measure #10 required the applicant to provide a roosting site for the local bird population. At the time that this mitigation measure was drafted, it was assumed that the remaining portion of Cargill's pond 10 would also be redeveloped in the very near future, which would eliminate the existing roosting area. However, this situation has changed, and the conversion of pond 10 to another use is not anticipated. The existing condition of pond 10 provides the necessary roosting site. Attachment 8 includes a letter from the Cargill Salt Company acknowledging that Cargill is responsible for maintaining the roosting site. The existing condition fulfills mitigation measure #10. In the event that the remainder of pond 10 is redeveloped, Cargill will be responsible for addressing this issue at that time.

Setback and Buffer: Mitigation Measure 28 requires that visual buffers between the active marina areas and the adjacent salt pond be provided. The buffer could be provided through 90 foot deep setbacks or through a combination of landscaping and other visual barriers (such as the six-foot high fence required by Mitigation measure 26). In the original plan, there was only limited space between the parking lot and boatyard areas and the salt ponds. The plans assumed that landscaping and fencing would be used to provide this buffer. The new plans will require the same treatment.

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Site Preparation: The site needs to be "de-watered" to the extent possible prior to excavation for the marina basin. Most of the soil that is excavated from the marina basin will be used in the site uplands. De-watering greatly reduces the weight, and the associated cost, of excavation. The de-watering process being utilized for this site includes "wicking." The wicking process involves installing porous material to a depth of about 25 feet on a triangular grid throughout the project area. Water rises up through the porous material to the surface via capillary action. The site is being surcharged (weighted down with clean soil) to assist the wicking process by "squeezing" more water up to the surface. The surface will be covered with a layer of drain rock. As the water reaches the drain rock level, it will be pumped into the slough. The site preparation has commenced, but the scope of work has been limited to the originally reviewed 43 acre site area.

In comparison to the approved project, additional basin excavation will be required. Most of the soil will be used on the upland portion of the site to cap and seal any remaining bittern layer. The dirt hauling period will be somewhat extended. However, mitigation measures 5 and 6, which pertain to dirt hauling and dust control, will continue to mitigate the potential negative impacts of dirt hauling.

OTHER REVIEW

The Port of Redwood City, the US Army Corps of Engineers, the US Department of Fish and Wildlife Services, and the San Francisco Bay Regional Water Quality Control Board have review and/or permitting authority over various aspects of the proposed marina project. The City has received written confirmation from these agencies that the Westpoint Marina project, as revised with an increased basin area, will conform to those agencies requirements, provided that the Negative Declaration mitigation measures and each agency's specific conditions of approval are adhered to.

In addition to these other agencies, in a subsequent action, the City will be processing a Use Permit for the proposed marina. At their meeting on October 16, 2001, the Planning Commission recommended approval of the Use Permit to the Zoning Administrator. Use Permit review typically considers specific site operations, such as delivery and trash routes and schedules, lighting requirements, and other issues related to the operation of the site. Conditions of approval are imposed to insure that these operations are maintained on an on-going basis. It is also standard practice to incorporate a project's mitigation measures as conditions of approval for Use Permits. Use Permit review also considers the status of architectural design review and sets requirements for completing architectural design review for all buildings and landscaping prior to issuance of a building permit.

RECOMMENDATION

Approve and confirm that the proposed addendum to the Negative Declaration and mitigation measures adequately assess and mitigate the environmental impacts associated with the Westpoint Marina project as revised.

ALTERNATIVES

Determine that additional environmental review is required and that a new Mitigated Negative Declaration or Environmental Impact Report should be prepared.

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ATTACHMENTS

1. Conceptual Plans - Original versus Proposed Site Area
2. Revised Site Plan
- * 3. October 16, 2001 Planning Commission staff report with mitigation measures number 21-48
- * 4. Negative Declaration with mitigation measures number 1-20 from September 18, 2001 Planning Commission meeting
- * 5. Negative Declaration and Addendum (constitutes the previously approved Negative Declaration with revisions shown as "redlines")
6. Mitigation Monitoring Reporting Program
7. Biological Report Addendum Letter
- * 8. Cargill Roosting Site Letter

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ATTACHMENT 3

EA - 10913-00

2001

**NEGATIVE DECLARATION
REDWOOD CITY, SAN MATEO COUNTY, CALIFORNIA**

Project Description:

- 1. Applicant:** Mark Sanders
- 2. Proposed location:** 1501-1599 Seaport Boulevard
- 3. Proposed Action:** Construction of a new 408 slip marina, boat maintenance area, 10,000 square foot restaurant and 20,000 square feet of support retail with approximately 400 parking spaces on 42 acres located south of the Pacific Shores Center project. The project is located in the 'TP' (Tidal Plain) Zoning District.

Negative Declaration Mitigation Measures:

1. The application shall require that the applicant obtain a Conditional Use Permit from the Zoning Administrator prior to issuance of a building permit.
2. The applicant shall obtain an exception from the Planning Commission per the requirements of Chapter 30 of the Redwood City Code prior to any construction activities.
3. A maximum of 65 liveboards shall be allowed in order to limit traffic impacts.
4. A Soils and geotechnical Report shall be prepared, and submitted to the Engineering Division of Redwood City Community Development Services, as well as to BCDC, the U.S. Army Corps of Engineers (Section 404 permit) prior to issuance of a Building Permit. In addition, a drainage plan, an erosion and sedimentation plan and a storm water pollution prevention plan (conforming to NPDES requirements) shall be submitted and approved by the City Engineering Division, BCDC, U.S. Army Corps of Engineers prior to the beginning of development and construction activities. All disturbed portions of the drainage ditch which separates the project site from Pacific Shores shall be restored to preexisting conditions prior to issuance of final permit by the Redwood City Building Division.
5. A Dirt Hauling Permit shall also be required for the anticipated importation of topsoil to the site. A similar permit will be required in the event that soil is exported from the site, (the bittern materials referred to in section III will be exported by rail but will require that the applicant

- submit a Closure Plan to the Redwood City Engineering Division prior to the Issuance of a grading permit).
6. The applicant will be required to implement dust control measures during site preparation and construction activity in order to help reduce this temporary impact.
 7. The applicant shall provide a second point of access to the perimeter road around the marina basin at a location as shown on figure 2, page 6 of the RKH traffic study for the proposed project, prior to Issuance of a Building Permit. The secondary access point could be designated for emergency access only and be controlled by a locked chain gate, as determined by the Redwood City Fire Department.
 8. The marina access road connection to the Pacific Shores Center perimeter street should be "Stop" sign controlled.
 9. A Traffic Impact fee of \$285.30 per boat berth shall be paid by the applicant prior to issuance of a Building Permit.
 10. The applicant shall provide the City with proof of an agreement with Cargill for use of approximately 3 acres of lands located on the south side of the project-created levee for use as a permanent roosting area to be exposed year-round, prior to issuance of a Building Permit.
 11. The applicant shall obtain all necessary permits, (including a Section 401 permit or certification) from the San Francisco Regional Water Quality Control Board for all applicable activities, as determined by that agency.
 12. The project landscape plans shall require an architectural permit prior to installation and shall comply with the regulations of the concerned agencies (including BCDC and Fish and Wildlife Service and the Department of Fish and Game) and shall also conform to the Redwood City Water Conservation Guidelines.
 13. Noise levels shall be kept to a level of compliance with all applicable agency standards (for example, BCDC, Fish and Wildlife Service, Department of Fish and Game) so as not to detrimentally impact any neighboring "habitat". The applicant shall coordinate a wildlife-monitoring program with the Department of Fish and Game and the Fish and Wildlife Service.
 14. The applicant shall submit a Lighting Plan with a photometrics study for review and approval by Community Development Services, and all

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**REDWOOD CITY
PLANNING COMMISSION**

STAFF REPORT

DATE: October 16, 2001

FILE: EA 10913-01 and U10142-9

PROJECT PLANNER: Charles Jany
(650)780-7239
cjany@redwoodcity.org

APPLICANT: Mark Sanders. DES (Architects), Bohley Maley (Civil Engineers)

PROPERTY OWNER: Mark Sanders, 280 Bernardo Way, Mountain View, CA 94043.
(650) 526-1600.

LOCATION: 1001-1599 Seaport Boulevard; located at the terminus of Seaport Boulevard, Parcel 2, Document 99076172, San Mateo County Assessor's Office.

ZONING DISTRICT: 'TP' (Tidal Plain) District.

PUBLIC HEARING: Continued from 9/18/01 **NO. OF LEGAL NOTICES MAILED:** NA

LEGAL NOTICE PUBLISHED: NA

APPLICATION REQUEST: To certify a Negative Declaration for a proposed new Marina Facility. If certified, the Planning Commission should make a recommendation to the Zoning Administrator on the Use Permit to allow a marina operation on that site.

RECOMMENDATIONS:

- Approve the Negative Declaration with the associated mitigation measures.
- Recommend approval of the Use Permit to the Zoning Administrator with the staff recommended findings.

GENERAL PLAN DESIGNATION AND CONFORMANCE: The General Plan designates the project site for "Open Space." The site is zoned 'TP' (Tidal Plain) District and the proposed use is consistent with the General Plan land use designation.

SITE DESCRIPTION: The project area is about 42 acres and consists of vacant land that was formerly used by the Cargil Salt Company. There is currently a pond which contains "bittern" (a toxic bi-product of the salt production process). To the North is the Pacific Shores Center office complex, to the East is Westpoint Slough, with Greco Island beyond. To the West and South are cristalizer ponds operated by Cargil.

PROJECT DESCRIPTION: The proposed project will involve the construction of a new 408 slip marina, boat maintenance area, 10,000 square foot restaurant and 20,000 square

feet of support retail with approximately 400 parking spaces on 42 acres. Access to the site is expected to be from the Pacific Shores Center project area.

BACKGROUND:

The Planning Commission held a Public Hearing regarding the subject application on September 18, 2001. At that time, oral testimony was received regarding the Initial study for the Westpoint Marina. A significant amount of written comments on this project were also received immediately prior to this public hearing, some expressing support for the project, some asking for further clarification. The Planning Commission subsequently continued the public hearing in order to have adequate time to review the comments and also to allow enough time for staff and the project consultants to prepare their responses. The developer has also provided staff with responses relating to the proposed development of the project, which have been attached to this report.

As a result of these comments, a total of 28 new mitigation measures (see below) have been recommended for incorporation to the original mitigated Negative Declaration. This includes 15 new mitigation measures related to biotics and 13 new mitigation measures related to project development and operation as well as engineering issues, (in bold).

RESPONSES TO COMMENTS:

Index of comments requiring responses received within the CEQA review period:

- A. Fish and Wildlife Service letter (9/18/01)
- B. Sequoia Audubon Society letter (9/18/01)
- C. Fish and Wildlife Service letter signed by Clyde Morris (9/18/01)
- D. Citizens to Complete the Refuge letter (9/15/01)
- E. Sanger and Olson letter for Pacific Shores (9/17/01)
- F. Seaport Industrial Association letter (9/17/01)
- G. Port of Redwood City letter (9/18/01)

Categories in the Initial Study affected by the above comments:

- I. Land Use (E,F,G)
- II. Population (E,G)
- III. Housing (F)
- IV. Earth (C,E,F,G)
- V. Water (A,B,C,D,E,F,G)
- VI. Air Quality (E,G)
- VII. Transportation/Circulation (E,F)
- VIII. Plant Life (A,C,D,E)
- IX. Animal Life (A,B,C,D,E)
- X. Energy (E)
- XI. Light and Glare (A)
- XII. Risk of Upset (A,B,C,D,E,G)
- XIII. Noise (A,C,E,G)
- XIV. Public Services
- XV. Public Utilities (E)
- XVI. Aesthetics (E)
- XVII. Human Health (E)

- XVIII. Recreation (E)
- XIX. Archaeological/Historical
- XX. Mandatory Findings of Significance (E)

RESPONSES RELATED TO BIOTICS

The Following provides the City's Biotic Consultant's (LSA) responses to comments received on the Westpoint Marina project Initial Study. The responses are formatted in the following manner. As indicated above, each comment letter was assigned a letter (A through G), (Note: letters in support of the project that did not contain substantive comments on the Initial Study were not addressed). Within each letter, individual comments are noted with a Roman numeral (I, II, III, etc.) corresponding to the topic discussions (Air, Water, Plant Life, Animal Life, etc.) in the Initial Study. Each comment was also assigned consecutive number within each letter. An example comment notation is:

A.IX-1 = Letter From U.S. Fish and Wildlife Service Sacramento Fish and Wildlife Office, Initial Study Topic-Animal Life, comment 1

Comment letter designations are as follows:

Many of the comments letters raised questions on similar issues. For these similar topics, we have provided a general response. The general topic responses are followed by specific responses to the individual comments in each letter. If a general comment response adequately addresses the comment, the letter response refers to the appropriate general response. Where additional or strengthened mitigation measures are recommended, we have numbered these measures consecutively following measures contained in the Initial Study (i.e., recommended new measures for biotic impacts begin with number 21).

GENERAL TOPIC RESPONSES

IX-1. Potential For Increased Human Disturbance to Greco Island

Comment: While most commenters voiced support for the Marina project and acknowledged that their concerns can be resolved, several commenters raised concerns that additional measures need to be implemented to restrict human access to Greco Island and other tidal marshes in the area and assure that this important refuge/habitat is not impacted by the increased public use/access from the project. The responsible party for enforcement of the mitigation measures was also raised as an issue.

Response: As discussed in the Initial Study and Biological Report, Greco Island is an important habitat area for endangered species such as the clapper rail and salt marsh harvest mouse as well as many other species. The methods recommended for minimizing human intrusion to the island as well as other marshes in the area involved 1) establishing buoys to mark the centerline of the Westpoint Slough Channel to prevent boats from straying onto the shallow mudflats and 2) cooperating with the National Wildlife Refuge to erect signs at the launch sites and

strategic locations at mouths of channels and potential landing spots informing the public not to enter nearby sensitive areas if problems were identified. This latter measure was consistent with the measure required by the U.S. Fish and Wildlife Service (FWS) for the adjacent Pacific Shores Center which also contained a component for a public launch ramp for non-motorized vessels.

The Biological Report authors (LSA) believe the conditions around Greco Island as well as the other islands in the area such as Outer Bair Island create significant physical impediments for human access. Greco and all of the islands in the area are surrounded by broad, shallow mudflats which severely restrict boat access. Even at extreme high tides, there are only a few locations where even paddled, shallow draft boats can reach the vegetated shoreline without grounding on the soft mud. The islands themselves also create formidable challenges to access. The tidal marshes on the islands are wet most of the time and bisected by numerous, several feet deep, steep-sided channels. Greco Island is not a location for casual recreational access. The primary concern that has been expressed in the past was for kayakers trying to explore the narrow marsh channels at high tides. In our experience in the area, we have seen one instance where there was evidence that a kayak went a short ways up one of the new constructed tidal channels on the Deepwater Slough Island off of Redwood Creek (the Pacific Shores Center mitigation site).

Several suggestions were provided to improve the recommended protection measures. The following measures incorporate these suggestions as well as establish specific responsibilities for implementation and monitoring. These additional measures are recommended to be incorporated as conditions of approval for the project.

21. The applicant shall install and maintain buoys down the centerline of Westpoint Slough to identify the "No Wake" speed zone, delineate the center of the channel for adequate draw, and discourage boats from deviating off the navigable channel. The applicant shall also install and maintain a buoy system 100 feet from the salt marsh on Greco Island along Westpoint Slough and Redwood Creek. The buoys shall contain signs informing the public that public access into the marshlands of the San Francisco Bay National Wildlife Refuge is prohibited. The applicant shall coordinate with the San Francisco Bay National Wildlife Refuge on specific wording and locations of the buoys.
22. The Marina Operator/Harbor Master shall be responsible for maintenance of the buoys and annual reporting to the City Planning Department on the conditions of the buoy system, effectiveness of the buoys, and information on observed or reported intrusions onto Greco and other islands. The Harbor Master shall be responsible for reporting intrusions/unauthorized landings on the island to appropriate enforcement agencies (i.e., San Francisco Bay National Wildlife Refuge, Redwood City Police, Coast Guard, etc.).
23. The Applicant shall redesign the project to provide a two story Harbor Master's office in a location that will provide a view of the marina as well as Westpoint Slough/Greco Island. The intent of this measure is provide a

regularly staffed observation location for compliance. The location of the Harbor Masters office shall be submitted to Community Development Services for review and approval prior to obtaining a grading permit for the project.

24. The Marina Operator/Harbor Master shall also adopt appropriate language for all rental contracts for marina slips and for boat launching that include progressive penalties (maximum one warning with the second time expulsion for a minimum of 1 year) for violating access restrictions onto Greco and other islands. The applicant shall submit the wording and draft contract to Community Development Services for review and approval prior to issuing the certificate for occupancy.
25. The Marina Operator/Harbor Master shall also install and maintain information signs at the boat launch and other public access areas informing the public of the access restrictions on Greco Island and other wetlands in the San Francisco Bay National Wildlife Refuge. The draft wording and locations of the signs shall be coordinated with the U.S. Fish and Wildlife Service San Francisco Bay National Wildlife Refuge and Bay Conservation and Development Commission and shall submit the plans for the locations, layout, and wording for the signs to Community Development Services for review and approval.

The applicant has also explored several options for monitoring and enforcement of the buoy system and has had discussions with the District Staff Officer for Marine Safety, US Coast Guard Auxiliary. They asked that Westpoint Marina provide a site for their routine meetings as well as a location for a patrol boat, since their current site is inadequate. The Coast Guard Auxiliary conducts regular classes on boating safety, environmental education, and perform vessel safety patrols and checks as a regular part of their program. The applicant has agreed to host their activities at the marina and he believes it will be no problem for them to extend their routine patrols in the main channel to include Westpoint Slough. The applicant also believes the Auxiliary would be an obvious choice to maintain the channel markers from the main channel to the entrance to the Marina if this is something the Coast Guard permits. While this may be a viable option for the applicant, it is the Planning Department's opinion that the ultimate responsibility for maintenance and enforcement lies with the applicant.

IX-2. Disturbance to Adjacent Salt Ponds and Fringe Marshes

Comment: In addition to concerns over disturbance impacts to Greco Island, several commenters also raised similar concerns for the adjacent salt ponds, especially once they are restored to tidal marsh or managed for other values, and the fringe marshes along Westpoint Slough adjacent to the Marina site.

Response: The future restoration plans for the remainder of the Redwood City Cargill salt ponds is not known at this time. As we understand, the purchase negotiations between Cargill and the State and Federal governments do not include the Redwood City bittern pond (pond 10) and may not include the nearby crystallizers (Carl Wilcox, CDFG, pers. comm.). The best method to prevent human access would be to create a channel between marina and any restored

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marshlands, but this could restrict future restoration options as it may be that the restoration goal for the adjacent pond would be to retain it as a pond, hence retain the levee. The Service has also recommended establishing vegetated buffer strips between the marina and the salt ponds to reduce disturbance and access. The following measures are recommended to address access to the existing fringe marshes along Westpoint Slough and adjacent salt ponds.

26. The applicant shall erect and maintain a minimum 6-foot tall fence east along Westpoint Slough from the end of the public access area around the eastern and southern edges of the property to prevent informal trail establishment and access to adjacent pond levees and fringe marshes.
27. The applicant shall provide a written commitment to the City, Department of Fish and Game and U.S. Fish and Wildlife Service San Francisco Bay National Wildlife Refuge to cooperate on any future restoration plans for the adjacent salt ponds. Future restoration plans unknown.
28. The applicant shall provide visual barriers between the active marina areas and the adjacent salt pond to reduce disturbance to water birds using the salt pond. The visual screening can be achieved through setbacks (85 to 90 feet in width) or through a combination of reduced setbacks combined with landscaping or other visual barriers (fence slats) that obscure near range views of the salt ponds (less than 100 feet from the human use areas).

For further discussion of disturbance impact to water birds, see pages 17 and 18 in the Biological Report.

IX-3. Channel Maintenance Dredging

Comment: Several commenters raised issues regarding the long-term effects of future maintenance dredging for the navigable channel between the Marina and the maintained Redwood Creek channel. The primary stated concern was for the loss of adjacent mudflat habitat.

Response: The applicant has stated that he does not expect the Westpoint Slough channel will require dredging. While the applicant has not conducted any detailed studies, it is reasonable to presume the current channel, which is navigable at low tide, is more or less in equilibrium with its drainage area. The contributing area for tidal prism has been relatively static for 50 to 60 years and there has been no substantial visual change in the Westpoint Slough channel over the last 12 years (S. Foreman, pers. obs.). These conditions are unlikely to change in the near term, but the long-term prospects are that substantial areas of the Cargill salt ponds will be restored to tidal action at some point in the future. If this occurs, the increased tidal prism and flow would increase channel scour and could minimize the need for future dredging.

On the other hand, if maintenance dredging is required, it is impossible at this time to accurately evaluate the effects of the dredging without more specific information

on the amount, location, and chemical quality of material to be removed and the method/location of disposal. The Biological Report (page 16) discusses the general effects of dredging that could be expected. Typically, the effects of dredging are short term as benthic invertebrates typically quickly re-colonize dredged areas. It should also be pointed out that any future dredging would be subject to environmental review. Dredging is a highly regulated activity, requiring permits from a minimum of three agencies (Corps of Engineers, BCDC, and Regional Water Quality Control Board) which must be done in consultation with the other agencies such as CDFG, FWS, EPA, and Coast Guard. The Regional Board also requires compliance with CEQA before they can issue a permit. Therefore, any future dredging would be subject to significant public and environmental review. Any required mitigation for adverse impacts such as loss of mudflat habitat would be most appropriately identified at that time based on the specific conditions and merits of that proposed action. Approval of the marina at this point does not provide any clearances or guarantees that future maintenance dredging would be authorized.

IX-4. Increased Tidal Flows from Marina

Comment: Several commenters raised concerns that the increased tidal prism resulting from the new marina inlet could lead to a loss of mudflat habitat because of the increase volume and velocity of water in Westpoint Slough.

Response: This is a paradoxical issue or question to the issue discussed in General Comment 3. In General Comment 3, the concern is that the channel will become too shallow over time for boat traffic. If this occurs, there would be an increase in mudflat habitat over time for at least the period between maintenance dredging events. The concern expressed for this issue is the opposite, the potential for increased scour that would widen and deepen the channel. Although one commenter pointed out that marina boat basin would add on the order of 4.9 million cubic feet of water/flow twice a day, this amount of water would be a relatively minor contributing source to the drainage area/volume for Westpoint Slough. We have evaluated this potential impact from different standpoints and believe that available information suggests significant changes in the extent of the mudflats along Westpoint Slough are unlikely.

First, looking strictly from an empirical standpoint at the changes in contributing area, the existing drainage area for Westpoint Slough includes approximately 6,500 feet of Westpoint Slough as well as First Slough. This area covers approximately 182 acres of open water at high tide. Additional water would be contained within the channels on Greco Island as well as other marshes along the sloughs. For the purposes of this analysis, this water was not considered in looking at the potential effects of the marina. At low tide, approximately 81 acres of open water would remain in the channel. The marina boat basin is 14 acres, which conservatively represents 7 to 8% of total open surface water area at high tide and 17% at low tide. At mid tide when flow velocity is highest, the boat basin would contribute somewhere between 8 and 17% of the total flow.

Second, Bohley Consulting also provided additional information with respect to this issue by comparing the estimated volume of water and flow velocity. Bohley Consulting estimates the additional volume of bay water that would be created by the Marina basin will be on the order of 270 acre-feet. Of that volume,

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approximately 140 acre-feet will flow in or out as the tides rise and fall. For example, with an average tidal range of eight feet between high and low tide, an average inflow or outflow velocity of approximately 0.4 feet per second would be attained through the opening into Westpoint Slough from the Marina. From a scouring standpoint, this velocity can be compared to a generally accepted minimum scour velocity of 3.5 feet per second for reasonably consolidated clays.

During a falling tide the amount of water discharging from the Marina entrance (approximately 140 acre-feet as above) will be small compared to the amount of water flowing westward in Westpoint Slough (approximately 2,000 acre-feet) toward Redwood Creek. Intuitively, the outflow coming from the Marina entrance will have its velocity direction changed from perpendicular to Greco Island to parallel with the centerline of Westpoint Slough before there can be any potentially significant erosion or scour of the mud flat of Greco Island across from the Marina entrance.

Third, we also reviewed information from the Bay Ecosystems Goals Project with respect to potential future conditions in the area. The future restoration of thousands of acres of salt ponds in San Francisco Bay to tidal action is becoming a real possibility. As part of a multi-year and comprehensive evaluation of what the future conditions of the Bay ecosystem should look like, The Baylands Ecosystem Habitat Goals Project (1999) raised the concerns that large scale tidal restoration efforts could disrupt the sediment balance in the bay and result in a substantial decrease in mudflat habitat for shorebirds and waterfowl. As part of the planning effort, the Goals Project Hydrogeomorphic Advisory Team evaluated this issue. Their general consensus was that tidal marsh restoration was not likely to significantly reduce bayside mudflats. The Hydrogeomorphic Advisory Team estimate was that about 10 to 15% of mudflat habitat near a restored tidal marsh site could be lost under a "worst case" scenario. Compared to the potential increases in tidal prism and volumes resulting from the potential restoration of potentially hundreds of acres of the Redwood City salt ponds to tidal marsh, the minor increase in tidal prism from the marina into Westpoint Slough is minimal.

In summary, the marina could result in some minor changes in the mudflats along Westpoint Slough. These changes, however, are not likely to be significant given: 1) the relatively minor contribution of the boat basin to the total drainage area for the slough; 2) the information from the Goals Project that projected minimal changes to mudflats from tidal restoration for areas which substantially greater tidal volume; and 3) the substantial potential future increases in tidal flow in Westpoint Slough when substantial areas of the Redwood City salt ponds are restored. Even if there are minor changes in the mudflats along Westpoint Slough, mudflats are extensive in the adjacent bay and tidal channels and minor changes are unlikely to make mudflat feeding habitat a limiting resource.

IX-5. Island Mitigation

Comment: Several commenters expressed concerns for the ability to construct the islands in an area that would provide the same benefit to the shorebirds and other waterbirds.

Response: The intent of the recommended mitigation measure for the roosting island is to provide an island with similar functions and benefits for birds. Construction of islands and/or shallow water ponds for water bird roosting is a

common practice. Typically, the major issues with construction involve erosion and eventual loss of the island/shallow pond and/or encroachment of vegetation. Erosion problems are usually associated with location, gradient of the island banks/sides, and types of material used to construct the island. Islands with steep banks and located in areas with high wave fetch tend to erode quickly. For shorebird roosting islands and ponds, vegetation encroachment is a major issues. The shorebirds prefer open to sparsely vegetated land for roosting sites. Vegetation establishment can be addressed through substrate compaction or capping of the soil with a thick layer of shells or using highly saline soils.

Another expressed concern is the placement of the island in area that will provide appropriate long term habitat values. The habitat conditions within the Redwood City salt ponds could change significantly over the next few years assuming the ponds are purchased and large areas are restored to tidal marsh. It is also likely the agencies will want to retain some areas as managed pond environments and salt pan habitats (Goals Project 1999). If or as these conditions develop, water bird distribution and habitat use will change and areas that may currently be important for roosting, may not be as desirable in the future. Under current conditions, the best mitigation option, if available, would be to recreate and low, island of similar size and configuration in the remaining portion of pond 10. Long term assumptions about future restoration, however, might indicate the roost would be of greater value at another location.

Since specific design measures or the location for the relocated island are not known at this time, we have reworded the recommended measure to incorporate City review of the plans for the island as well as requiring additional coordination with the U.S. Fish and Wildlife Service and California Department of Fish and Game for determining an appropriate relocation site. The following measure is recommended to be included in the conditions for the project:

10. (revised) The applicant shall coordinate with the U.S. Fish and Wildlife Service and California Department of Fish and Game to determine an appropriate location for the recreating the roost site. The applicant shall also submit specific design plans for the island to Community Development Services for review and approval prior to obtaining the grading permits for the project. Community Development Services may accept written approvals from U.S. Fish and Wildlife Service and California Department of Fish and Game of roost site mitigation plan as evidence of compliance with this measure.

IX-6. Predators

Comment: Several commenters expressed concerns for potential increases in urban adapted predators and discussed the need for an active predator management program.

Response: Predator control and monitoring are briefly discussed on pages 18 and 19 of the Biological Report and two mitigation measures to address this issue were provided. Both measures were modeled after and are consistent with the requirements for the adjacent Pacific Shores Center site and involve measure to limit landscaping to trees that are not as likely to create nesting and roosting sites for raptors and ravens and the need for regular maintenance and monitoring. We

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EA - 10913-00

**NEGATIVE DECLARATION
REDWOOD CITY, SAN MATEO COUNTY, CALIFORNIA**

REVISED

Project Description:

- 1. Applicant:** Mark Sanders
- 2. Proposed location:** 1501-1599 Seaport Boulevard
- 3. Proposed Action:** Construction of a new 408 slip marina, boat maintenance area, 10,000 square foot restaurant and 20,000 square feet of support retail with approximately 400 parking spaces on 42 acres located south of the Pacific Shores Center project. The project is located in the 'TP' (Tidal Plain) Zoning District.

Negative Declaration Mitigation Measures:

1. The applicant shall obtain a Conditional Use Permit from the Zoning Administrator prior to issuance of a building permit.
2. The applicant shall obtain an exception from the Planning Commission per the requirements of Chapter 30 of the Redwood City Code (relating to parcels which do not have frontage on a public right of way) prior to any construction activities.
3. A maximum of 65 liveaboards shall be allowed in order to limit traffic impacts.
4. A Soils and Geotechnical Report shall be prepared, and submitted to the Engineering Division of Redwood City Community Development Services, as well as to BCDC, the U.S. Army Corps of Engineers (Section 404 permit) prior to issuance of a Building Permit. In addition, a drainage plan, an erosion and sedimentation plan and a storm water pollution prevention plan (conforming to NPDES requirements) shall be submitted and approved by the City Engineering Division, BCDC, U.S. Army Corps of Engineers prior to the beginning of development and construction activities. All disturbed portions of the drainage ditch which separates the project site from Pacific Shores shall be restored to preexisting conditions prior to issuance of final permit by the Redwood City Building Division.
5. A Dirt Hauling Permit shall also be required for the anticipated importation of topsoil to the site. A similar permit will be required in the event that soil is exported from the site, (the bittern materials referred to in section III will be exported by rail but will require that the applicant

submit a Closure Plan to the Redwood City Engineering Division prior to the issuance of a grading permit).

6. The applicant will be required to implement dust control measures during site preparation and construction activity in order to help reduce this temporary impact.

7. The applicant shall provide a second point of access to the perimeter road around the marina basin at a location as shown on figure 2, page 6 of the RKH traffic study for the proposed project, prior to issuance of a Building Permit. The secondary access point could be designated for emergency access only and be controlled by a locked chain gate, as determined by the Redwood City Fire Department.

8. The marina access road connection to the Pacific Shores Center perimeter street should be "Stop" sign controlled.

9. A Traffic Impact fee of \$285.30 per boat berth shall be paid by the applicant prior to issuance of a Building Permit.

10. **(REVISED)** The applicant shall coordinate with the U.S. Fish and Wildlife Service and California Department of Fish and Game to determine an appropriate location for the recreating the roost site. The applicant shall also submit specific design plans for "the Island" to the Community Development Department Services of Redwood City for review and approval prior to obtaining the grading permits for the project. Community Development Services shall require that the applicant submit written approvals from the U.S. Fish and Wildlife Service and Department of Fish and Game of roost site mitigation plan as evidence of compliance with this measure.

11. The applicant shall obtain all necessary permits, (including a Section 401 permit or certification) from the San Francisco Regional Water Quality Control Board for all applicable activities, as determined by that agency.

12. The applicant shall obtain an Architectural Permit for all landscaping improvements prior to installation. These plans shall comply with the regulations of the concerned agencies (including BCDC and Fish and Wildlife Service and the Department of Fish and Game) and shall also conform to the Redwood City Water Conservation Guidelines.

13. Noise levels during project construction as well as noise levels occurring during the regular course of operation of the marina facility shall be kept to a level of compliance with all applicable agency standards

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EA - 10913-00
With Addendum EA 2003-10

NEGATIVE DECLARATION
REDWOOD CITY, SAN MATEO COUNTY, CALIFORNIA

Environmental Assessment 10913-00 was approved by the Redwood City Planning Commission on October 16, 2001 after a noticed public hearing. All changes made to the original environmental assessment by the addendum are underlined in the text below.

Project Description:

1. **Applicant:** Mark Sanders
2. **Proposed Location:** 1501-1599 Seaport Boulevard
3. **Proposed Action:** Construction of a new 408 slip marina, boat maintenance area, 10,000 square foot restaurant and 20,000 square feet of support retail with approximately 400 parking spaces on 50 acres located south of the Pacific Shores Center project. The project is located in the 'TP' (Tidal Plain) Zoning District.

Negative Declaration Mitigation Measures:

1. The application shall require that the applicant obtain a Conditional Use Permit from the Zoning Administrator prior to issuance of a building permit.
2. The applicant shall obtain an exception from the Planning Commission per the requirements of Chapter 30 of the Redwood City Code prior to any construction activities.
3. A maximum of 65 live-a-boards shall be allowed in order to limit traffic impacts.
4. A Soils and geotechnical Report shall be prepared, and submitted to the Engineering Division of Redwood City Community Development Services, as well as to BCDC, the U.S. Army Corps of Engineers (Section 404 permit) prior to issuance of a Building Permit. In addition, a drainage plan, an erosion and sedimentation plan and a storm water pollution prevention plan (conforming to NPDES requirements) shall be submitted and approved by the City Engineering Division, BCDC, U.S. Army Corps of Engineers prior to the beginning of development and construction activities. All disturbed portions of the drainage ditch which separates the project site from Pacific Shores shall be restored to preexisting conditions prior to issuance of final permit by the Redwood City Building Division.

5. A Dirt Hauling Permit shall also be required for the anticipated importation of topsoil to the site. A similar permit will be required in the event that soil is exported from the site, (the bittern materials referred to in section III will be exported by rail but will require that the applicant submit a Closure Plan to the Redwood City Engineering Division prior to the issuance of a grading permit). A Dirt Hauling Permit shall also be required for the soil imported to the site to facilitate site preparation (wicking).
6. The applicant will be required to implement dust control measures during site preparation and construction activity in order to help reduce this temporary impact.
7. The applicant shall provide a second point of access to the perimeter road around the marina basin at a location as shown on figure 2, page 6 of the RKH traffic study for the proposed project, prior to issuance of a Building Permit. The secondary access point could be designated for emergency access only and be controlled by a locked chain gate, as determined by the Redwood City Fire Department. Alternately, the applicant shall obtain approval for an emergency access plan that includes additional access points.
8. The marina access road connection to the Pacific Shores Center perimeter street should be "Stop" sign controlled.
9. A Traffic Impact Fee of \$285.30 per boat berth shall be paid by the applicant prior to issuance of a Building Permit. Traffic Impact Fees shall also be paid for the commercial portion of the development based on the City's adopted fee rate.
10. The applicant shall coordinate with the U.S. Fish and Wildlife Service and California Department of Fish and Game to determine an appropriate location for recreating the roost site. The applicant shall also submit specific design plans for the island to Community Development Services for review and approval prior to obtaining the grading permits for the project. Community Development Services may accept written approvals from U.S. Fish and Wildlife Service and California Department of Fish and Game of roost site mitigation plan as evidence of compliance with this measure. Alternately, since Cargill pond 10 is continuing to function as a roost site, it shall be the responsibility of any future developer involved in the conversion of pond 10 to another use to locate a new roost site.
11. The applicant shall obtain all necessary permits, (including a Section 401 permit or certification) from the San Francisco Regional Water Quality Control Board for all applicable activities, as determined by that agency.

**WESTPOINT MARINA
MITIGATION AND MONITORING PROGRAM**

This Mitigation Monitoring and Reporting Program has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6) which requires the adoption of a mitigation monitoring and reporting program when mitigation measures are required to avoid significant impacts. The monitoring and reporting program is intended to ensure compliance with mitigation measures during implementation of the Project.

This Mitigation Monitoring and Reporting Program has been formulated based upon the findings of the *Mitigated Negative Declaration for the Westpoint Slough (Sanders) Marina Project* in Redwood City (EA-10913-00). The program lists mitigation measures recommended in the Mitigated Negative Declaration for the proposed Project. Mitigation monitoring and reporting requirements are provided only for mitigation measures that would avoid or reduce significant impacts of the Project. The mitigation monitoring and reporting table specifies the responsible parties for implementation and monitoring.

The first column of Table 1 identifies the mitigation measure. The second column entitled "Implementation Procedure" refers to the procedures associated with mitigation implementation. The third column entitled "Monitoring Responsibility" refers to the responsible party for ensuring the mitigation measure is implemented. The fourth column entitled "Monitoring/Reporting Action and Schedule" refers to how the City will ensure mitigation measures are implemented and schedule for when monitoring and demonstration of compliance will occur. The last column will be used by the agency to document who and when the mitigation monitoring occurred.

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**Table 1
Westpoint Slough Marina Mitigation and Monitoring Plan**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance (Name/Date)
1. The applicant shall obtain a Conditional Use Permit from the Zoning Administrator prior to issuance of a building permit.	Obtain conditional use permit	Applicant	Prior to grading permit	
2. The applicant shall obtain an exception from the Planning Commission per the requirements of Chapter 30 of the Redwood City Code (relating to parcels which do not have frontage on a public right of way) prior to any construction activities.	Obtain exception	Applicant	Prior to Construction activities	
3. A maximum of 65 liveaboards shall be allowed in order to limit traffic impacts.	Use permit condition	Marina Operator/ Harbor Master	Ongoing, annual report to Planning and Community Development Services	
4. A Soils and Geotechnical Report shall be prepared, and submitted to the Engineering Division of Redwood City Community Development Services, as well as to BCDC, the U.S. Army Corps of Engineers (Section 404 permit) prior to issuance of a Building Permit. In addition, a drainage plan, an erosion and sedimentation plan and a storm water pollution prevention plan (conforming to NPDES requirements) shall be submitted and approved by the City Engineering Division, BCDC, U.S. Army Corps of Engineers prior to the beginning of development and construction activities. All disturbed portions of the drainage ditch which separates the project site from Pacific Shores shall be restored to preexisting conditions prior to issuance of final permit by the Redwood City Building Division.	Report and approval by Engineering Division Documentation of review and approval by BCDC, Corps, RWQCB submitted to Planning and Community Development Services Field review by Engineering Division of ditch conditions	Applicant	a) and b) - Prior to Issuance of Building Permit c) Prior to final permit	

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Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance (Name/Date)
5. A Dirt Hauling Permit shall also be required for the anticipated importation of topsoil to the site. A similar permit will be required in the event that soil is exported from the site, (the bittern materials referred to in section III will be exported by rail but will require that the applicant submit a Closure Plan to the Redwood City Engineering Division prior to the issuance of a grading permit).	Issuance of dirt hauling permit review and approval of closure plan by Engineering Division	Applicant	prior to grading permit	
6. The applicant will be required to implement dust control measures during site preparation and construction activity in order to help reduce this temporary impact.		Applicant Engineering Division	During construction and site bittern removal/cleanup	
7. The applicant shall provide a second point of access to the perimeter road around the marina basin at a location as shown on figure 2, page 6 of the RKH traffic study for the proposed project, prior to issuance of a Building Permit. The secondary access point could be designated for emergency access only and be controlled by a locked chain gate, as determined by the Redwood City Fire Department.	Agreement with Pacific Shores Center for location	Applicant	Prior to Building Permit	
8. The marina access road connection to the Pacific Shores Center perimeter street should be "Stop" sign controlled.		Applicant Engineering Division	Prior to Final Permit	
9. A Traffic Impact fee of \$285.30 per boat berth shall be paid by the applicant prior to issuance of a Building Permit.	Payment of fee	Applicant	Prior to Building Permit	

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Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance (Name/Date)
10. The applicant shall coordinate with the U.S. Fish and Wildlife Service and California Department of Fish and Game to determine an appropriate location for the recreating the roost site. The applicant shall also submit specific design plans for the island to Community Development Services for review and approval prior to obtaining the grading permits for the project. Community Development Services may accept written approvals from U.S. Fish and Wildlife Service and California Department of Fish and Game of roost site mitigation plan as evidence of compliance with this measure.	Letter(s) of concurrence from applicable agencies	Applicant	Prior to grading permit	
11. The applicant shall obtain all necessary permits, (including a Section 401 permit or certification) from the San Francisco Regional Water Quality Control Board for all applicable activities, as determined by that agency.	Provide copies of permit to Planning and Engineering Services	Applicant	Prior to grading permit	
12. The applicant shall obtain an Architectural Permit for all landscaping improvements prior to installation. These plans shall comply with the regulations of the concerned agencies (including BCDC and Fish and Wildlife Service and the Department of Fish and Game) and shall also conform to the Redwood City Water Conservation Guidelines.	Architectural Permit	Applicant	Prior to grading permit	

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November 26, 2003

To: Mark Sanders,
Westpoint Marina

Jill Ekas, Senior Planner
Redwood City

From: Robert C. Douglass, C.E. Manager of Real Property
Cargill Salt

Reference: Redwood City Planning Commission Staff Report dated October 16, 2001
Jill Ekas email to Mark Sanders dated 11/17/03

Subject: **Roosting Island Mitigation**

Dear Ms. Ekas and Mr. Sanders:

The staff at Cargill has consistently supported the proposed marina project and I understand that an answer to the question of how the roosting habitat on the marina site will be relocated has arisen. As requested in the referenced email, this memorandum will outline the specifics relating to the roosting island discussed in the Staff Report on Westpoint Marina.

Cargill understood the concerns expressed during the City's Public Hearings that its Redwood City salt ponds could change significantly over the next few years if they were purchased or otherwise taken out of salt production, and this could alter habitat conditions. Dr. Skid Hall (land planner) and Mr. Steve Foreman of LSA (who performed the Westpoint Marina Biotic Analysis for Redwood City) described the roost island during the second public hearing in August 2001, and advised that Cargill Salt Company agreed to permanently relocate the "roosting island" which exists on Pond 10, part of which is now Mr. Sanders' property and proposed for use as a marina. We authorized Mr. Sanders and his technical consultants to state that the location and timing of a permanent island would be determined when the future use of our Redwood City pond sites is determined, when and if we were to change our operations for the Redwood City Plant Site.

As explained during hearing, Cargill has a number of ephemeral bird islands and shallow-water ponds in the solar salt system in both the East Bay as well as the Redwood City system. In the case of the segment of Pond 10, sold to Mr. Sanders, a slightly higher area within the pond created this habitat. When the pond was dry there was no island, and as brines were introduced it reached a maximum size of about three acres, and upon occasion, when the entire pond was filled with brines, or rainwater during winter months,

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the island again disappeared. With the approval of the marina and the beginning of construction, and as recommended in the Redwood City Staff Report, Cargill, by management of pond levels, will create a similar habitat to the south, where it remains in Pond 10 as before. By minor modifications in our operations an equivalent area of habitat will remain to provide the same functions and benefits. We do this in a number of areas throughout our system on a seasonal basis (weather permitting), where there are recognized habitats for roosting birds. For the foreseeable future, Pond 10 will remain a multi-purpose pond and will be operated consistent with our recent operational goals and to ensure roosting habitat.

In the long term, when and if additional land use changes are proposed and approved, this element of habitat will be assessed and incorporated into whatever mitigation is ultimately required. I hope this answers any questions that have arisen. I can be reached at (510) 790-8156 or alternatively, via email at: robert_douglass@cargill.com



Google Earth

Westpoint Slough



1000 ft