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Staff Report:	November 29, 2001
Hearing Date:	December 12, 2001

APPEAL STAFF REPORT
DE NOVO REVIEW

APPEAL NO.: **A-1-HMB-99-051**

APPLICANTS: **Wavecrest Village, L.L.C.**
Cabrillo Unified School District
Boys and Girls Club of the Coastside

AGENT: **Patrick Fitzgerald**

LOCAL GOVERNMENT: **City of Half Moon Bay**

SUBSTANTIAL ISSUE: The Commission found that the appeal of the local government action on this project raised a substantial issue on November 5, 1999.

PROJECT LOCATION: Approximately one mile south of downtown Half Moon Bay, bounded by Highway One to the east, Seymour Street right-of-way to the north, the Pacific Ocean to the west, and Marinero Avenue to the south, Half Moon Bay, San Mateo County (**Exhibits 1-3**).

PROJECT DESCRIPTION: Re-subdivision of approximately 217 parcels on 205.7 acres into approximately 235 parcels; construction of 225 single-family market-rate residences (development reconfigured to avoid wetlands, total units unchanged); 54 affordable housing residences (increased from 46); Middle School, Boys and Girls Club (moved north of Wavecrest Road) and outdoor recreation on 25.3 acres; community sports fields on 9.8 acres; 150,000 sq.ft. of office space (increased by 30,000 sq.ft.) and 15,000 sq.ft. of retail space (decreased by 25,000 sq.ft.) in 8 commercial and retail buildings on 12 acres; open space; stormwater detention basin on 7.7 acres; wetland restoration; onsite lateral public access trails and parking;

vertical beach access stairway at Poplar State Beach; improvement and creation of streets; and associated parking, infrastructure improvements and landscaping; removal of cypress and eucalyptus trees northS of Wavecrest Road on propsoed School and mixed use site; demolition of two reinforced concrete storage sheds at Middle School site.

APPELLANTS: Leonard Beuth, et al; Helen J. Carey; Wayward Lot Investment Co. and San Mateo Land Exchange; and Commissioners Sara Wan and Shirley Dettloff.

SUBSTANTIVE FILE: See Appendix A

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STAFF NOTE: Shortly before publication of this report, the staff received evidence of potential additional wetlands on the site in the mixed use area not shown in the wetland delineations conducted to date for the project site. This staff report recommendation has been drafted without addressing these potential additional wetlands. Prior to public hearing of this project, the staff will investigate the possible existence of additional, undelineated wetlands in the field and report the results of the investigation to the Commission.

1.0 EXECUTIVE SUMMARY

Revised Project Description

This large, mixed-use project last came before the Commission for *de novo* hearing on June 14, 2001, at which time the Commission voted to continue the hearing pending further analysis of potential impacts by staff and receipt of certain additional information from the applicants.

Since the last hearing, the project has been revised by the applicants to incorporate the following salient changes:

- The Boys and Girls Club has been moved north of Wavecrest Road;
- No development is proposed in the Central Area between Redondo Beach Road and Wavecrest Road;

- Development in the Northern Area avoids the former agricultural pond, which will be restored as a viable wetland with a buffer of 100 feet around the pond;
- The number of affordable housing units has been increased by eight units to 54, and all affordable housing units will be located in the mixed use area in Wavecrest Village;
- The applicants agree to record a deed restriction limiting the affordable housing units to low and moderate income residents in perpetuity;
- The amount of office space proposed has increased by 30,000 sq.ft. to 150,000 sq.ft. and the amount of retail space has decreased by 25,000 sq.ft. to a total of 15,000 sq.ft.;
- The number of parking spaces in the mixed use area has increased from 580 to 692;
- The applicants propose to construct public access improvements at the end of Redondo Beach Road, including a vertical access stairway to the beach;
- The applicants have provided a conceptual wetland restoration plan describing their proposal to restore wetlands in the Central Area of the project site.
- Although the dense stand of trees south of Wavecrest Road will remain intact, the applicants still propose to remove __ cypress and eucalyptus trees located in a small stand to the north of Wavecrest Road in the mixed use area;
- The applicants propose to demolish two, old concrete storage sheds located in the fields north of Wavecrest Road at the site proposed for the school and playing fields. The exact origin of these structures is unknown; local, anecdotal evidence suggests that the structures may have been used by the military during the Second World War for storage.

The total number of market-rate units in the project remains unchanged at 225. The project continues to incorporate the same public services as before, including a new middle school for the Half Moon Bay area, with the capacity for 1,150-students, a Boys and Girls Club, and a public sports field. The applicants propose to dedicate to the City in fee all open space areas south of Wavecrest Road in the Central Area and west of the Street C in the Northern area. Furthermore, the applicants propose to provide public shoreline access improvements, including the construction of a significant segment of Half Moon Bay's Coastside Trail, public parking, a vertical beach accessway at Poplar State Beach, and a vertical beach accessway and parking at the end of Redondo Beach Road. Additional features of the proposed project include the creation of a 7.7-acre detention pond to treat stormwater runoff and agricultural drainage, and the creation and restoration of wetland habitat. The development as proposed will be set back a minimum of 1,000 feet from the bluff edge. (See **Exhibit 4**).

The project site is located on a prominent site, lying between Highway 1 and the ocean. The project site comprises a 207.5-acre portion of the 480-acre North Wavecrest Planned Development District (PDD) as defined in the City of Half Moon Bay certified Local Coastal Program Land Use Plan. Resources on the site include scattered wetlands, open vistas from Highway 1 to the sea, and visually prominent tree stands that provide habitat for raptors. Informal paths to the beach are evident on the bluffs to the west of the proposed development area, although physical access to the beach is severely constrained by high, unstable bluffs.

Staff recommends approval of the project subject to the conditions as summarized below.

Wetland Fill for Restoration Purposes

The applicants propose fill for restoration purposes of 1.1 acres of the agricultural drainage ditch that crosses the property.[1] The applicants' revised plan no longer proposes to fill the agricultural pond in the Northern Area, and instead proposes to restore the pond as a wetland as part of the detention pond drainage system.

According to Coastal Act/LUP Policy 30233(a)(7), the Commission may permit the proposed wetland fill if it is necessary for restoration purposes. Wetland fill for restoration purposes as used in Coastal Act Section 30233(a)(7) must substantially increase wetland acreage and values and must be physically necessary to achieve wetland restoration goals. With regard to the fill of the proposed drainage ditch, by redirecting runoff to wetlands within the Central Area, the proposed restoration work will provide a permanent water source to support the continued existence of these wetlands, independent of water that has been intermittently supplied from nurseries located on a neighboring property. Because providing this permanent water source to the wetlands within the Central Arearequires the drainage to be rerouted to the area south of Wavecrest Road, the resulting 1.1 acres of wetland fill is physically necessary to accomplish the wetland restoration goals and objectives of the project. The drainage ditch is a narrow ditch excavated from dry land to draw runoff from irrigated agricultural fields east of Highway 1 and provides little value as wetland habitat. As the wetland restoration plan provided by the applicants notes, the habitat value of the drainage ditch is limited. By contrast, wetland functions and values of the existing degraded wetland in the Central Area will be substantially improved through the proposed wetland restoration. This new wetland will provide habitat superior to that provided by the existing drainage ditch. But for the proposed restoration, this wetland habitat would not be created on the project site.

Special Condition 1 requires a 100 foot buffer around wetlands in the northern area of the site, submittal of final grading and drainage plans for the Northern Residential Neighborhood, and monitoring of water quality of runoff into the former agricultural pond. This condition also requires recordation of a deed restriction prohibiting development within 100 feet of the former agricultural pond. **Special Condition 2** requires the applicants to submit a Final Revised Wetland Restoration Plan for the wetlands in the Central Project Area which will give the final specifications for the wetland restoration project and establish a monitoring program. **Special Condition 2** likewise requires a deed restriction prohibiting development within 100 feet of the existing and restored wetlands in the Central Area.

In addition to the drainage ditch and the existing wetlands in the Central Area, a former agricultural pond in the northern area of the project site also meets the LCP definition of wetlands. The pond is surrounded by a high berm and impounds direct rainfall, but the existing berms prevent runoff from flowing into the pond. The pond is an artificial feature and its habitat value is limited by the berm. As originally approved by the City, this pond would have been filled for residential developments. However, in response to the Commission's concern that such development would conflict with the wetland protection policies of this LCP, the applicants have revised the project to protect and improve the wetland habitat values of the pond. Pursuant to the applicants' most recent revised project description, no development is proposed within 100 feet of the upland limit of the wetlands associated with the pond.

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[1] Applicants no longer propose to fill the 1.2-acre former agricultural pond in the Northern Residential Neighborhood site, which applicants propose to restore as a viable wetland.

In addition, the applicants propose to remove the surrounding berms and to direct runoff from the surrounding area into the pond, thereby increasing the volume of water flowing into this wetland. The applicants also propose to provide an outlet from the pond by creating a new drainage corridor just south of the northern residential neighborhood drawing into a stormwater detention pond to the west as discussed further below. The staff recommends that the Commission impose **Special Condition 1** to ensure that the proposed development adjacent to the former agricultural pond will improve wetland functions and values and will not reduce wetland acreage.

Raptors

The project area provides nesting, foraging, perching, and roosting habitat for raptors, which are considered a unique species under the LCP. As proposed, the project no longer includes the development of a Boys and Girls Club and affordable housing units south of Wavecrest Road where prominent tree stands affords perching and roosting spots for raptors. Instead, these facilities will be located north of Wavecrest Road. As a result, the cypress and eucalyptus tree stands south of Wavecrest Road will not be disturbed. Two, smaller stands of cypress trees located north of Wavecrest Road on the site of the mixed use project and the Middle School will be removed as part of the project. For these trees, **Special Condition 4** requires the applicants to submit a Tree Removal Plan which minimizes tree removal, identifies those trees which will be removed and requires that removed trees be replaced on the site.

The staff also recommends that the Commission prohibit development within 650 feet of any active raptor nests in the Western area, until a qualified biologist has determined that fledglings had left the nest and the nest has been abandoned (**Special Condition 3**).

Water Quality

The proposed project will result in a significant increase in impervious surfaces, thus increasing stormwater runoff from the project site. Future irrigation on the site will also increase runoff. Construction activities, vehicles, and other land uses will create the risk of sedimentation and introduction of pollutants into runoff from the site.

The applicants propose to treat urban runoff through a system of gutters and storm drains, feeding into the restored agricultural pond and a 7.7-acre detention pond in the western portion of the project. While an important component of water quality measures on the site, the detention pond must be enhanced with active maintenance and monitoring, to ensure future success at accommodating and treating urban runoff. Thus, the staff recommends that the Commission require additional water measures, such as the preparation of a grading plan, an erosion control plan, a stormwater pollution prevention plan, and a water quality monitoring plan (**Special Conditions 8 and 9**).

Public Access and Recreation

The proposed development will increase demands on public beach access in the project vicinity. Both the Coastal Act and the Half Moon Bay Local Coastal Program require access to be provided to and along the shoreline as a condition of the development of the project site. LUP Policy 9.3.6(g), for example, requires that as a part of any new development in the Wavecrest District, vertical accessways shall be constructed down the bluff to the beach. Section 30252(6) of the Coastal Act requires that new development maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal

recreational areas by correlating the amount of development with the provision of recreational facilities to serve the new development.

The applicants propose to construct and dedicate to the City a system of public access paths to provide vertical access from Highway 1 to and along the top of the bluff (but not down to the beach) at the northern boundary of the development. As part of the project, the applicants also propose to provide a vertical beach accessway at the end of Redondo Beach Road. Finally, the applicants propose construction of a north-south path that would serve as a link in the City's Coastside Trail.

Staff recommend **Special Condition 11**, which requires that the applicants provide a final Beach Access Plan for approval by the Commission, including alternative designs for the accessway, signage and parking at the end of Redondo Beach Road, evidence of agreement by public or private landowners that such access improvements may be constructed, and evaluation of any potential impacts to environmentally sensitive habitat areas. Staff also recommends that the Commission impose **Special Condition 12**, requiring submittal of a Public Parking Plan for the design and construction of a minimum of 225 public parking spaces on the project site and signage at the end of Wavecrest Road to meet public access and recreation requirements in this area. Staff further recommends that the Commission require a Public Access Signage Plan, including evidence of Caltrans encroachment permits, for public access signs within the Highway 1 right-of-way, and other locations. (**Special Condition 14**).

Visual Resources

The project site, which slopes downward slightly from Highway 1 to the bluffs, affords broad coastal views of significant tree stands, the sea, and the coastal horizon. Heading north on Highway 1, Pillar Point is visible across the project site. The bay after which the City of Half Moon Bay is named is visible from only a few locations, including this one, on Highway 1. Furthermore, this site is one of the few remaining undeveloped areas in the City located seaward of Highway 1. To protect views from Highway 1 to the ocean, the applicants propose to dedicate a view corridor at the intersection of Highway 1 and the Main Street extension.

The project site, which is essentially undeveloped, presents an opportunity to design approvable development in a manner that will preserve the open space character of the site and protect public views of the coast. Therefore, the staff recommends the preparation of a Scenic Corridor Plan (**Special Condition 15**) for review and approval of the Executive Director and a Landscaping Plan (**Special Condition 5**) designed to maintain the open views currently existing at the site.

Traffic

Only two regional highways connect Half Moon Bay to the larger Bay Area, and both highways already carry traffic at peak hours on weekdays and weekends in excess of their capacity. Although improvements to both highways are proposed by the City of Half Moon Bay, those improvements will be insufficient to assure satisfactory service levels in the future, given projected future growth.

The Local Coastal Programs of Half Moon Bay and San Mateo County predict substantial future residential growth in both jurisdictions, thus contributing to additional congestion on the highways. For instance, the Half Moon Bay LCP predicts that additional housing units in Half

Moon Bay will increase over the next twenty years by 100 percent or more (an increase of 4,495 or more units in comparison to the 3,496 units existing in 1992). According to regional predictions contained in the San Mateo County Countywide Transportation Plan Alternatives Report, even with maximum investment in the transportation system, traffic volumes on both highways are predicted to be far in excess of capacity, if residential and commercial development proceeds as projected.

Up to 2,529 vacant residential lots already exist within the City of Half Moon Bay. Creation of new residential lots through subdivisions such as this one would significantly contribute to the long-term worsening of traffic congestion and a consequent limitation on the ability of the general public to reach area beaches and the shoreline.

As proposed, the development would create 225 market-rate single-family residences, and retire approximately 206 existing legal lots in the Redondo View Subdivision, with a net increase of approximately19 lots. Consequently, the project as proposed would not adequately offset its contribution to regional traffic congestion and would result in significant adverse cumulative impacts to public access and recreation. Therefore, the staff recommends that the Commission require the applicants to either: (1) reduce the number of new lots for market-rate residential development to the number of existing legal lots, or (2) retire the development rights for an additional number of existing legal lots in the Mid-Coast Region equal to the number of new lots over the number of existing legal lots that are to be created for the construction of market rate single-family residences (**Special Condition 17**). Each mitigation lot must be an existing legal lot or combination of contiguous lots in common ownership and must be zoned to allow development of a detached single-family residence.

Housing

Of the 279 new housing units proposed by the applicants, 54 units are proposed as affordable housing. The LCP requires that at least 20 percent of the residential units developed within the Wavecrest PUD must be affordable to persons of low and moderate income. However, the 54 affordable units proposed represent only 19.35 percent of the 279 total, just shy of the 20 percent LCP requirement. As discussed above in the section on cumulative access impacts, the staff recommends that the applicant retire the development rights for an additional number of existing legal lots equal to the number of new lots over the number of existing legal lots that are to be created for the construction of market-rate single family residences. Lots for the construction of affordable housing are excepted from this requirement. Accordingly, staff recommends that the Commission impose **Special Condition 18**, requiring the applicants to submit for review and approval of the Executive Director, prior to issuance of the permit, evidence demonstrating the total number of dwelling units to be priced at levels which are affordable to Low and Moderate Income households as defined by Zoning Code Section 18.35.015. Such evidence will ensure that only lots for affordable housing are excepted from the requirement to retire development rights. To ensure that the subject housing units remain affordable for the life of the development and conform to all other applicable housing policies in the LCP, **Special Condition 18** requires the applicants to submit evidence that they have executed and recorded an Affordable Housing Agreement with the City consistent with the provisions of the City Zoning Code. In addition, in order to ensure that the affordable housing units remain affordable in perpetuity as a condition of the CDP and to provide future owners of the property notice of the affordable housing restrictions, the applicants must execute and record a deed restriction reflecting such restrictions.

Available Water Service Connections

The applicants have provided evidence of a commitment by the Coastside County Water District (CCWD) to reserve 79 5/8 water service connections for Wavecrest Village **(Exhibit 19).** The applicants have at their disposal additional water connections as a result of other land owned within CCWD's jurisdiction. Upon approval of the coastal development permit, the applicants will apply to CCWD to transfer these water connections to Wavecrest Village. The applicants have, in addition, entered into agreements with other landowners in Half Moon Bay to purchase water connections upon approval of the Wavecrest project by the Commission. Together the water connections from these sources are sufficient to supply the 225 market-rate residences, which are part of the project. With regard to the other components of the project, CCWD has more than adequate priority connections for the school, the Boys & Girls Club, the affordable housing units, and the other components of the project. Staff recommends that the Commission impose **Special Condition 21**, requiring that, prior to the construction of the approved development on any parcel, the applicants provide the Executive Director with evidence that water is available to serve the approved development on that parcel.

Building Permit Allocations

As part of the hearing of the Coastal Development Permit for this project, the Half Moon Bay City Council approved the applicants' allocation phasing plan under Measure A, the municipal growth control ordinance presently in effect, taking into consideration the public benefits that the development would bring to the City. The Development Agreement entered into between the City and Wavecrest Village, L.L.C., also provides for a phasing plan for building permit allocations on an annual basis.

In November 1999, the City's voters passed Measure D, a 1 percent annual growth limit, to replace Measure A. However, because the Commission has not certified an amendment to the LCP implementing Measure D, consistency of the proposed development with the provisions of Measure D is not within the scope of the Commission's review of the coastal development permit amendment.

2.0 STAFF RECOMMENDATION

The staff recommends that the Commission approve Coastal Development Permit Application A-1-HMB-99-0-51, subject to conditions, as follows:

MOTION:

I move that the Commission approve Coastal Development Permit No. A-1-HMB-99-051 subject to conditions pursuant to the staff recommendation.

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in

conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or (2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

2.1 Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

2.2 Special Conditions

Staff Note

All previous conditions of approval imposed on the project by the City of Half Moon Bay pursuant to an authority other than the California Coastal Act remain in effect. To the extent such City of Half Moon Bay conditions conflict with the Coastal Commission's conditions for Coastal Development Permit Number A-1-HMB-99-051, the applicants will be responsible for obtaining permit amendments to resolve any such conflicts.

1. Wetland Protection

A. No development, as defined in both the Coastal Act and the Half Moon Bay Land Use Plan, including subdivision, shall occur in or within 100 feet of any existing wetlands on or adjacent to the project site except for: (1) the subdivision of the underlying property approved pursuant to A-1-HMB-99-051 and (2) development necessary for wetland or habitat protection, if approved by the Commission as an amendment to this CDP.

   Such wetlands include, but are not limited to the following:

1. The wetlands located in the Western Project Area as delineated in the June 10, 1998, North Wavecrest Village Wetland Delineation Study (WRA 1998) and as indicated as vegetative communities 10 and 40 in the May 29, 2000 Wavecrest Village Vegetation Study (WRA 2000) as depicted on **Exhibit 30** and **Exhibit 31**, Figure 4.
2. The former agricultural pond in the Northern Residential Neighborhood indicated as vegetative community 23 in the May 29, 2000 Wavecrest Village Vegetation Study (WRA 2000) as depicted in **Exhibit 31**.

B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicants shall submit, for the review and approval of the Executive Director, a revised plan for the Northern Residential Neighborhood demonstrating compliance with the restrictions identified in A above.

C. The permittees or their successors shall be responsible for preserving a minimum of 1.2 acres of wetlands as defined by the City of Half Moon Bay LCP in the location of the existing wetlands within the former agricultural pond as described in A above for the life of the development authorized herein.

D. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicants shall submit, for the review and approval of the Executive Director, final engineered grading plans and drainage plans, including all water control structures, for the Northern Residential Neighborhood showing the proposed surface water drainage into and out of the existing wetlands located within the former agricultural pond as described in A above. The plans shall be accompanied with estimates of the average and peak stormwater runoff volumes draining into and out of the pond.

E. Water shall enter the pond by sheet flow and/or by unlined, vegetated swales only and shall not exceed the following water quality standards:

Constituents	Effluent Limits
Biochemical Oxygen Demand (BODs)	45 MG/L (7-day average)
SUSPENDED SOLIDS	45 MG/L (7-day average)
PH	6.5 – 8.5 (instantaneous limit)
Un-ionized Ammonia	0.025 MG/L (annual median)
Oil & Grease	20 MG/L (daily maximum)

The quality of the water entering the pond shall be monitored to meet the standards specified above in accordance with the protocols and schedule provided in the approved **Water Quality Monitoring Plan** pursuant to **Special Condition 9**. Any exceedance of the specified water quality standards shall be corrected pursuant to Subsections A and B of **Special Condition 9**.

F. Commencing with the first year following the completion of grading and site preparation for the Northern Residential Neighborhood and continuing for no less than five years thereafter, the wetlands within the former agricultural pond shall be monitored to ensure satisfaction of the requirements specified in Subsection B above. Monitoring results shall be reported to the Executive Director in writing annually. Monitoring shall be conducted by a qualified professional acceptable to the Executive Director and shall follow the monitoring and

reporting procedures specified in the approved **Final Wetlands Restoration Plan** identified in Special Condition 2 below. The permittees shall be responsible for the costs incurred by the City associated with conducting all monitoring surveys and the preparation of the required monitoring reports.

G. Within 60 day of the Executive Director's written determination that the requirements of Subsections C or E above are not met, the permittees or their successors shall submit a remediation plan proposing appropriate measures to correct the failure. Such measures may include but are not necessarily limited to drainage modifications to ensure the long-term maintenance of wetland hydrology sufficient to support the growth of plants that normally occur in water or wet ground and/or the formation of hydric soils within the 1.2-acre area of the former agricultural pond. Any remediation plan shall be the subject of an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required. The permittees or their successors shall be responsible for the full implementation of the remediation plan upon approval by either the Executive Director or the Commission, whichever is applicable.

H. The applicant shall undertake development in accordance with the approved final plans. No proposed changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

I. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, reflecting all of the above restrictions, including but not limited to the prohibition on development in or within 100 feet of the former agricultural pond as generally depicted in **Exhibit 32**. The deed restriction shall include legal descriptions of both the applicants' entire parcel(s) and the restricted areas. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

2. <u>Wetland Restoration</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a **Final Revised Wetland Restoration Plan** for the Central Project Area. The **Final Revised Wetland Restoration Plan** shall be based on the September 2001 Wavecrest Conceptual Wetland Restoration Plan, except that it shall include all of the following:

1. An aerial photo overlay of the wetland delineation and the restoration area plan.
2. Figure 2 (Conceptual Restoration Plan) and the Vegetation Map shall be revised to include all property owned by the applicants in the Central Project Area.
3. Final engineered grading plans for the wetland restoration area.
4. Estimates of the average and peak runoff volumes proposed to be discharged to the wetland restoration area.

5. Final engineering and maintenance plans for all drainage and water control structures for the wetland restoration area, including a stilling basin and/or other structural BMPs sufficient to assure that the water discharged to the wetland restoration area shall not exceed the following water quality standards:

Constituents	Effluent Limits
Biochemical Oxygen Demand (BODs)	45 MG/L (7-day average)
SUSPENDED SOLIDS	45 MG/L (7-day average)
PH	6.5 – 8.5 (instantaneous limit)
Un-ionized Ammonia	0.025 MG/L (annual median)
Oil & Grease	20 MG/L (daily maximum)

6. Provision that the quality of the water discharged to the wetland restoration area shall be monitored in accordance with the protocols and schedule specified in the approved **Water Quality Monitoring Plan** pursuant to **Special Condition 9** including but not limited to the requirement that any exceedance of the specified water quality standards shall be corrected pursuant to Subsections A and B of **Special Condition 9**.
7. Provision that, prior to grading the wetland restoration area, the entire project site shall be mowed to minimize invasion by weedy species from the surrounding areas.
8. The final planting program shall specify all species to be planted, sources of seeds and/or plants, timing of planting, plant locations and elevations on a base map of the restoration area. In addition to seeding, the planting plan shall provide for planting of nursery grown container stock. Provision that the upland buffer areas shall be planted with native grassland species only. Coyote brush shall not be planted in the upland buffer areas.
9. Specification of an existing, fully functioning, comparable reference wetland in the Mid Coast region, as shown in **Exhibit 36**, acceptable to the Executive Director.
10. The monitoring plan shall describe the statistical test to be used to compare the restoration site with the reference wetland including the desired magnitude of difference to be detected, the desired statistical power of the test, and the alpha level at which the test will be conducted. Using the desired statistical power and size of difference to be detected, and an estimate of the appropriate sampling variability, the necessary sample size shall be estimated for various alpha levels, including 0.05 and 0.10. The monitoring plan shall also specify an implementation and monitoring schedule consistent with the 5-year monitoring program proposed in the conceptual wetland restoration plan.
11. The **Final Revised Wetland Restoration Plan** shall also further specify the remediation measures proposed in the conceptual wetland restoration plan to be implemented in the event the success criteria are not met according to the implementation and monitoring schedule.
12. Monitoring shall be conducted by a qualified professional acceptable to the Executive Director. The applicant shall be responsible for the costs associated with conducting all monitoring surveys and the preparation of the required monitoring reports.

B. No development, as defined in Section 30106 of the Coastal Act and the Half Moon Bay certified LUP, shall occur within 100 feet of any existing, restored, or created wetland in

the project area south of Wavecrest Road, and specifically depicted in except for: (1) the restoration activities and subdivision of the underlying property approved pursuant to A-1-99-051; and (2) development allowed within wetland buffers pursuant to Zoning Code Section 18.38.080. if approved by the Commission as an amendment to this CDP

C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, as generally depicted in the September 2001 conceptual plan and specifically depicted in the Final Revised Wetland Restoration Plan, and within 100 feet of these wetlands, reflecting all of the above specified restrictions on development. The deed restriction shall include legal descriptions of both the applicants' entire parcel(s) and the restricted areas. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

3. **Raptor Protection**

No grading or construction activities shall occur within 650 feet of nesting raptors. Where grading or construction occurs between February 1 and August 1, a qualified biologist shall survey all trees within 650 feet of each work area for nesting raptors. The surveys shall be conducted within 30 days prior to the subject grading or construction activities and shall be submitted for the review and approval of the Executive Director. If active nests are found, no grading or construction work shall occur within 650 feet of the nests until a qualified biologist has determined that all young have fledged and the nest(s) has been abandoned.

4. **Tree Protection Plan**

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall provide, for the review and approval of the Executive Director, a **Tree Protection Plan** that shall:

1. Minimize the removal of existing trees on the project site.
2. Specifically identify the location, size and species of each tree proposed to be removed on the project site.
3. Each removed tree shall be replaced by a tree of a native or other appropriate species at a ratio of 1:1 within 200 feet of the original tree. If such a proximity is infeasible, the replacement tree shall be planted within the Wavecrest Village Project area as identified under this permit except that no trees shall be planted in the scenic view corridor pursuant to **Special Condition 15.**
4. The applicants shall plant trees of varying ages and sizes.
5. The applicants shall manage the replacement trees for the life of the development. Any replacement tree that dies during establishment shall be replaced.
6. The plan shall show the locations, size, and species of all new and replacement plantings.

B. The permittee shall undertake development in accordance with the approved final plans. No proposed changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. <u>Lighting</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a **Lighting Plan** for the Mixed-Use Area, Middle School, Boys and Girls Club, and Sportsfields. The plan shall be designed to minimize the effects of night time lighting to raptors and other wildlife in the area south of Wavecrest Road and shall include, but not necessarily be limited to the following measures:

1. All lighting shall be directed downward and away from Wavecrest Road.
2. Lighting shall be the minimum necessary to provide for the permitted uses.
3. The sportsfields and related facilities shall be lighted only when in use.

B. The applicant shall undertake development in accordance with the approved **Lighting Plan**. No proposed changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. <u>Landscaping Plan</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a **Final Landscaping Plan** for all open space and common areas on the entire project site. The landscaping plan shall be designed to maintain open views to the coast and the bluffs seaward of the developed areas, and shall maximize use of drought tolerant native species. Planting of invasive exotic species is prohibited throughout the development site.

B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction over the project site, in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction shall include legal descriptions of the applicants' entire parcel(s). The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

7. <u>Grading Plan</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a **Final Grading Plan** that is consistent with the Erosion Control Plan, WOPP, and Wetlands Protection Plan and which specifies:

1. The respective quantities of cut and fill and the final design grades and locations for all building foundations, streets, public accessways, the detention pond, and drainage pipes; and
2. The phasing of all grading during construction consistent with all terms and conditions of A-1-HMB-99-051.

B. Grading shall be conducted in strict conformity with the approved Grading Plan. No proposed changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

8. <u>Erosion Control</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall provide, for the review and approval of the Executive Director, an **Erosion Control Plan** to reduce erosion and, to the maximum extent practicable, retain sediment on-site during and after construction. The plan shall be designed to minimize the potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. The Erosion Control Plan shall incorporate the Best Management Practices (BMPs) and provide for monitoring and maintenance as specified below.

1. **Erosion & Sediment Source Control**

   a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. Land clearing activities should only commence after the minimization and capture elements are in place.

   b. Time the clearing and grading activities to avoid the rainy season (October 15 through April 30).

   c. Minimize the area of bare soil exposed at one time (phased grading).

   d. Clear only areas essential for construction.

   e. Within five days of clearing or inactivity in construction, stabilize bare soils through either nonvegetative BMPs, such as mulching or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.

   f. Construction entrances should be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.

   g. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.

h. Soil and/or other construction-related material stockpiled on site shall be placed a minimum of 200 feet from any wetlands or drainages. Stockpiled soils shall be covered with tarps at all times of the year.

i. Excess fill shall not be disposed of in the Coastal Zone unless authorized through either an amendment to this coastal development permit or a new coastal development permit.

2. **Runoff Control and Conveyance**

a. Intercept runoff above disturbed slopes and convey it to a permanent channel or stormdrains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.

b. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.

3. **Sediment-Capturing Devices**

a. Install stormdrain inlet protection that traps sediment before it enters the storm sewer system. This barrier could consist of filter fabric, straw bales, gravel, or sand bags.

b. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).

c. Construction of the detention pond and constructed wetlands, as further described in **Special Conditions 2 and 9,** shall be completed during the first phase of project grading. Sediments collected in the detention pond during project construction shall be removed prior to occupancy of the residential neighborhood.

d. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acre or less per 100 feet of fence. Silt fences should be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.

4. **Chemical Control**

a. Store, handle, apply, and dispose of pesticides, petroleum products, and other construction materials properly.

b. Establish fuel and vehicle maintenance staging areas located away from all drainage courses, and design these areas to control runoff.

c. Develop and implement spill prevention and control measures.

d. Provide sanitary facilities for construction workers.

e. Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents should not be discharged into sanitary or storm sewer systems. Washout from concrete trucks should be

disposed of at a location not subject to runoff and more than 50 feet away from a stormdrain, open ditch or surface water.

f. Provide adequate disposal facilities for solid waste, including excess asphalt, produced during construction.

g. Develop and implement nutrient management measures. Properly time applications, and work fertilizers and liming materials into the soil to depths of 4 to 6 inches. Reduce the amount of nutrients applied by conducting soil tests to determine site nutrient needs.

B. Erosion Control Monitoring and Maintenance.

1. Throughout the construction period, the applicants shall conduct regular inspections of the condition and operational status of all structural BMPs provided in satisfaction of the approved Erosion Control Plan. The applicant shall report the results of the inspections in writing to the Executive Director prior to the start of the rainy season (no later than October 15th), after the first storm of the rainy season, and monthly thereafter until April 30th for the duration of the project construction period. Major observations to be made during inspections and reported shall include: locations of discharges of sediment or other pollutants from the site; BMPs that are in need of maintenance; BMPs that are not performing, failing to operate, or inadequate; and locations where additional BMPs are needed.

2. Authorized representatives of the Coastal Commission and/or the City of Half Moon Bay shall be allowed property entry as needed to conduct on-site inspections throughout the construction period.

3. All BMP traps/separators and/or filters shall be cleaned at minimum prior to the onset of the storm season and no later than October 15th each year.

4. Sediment traps/basins shall be cleaned out at any time when 50% full (by volume).

5. Sediment shall be removed from silt fences at any time when it reaches 1/3 the fence height.

6. All pollutants contained in BMP devices shall be contained and disposed of in an appropriate manner.

7. Non-routine maintenance activities that are expensive but infrequent, such as detention basin dredging, shall be performed on as needed based on the results of the monitoring inspections described above.

C. The applicant shall be fully responsible for advising construction personnel of the requirements of the Erosion Control Plan.

D. The permittee shall undertake development in accordance with the approved final erosion control plans. No proposed changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

9. <u>Water Quality Protection</u>

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, a Water Quality Protection Plan (WQPP) for the entire project area. The WQPP shall demonstrate that the approved development shall maintain post-development peak runoff rate and average volume at levels that are similar to pre-development levels, and reduce the post-development loadings of Total Suspended Solids (TSS) so that the average annual TSS loadings are no greater than pre-development loadings. The WQPP shall ensure treatment of 100% of the stormwater runoff from the project site, up to and including the 1.2-inch, 24-hour rainfall event. The WQPP shall incorporate the Best Management Practices (BMPs) and provide for monitoring and maintenance as described below.

1. **Minimize Creation of Impervious Surfaces**

   a. Design residential streets for the minimum required pavement widths needed to comply with all zoning and applicable ordinances to support travel lanes, on-street parking, emergency, maintenance and service vehicle access, sidewalks, and vegetated open channels.

   b. Minimize the number of residential street cul-de-sacs and incorporate landscaped areas to reduce their impervious cover. The radius of cul-de-sacs should be the minimum required to accommodate emergency and vehicle turnarounds. Alternative turnarounds shall be employed where allowable.

   c. Avoid curb and gutter along driveways and streets where appropriate.

   d. Incorporate landscaping with vegetation or other permeable ground cover in setback areas between sidewalks and streets.

   e. Use alternative porous material/pavers (e.g., hybrid lots, parking groves, permeable overflow parking, crushed gravel, concrete latticework, mulch, cobbles) to the extent practicable for sidewalks, driveways, parking lots, or interior roadway surfaces.

   f. Reduce driveway lengths, and grade and construct driveways to direct runoff into adjacent landscaped areas.

   g. Direct rooftop runoff to permeable areas rather than driveways or impervious surfaces in order to facilitate infiltration and reduce the amount of stormwater leaving the site.

2. **Roads and Parking Lots**

   a. Install vegetative filter strips or catch basin inserts with other media filter devices, clarifiers, grassy swales and berms, or a combination thereof to remove or mitigating oil, grease, hydrocarbons, heavy metals and particulates from stormwater draining from all roads and parking lots.

   b. Roads and parking lots should be vacuum swept monthly at a minimum, to remove debris and contaminant residue.

3. **Landscaping**

a. Native or drought tolerant adapted vegetation should be selected, in order to minimize the need for fertilizer, pesticides/herbicides, and excessive irrigation.

b. Where irrigation is necessary, the system must be designed with efficient technology. At a minimum, all irrigation systems shall have flow sensors and master valves installed on the mainline pipe to ensure system shutdown in the case of pipe breakage. Irrigation master systems shall have an automatic irrigation controller to ensure efficient water distribution. Automatic irrigation controllers shall be easily adjustable so that site watering will be appropriate for daily site weather conditions. Automatic irrigation controllers shall have rain shutoff devices in order to prevent unnecessary operation on rainy days.

4. **Detention Pond**

a. The detention pond shall be sized to treat all of the runoff from the development site generated from up to and including the 1.2-inch, 24-hour rainfall event and designed to improve water quality through removal of fine sediments, phosphorous, and nitrogen consistent with the water quality standards specified in the approved Water Quality Monitoring Plan.

b. **PRIOR TO COMMENCEMENT OF CONSTRUCTION** of any residential unit authorized by A-1-HMB-99-051, the applicant shall construct the detention pond in accordance with the plan submitted for the review and approval of the Executive Director as part of the WQPP.

c. The detention pond shall be maintained regularly and in perpetuity, including sediment removal and mowing to maintain the water quality treatment and habitat functions.

d. The applicants shall provide a permanent funding source for the long-term maintenance of the detention basin.

B. Water Quality Maintenance and Monitoring

1. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director a **Water Quality Monitoring Plan (WQMP)**. The WQMP shall be designed to evaluate the effectiveness of the WQPP to protect the quality of surface and groundwater and shall provide the following:

a. The WQMP shall specify sampling locations appropriate to evaluate surface and groundwater quality throughout the project site, including, but not limited to the detention pond outlet, sports fields, Wetland Restoration Area required by **Special Condition 2**, and major storm drains.

b. The WQMP shall specify sampling protocols and permitted standards for all identified potential pollutants including, but not necessarily limited to: heavy metals, pesticides, herbicides, suspended solids, nutrients, oil, and grease.

2. The applicant shall conduct an annual inspection of the condition and operational status of all structural BMPs provided in satisfaction of the approved WQPP including the detention basin. The results of each annual inspection shall be reported

to the Executive Director in writing by no later than June 30th of each year for the following the commencement of construction. Major observations to be made during inspections and reported shall include: locations of discharges of sediment or other pollutants from the site; BMPs that are in need of maintenance; BMPs that are not performing, failing to operate, or inadequate; and locations where additional BMPs are needed. Authorized representatives of the Coastal Commission and/or the City of Half Moon Bay shall be allowed property entry as needed to conduct on-site inspections of the detention basin and other structural BMPs.

3. All BMP traps/separators and/or filters shall be cleaned prior to the onset of the storm season and no later than October 15th each year. All pollutants contained in BMP devices shall be contained and disposed of in an appropriate manner.
4. Non-routine maintenance activities that are expensive but infrequent, such as detention basin dredging, shall be performed on as needed based on the results of the monitoring inspections described above.
5. Beginning with the start of the first rainy season (October 15 - April 30) following commencement of development and continuing until three years following completion of all grading, landscaping and other earth disturbing work, surface water samples shall be collected from the detention pond outlet during the first significant storm event of the rainy season and each following month through April 30. Sampling shall continue thereafter in perpetuity on an annual basis during the first significant storm event of the rainy season.
6. Results of monitoring efforts shall be submitted to the Commission upon availability.
7. If an exceedance of any water quality standards specified in the WQMP occurs, the applicant shall conduct an assessment of the potential sources of the pollutant and the potential remedies. If it is determined based on this assessment that applicable water quality standards have not been met as a result of inadequate or failed BMPs, corrective actions or remedies shall be required.
8. If potential remedies or corrective action constitute development, as defined in Section 30106 of the Coastal Act, an amendment to this permit shall be required.

C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction over the project site, in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction shall include legal descriptions of the applicants' entire parcel(s). The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

10. <u>Vertical Access</u>

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the review and approval of the Executive Director, a complete application for an amendment to this coastal development permit for the design and construction of a public beach accessway at the end of Redondo Beach Road from the top

of the bluff to the beach. The application shall include but is not limited to the following components:

1. Alternative designs and locations for a stairway, ramp, or combination of stairs and ramps from the top of the coastal bluff at the end of Redondo Beach Road to the beach. One alternative considered shall be as generally depicted in **Exhibit 25**.
2. Public beach access signage at the intersection of Redondo Beach Road and Highway 1 and at the end of Redondo Beach Road to inform the public of the right to use pedestrian access to the shoreline near the end of Redondo Beach Road.
3. Evidence documenting that that the County, City, and/or any private landowners agree to the construction of the access improvements on publicly-owned and privately-owned land as needed to implement the access improvement plan.
4. Demonstration that the proposed location and design of the trail, stairway and/or ramp shall avoid significant adverse impacts to the wetlands and environmentally sensitive habitat areas consistent with the requirements of the Half Moon Bay LCP.
5. An assessment of the potential impacts of the development of the accessway to traffic circulation and safety at the intersection of Redondo Beach Road and Highway 1. If the potential for impacts are identified, the plan shall include appropriate mitigation measures such as the provision of turning lanes.
6. A detailed budget and schedule for the construction of the improvements described in the plan including the costs of obtaining easements or other property interests as needed.

B. PRIOR TO COMMENCEMENT OF CONSTRUCTION of any residential unit authorized by A-1-HMB-99-051, the permittees shall obtain Commission approval of an amendment to A-1-HMB-99-051 authorizing the construction of a public beach accessway at the end of Redondo Beach Road from the top of the bluff to the beach as described in the **Beach Access Plan**.

C. PRIOR TO COMMENCEMENT OF CONSTRUCTION of any residential unit authorized by A-1-HMB-99-051, Coastal Development Permit Amendment for the required by this condition, the permittees shall either:

1. Complete the construction of the trail and stairways/ramps from the existing parking area at the end of Redondo Beach Road to the beach in accordance with the approved plan; or
2. Provide to the City of Half Moon Bay, in accordance with a letter of agreement between the Executive Director, the City and the applicants, sufficient funds to complete the construction of the trail and stairways/ramps from the existing parking area at the end of Redondo Beach Road to the beach in accordance with the approved coastal development permit amendment required by this condition.

11. <u>Public Parking</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a **Public Parking Plan** for the design and construction of public parking lots at Wavecrest Road

near the sports fields and other areas within the project site as necessary to provide a minimum of 225 public parking spaces for the exclusive use by the public in perpetuity to serve the active recreation and open space areas within the Wavecrest Village project site. The Public Parking Plan shall include adequate signage to clearly indicate the areas available for public parking within the project site. No parking area shall be sited within 100 feet of any existing, restored or created wetlands on or adjacent to the project site.

B. **PRIOR TO COMMENCEMENT OF CONSTRUCTION** of any residential unit authorized by A-1-HMB-99-051, the permitees shall complete the construction of at least 225 public parking spaces and installation of associated signage in accordance with the approved Public Parking Plan.

C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall execute and record a deed restriction in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction shall include legal descriptions of both the applicants' entire parcel(s) and the identified public parking areas. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

12. <u>Coastside Trail and Evidence of Easement Dedication</u>

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, and as indicated in the revised project description generally attached or depicted in **Exhibit 22**, the applicants shall submit, for the review and approval of the Executive Director, written evidence that a public access easement for the Coastside Trail has been dedicated in perpetuity to the City of Half Moon Bay. The easement shall consist of a 15-foot-wide public access easement for the Coastside Trail, as shown in the Public Coastal Access Route and generally depicted in **Exhibit 22**, and as further described as follows:

1. The northerly Coastside Trail segment shall be aligned to meet the accessway bridge across the County drainage channel, at the northerly boundary of the Western Area.
2. The blufftop Coastside Trail segment shall maintain a 100-foot setback from the edge of the top of bluff. A connecting trail link to the public bluff top leading to a vista point near the southwesterly corner of the Western Area may be permitted to be located within the 100-foot bluff edge setback area.
3. The north-south Coastside Trail segment between the Western Area and Redondo Beach Road shall be located outside any delineated wetland, but may be located in the outermost 20 feet of the 100-foot-wide buffer of any delineated wetland.

B. The recorded document shall include legal descriptions of the applicants' entire parcel(s) and the easement area. The document shall be recorded free of prior liens and any other encumbrances which the Executive Director determines may affect the interest being conveyed. The recorded document shall also reflect that development in the easement area is restricted as set forth in this permit condition.

C. **PRIOR TO COMMENCEMENT OF CONSTRUCTION** of any residential unit authorized by A-1-HMB-99-051, the applicants shall complete construction of a 10-foot-wide, all-weather surface pathway within the Coastside Trail easement, open the trail to the public, and install public access signage as specified in **Special Condition 13** below.

13. <u>Public Access Signage</u>

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the review and approval of the Executive Director, a **Public Access Signage Plan** that includes written evidence of Caltrans approval of any encroachment permit(s) required for signs proposed to be located within the Highway 1 right-of-way. The signage plan shall be designed to direct the public to the Coastside Trail and the Redondo Beach Accessway with appropriately sized signs to be installed at the following locations:

1. In or adjacent to the Highway 1 right-of-way north and south at appropriate locations to indicate the public accessways at the Main Street extension (Smith Parkway), Wavecrest Road, and Redondo Beach Road;
2. In or adjacent to the intersection of the Main Street extension and Street C;
3. In or adjacent to the intersection of Wavecrest Road and Street C;
4. In or adjacent to the intersection of the Occidental Street right-of-way and Redondo Beach Road;
5. At the parking lot at the end of Wavecrest Road;
6. In or adjacent to the Coastside Trail bridge over the County drainage channel, north of Parcel I, at the southerly terminus of the Coastside Trail on Parcel I; and
7. At all Coastside Trailheads.

B. **PRIOR TO COMMENCEMENT OF CONTRUCTION** of any residential unit authorized by A-1-HMB-99-051, the applicants shall complete the installation of all public access signage indicated in the approved signage plan. The signs shall be maintained by the applicant for the life of the development authorized by A-1-HMB-99-051. No changes to the approved signage plan shall occur without a Commission amendment to this permit unless the executive director determines no amendment is legally required.

14. <u>Offer to Dedicate Scenic Corridor Easement</u>

A. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the review and approval of the Executive Director: (1) photo documentation of the existing views of the ocean from the intersection of Highway 1 and Main Street, consistent with the Scenic Corridor depicted in **Exhibit 33**; and (2) evidence that development to be constructed pursuant to A-1-HMB-99-051 will not interfere with or in any way block the existing views of the ocean from the Intersection of Highway 1 and Main Street, consistent with the Scenic Corridor depicted in **Exhibit 33**.

B. No development as defined in Section 30106 of the Coastal Act and the City of Half Moon Bay certified LCP, including landscaping, shall occur within the Scenic Corridor

identified in the May 2001 Wavecrest Village Illustrative Plan and the portion of the project site lying between the western edge of Highway 1 and the eastern extent of the Northern Residential Neighborhood (**Exhibit 33**), that will interfere with or in any way block the existing views of the ocean from the intersection of Highway 1 and Main Street that are documented pursuant to Subdivision A of this permit condition.

C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall execute and record , for the review and approval of the Executive Director, an irrevocable offer to dedicate a Scenic Corridor Easement in perpetuity over the Scenic Corridor and the portion of the project site lying between the western edge of Highway 1 and the eastern extent of the Northern Residential Neighborhood, as generally depicted in **Exhibit 33**. The recorded document shall include legal descriptions of the applicants' entire parcel(s) and the easement area. The recorded document shall also reflect that development in the easement area is restricted as set forth in Subdivision A of this permit condition. The offer shall be recorded free of prior liens and encumbrances which the executive director determines may affect the interest being conveyed. The offer shall run with the land in favor of the people of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

15. <u>Evidence of Open Space, Conservation, and Public Recreation Fee Title Dedications</u>

A. Open Space and Conservation Fee Title Dedications

1. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, and as indicated in the revised project description generally depicted in **Exhibit 4**, the applicants shall submit, for the review and approval of the Executive Director, written evidence of the dedication of fee title to the City of Half Moon Bay in perpetuity for open space and conservation purposes of: (1) all properties within the boundaries of the North Wavecrest Village Specific Plan site that are owned by the applicants and that are located south of Wavecrest Road (i.e., the Central and Pasture Areas); and (2) the partial bluff face and blufftop in the Western and Northeastern Areas, west of the residential subdivision in the Northeastern Area, as generally depicted in **Exhibit 34**.

2. No development, as defined in section 30106 of the Coastal Act and the City of Half Moon Bay certified LCP, shall occur in any of the fee title dedication areas identified in A.1 above except for:

   a. Development authorized pursuant to A-1-HMB-99-051, including construction and maintenance of the detention pond on the Western Area consistent with **Special Condition 9,** landscaping undertaken consistent with **Special Condition 6**, and construction of public access trails consistent with **Special Condition 12**.

   b. Vegetation removal for fire management in accordance with a written weed abatement order from the Half Moon Bay Fire District and any coastal development permit required by the City of Half Moon Bay.

3. The recorded document shall include legal descriptions of the applicants' entire parcel(s) and the fee title dedication areas. The document shall be recorded free of prior liens and any other encumbrances that the Executive Director determines may

affect the interest being conveyed. The recorded document shall also reflect that development in the fee title dedication areas is restricted as set forth in this permit condition.

B. Public Recreation Fee Title Dedication

1. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, and as indicated in the revised project description generally depicted in **Exhibit 4**, the applicants shall submit, for the review and approval of the Executive Director, written evidence of the dedication of fee title to the City of Half Moon Bay in perpetuity for public recreation purposes of the City Sportsfields parcel in the Western Ballfields Area as generally depicted in **Exhibit 35**.

2. No development, as defined in section 30106 of the Coastal Act and the City of Half Moon Bay certified LCP, shall occur in the fee title dedication area identified in B.1 above except for:

   a. Development authorized pursuant to A-1-HMB-99-051, including landscaping undertaken consistent with **Special Condition 6**, minor construction associated with the Sportsfields that is consistent with the final approved plans for A-1-HMB-99-051, and construction of public access trails consistent with **Special Condition 12**.

   b. Vegetation removal for fire management in accordance with a written weed abatement order from the Half Moon Bay Fire District and any coastal development permit required by the City of Half Moon Bay.

   c. Routine maintenance of the Sportsfields.

3. The recorded document shall include legal descriptions of the applicants' entire parcel(s) and the fee title dedication area. The document shall be recorded free of prior liens and any other encumbrances that the Executive Director determines may affect the interest being conveyed. The recorded document shall also reflect that development in the fee title dedication area is restricted as set forth in this permit condition.

16. <u>Cumulative Public Access Impact Mitigation</u>

A PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review of the Executive Director, Certificates of Compliance issued by the City of Half Moon Bay or San Mateo County demonstrating the number of legal lots the applicants own in fee in the entire project area.

B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, and consistent with the proposed revised project description, the applicants shall submit evidence, for the review and approval of the Executive Director, that the development rights have been permanently extinguished on all existing legal lots in the Central and Pasture Areas except for lots described as Assessor's Parcel Numbers 065-086-050, 065-086-170, 065-082-030, 065-084-010, and 065-110-010 as generally depicted on **Exhibit 23**.

C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit evidence, for the review and approval of the Executive Director, that the development rights have been permanently extinguished on the number of legal lots to be created for market-rate units in excess of the number of existing legal lots the applicants have demonstrated they own pursuant to Subsection A above such that the subdivision of property for market rate residences shall not result in a net increase of legal lots. If the applicants choose to reduce the number of new lots created for market rate residential development, the number of lots required to be extinguished may be reduced proportionately on a 1:1 basis such that the subdivision of property authorized herein shall not result in a net increase of legal lots for market rate residential development within that geographical area. The development rights shall be extinguished only on lots in the Mid-Coast Region of San Mateo County, an area that is generally depicted on **Exhibit 36** and that is primarily served by the segment of Highway 1 between its intersection with Devil's Slide and the southern city limits of the City of Half Moon Bay, and/or by the segment of Highway 92 west of Highway 280. Each mitigation lot shall be an existing legal lot or combination of contiguous lots in common ownership and shall be zoned to allow development of a detached single-family residence. The legality of each mitigation lot shall be demonstrated by the issuance of a Certificate of Compliance by the City or County consistent with the applicable standards of the certified LCP and other applicable law.

D. For each development right extinguished in satisfaction of Subsections B and C of this permit condition, the applicants shall, prior to issuance of the coastal development permit execute and record a document, in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an open space or scenic easement to preserve the open space and scenic values present on the property that is the source of the development right being extinguished and to prevent the significant adverse cumulative impact to public access to the coast that would result as a consequence of development of the property for residential use. Such easement shall include a legal description of the entire property that is the source of the development right being extinguished. The recorded document shall also reflect that development in the easement area is restricted as set forth in this permit condition. Each offer shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding all successors and assigns, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

E. For each development right extinguished in satisfaction of Subsections B and C of this permit condition, the applicants shall, prior to issuance of the coastal development permit, also execute and record a deed restriction, in a form and content acceptable to the Executive Director, requiring the applicants to combine the property that is the source of the development right being extinguished with an adjacent already developed lot or with an adjacent lot that could demonstrably be developed consistent with the applicable certified local coastal program. The deed restriction shall include legal descriptions of all combined and individual lots affected by the deed restriction. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior

liens and encumbrances that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

F. As an alternative to the method described in Subsections D and E above, the applicants may instead, prior to issuance of the coastal development permit, purchase legal lots that satisfy the criteria in Subsection B above and, subject to the review and approval of the Executive Director, dedicate such lots in fee to a public or private land management agency approved by the Executive Director for permanent public recreational or natural resource conservation purposes.

17. <u>Additional Traffic Mitigation</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, as indicated in the revised project description, the applicants shall submit, for the review and approval of the Executive Director, evidence documenting the total number of dwelling units to be priced at levels that are affordable to Low and Moderate Income households as defined by Zoning Code Section 18.35.015.

B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall execute and record an Affordable Housing Agreement with the City of Half Moon Bay in a form and content acceptable to the Executive Director, reflecting the following affordable housing requirements and restrictions.

1. The affordable units shall be priced at levels that are affordable to Very Low and Low Income households as defined in Zoning Code Section 18.35.015.
2. All affordable housing units constructed under this permit condition shall only be occupied by the qualified buyer or tenant, as defined by Zoning Code Sections 18.35.015.G and 18.35.015.H. Ownership units shall be owner-occupied. No sub-leasing or other transfer of tenancy of any ownership or rental unit is permitted.
3. The affordable housing units constructed under this permit condition may be resold at any time on the open market to a qualified buyer as defined pursuant to Zoning Code Section 18.35.015.G.

C. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall execute and record a deed restriction in a form and content acceptable to the Executive Director, reflecting the above restrictions on development of the property. The deed restriction shall include legal descriptions of both the applicants' entire parcel(s) and the areas subject to the restriction. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

18. <u>Caltrans Approval</u>

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall provide, for the review and approval of the Executive Director, written

evidence of Caltrans final approval of any encroachment permit(s) required for construction proposed within the Highway 1 right-of-way.

19. Revised Subdivision Map

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a revised subdivision tract map approved by the City of Half Moon Bay for the entire project site that includes but is not limited to all lot lines, streets, and public and private easements, and that conforms with and reflects all conditions of approval of A-1-HMB-99-051. Such revised tract map shall reflect that no physical structures may be constructed south of Wavecrest Road. Such revised vesting tentative tract map shall also reflect no more lots than the total of: (1) the number of legal lots the applicants have demonstrated they own pursuant to Subsection A of **Special Condition 16** above, plus (2) the number of legal lots over which the applicants demonstrate that development rights have been permanently extinguished pursuant to Subsections B through E of **Special Condition 16**, plus (3) the number of lots utilized for affordable housing consistent with **Special Condition 17.** The Tract Map shall be recorded consistent with the Tract Map approved by the Executive Director.

20. Scope of Permit Approval

This permit authorizes only the development specifically identified in the Commission's approval of A-1-HMB-99-051. All development not specifically identified in the Commission's approval, including but not limited to the subdivision of the mixed-use parcel, must obtain coastal development permits separate from this permit authorization.

21. Proof of Water Availability

PRIOR TO THE CONTRUCTION OF THE APPROVED DEVELOPMENT ON ANY PARCEL, the permittees shall submit, for the review and approval of the Executive Director, evidence that water is available to serve the approved development on that parcel.

22. Proof of Legal Interest in Project Area

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, evidence that the applicants possess sufficient legal interest to carry out development as authorized by Coastal Development Permit A-1-HMB-99-051, including but not limited to the legal ability to develop APN 65-011-020, as conditioned herein.

23. Final Plans, Local Approval Requirements

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, evidence that they have met the requirements for architectural review and site and design approval set forth in Zoning Code chapter 18.21 of the Half Moon Bay Municipal Code. Such evidence shall include proof of local review and approval, together with copies of all final, detailed plans for the entire project area. The final plans shall include, at minimum, (1) architectural plans, including typical plans, sections, elevations, materials and colors for all structures, (2) site plans, showing building locations and parking areas and spacing and (3) engineering plans for all streets, gutters, sidewalks and pedestrian walkways, street lighting, and other

infrastructure. All final plans shall be consistent with the conceptual plans submitted to the Commission on April 6 and May 23, 2001, as revised on June 12, 2001 and October 9, 2001, and as modified pursuant to the foregoing conditions.

24. Archaeological Resources

A. PRIOR TO THE ISSUANCE OF THE DEVELOPMENT PERMIT, the applicants shall provide, for the review and approval of the Executive Director, a copy of a permit or a letter of permission from the State Historic Preservation Officer allowing demolition of the two, poured concrete structures and associated poured concrete support structures located immediately north of Wavecrest Road on the proposed Middle School site, as depicted in **Exhibit 37,** or in the alternative, evidence that no permit or permission is required for demolition of the structures.

B. If the State Historic Preservation Officer determines that the structures are historically significant or is unable to give any required authorization for demolition of the structures, then the applicants shall either protect the structures in place or submit a mitigation plan for the relocation or removal of the structures for Commission review and approval.

3.0 PROJECT SETTING AND DESCRIPTION

3.1 Standard of Review[2]

The Wavecrest Village Project is located within the City of Half Moon Bay in the California Coastal Zone. Section 30604(b) states that after certification of a local coastal program, a coastal development permit shall be issued if the issuing agency or the Commission on appeal finds that the proposed development is in conformity with the certified local coastal program. The standard of review for this project is therefore the certified Local Coastal Program (LCP) of the City. Pursuant to Section 30604(c) of the Coastal Act, the public access and recreation policies of the Coastal Act (Sections 30210 through 30224) are also the standard of review because the project is located between the first public road and the ocean.

Pursuant to Policy 1-1 of the City's certified Land Use Plan (LUP), the City has adopted the coastal planning and management policies of the Coastal Act (Sections 30210 through 30264) as the guiding policies of the LUP. Policy 1-4 of the City's LUP states that prior to issuance of any development permit, the [Commission] shall make the finding that the development meets the standards set forth in all applicable LUP policies. Thus, the LUP incorporates the Chapter 3 policies of the Coastal Act. These policies are therefore included in the standard of review for the proposed project.

The project site is located within the Planned Development District (PDD) designated in the City's LUP as the Wavecrest PDD. Section 9.3.6 of the LUP specifically addresses the development of the Wavecrest PDD, and includes Proposed Development Conditions for the development. Section 18.37.020.C of the City's Zoning Code states in relevant part:

[2] The full text of the LCP and Coastal Act referenced herein are attached as Appendix B of this report.

> *New development within Planned Development Areas shall be subject to development conditions as stated in the Local Coastal Program Land Use Plan for each Planned Development...*

Therefore, Proposed Development Conditions (a) through (r) contained in LUP Section 9.3.6 are included in the standard of review for this proposed project and are hereinafter referred to as LUP Policies 9.3.6(a) through 9.3.6(r).

Finally, the proposed Wavecrest Village Planned Unit Development/Specific Plan identifies standards which are not included within the certified LCP. Because the Specific Plan includes development standards which are different from those contained in the certified LCP, the Specific Plan can be considered an amendment to the certified LCP. Pursuant to Section 30514 of the Coastal Act, LCP amendments shall not take effect until certified by the Commission. Because the Specific Plan has not been certified by the Coastal Commission as an amendment to the LCP, it is not the standard of review for this coastal development permit application. Instead, as mandated by Sections 30604(b) and (c) of the Coastal Act, the proposed development will be assessed for its consistency with the certified LCP and the access and recreation policies of the Coastal Act.

3.2 Background

Appeal

On July 6, 1999, the City of Half Moon Bay approved a Specific Plan Development Agreement and associated coastal development permits (CDPs) for development of the 207.5 acre North Wavecrest Village area. The City's specific actions are listed in *Wavecrest Village Specific Plan, 1996*, below.

Pursuant to Coastal Act Section 30603, an action taken by the City on a CDP application is appealable to the Coastal Commission for developments between the sea and the first public road paralleling the sea, and for developments located within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff. Leonard Beuth, et al., Helen J. Carey, Wayward Lot Investment Co. and San Mateo Land Exchange, and Commissioners Sara Wan and Shirley Dettloff appealed the City's approvals to the Commission within the Commission's appeal period. The appellants alleged that the project raised issues with the certified Local Coastal Program and the public access policies of the Coastal Act. Specifically, the appellants' contentions concerned the project's inconsistencies with LCP policies regarding protection of sensitive habitats, provision of public access, protection of visual resources, new development and the availability of public services, as well as inconsistencies with several Coastal Act policies cited in the City's LCP.

The Commission heard the appeals on November 5, 1999. (The October 20, 1999 Substantial Issue staff report is contained in the administrative record.) At that time, the Commission found that the appeals raised a substantial issue regarding the conformance with the policies of the certified Local Coastal Program and the public access policies of the Coastal Act. As a result of the appeal and finding of substantial issue, the City's approvals of the CDPs have been stayed and are not effective. The Commission must now consider the entire application *de novo* (PRC §§ 30603, 30621, and 30625, 14 CCR § 13115).

On June 14, 2001, the Commission began the *de novo* hearing and heard testimony from applicants and members of the public. The Commission voted to continue the hearing, directing staff to further analyze impacts to wetlands, raptor habitat and other coastal resources. The Commissioners asked applicants to provide additional information needed to allow staff to conduct its further analysis

3.3 Project Location

The Wavecrest Village Project is located entirely within the City of Half Moon Bay, approximately one mile south of downtown, at the intersection of Highway 1 and Main Street (**Exhibit 3**). The 207.5-acre site is bounded by Highway 1 to the east, the Seymour Street right-of-way to the north, the Pacific Ocean to the west, and Marinero Avenue to the south. Automobile access to the site is currently from Highway 1 via Wavecrest Road.

Several parcels within the project site (five in the Central Area and one parcel along Highway 1 in the mixed use area) are presently not owned by the applicants. As discussed further below, the revised project proposal includes development of parking and office space within the parcel adjacent to Highway 1, notwithstanding the fact that the parcel is held under separate ownership. Consistent with Section 30601 of the Coastal Act, **Special Condition 22** requires that, prior to the issuance of the permit, the applicants shall show evidence of their legal ability to develop all of the property over which they propose development, consistent with all of the conditions of this permit.

The surrounding land uses include passive open space, open space reserve, planned development, exclusive floriculture, visitor-serving commercial, and single-family residential areas. Passive open space exists to the north of the project site along the bluff. The West of Railroad Avenue PDD and Arleta Park, a residential neighborhood, are located to the north. A church is located on the adjacent mostly vacant parcel at the intersection of Highway 1 and the Seymour Street right-of-way.

To the east of Highway 1 and east of the project site are commercial general development, planned development, and open space reserve. An automobile dealership is located at the intersection of Main Street and the Seymour Street right-of-way. Commercial greenhouses exist adjacent to the project area's southeastern boundary, between Wavecrest Road and Redondo Beach Road. A church, daycare center, horse riding stable, and restaurant are also located in this area.

Ocean Colony, a private residential community, is located to the south of the Wavecrest Village Plan area.

The project area's western boundary abuts the Pacific Ocean. Approximately one-third of the blufftop is in the project area. The blufftop area south of the project area consists mostly of undeveloped gently sloping coastal bluff terrace. A model airplane runway and informal trails exist in this area.

Wavecrest Planned Development District (PDD)

The 207.5-acre Wavecrest Village Project is located within the 620-acre area designated in the LCP as the Wavecrest Restoration Project Planned Development District (PDD). The Wavecrest PDD consists of two project areas: the North Wavecrest Area (about 480 acres north of the

Ocean Colony development) and the South Wavecrest Area (approximately 140 acres south of the Ocean Colony development). The Wavecrest Village Project is in the North Wavecrest Area, occupying the northern and central portion of the PDD.

The LUP designates seventeen areas of the City as PDDs. As defined in the LUP, a "Planned Development District" refers to:

> *... generally large, undeveloped parcels and areas suitable for residential use, with possible inclusion of neighborhood recreation facilities, commercial recreation, and office/industrial. The purpose of this designation is to prevent piecemeal development and to replan old subdivisions by requiring that the entire area or parcel be planned as a unit and be developed in accordance with such a plan. Use of flexible and innovative design concepts is encouraged. Refer to Section 9.3.2 for detailed requirements and permitted uses.*

Zoning Code Section 18.15.015 supports the Planned Development District designation by zoning these areas as Planned Unit Development Districts (PDD) in the City's Implementation Plan and Zoning Map.

Section 9.3.2 explains the intent of the Planned Development District designation:

> *The purpose of the Planned Development designation is to ensure well-planned development of large, undeveloped areas planned for residential use in accordance with concentration of development policies. It is the intent of this designation to allow for flexibility and innovative design of residential development, to preserve important resource values of particular sites, to ensure achievement of coastal access objectives, to eliminate poorly platted and unimproved subdivisions whose development would adversely affect coastal resources, and to encourage provision for low and moderate income housing needs when feasible. It is also the intent of the Planned Development designation to require clustering of structures to provide open space and recreation, both for residents and the public. In some cases, commercial development such as convenience stores or visitor-serving facilities may be incorporated into the design of a Planned Development in order to reduce local traffic on coastal access roads or to meet visitor needs.*

Section 9.3.6 of the LUP discusses the goals of planned development specific to the Wavecrest PDD (referred to as the Wavecrest Restoration Project) and the opportunities and constraints of the North and South Wavecrest Project Areas, and imposes 18 development conditions on the PDD. These conditions were adopted as LUP policies solely pertaining to development in the Wavecrest PDD.

The PDD designation is intended to achieve five goals: the consolidation and replatting of about 1,400 substandard lots in paper subdivisions; provision of public access to the coast; restoration and protection of riparian corridors and blufftops; establishment of a stable Urban/Rural Boundary to preserve the potential for agricultural use of vacant and idle land south of the City; and generation of funds to protect lands with agricultural potential located outside of the project area.

Projects in the Wavecrest Planned Development District

Wavecrest Restoration Project, 1981

The Wavecrest Restoration Project is one of seventeen areas designated for Planned Development in the City's LUP. The California Coastal Conservancy sponsored this project, which was approved by the Conservancy, the Coastal Commission, and the City in 1981, prior to the certification of the LUP in 1985 (Brady LSA January 1999 p.35; City of Half Moon Bay 1993). The project is intended to restore a large portion of small-lot subdivisions and deteriorated natural conditions to meet Coastal Act and Coastal Conservancy objectives, and to generate revenue to acquire prime agricultural land in the City, which would otherwise be developed (Sanger 1981). Although there are references to the Conservancy Plan or to the Wavecrest Restoration Project throughout the LUP, the project as planned never materialized. The Project Plan, however, was adopted as part of the LCP.

South Wavecrest Redevelopment Area, 1994

The South Wavecrest Redevelopment Project proposed the division of the South Project Area into two lots for the construction of an 18-hole golf course on approximately 122 acres. The construction included tree removal, grading, and onsite mitigation and restoration for riparian and wetland disturbance. The project also included the extension of Miramontes Point Road, construction of a golf cart/pedestrian bridge, offers to dedicate vertical and lateral public access easements, and the reservation of a parking lot for public use by recording a deed restriction. The construction of public access improvements included a 15-car public parking lot off Miramontes Point Road, two portable toilets permanently located near the parking lot, vertical trails between the parking lot and the bluff, a lateral blufftop trail, three scenic overlooks, and a connecting stairway to the beach. The Coastal Commission approved the CDP with conditions in December, 1994.

North Wavecrest Redevelopment Plan, July 1995

In 1994, the Community Development Agency of the City of Half Moon Bay prepared a Redevelopment Plan for the Half Moon Bay North Wavecrest Redevelopment Project. The Redevelopment Plan addressed the 480-acre north project area, and proposed the development of up to 750 housing units; an 18-hole golf course and driving range; a 10-acre RV park; a 35-acre community park; an 8 to12-acre school site; and various visitor-serving commercial uses.

The Redevelopment Plan was adopted by the City Redevelopment Agency and the City Council in July 1995, subject to voter referendum. The voters rejected the Redevelopment Plan in November 1995.

In March 1994, the Redevelopment Agency had entered into an agreement (the First Amended and Restated Agreement for Advance Funds) with the North Wavecrest major property owners. The funding agreement included an agreement that if a Redevelopment Plan was not adopted by December 31, 1995, the Agency would work with the owners to replan their property to permit its development, consistent with the LCP. The Agency would further allow the owners to use data, reports, and studies undertaken in connection with the Redevelopment Plan to process development approvals on the property. The City joined in the agreement via a Cooperation Agreement. The Redevelopment Plan was not adopted.

Wavecrest Village Specific Plan, 1996

In June, 1996, Concar Enterprises, Inc. and North Wavecrest Partners, L.P. submitted an application to the City of Half Moon Bay for a Specific Plan Planned Unit Development Coastal Development Permit (CDP-11-96). The 1996 Specific Plan proposed the following on 178.3 acres: 345 medium-density residential units; visitor-serving commercial uses including retail, cabins or campsites, a recreational vehicle park, and landscaped areas. The Planning Commission took no action on this Plan, but gave the applicants and City staff further direction to continue working on issues of concern. A Wavecrest Subcommittee was formed to work with the applicants, and based on its recommendations, the City requested that the proposed Specific Plan be revised to better reflect the City's objectives for the property (City of Half Moon Bay Planning Department April 1999). In response, the applicants prepared a revised Specific Plan. The July, 2000 version of the Wavecrest Village Specific Plan is a revision of the 1996 Specific Plan. The July 2000 Specific Plan includes development standards which are different than those contained in the certified LCP. This Specific Plan has not been certified by the Commission as an amendment to the City of Half Moon Bay's certified LCP and is not the standard of review for this Commission action.

A Draft EIR for the Wavecrest Village Specific Plan circulated for public review in February and March of 1999. The Final EIR with responses to comments was released in June 1999. The City Council re-certified the Final EIR on July 6, 1999.

On July 1, 1999, the Planning Commission approved the following nine CDPs, subject to the City Council's approval of the Planned Unit Development and CDP for the Wavecrest Village Specific Plan:

1. certification of a Final Environmental Impact Report and approval of a Planned Unit Development and CDP for the Wavecrest Village Specific Plan;
2. approval of a CDP and Use Permit for the North Residential Neighborhood;
3. CDP and Use Permit for the South Residential Neighborhood (Market Rate Units);
4. CDP and Use Permit for the South Residential Neighborhood (Below-Market Rate Units);
5. CDP and Use Permit for Community Open Space;
6. CDP, Use Permit, and Site Design Permit for Middle School;
7. CDP, Use Permit, and Site Design Permit for Boys and Girls Club:
8. CDP and Use Permit for Community Park and Ball Fields; Phase 1-A, 1-B, and 1-C Vesting Tentative Maps and Coastal Development Permit; and
9. Development Agreement and Development Phasing Plan for the entire Wavecrest Village Specific Plan area.

On July 6, 1999, the City Council approved the CDPs listed above and signed Resolution C-56-99, the Wavecrest Village Specific Plan Planned Unit Development Permit and Coastal Development Permit, in which the City Council ratified and adopted the findings and decisions of the Planning Commission as set forth in Resolutions P-(22-28)-99. Four parties appealed to the Coastal Commission the City's approvals of the CDPs related to this project.

3.4 Project Description

Exhibit 4 is a site plan showing the proposed project as revised by the applicants since the June 14, 2001 *de novo* hearing. For ease of identification, **Exhibit 5** labels the geographic areas of the proposed project. The revised proposed project is described as follows:

- Creation of approximately 235 parcels from the approximately 217 existing parcels in the applicants' legal interest;[3]
- Retirement of development rights on approximately 206 lots in an antiquated subdivision located in the Central Area;
- Construction and/or widening of public streets: the Smith Parkway/Main Street extension, Street C, and Wavecrest Road;
- Construction of private streets in the northern residential area as indicated on **Exhibit 4**;
- Construction of 54 affordable housing units on two parcels in the mixed-use area on a total of about 3 acres, with 18 of the 54 units in apartments above retail and office space;
- Construction of 190 market-rate single family homes on 190 residential lots of approximately 6600 square feet and 3,200 square feet in the northern project area on 31 acres;
- Construction of 35 market-rate single family homes on 35 residential lots in the mixed-use area on about 4 acres;
- Construction of Middle School with sports fields and 101 parking spaces on 25.3 acres;
- Reconfiguration and construction of 9.8-acre community ballfields;
- Construction of 26,850-square-foot Boys and Girls Club and 225 parking spaces adjacent to the ballfields north of Wavecrest Road;
- Dedication in fee to the City of a public access easement for the Coastside Trail;
- Dedication in fee to the City for open space, conservation and public recreation purposes of the areas south of Wavecrest Road (the Central and Pasture areas) and the blufftop in the Western Area (west of the residential subdivision in the Northeastern Area);
- Dedication of a scenic view corridor easement over the area between the residential subdivision in the Northeastern Area and the mixed use area and Middle School and ballfields site;
- Construction of 7.7-acre detention pond;
- Fill of 1.1 acres of wetland area in the agricultural drainage ditch running across the site and diversion of runoff to Central Area wetlands;
- Restoration of 2.3 acres of wetland habitat in the Central Area;

[3] The applicants' agent states that the merging of lots in the Redondo View antiquated subdivision would not affect the City's transportation access easement to the privately-owned parcels in the subdivision that are not considered part the project.

- Installation of traffic improvements, including a four-way traffic signal at the intersection of Highway 1 and Smith Parkway/Main Street extension and turn lanes on Highway 1 and project area streets;
- Lateral extension of the Coastside Trail and other trails;
- Construction of vertical beach access at the end of Redondo Beach Road;
- Installation of utilities (storm drain, sanitary sewer, and water);
- Demolition of two, reinforced concrete storage sheds on the proposed Middle School site north of Wavecrest Road;
- Removal of two stands of trees north of Wavecrest Road on the site of the proposed Middle School and mixed use site; and
- Associated landscaping.

See **Exhibits 6** through **9** for the relevant project descriptions as submitted by the applicants.

As noted in the Executive Summary, above, the following are the key changes in the proposed project since the June 14, 2001 hearing:

- The Boys and Girls Club has been moved north of Wavecrest Road;
- No development is proposed in the Central Area between Redondo Beach Road and Wavecrest Road;
- Development in the Northern Area avoids the former agricultural pond, which will be restored as a viable wetland;
- The number of affordable housing units has been increased to 54, and all affordable housing units will be located in the mixed use area in Wavecrest Village;
- The applicants propose a deed restriction limiting the affordable housing units to low income residents in perpetuity;
- The amount of office space proposed has increased by 30,000 sq.ft. to 150,000 sq.ft. and the amount of retail space has decreased by 25,000 sq.ft. to a total of 15,000 sq.ft.;
- The number of parking spaces in the mixed use area has increased from 580 to 692;
- The applicants will construct public access improvements at the end of Redondo Beach Road, including vertical accessway to the beach;

The applicants have also provided a conceptual wetland restoration plan detailing their proposal to handle runoff and restore wetlands in the Central Area of the project site.

3.5 Components Not Considered Under This CDP and Standard of Review

All development not specifically identified in the Commission's approval findings for this coastal development permit application must obtain coastal development permit(s) separate from this permit authorization.

Five parcels in the Redondo View antiquated subdivision south of Wavecrest Road are under private ownership and are not included in the proposed project.

4.0 FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

4.1 Wetland Fill for Restoration Purposes

4.1.1 Issue Summary

The applicants propose to fill for restoration purposes 1.1 acres of the agricultural drainage ditch that crosses the property, which constitute wetlands (**Exhibits 10 and 11**).

Coastal Act/LUP Policy 30233(a) prohibits filling of wetlands except for specific express purposes. Coastal Act/LUP Policy 30233(a)(7) provides that one of the purposes for which wetlands may be filled is "restoration purposes." Thus, the Commission may permit the proposed wetland fill if it is necessary for restoration purposes.

Although restoration as used in Section 30233(a)(7) is not specifically defined in the Coastal Act or the Commission's regulations, past Commission actions provide the Commission with guidance in applying this term. In addition, the California Wetlands Conservation Policy (Executive Order W-59-93) requires that all agencies of the State conduct their activities to ensure no overall net loss and a long-term gain in the quantity, quality, and permanence of wetland acreage and values. Based on these sources, the Commission finds that wetland fill for restoration purposes as used in Coastal Act Section 30233(a)(7) should substantially increase wetland acreage and values.

In addition, the Commission has previously found that wetland fill may not be permitted as restoration under Section 30233(a)(7) unless it is physically necessary to fill wetlands to achieve these wetland restoration goals (see for example CDP1-95-40, City of Pacifica.). Any other interpretation would circumvent the resource protection requirements of this policy by allowing fill for otherwise unpermitted uses, such as residential development, as long as the project includes a proposal to reconstruct wetlands in another location. Such an interpretation would be particularly damaging to wetland resources because wetland restoration projects are notoriously unsuccessful. The National Academy of Sciences report Restoration of Aquatic Resources states, for example,

> *Mitigation efforts cannot yet claim to have duplicated lost wetland functional values. It has not been shown that restored wetlands maintain regional biodiversity and recreate functional ecosystems (Zedler and Weller, 1989). There is some evidence that created wetlands can look like natural ones; there are few data to show that they behave like natural ones.*

Thus, fill and relocation of functional wetlands simply to accommodate otherwise impermissible development would be inconsistent with the goal of substantially increasing wetland acreage and values. Rather, the fill must be necessary to accomplish the wetland restoration goals and objectives of the project.

Therefore, to allow fill for restoration purposes in accordance with Coastal Act/LUP Policy 30233(a)(7), the Commission must find that: (1) the proposed fill must be physically necessary to accomplish the wetland restoration goals and objectives of the project, and (2) the restoration project will substantially increase wetland acreage and values.

4.1.2 LCP Standards

Pursuant to LUP Policy 1-1, the City adopted Coastal Act Policies 30210 through 30264 as guiding policies of the Land Use Plan. Thus, these specific policies are considered as LUP policies and are referenced as LUP/Coastal Act policies. LUP/Coastal Act Policy 30231 requires that the biological productivity and quality of coastal waters, streams, wetlands, estuaries, and lakes must be maintained in order to maintain optimum populations of marine organisms and to protect human health.

LUP/Coastal Act Policy 30233 limits the diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes to specific purposes where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects.

LUP Policy 3-11 and Zoning Code Section 18.38.080(D) prohibit development within 100 feet of wetlands.

Appendix A of the LUP defines wetland as an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground.

Zoning Code Section 18.02.040 defines wetland to be that definition of wetland as used and as may be periodically amended by the California Department of Fish and Game, the California Coastal Commission and the U.S. Fish and Wildlife Service.

Zoning Code Section 18.8.010(J) states that the purpose and intent of the LCP's Coastal Resource Conservation Standards are to balance Coastal Act requirements for protection of fragile resources with requirements for the provision of shoreline access, acknowledging that the highest priority is given to environmentally sensitive habitat protection.

Zoning Code Section 18.38.020 defines coastal resource areas to include wetland. As defined in Appendix A of the LUP and by the U.S. Fish and Wildlife Service, a wetland is an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground.

4.1.3 Discussion

Drainage Ditch

The applicants propose to fill 1.1 acres of the agricultural drainage ditch that crosses the property in order to redirect storm water runoff and irrigation runoff from irrigated fields inland of Highway 1 to non-delineated wetlands in the southern project area (**Exhibits 11 and 12**). Currently, the runoff to be redirected enters the site through a culvert beneath the highway, crosses the project site through an approximately 4,600-foot-long unlined drainage ditch and is discharged over the bluff through an eroded gully at the northwest corner of the Wavecrest Restoration Area (**Exhibit 12**).

The applicants propose to redirect the runoff to the Central Area south of Wavecrest Road, which contains delineated wetlands. These wetlands are located in a low-lying area that drains to the beach through a deep arroyo. These physical features indicate that the wetland conditions present in this area are due, in part at least, to the site's natural drainage patterns. In addition,

irrigation drainage from two commercial nurseries immediately to the east of the site provides a significant volume of water to this area. This artificial water source supports the continuance of wetland habitat in the southern project area.

The drainage ditch course is vegetated predominantly with plants that typically grow in water or wet ground (hydrophytes) and is wet throughout most or all of the year. The presence of wetland plants in the drainage, in conjunction with the hydrology to support the growth of these plants, qualify the drainage ditch as wetlands under the Half Moon Bay LCP. The proposed redirection of the drainage would comprise approximately 1.1 acres of wetland fill. As noted, the applicants propose to redirect the runoff from the drainage to restore wetlands in the Central project area. As discussed above, the Commission must evaluate whether the proposed fill to redirect the drainage: (1) is physically necessary to accomplish the wetland restoration goals and objectives of the project, and (2) would substantially increase wetland acreage and values.

Fill is Physically Necessary for Wetland Restoration

By redirecting runoff to the Central wetland area, the proposed development will provide a permanent water source to support the continued existence of the central area wetlands independent of water that has been intermittently supplied from nurseries located on a neighboring property. Without a permanent water source, the wetlands in the Central project area would be dependent on rainfall and any discharge of irrigation water from the nurseries. The nurseries that supply water to this wetland area are not located on the applicants' property and are neither owned nor operated by the applicants. Thus, the applicants currently lack the ability to control the discharge of irrigation water from the nurseries to the wetland habitat in the Central project area. Without the permanent water source that can be provided by rerouting the drainage ditch, any significant decrease in the nursery discharge to the wetlands could threaten the continued existence of the wetland acreage and values in this area. Because providing the proposed permanent water source to the wetlands requires the drainage to be rerouted to the area south of Wavecrest Road, the resulting 1.1 acres of wetland fill is physically necessary to accomplish the wetland restoration goals and objectives of the project. Therefore, the Commission finds that the proposed fill of the drainage ditch to redirect runoff to the Central wetland area and provide such wetlands with a permanent water source is fill physically necessary for restoration purposes.

Wetland Restoration Plan Provides a Gain in Wetland Acreage and Values

The proposed wetland fill would assure the continuance of the existing wetlands in the Central Area by providing a permanent water source that is within the applicants' control. As such, the proposal would ensure the permanence of wetland acreage and values, consistent with one of the goals of the California Wetlands Conservation Policy.

As stated above, in addition to ensuring that the proposed fill is physically necessary to achieve the restoration goals and objectives, the Commission must ensure that restoration goals and objectives are actually achieved. With regard to this latter requirement, the Commission must ensure that the diverted drainage will substantially increase wetland acreage and values.

The applicants have provided a conceptual wetland restoration plan for wetlands in the Central Area, which outlines a proposal to redirect water from the drainage ditch to the wetland area and undertake a comprehensive restoration of the wetland. The stated goal of the restoration plan is

to create a self-sustaining seasonally flooded wetland system dominated by emergent herbaceous wetland plant species and to achieve a long-term gain in the quantity, quality and permanence of wetland acreage and values. Specifically, the plan aims to restore approximately 2.3 acres of seasonal wetlands.

The restoration plan evaluates existing wetland areas in the eastern portion of the Central Area and maps and discusses vegetation presently found on the site. According to the restoration plan, wetlands presently existing in the Central Area consist of two types: (1) a natural wetland depression over an impervious clay layer and (2) man-made wetlands caused by water from nursery-supplied irrigation, which support emergent wetland species. The study notes that sheet flow from areas east of Highway 1, which is now diverted to the drainage ditch, may historically have contributed to wetland hydrology in this area. The study also notes that, due to recently instituted water conservation measures by nursery operators which have reduced discharge, portions of the Central area which were previously dominated by obligate and facultative wet species are now dominated by facultative species.

The restoration plan proposes to provide a natural seasonal water source by redirecting runoff from the drainage ditch into drainage pipes which will carry water by gravity flow to the Central area and discharge it near the surface.[4] The conveyance system will be designed to accommodate normal storm flows to the wetlands. The system will be designed to incorporate a stilling basin which will capture sediment and divert excess flows during large storm events to the project's storm drains. Water flowing to the wetland will be discharged to an upland area to create a natural gradation between upland and wetland habitats. The plan states that some excavation will be required to allow for this gravity discharge and to bring the soil surface in some areas closer to underlying impervious clay layers. Soil borings show the existence of clay layers between 0 and 36 inches below the ground surface. The wetland restoration plan estimates that it will be necessary to excavate approximately 4000 cubic yards of soil to create a shallow depression at the point of discharge, create additional wetland acreage and contour the surface to channel water flow to the wetland areas.

Establishment of native target plant species will be facilitated by seeding and planting the wetland and upland areas. The plan seeks to achieve plant cover and densities comparable to other natural, seasonal wetlands within three to five years. The restoration plan states that seed will be strewn by hand. In the event revegetation does not meet performance criteria, the plan contemplates transplanting of nursery grown stock.

The plan also proposes monitoring and maintenance measures to promote the success of the planting program, address erosion and ensure that the performance criteria are met. Annual reports of the monitoring program are proposed by the restoration plan for the first five years. The restoration plan sets forth performance criteria and monitoring methods for the wetland. The plan also suggests certain remediation measures in the event that the restored wetland does not meet selected performance criteria within the time periods specified in the five-year monitoring program.

As conditioned to include more detailed monitoring and maintenance provisions to ensure that the stated goals of the plan are successfully achieved, the Commission finds that the proposed

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[4] The wetland plan notes that the ditch itself is too deep to channel water directly from the ditch to the wetland area via gravity flow and hence that water must be diverted by pipe from near Highway 1.

restoration plan will substantially increase wetland acreage and values and, as discussed further below, is adequate to compensate for the loss of wetland habitat in the drainage ditch.

To ensure that the restoration plan accomplishes its stated goals, applicants must meet the requirements of **Special Condition 2.** In addition to specifying a comparable reference wetland and monitoring requirements for the wetland restoration, **Special Condition 2** requires the applicants to submit for review and approval of the Executive Director, final engineered grading plans for the wetland restoration area and final engineering and maintenance plans for all drainage and water control structures for the Central Project Area, including stilling basins and/or other structural BMPs. These BMPs must be sufficient to assure that specified water quality standards are met. The conceptual plan itself does not include final engineering, grading or maintenance plans, but expressly states that "[f]inal design and engineering studies will be conducted following the approval of the CDP . . ." Thus such final plans are necessary before the restoration can begin. In connection with these plans, the applicants must also provide estimates of the average and peak runoff volumes proposed to be discharged to the wetland to guarantee that the restored wetland can accommodate both average and peak flows.

Special Condition 2 also requires that the applicants provide a more extensive wetland delineation, vegetation map and restoration plan, together with an aerial photo overlay, encompassing all property owned by the applicants in the Central Project Area. The plan submitted address only the eastern portion of the Central Area without describing the adjacent areas to the west, which are also under the applicants' ownership.

Special Condition 2 also requires the applicants to provide a final planting program specifying all species to be planted, seeds and plants sources, timing of planting, and plant locations and elevations on a base map of the restoration area. Planting of upland areas is restricted to native grassland species only. Prior to grading the wetland restoration area, the entire project site shall be mown to minimize invasion by weedy species from the surrounding areas.

Special Condition 2 also provides for a monitoring program that involves independent monitoring of the restoration area and statistical comparison to a reference wetland to verify that the objectives of the restoration project are successfully met. The monitoring must be conducted by a qualified professional acceptable to the Executive. The applicant shall be responsible for the costs incurred to conduct all monitoring surveys and the preparation of the required monitoring reports.

The requirements of **Special Condition 2** are necessary to ensure that the diversion of the drainage ditch will substantially increase wetland acreage and values. Therefore, as conditioned, the Commission finds that the proposed 1.1 acres of wetland fill is allowable as fill for restoration purposes under Coastal Act/LUP Policy 30233(a)(7).

Alternatives Analysis

In accordance with Section 30233(a), wetland fill for restoration purposes may only be permitted if there is no less environmentally damaging feasible alternative. Therefore, while the proposed redirection of the drainage ditch, as conditioned, qualifies as fill for restoration purposes, it cannot be permitted unless the Commission determines that there is no less environmentally damaging feasible alternative to achieve the restoration goals and objectives of the project.

Several potential alternative sources of water for the restored wetland exist, which must be evaluated. These potential sources include: (1) excess irrigation water from nursery operation on adjacent property, (2) groundwater, (3) precipitation, (4) re-establishment of sheet flow from east of Highway 1 without drainage improvements and (5) diversion of water from the drainage ditch,. The first alternative, excess irrigation water from nursery operation, is essentially the status quo. The fifth alternative, diversion of water from the drainage ditch, is the favored alternative proposed by the applicants. The following discussion evaluates each of these alternatives in detail. (Appendix B to **Exhibit 13,** the applicants' conceptual wetland restoration plan, also lists the advantages and disadvantages of each potential alternative water source in tabular form.)

(1) Excess Irrigation Water from Nursery Operation

Irrigation water from the nurseries on the neighboring parcel is a current source of water for the wetlands. Accordingly, this alternative would require no change over the status quo, and would avoid the need to fill the drainage ditch currently running over the site. However, this alternative has several disadvantages. First, the amount of water discharged is dependent upon water used in the nursery operation and is not controllable by the applicant. The water source can be interrupted at any time by the nursery operator. Second, according to the applicants' wetland restoration plan, recent observations indicate that wetland vegetation has decreased in some areas because of decreased discharge from the nurseries. As it stands, irrigation water from the nurseries is inadequate to support the existing wetlands and to carry out the wetland restoration program. Third, the time of year that the water is discharged does not correspond to natural seasonal cycles, and for that reason is not ideal for use as the primary water source, even were this source to provide adequate water for wetland restoration purposes. Finally, the water quality of irrigation water from the nurseries is unknown, but likely contains nutrients, herbicides and/or pesticides used in the nursery operations.

The fact that the irrigation water from the nurseries is not reliable or sufficient to support existing wetlands makes this alternative inadequate to accomplish the objectives of the restoration project. Therefore, this alternative is not a less environmentally damaging feasible alternative.

(2) Groundwater

Artificially pumping water from groundwater beneath the project site is another potential source of water for the Central Area wetlands, which avoids diverting water from the drainage ditch. This alternative has the advantage that the water quality of groundwater is potentially good depending on the depth from which water is drawn. Water from this source would likely be free of agricultural and other pollutants potentially present in the irrigation water from the nurseries. However, groundwater would need to be pumped from wells, and would result in consumption of energy and additional expenses. Groundwater would also require metering and is subject to conservation measures during drought periods. Groundwater supplies in the City of Half Moon Bay are already limited and the amount of water available is unknown. Thus, this alternative would require long-term maintenance and management by the applicants. Therefore, this alternative is not a less environmentally damaging feasible alternative.

(3) Precipitation

Precipitation is already a natural water source for existing wetlands on the site. Although availability of water from rainfall corresponds to natural seasonal cycles and its water quality is

generally high, this source is not likely to be sufficient by itself to maintain the wetlands. The wetlands are presently supported by excess irrigation water discharge, and the amount of water derived from precipitation is a small percentage of the water currently saturating the wetlands in the Central Area. Therefore, this alternative is not a less environmentally damaging feasible alternative.

(4) Re-establishment of Sheet Flow from East of Highway 1

The re-establishment of sheet flow to the wetlands from east of Highway 1 would entail the restoration of natural environmental conditions on and adjacent to the site. AS with water from the drainage ditch, such water would have been available during the natural period of wetland inundation and would have provided water superior in quality to the nursery irrigation water. However, existing development, including Highway 1 and the nurseries on the adjoining property, presently lie between the fields to the east of Highway 1 and the wetlands in the Central Area to be restored. This existing development blocks the flow of overland runoff from the east of Highway 1. Re-establishing overland sheet flow would require modification of the existing development and drainage of the site, and would be impractical. Therefore, this alternative is not a less environmentally damaging feasible alternative.

(5) Diversion of Water from Drainage Ditch

Sheet flow from the area east of Highway 1 is one of the probable historic sources of water to the wetlands in the Central Area. Water from this area now drains to the agricultural drainage ditch, which flows under Highway 1 and across the project site. Water currently flowing through the drainage ditch has several advantages over other potential alternative sources. To begin with, the drainage ditch provides a readily available water supply sufficient to support a seasonal wetland system. Water from the drainage ditch can be redirected to the wetland area by gravity flow from near Highway 1 by construction of new drainage improvements, without the requirement for additional pumping. The availability of such water, which is greater during the winter storm periods, directly corresponds to the natural period of wetland inundation. Additionally, water quality of water from this source, although containing agricultural runoff and runoff from Highway 1 itself, is probably better than that of irrigation water from nursery operation. Because of the relative volume of flow and pollutant loading, pollutants in the drainage ditch water are probably more dilute than in the nursery irrigation water. Use of water from the drainage ditch has the further advantage that it does not involve additional costs or expenses. Currently, this water is not used for wetland purposes, except incidentally in areas meeting LCP wetland criteria within the drainage ditch itself. Wetland areas in the drainage ditch have significantly less habitat value compared with the wetlands in the Central Area to be restored. Therefore, the proposed diversion is the least environmentally damaging feasible restoration alternative.

Conclusion

The restoration goals and objectives for the Central project area require that an additional and more secure source of water be provided for this area. Without this additional water source, the restoration project would not provide a substantial gain in wetland acreage and values. The no project alternative, relying solely on the irrigation water from the neighboring nurseries, would not provide adequate water for the restoration plan and would not achieve the project goals.

Of the available potential alternative or additional water sources, water flowing from east of Highway 1 through the drainage ditch onto the site is the best available alternative. The ditch is an artificial feature, averages only several feet wide, is straight-sided, has no associated riparian vegetation or ponded areas. Thus, although the proposed diversion of the drainage ditch would result in 1.1 acres of wetland fill, the environmental damage resulting from this wetland fill would be insignificant. With the possible exception of groundwater pumping, other alternative water sources are each inadequate to accomplish the restoration goals. There is not enough precipitation on the site to support the restored wetland and existing development upgradient of the wetlands blocks overland sheet flow. Groundwater pumping, while theoretically possible, would involve groundwater depletion and substantial additional ongoing expenditures of energy and money. Water in the drainage ditch, by contrast, is a readily available water source, which need only be redirected to the Central Area. The habitat value of the restored wetland there would more than compensate for the loss of the minimally valuable wetland in the drainage ditch which would be lost. No less environmentally damaging feasible alternative exists to provide the additional water source to the wetlands that is necessary to achieve the restoration project objectives. Therefore, the Commission finds that the proposed fill of the drainage ditch meets the alternatives analysis requirement of Coastal Act/LUP Policy 30233(a).

Mitigation Measures

Coastal Act/LUP Policy 30233(a) also requires that for any allowable wetland fill, the project provide feasible mitigation measures to minimize adverse environmental effects. As discussed above, the drainage ditch provides only very limited wetland habitat functions because of its unnatural configuration. As conditioned, the proposed wetland restoration project would substantially increase wetland acreage and values and will ensure that the restored wetlands provide a more functional wetland ecosystem than the existing drainage ditch provides. Thus, the Commission finds that the proposed restoration project, as conditioned, will provide environmental benefits adequate to offset the adverse environmental effects of the proposed wetland fill consistent with the mitigation requirement of Coastal Act/LUP Policy 30233(a).

Buffers

In accordance with LUP Policy 3-11 and Zoning Code Section 18.38.080(D), development is prohibited within 100 feet of wetlands. Based on the wetland restoration plan submitted for the Central Area and the revised project proposal, which eliminates all development south of Wavecrest Road, the proposed project in the Central Area conforms to the 100-foot wetland buffer requirement specified in Zoning Code Section 18.38.080. Furthermore, the wetland restoration plan for this area will increase the aerial extent of these wetlands. Therefore, as proposed, the Commission finds that the wetland restoration plan in the Central Area conforms with the wetland buffer requirements of LUP Policy 3-11 and Zoning Code Section 18.38.080(D).

Pursuant to **Special Condition 2**, in the project area south of Wavecrest Road, no development is permitted within 100 feet of the existing and future restored or created wetland delineated in accordance with Zoning Code Section 18.38.080. **Special Condition 2** also requires that the applicant execute and record a deed restriction over all existing, restored, and created wetlands and within 100 feet of these wetlands in the Central area restricting development.

Former Agricultural Pond

The 1.2 acre former agricultural pond located in the Northern Area of the project site, which applicants previously proposed to fill, will now be left intact with a minimum buffer of 100 feet from the residential development proposed for the Northeastern Area of the site. This pond, which displays wetland characteristics as defined by the certified LCP, is presently bounded by high, man-made berms. The only source of water to the wetland is from direct precipitation falling within the berms. The applicants propose to remove the high berms surrounding the pond to increase runoff into the pond and enhance the visual appearance and habitat value of the wetland.

To insure that the former agricultural pond remains intact as a viable wetland without loss of area, **Special Condition 1** requires the applicants to submit final engineered grading plans and drainage plans for the Northern Residential Neighborhood demonstrating that a sufficient volume of surface runoff will be directed into the former agricultural pond to maintain no less than 1.2 acres of wetland in place. If this requirement is not met, **Special Condition 1** requires the applicants to submit a remediation plan proposing appropriate measures to correct the failure. **Special Condition 1** also contains a monitoring requirement for a minimum of five years with annual reporting to ensure that the wetland satisfies the success criteria stated in the condition. The applicants are also required by the Condition to execute and record a deed restriction prohibiting development in the delineated wetland within the former agricultural pond and within 100 feet of the wetland.

Other Wetland Areas

Special Condition 1 also requires that the development avoid other wetland areas and that a 100 foot buffer be preserved between development and any wetland areas. In particular, the May 29, 2000 vegetation study submitted by the applicants shows predominant wetland vegetation at the western edge of the proposed residential subdivision in the Northern Area (**Exhibit 31**, Figure 4). **Special Condition 1** requires the applicants to preserve a 100-foot buffer between the new development and these wetland areas. The Final Plans and revised Vesting Tentative Tract Map, which the applicants are required to submit pursuant to **Special Conditions 1 and 19** must reflect this buffer requirement.

4.2 Raptors and Other Wildlife

4.2.1 Issue Summary

The project area provides nesting, foraging, perching, and roosting habitat for raptors, which are considered a unique species under the LCP. Saltmarsh common yellowthroat, a small warbler, is a California Department of Fish and Game (DFG) species of special concern known to breed in the wetland area of the Central project area. Additionally, although the LCP does not identify monarch butterflies as an endangered, threatened, rare, or unique species, it is considered a DFG special animal and its overwintering use of the tree stands in the North Wavecrest PDD is recognized as regionally important. The LCP considers areas supporting unique species to be environmentally sensitive habitats that warrant protection from significant adverse impacts caused by land use or development. As revised, the project has eliminated all development south of Wavecrest Road where prominent tree stands afford perching and roosting spots for raptors. In particular, the Boys and Girls Club has been moved north of Wavecrest Road adjacent to the playing fields and the affordable housing units, which were previously proposed for the Central

Area, have been moved to the mixed use area. As proposed, the project still involves removal of two stands of cypress trees immediately north of Wavecrest Road located in the proposed Middle School site and proposed mixed use area. The proposed project also includes the development of a 7.7 acre detention basin, lateral public access trails and single family residences in the vicinity of an identified red-tailed hawk nest in the western project area.

4.2.2 LCP Standards

The LUP references the definition of "environmentally sensitive area" in Policy 30107.5 of the Coastal Act. An environmentally sensitive area is defined as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

LUP Policy 3-1 defines sensitive habitats to include riparian areas, wetlands, sand dunes, marine habitats, sea cliffs, and habitats supporting rare, endangered, and unique species.

LUP Policy 3-3 prohibits any land use and/or development that would have significant adverse impacts on sensitive habitat areas, and states that development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the environmentally sensitive habitats. Furthermore, all uses shall be compatible with the maintenance of biologic productivity of such areas.

LUP Policy 3-4 permits only resource-dependent or other uses which will not have a significant adverse impact on sensitive habitats and are consistent with US Fish and Wildlife and State Department of Fish and Game regulations.

LUP Policy 3-33 allows limited uses in unique species habitat, such as education and research; hunting; fishing; pedestrian and equestrian trails with no adverse impact on unique species or its habitat; and fish and wildlife management to the degree specified by existing governmental regulations.

LUP Policy 7-9 requires new development to be sited and designed to avoid or minimize destruction or significant alteration of significant plant communities, including notable tree stands.

LUP Policy 9.3.6(n) states that development in the Wavecrest PDD shall give maximum consideration to preserving the cypress and eucalyptus hedgerows at the west end of the L.C. Smith property (The L.C. Smith property is the northern portion of the proposed project area).

Zoning Code Section 18.37.045 defines significant plant communities to include the cypress and eucalyptus stands or rows in the North Wavecrest PDD. Significant plant communities include notable tree stands in the City, and unique species such as Monterey pine and wild strawberry. The Zoning Code requires the preservation of these plant communities wherever possible, and includes preservation guidelines for notable tree stands or hedgerows, riparian vegetation, and wild strawberry. Zoning Code Section 18.37.045 also prohibits development from disturbing tree stands including their root systems, and from intruding upon riparian vegetation or the habitat of existing unique vegetative species. However, where there is no feasible alternative to development, permits for the removal and replacement of vegetation must be obtained by the applicant.

Zoning Code Section 18.38.090(A) defines unique species as those organisms which have scientific or historic value, few indigenous habitats, or characteristics that draw attention or are locally uncommon. The Zoning Code considers raptors (owls, hawks, eagles, and vultures), California red-legged frog, and sea mammals as unique species. The unique plant species in Half Moon Bay are California wild strawberry and Monterey pine.

Zoning Code Section 18.38.090(C) requires the prevention of development, trampling or other destructive activity that would destroy any unique plant species. Plants identified as being valuable shall be successfully transplanted to another suitable site.

Zoning Code Section 18.38.090(E) states that it is not desirable to encourage wholesale removal of existing stands of blue gum eucalyptus trees, but that removal of blue gum seedlings to prevent the spread of the species is encouraged. The code requires the City to discourage private landowners from planting blue gum eucalyptus on private property.

LUP/Coastal Act Policy 30240 protects environmentally sensitive habitat areas from significant disruption of habitat values. The policy allows only resource-dependent uses in ESHAs, and requires development adjacent to ESHAs to be sited and designed to be compatible with and prevent impacts to ESHAs.

4.2.3 Background

At the June 14, 2000 hearing for the Wavecrest Village Project, the Commission gave applicants the alternative of either relocating development in the Central Area or providing additional information on raptor habitat in the project area. Since the revised project does not propose any development below Wavecrest Road, and the existing tree stands will remain undisturbed, no impacts to raptor habitat will result from the proposed development to the Central Area. The nearest development to these existing tree stands will be the reconfigured playing fields and Boys and Girls Club north of Wavecrest Road. The applicants' proposal continues to involve the removal of trees north of Wavecrest Road on the site of the proposed Middle School and mixed use area and the development of a 7.7 acre detention basin, lateral public access trails and single family residences in the vicinity of an identified red-tailed hawk nest in the western project area.

Site Information

Tree and Grassland Locations

A vegetation map in the January 1999 Wavecrest Village Specific Plan Draft Environmental Impact Report shows the locations of tree stands, grassland, and riparian scrub in the project area (**Exhibit 14**). The May 29, 2000 Vegetation Study submitted by the applicants also describes vegetation in the project area (**Exhibit 31**).

The project area contains several tree stands. The largest stand is a J-shaped windrow of Monterey cypress and blue-gum eucalyptus along the northern boundary of the western project area. Another windrow of cypress runs along the southern boundary of the westernmost project portion. Two cypress stands exist along Wavecrest Road, and a grove consisting of black acacia, eucalyptus, and cypress trees stands to the south of the road. Small stands of acacia and cypress are scattered over the Central project area, and one group of eucalyptus is located at the northern project boundary.

Annual and perennial grassland exists in the vicinity of the ballfields and in the western, Central, and Pasture areas. Cropland (generally grassland) is located in the northern and eastern portions of the project area.

April 2001 Raptor Survey

In April, 2001, the applicants' biological consultant submitted a raptor survey to Commission staff. The consultant conducted five daytime surveys and one nighttime survey using methodologies recommended by a specialist on the California Department of Fish and Game raptor survey protocol design team. The survey noted that "special attention was devoted to raptor activity within and adjacent to the proposed development footprint, especially eucalyptus and cypress groves (WRA 2001)."

The consultant observed three species of raptors directly on or over the project area or in the immediate vicinity: red-shouldered hawk, red-tailed hawk, and turkey vulture. Two pairs of red-tailed hawks and one red-shouldered hawk have territories within or overlapping the project site. The consultant further located one red-tailed hawk nest in the northernmost eucalyptus tree stand of the project area (**Exhibit 5**). One pair of red-tailed hawks foraged in the tree stands near the nest and in several trees north of the nest. The pair exhibited mating behavior, territorial behavior near the nest, and reluctance to leave the tree stand. In mid-April, the consultant observed one hawk incubating eggs in the nest.

The consultant also observed other red-tailed hawks circling the Pasture and Central areas. One red-shouldered hawk was spotted perching and flying between the eucalyptus tree stands in the Western and Central areas and to the southwestern edge of the Pasture Area. The red-shouldered hawk was also observed feeding in the Central area tree stand. One turkey vulture was observed circling west of the Pasture area and in the eucalyptus stand in the Central area. While the consultant did not locate any owl species, the consultant found owl pellets in the grassland areas in the Western and Northwestern areas of the project site.

Raptor Information from Previous Reports

The Wavecrest Village Specific Plan Draft Environmental Impact Report (DEIR) dated January 1999 notes that the trees on the project site "provide shelter, foraging and nesting habitat for woodland-adapted wildlife species, including nesting habitat for raptors (Brady/LSA 1999)". A survey conducted on August 21, 1998 revealed that red-tailed hawk frequent the grassland in the western, Central, and Pasture areas of the project, and that small rodents probably inhabit the grassland and provide food for raptors like the white-tailed kite, northern harrier, and red-tailed hawk. Northern harrier may potentially nest in the cropland in the western and Central project area and in the northern project area. The northern area may also provide foraging habitat for the harrier and white-tailed kite. The DEIR further states:

> *The large stands of eucalyptus and Monterey cypress trees on the site provide potential nesting habitat for raptors and other birds, and shelter for birds migrating through the area or migrant birds that remain in the area during the winter months.*

The consultant observed red-tailed hawk and evidence of great horned owl (a feather) among the tree stands in the project area. The DEIR states that the large trees in the project area potentially provide suitable nesting habitat for white-tailed kite and Cooper's hawk. Lastly, the DEIR notes that uprooted trees and brush piles in the western project area provide perching and roosting areas for raptors such as white-tailed kite and American kestrel.

A biological assessment of special status species habitat was conducted at the project site on February 20, 1998 by the same biological consultant that conducted the April 2001 raptor survey. The assessment defines special status species as plants and animals formally listed or proposed for listing as endangered or threatened under the federal or state Endangered Species Acts and federal and California Department of Fish and Game (DFG) species of special concern. At the time of the assessment, one northern harrier, a DFG species of special concern, was observed in the Wavecrest Village Project area in the northwestern grasslands near the coastline, and west of the existing ballfields, outside of the project area. The assessment lists red-tailed hawk, white-tailed kite, and American kestrel as other raptors observed during the survey, and states that suitable foraging habitat among the trees in the western parcel of the project site exists for sharp-shinned hawk and Cooper's hawk, two DFG species of special concern, although none were observed during the visit.

The January 1995 Draft Environmental Impact Report for the North Wavecrest Redevelopment Plan prepared by the City's Community Development Agency included information on wildlife habitat in the North Wavecrest area. The DEIR states that the grasslands in the area provide important foraging habitat for raptors such as red-tailed hawk, red-shouldered hawk, white-tailed kite, marsh hawk, American kestrel, turkey vulture, great horned owl, barn owl, and short-eared owl. Furthermore, the DEIR finds that the trees in the project area are "important nesting and roosting sites for resident and migrating birds and other wildlife (City of Half Moon Bay 1995)," including several raptor species.

Raptor Information from the Public

In December 2000 and May 2001, Commission staff received additional information from Gary Deghi, a member of the public, regarding raptor populations and other wildlife at the project site (**Exhibits 15 and 16**). He holds a graduate degree in Wildlife Ecology, has 23 years of experience in conservation planning and permitting related to wetlands and endangered species, and is a current Director of the Sequoia Audubon Society. Mr. Deghi has participated in the Society's annual Christmas Bird Counts in the North Wavecrest area and has observed birds in the vicinity of the project area since 1987.

Mr. Deghi observes that the North Wavecrest Restoration Area (**Exhibit 17**, generally encompassing the Wavecrest PDD) contains habitat suitable for raptors, such as dense riparian corridor for cover, mature trees for cover, perching, and roosting, and nesting substrate, emergent wetlands and grasslands for nesting and foraging, and open space for feeding.

Mr. Deghi states, "Based on the quality of the habitat, numbers of individuals and the mix of species, this area [the general Wavecrest PDD] is considered by Sequoia Audubon Society as the best habitat for wintering raptors in San Mateo County". Data gathered by Mr. Deghi and the Sequoia Audubon Society, demonstrates the raptors observed overwintering in the Wavecrest PDD include red-tailed hawk, red-shouldered hawk, Cooper's hawk, sharp-shinned hawk, ferruginous hawk, rough-legged hawk, broad-winged hawk, American kestrel, white-tailed kite, Northern harrier, merlin, golden eagle, peregrine falcon, prairie falcon, turkey vulture, great-horned owl, barn owl, and short-eared owl. Of the raptor species observed, the short-eared owl and the wintering populations of merlin and ferruginous hawk are DFG species of special concern. Golden eagle and peregrine falcon are fully protected; ferruginous hawk is a federal species of concern, peregrine falcon is state-listed as endangered. One Swainson's hawk, a State-listed threatened species, was observed overwintering at the site two years ago and was the first

known Swainson's hawk to overwinter in coastal Northern California. The Sequoia Audubon Society finds more raptor individuals and more raptor species in the North Wavecrest area than in any other location San Mateo County during the winter.

Mr. Deghi states that the project area and the remainder of the North Wavecrest area comprise an integrated complex of roosting and foraging locations for raptors. The two significant roosting locations in the project area, the cypress and eucalyptus windrows in the western project area and the cypress and eucalyptus trees in the Central area south of Wavecrest Road, represent to Mr. Deghi the most commonly used winter roosting areas in the North Wavecrest area. In one instance, participants in the December 1994 Christmas Bird Count recorded 11 barn owls in the eucalyptus trees south of Wavecrest Road. On another occasion in January 2001, Mr. Deghi and representatives of the City and Montara Sanitary District observed an abundance of short-eared owl, Northern harrier, red-tailed hawk, red-shouldered hawk, and white-tailed kite within a half hour at dusk in the Central project area. The raptors likely roost in the adjacent tree stands south of Wavecrest Road. Overall, bird observers at the site notice use of the area south of Wavecrest Road and in the nearby fields.

Alvaro Jaramillo, a biologist with the San Francisco Bay Bird Observatory, has also submitted information regarding the raptor population in the North Wavecrest area (**Exhibit 18**).

Saltmarsh Common Yellowthroat

The January 1999 DEIR for the Wavecrest Village Project identifies the saltmarsh common yellowthroat, a subspecies of common yellowthroat occurring in the San Francisco Bay region, as a DFG species of special concern. The DEIR notes that sightings of saltmarsh common yellowthroat have been recorded near Princeton, about six miles north of the project area, and potentially near the mouth of Pilarcitos Creek, about one mile north of the project site. A male and female pair of common yellowthroats was observed by the environmental document consultant in August 1998 and could have been saltmarsh common yellowthroat individuals. The DEIR states that the riparian area and the cattails in the Central project area may provide suitable nesting habitat for the subspecies. In support of this, Mr. Deghi reports that Alvaro Jaramillo has documented a breeding population of saltmarsh common yellowthroat in the Central wetland area of the proposed project.

Monarch Butterfly

The monarch butterfly is not a listed or proposed endangered or threatened species, nor does the LCP consider it a unique species. However, the presence of the monarch butterfly at the proposed project site is noteworthy. A bivouac, or colony, of about 1,000 monarch butterflies was observed in the eucalyptus stand in the western project area in 1990. A member of the public has also reported sighting thousands of monarch butterflies in the same eucalyptus trees over a period of 3 days in the winter of 1997. In February 1998, several wintering monarchs were observed flying in the vicinity of the same eucalyptus grove in the project area.

Because of the concern for potential impacts to winter roosting sites and because within the State, its range has been restricted and/or the individual numbers have declined, the monarch butterfly is considered a DFG special animal, and its wintering sites are tracked by the DFG. Monarch butterflies breeding west of the Rocky Mountains migrate to overwintering sites on the Pacific coast, from Marin County to northern Baja California. According to the January 1999 Draft EIR for the Wavecrest Village Specific Plan, the project site exhibits characteristics which are common to overwintering sites: it is within a kilometer of the Pacific Ocean, lending to

moderate winter temperatures and small diurnal fluctuations; it is close to a coastal stream canyon, reducing the occurrence of subfreezing temperatures; and the grove is dominated by blue gum eucalyptus, providing wind protection, shade, and high humidity. The monarch butterfly has been known to aggregate in Monterey pine and Monterey cypress groves as well. These tree species also exist in the western project area.

Proposed Project

The majority of the development is currently proposed in what is generally grassland or cropland, with some exceptions. The applicant's proposal continues to involve the removal of trees north of Wavecrest Road on the site of the proposed Middle School and mixed use area.

The applicants also propose the development of a 7.7-acre detention basin, lateral public access trails, and single family residences in the vicinity of the identified red-tailed hawk nest. However, the applicants' consultant notes that no construction is proposed in the vicinity of the nest site in the northernmost eucalyptus grove this year. In any case, the applicants' consultant recommends the monitoring of the nesting site by a qualified biologist prior to any construction. The biologist must determine whether nesting is taking place and if so, the biologist must monitor nest activity until the fledglings leave the nest. The applicants' consultant states that the Department of Fish and Game commonly recommends delaying construction near nests until the young have fledged, but this specific recommendation was not proposed as part of the project.

Issues

LCP Policies for Raptors and Sensitive Habitat

Raptors such as owls, hawks, eagles, and vultures are considered a unique species in the LUP and specifically under Zoning Code Section 18.38.090(A). The Zoning Code defines unique species as organisms having scientific or historic value, few indigenous habitats, or characteristics that draw attention or are locally uncommon. Permitted uses in unique species habitat as stated in LUP Policy 3-33 include education and research, hunting, fishing, pedestrian, and equestrian trails having no adverse impact on the unique species or its habitat, and fish and wildlife management to the degree specified by existing government regulations. Furthermore, habitats supporting rare, endangered, and unique species fall under the definition of sensitive habitats listed in LUP Policy 3-1. Any land uses and/or development resulting in significant adverse impacts to such sensitive habitat areas are prohibited by LUP Policy 3-3. LUP Policy 3-4 permits only resource-dependent or other uses that will not adversely impact sensitive habitats.

Potential Impacts to Red-Tailed Hawk and Other Raptor Nests in the Western Area

Studies show that human disturbance and noise reduce the success of red-tailed hawk nests (Washington Department of Fish and Wildlife, Richardson and Miller 1997). As proposed, the project would not remove or disturb the tree stands in the western project area and thus, the project would not directly impact the sensitive habitat of the nesting tree and its immediate vicinity. After construction, the proposed access trail and detention basin would produce low intensity uses and would be located sufficiently away from the red-tailed hawk nest. The proposed residence nearest the nest is several hundred feet away. Therefore, the proposed uses would not adversely impact the red-tailed hawk nest or the tree stand supporting the nest, consistent with the permitted uses of LUP Policy 3-4.

However, as proposed, the construction of public lateral access trails, detention basin, and residences may produce substantial noise in the vicinity of the identified red-tailed hawk nest in the western project area, causing significant temporary adverse impacts. To reduce the potential of impacting the nesting birds during construction, the applicants' biological consultant recommends monitoring of the nesting site by a qualified biologist prior to any construction. The biologist must determine whether nesting is taking place and if so, the biologist must monitor nest activity until the fledglings leave the nest. The applicants' consultant states that the Department of Fish and Game commonly recommends delaying construction near nests until the young have fledged, but this specific recommendation was not proposed as part of the project.

Based on *Management Recommendations for the Red-Tailed Hawk* by the Washington Department of Fish and Wildlife, the condition specifies that clearing, grading, outside construction, or other heavy activity shall be prohibited within a radius of 650 feet of red-tailed hawk nests during the nesting period. The nesting period for red-tailed hawk is generally February 1 through August 1. To ensure that the nest in the Western project area are protected from disturbance during construction, the Commission imposes **Special Condition 3** to prohibit development within 650 feet of any occupied raptor nest. The condition requires that a qualified biologist determine when the young have fledged and the nest has been abandoned.

Other raptor nests may exist that have not yet been identified in the Western area of the project site. To prevent disturbance to currently undetected raptor nests, **Special Condition 3** requires a qualified biologist to survey the entire area proposed for construction, including trees and other vegetation, and the area within 650 feet of the proposed development for signs of raptor nesting and/or nests within 30 days of construction. Construction within 650 feet of an identified raptor nest shall be prohibited until a qualified biologist determines that the young have fledged. The 650-foot buffer for active raptor nests is generally the shortest distance recommended for raptor species.

Nighttime Ballfield Illumination

Special Condition 5 requires the applicants to submit, prior to the issuance of the Coastal Development Permit, a Lighting Plan for the Mixed Use Area, Middle School, Boys and Girls Club and sports fields, designed to minimize the effects of nighttime lighting on raptors in the Central Area. **Special Condition 5** requires that lighting be directed downward and away from Wavecrest Road, that lighting shall be the minimum necessary to provide for the permitted uses, and that the sports fields and related facilities shall be lighted only when in use.

Tree Removal in the Central Area No Longer Proposed

The applicants now propose to construct the Boys and Girls Club on the north side of Wavecrest Road (**Exhibit 4**). No other development is proposed in the area between Wavecrest Road and Redondo Beach Road. As a result, the project no longer involves the removal of trees in significant tree stands south of Wavecrest Road, and special mitigation for tree removal is no longer required.

Tree Removal North of Wavecrest Road

Although the applicants no longer propose to remove trees in the Central Area south of Wavecrest Road, the project as presently proposed still involves removal of two separate stands of trees immediately north of Wavecrest Road on the site of the proposed Middle School and mixed use area. The vegetation study prepared by the applicants' wetland consultant dated May

29, 2000 shows these tree stands (**Exhibit 31**). According to this study, both the larger stand across Wavecrest Road from the Central Area and the smaller stand to the east consist predominantly of an unspecified number of cypress (*cupressus macrocarpa*), eucalyptus (*eucalyptus globulus*) and acacia (*acacia melanoxylon*) trees.

The applicants propose to mitigate for the removal of the existing trees by planting a mixture of trees such as Monterey cypress, coast live oak, and redwood as a new windbreak along the southerly and westerly property lines. Coyote brush, willow, and currant are other plants recommended for revegetation of the site. The consulting arborist explains that the replacement of the existing trees stands with the suggested plant species would create higher wildlife value because of the lower density of individual plants, greater species diversity overall and in the understory, and will allow for long-term maintenance and remediation as necessary.

Based on the April 2001 raptor survey, no raptor nests or nests of other unique, endangered, threatened or rare species are located in the tree stands north of Wavecrest Road in the location of the proposed Middle School and mixed use area. Therefore, the proposed removal of a majority of the trees in this area would not adversely impact environmentally sensitive nesting habitat. Since the applicants propose to leave intact the denser and taller stand of existing trees south of Wavecrest Road, raptors and other bird species would still be able to perch and roost in the vicinity. Furthermore, the Central wetland area and Western Area will remain undeveloped, thus maintaining important foraging areas for raptor species.

To minimize the impacts of tree removal in the two stands north of Wavecrest Road, **Special Condition 4** requires the applicants to submit a Tree Protection Plan for the areas where the trees are located for the review and approval of the Executive Director. The Plan must include an assessment prepared by a qualified arborist or wildlife biologist of the habitat value of each tree proposed to be removed and a site plan showing each tree proposed to be removed as part of any approved development. The plan shall be designed to retain the maximum number of existing trees on the site. In addition, the plan shall include a revegetation design that shows species, number, and location of all plants proposed for planting. The plan and revegetation design shall be designed to allow for maximum use by raptors. As conditioned, the proposed project is consistent with the LCP policies which require that new development be sited and designed to minimize alteration of notable tree stands.

4.2.4 Conclusion

Biological assessments of the proposed project site have demonstrated the occurrence of foraging, perching, and roosting habitat for raptors in the project area. Red-tailed hawk and saltmarsh common yellowthroat are special-status species known to breed in the project area. Moreover, several sources report the overwintering of monarch butterfly colonies in the eucalyptus tree stands in the western project area. The proposed project would preserve the tree stands in the western project area and the wetland in the Central project area, thereby protecting red-tailed hawk and saltmarsh common yellowthroat breeding areas and monarch butterfly overwintering habitat. To ensure that the nest in the Western project area are protected from disturbance during construction, the Commission imposes **Special Condition 3** to prohibit development within 650 feet of any occupied raptor nest. Moreover, the construction of the proposed Boys and Girls Club north of Wavecrest Road no longer requires the removal of trees in the Central area as conditioned by Special Condition 4. The proposed project has also been designed to minimize the alteration of notable tree stands as the removal of trees in the two

stands north of Wavecrest Road must be conducted in accordance with a Tree Protection Plan required by **Special Condition 4**. The Commission finds that as conditioned by Sepcial Condition 4, the applicants' revised project proposal, which retains roosting and perching habitat in the Central Area and Western Area is consistent with the habitat and tree stand requirements of the certified LCP.

4.3 Water Quality

4.3.1 Issue Summary

The applicants propose to create impervious surfaces on a 40.3-acre, 190-parcel subdivision in the northern residential area; affordable housing; 14.8 acres of mixed-use commercial area; a 25.3-acre middle school site; a 2.8-acre Boys and Girls Club site; and approximately 11 acres of associated streets and sidewalks. The development of houses, buildings, driveways, parking lots, streets, and sidewalks increases the amount of water that can no longer percolate into soil or land on vegetation. Uses associated with these developments, such as the irrigation of gardens, will also contribute to project-generated runoff. As a result, the project site will produce increased runoff that will require treatment. This treatment is necessary to comply with LCP standards protecting coastal water quality and human health.

As part of the development, the applicants propose to treat the urban runoff produced on the project site by installing a system of gutters and stormdrains. Runoff from the project site will discharge into a 7.7-acre detention pond in the western portion of the project area, designed to accommodate and treat the project area stormwater.

While the detention pond helps to improve water quality, it is necessary that the pond and all other mechanisms to treat runoff be in place before the proposed development is constructed. Furthermore, active maintenance and monitoring are needed to assure that water quality improvements continue to be effective for the life of the project. To ensure this, the Commission imposes **Special Conditions 7, 8, and 9**.

Special Condition 7 requires the applicant to submit a final Grading Plan to the Executive Director, including the quantities of cut and fill of the development. **Special Condition 8** requires the applicants to submit an Erosion Control Plan to the Executive Director showing how the project will minimize and control erosion and limit the use of toxic substances. **Special Conditions 9** requires the applicant to submit a water quality monitoring plan (WQMP) to the Executive Director demonstrating how the development will plan and follow up on water quality protection for the project area.

As conditioned, the proposed project conforms with the LUP/Coastal Act policies protecting water quality.

4.3.2 LCP Standards

The LCP contains policies to protect water quality in Half Moon Bay's Coastal Zone.

LUP/Coastal Act Policy 30231 requires that the biological productivity and quality of coastal waters, streams, wetlands, estuaries, and lakes be protected to maintain optimum populations of marine organisms and to protect human health. Where feasible, the biological productivity and quality of coastal waters shall be restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of

groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

LUP/Coastal Act Policy 30253 requires new development to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

LUP Policy 4-9 requires flows from graded areas to be kept to a minimum and not exceed the rate of erosion and runoff from undeveloped land. The policy requires stormwater outfalls, gutters, and conduit discharge to be dissipated.

LUP Policy 9.3.6(l) requires the irrigation of open space with unclaimed water, as feasible, and the use of retention basins, grading, revegetation, and drainage improvements to prevent destabilizing effects on the coastal bluffs.

4.3.3 Discussion

Existing conditions

Currently, an approximately 4,600-foot-long unlined drainage ditch runs through the Wavecrest Village Project area. As described in the Environmentally Sensitive Habitat Area discussion above, the ditch carries stormwater and agricultural runoff from an area of approximately 270 acres. This area includes the project site, Highway 1, one of the commercial nurseries south of Wavecrest Road, and a 67-acre sub-basin in agricultural use east of Highway 1 (Foulk 2000, WRA 1998). Runoff in the drainage ditch runs west for 1,700 feet on San Mateo County property before discharging off of the 50-foot bluff to the City-owned beach into the Pacific Ocean below. Currently, this runoff flows untreated through the onsite ditch, into the County ditch north of the project area, and off the bluff onto the beach.

Proposed project

The applicants propose to install drainage pipes and gutters to collect runoff over the developed project area. **Exhibit 28** describes the proposed improvements. The drainage pipes would connect to a culvert, which would discharge into a 7.7-acre detention pond in the Western portion of the project area (**Exhibit 20**). Runoff from the residential area in the northeast corner of the site would drain first into the restored former agricultural pond and then into the detention pond. Stormwater and agricultural runoff flowing onto the site via the unlined drainage ditch, described above, would be re-directed to the wetland restoration project in the Central Area.

Measures to ensure that specified water quality standards are met for this aspect of the proposed project are discussed above in the section on Wetland Restoration.

The detention pond is designed to treat runoff produced from up to and including the 1.2-inch, 24-hour rainfall event, approximately equivalent to the 90th percentile, 24-hour rainfall event. The required storage volume for a 1.2-inch-per-day storm event (a conservative design rainfall) assuming that 45 percent of the rainfall enters the detention pond as runoff is approximately 12 acre-feet. The average release rate over the 24-hour period is about 6 cubic feet per second (Foulk, 2000). During low-flow conditions, runoff will percolate into the ground and discharge through an outlet pipe through a rock weir to the County's drainage ditch. Higher flows will discharge to the ditch through two 48-inch pipes. A 60-foot long grouted rock barrier will

surround the pond's outlet structure. Very high flows (from the 100-year storm event) will exit via another outlet flow. As designed, the drainage pond will maintain a water level consistent with the channel/wetlands area north of the proposed detention area. Furthermore, as proposed, the vegetation around and in the basin will encourage the creation of wetland habitat and provide an amenity for passive recreation and public access.

Issues

Stormwater runoff from developed areas and roads contains pollutants associated with these uses (U.S. EPA, 1993). Nutrients originate from garden fertilizers and poor landscaping practices such as inappropriate plantings or overwatering. Sediment comes from land clearing, grading, construction, and natural processes. Motor fuel and exhaust, improper hazardous waste disposal or spills, consumer products, construction materials, and soil (naturally-occurring) contribute to heavy metals in runoff. Petroleum hydrocarbons come from uses associated with vehicle use such as fuel, oil, grease, exhaust, and brake-lining particles, in addition to accidental spills and improper dumping of vehicle products. Synthetic organic chemicals in urban runoff originate from household cleaners, paints, and pesticides and herbicides. This runoff also may have physical parameter changes in salinity, temperature, and dissolved oxygen stemming from land clearing and decaying organic matter.

As proposed, the detention pond will receive stormwater runoff from the developed area of the site; stormwater and agricultural from outside of the project area will be redirected to the restored wetland in the Central Area. Without the treatment proposed by this project, the runoff from the Highway, agricultural land, and commercial nursery in the project vicinity would continue to discharge untreated onto the beach and into the ocean. Since there are no other proposals to treat this runoff, the project provides an opportunity to improve the quality of this runoff, and thereby protect the biological productivity and quality of coastal waters.

The detention basin and restored wetland as proposed are highly efficient in the removal of total suspended solids and moderately effective in the removal of metals, total phosphorus, nitrogen, and biological oxygen demand. However, while the detention pond is appropriately-sized and is designed to provide much needed water quality treatment, it can employ other best management practices (BMPs) to further maximize its treatment capabilities. As proposed, the development does not attempt to reduce the sources of onsite runoff or treat runoff in the location it is produced. Furthermore, the proposed project does not describe the grading schedule or erosion control measures to be installed for use during and after project construction. The proposed project additionally does not include a monitoring or maintenance plan to assure the effectiveness of the proposed water quality treatment.

In order for the project to maximize water quality benefits and to ensure continued treatment of stormwater and agricultural runoff, the Commission imposes **Special Conditions 7, 8, and 9** below. The Commission notes that consistent with Section 30412 of the Coastal Act, these conditions do not conflict with any determination by the Water Board because the Water Board has not acted on the proposed project.

Special Condition 7 requires the applicant to submit a Final Grading Plan to the Executive Director prior to the issuance of the coastal development permit. The grading plan must include the quantities of cut and fill and the final design grades and locations for all building

foundations, streets, public accessways, the detention pond, and drainage pipes, and the phasing of all grading activities during construction.

Special Condition 8 requires the applicants to submit an erosion control plan. The components of the plan are intended to minimize the potential sources of erosion within the project area, control the amount of runoff and sediment transport, and retain and treat pollutants onsite. **Special Condition 8** also limits the use of toxic substances and the runoff of nutrients to surface waters. The erosion control plan shall be submitted for review and approval by the Executive Director prior to the issuance of the coastal development permit.

Additionally, **Special Condition 8** requires the applicant to inspect and maintain the erosion control measures throughout the construction period. The applicant must submit inspection reports on the condition of the structural Best Management Practices (BMPs) required under this condition to the Executive Director at specified intervals. The condition holds the applicant responsible for compliance with the erosion control plan.

Special Condition 9 requires the applicant to submit a Water Quality Protection Plan (WQPP). The applicant must submit the WQPP for the review and approval of the Executive Director prior to the issuance of the coastal development permit. The condition requires the approved development to maintain approximate pre-development levels of average runoff volumes and peak runoff rates and total suspended solids (TSS) so that the average annual TSS loadings are no greater than pre-development loadings. The condition requires the WQPP to include BMPs, which minimize the creation of impervious surfaces, treat and maintain roads and parking lots, and employ native and drought-tolerant landscaping. **Special Condition 9** requires the applicant to submit a water quality monitoring plan (WQMP) to the Executive Director for review and approval prior to the issuance of the coastal development permit. The WQMP will evaluate the effectiveness of the WQPP to protect the quality of surface and groundwater at the project site. The condition requires the WQMP to provide for sampling of the detention pond and other groundwater and surface water locations to measure levels of all identified potential pollutants including, but not necessarily limited to, the following: heavy metals, pesticides, herbicides, suspended solids, nutrients, oil, and grease. Any measured pollutants which exceed the water quality standards in the WQMP must be remedied. **Special Condition 9** further requires the inspection and maintenance of the BMPs and the submittal of an annual inspection report for three years following the completion of construction by the property owner and/or homeowners' association.

Special Condition 9 also requires as part of the WQPP, prior to the issuance of the coastal development permit, that the applicant provide a plan for the design, construction, maintenance, and monitoring of the proposed detention pond. The pond must treat all of the runoff from the development site generated from up to and including the 1.2-inch, 24-hour rainfall event, as proposed. The detention pond must improve water quality of stormwater and agricultural runoff by removing fine sediments, phosphorous, and nitrogen. Under **Special Condition 9**, the applicants must provide for long-term regular maintenance of the detention basin.

As conditioned, the proposed project conforms with the LCP policies requiring the maintenance of the biological productivity and quality of coastal waters, the assurance of site stability and development that neither creates nor contributes significantly to erosion, and the use of retention basins, grading, revegetation, and drainage improvements to prevent destabilization on the coastal bluffs.

4.3.4 Conclusion

The applicants propose to treat stormwater and agricultural runoff from onsite sources with a stormdrain conveyance system throughout the project area. The treatment of this runoff is proposed to take place in a 7.7-acre detention pond in the Western portion of the project area. Stormwater and agricultural runoff conveyed in the existing drainage ditch on the project site will be redirected to the restored wetland in the Central Area. So that the proposed detention pond will improve water quality, the Commission requires the applicants to comply with **Special Conditions 6, 7, 8, and 9** to ensure that the project protects water quality to the maximum extent possible. As conditioned, the project is designed to reduce the amount of water and pollutants available to enter the stormdrain system. The required erosion control and grading plans prevent impacts to water quality during construction. The detention pond as conditioned provides water quality benefits for the life of the development. Conditions requiring regular maintenance and monitoring assure the highest level of stormwater treatment.

As conditioned to provide grading and stormwater pollution prevention plans, erosion control, a functional detention pond, and water quality monitoring, the Commission finds that the project conforms with the LCP policies protecting water quality.

4.4 Public Access and Recreation

4.4.1 Issue Summary

The proposed development site is located between the first public road and the sea and is directly adjacent to a publicly-owned sandy beach. The development includes 225 residential units, a 1,150-student middle school, a Boys and Girls Club, commercial and retail facilities, community ball fields, and road improvements. Such development would place significant increased demands on public access and recreation in the Wavecrest PDD, particularly on public beach access in the project vicinity. Although informal beach paths to the beach are evident on the blufftop seaward of the project site, opportunities for improved access to the beach are severely constrained in the project area due to high, unstable bluffs.

Both the Coastal Act and the LCP require access to be provided to and along the shoreline as a condition of development of the project site. In particular, Coastal Act Section 30212 requires that public access from the nearest public road to the shoreline and along the coast shall be provided in new development projects, and LUP Policy 9.3.6(g) requires that as a part of any new development in the Wavecrest PDD, vertical accessways shall be constructed to the beach from the bluff affording access to the beach near the end of designated beach access routes. The LCP further specifies that at least two vertical accessways shall be provided to the beach as a part of the development of the Wavecrest PDD, with a possible third vertical beach access if feasible. In addition, Section 30252 of the Coastal Act requires new development to assure that the recreational needs of new residents shall not overload nearby recreational access.

The applicants propose to dedicate and improve a system of public access easements to provide lateral access through the development site as a portion of the City's Coastside Trail. The applicants also propose to construct a vertical accessway to the beach near the end of Redondo Beach Road that would include a stairway and/or ramp to the beach. As conditioned, the improvement of Redondo Beach Road, the vertical access from the end of Redondo Beach Road to the beach and the creation of adquately-sized formal parking lots will offset the increased use

of lateral and vertical accessways. As conditioned, the Commission finds the proposed development in conformity with the public access and public recreation policies of the LCP and the Coastal Act.

4.4.2 LCP and Coastal Act Standards

The 207.5-acre Wavecrest Village Project area is located between the first public road (Highway 1) and the ocean. Pursuant to Coastal Act Policy 30604, because the project site is located between the first public road and the ocean, the project is subject to both the public access and recreation policies of the Coastal Act in addition to the City's certified LCP.

LUP/Coastal Act Policy 30210 requires posted public access and recreational opportunities to the maximum extent feasible, consistent with public safety, and the need to protect public and private property owner rights and natural resource areas from overuse.

LUP/Coastal Act Policy 30211 requires that development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

LUP/Coastal Act Policy 30212 requires new development to provide public access from the nearest public roadway to the shoreline and along the coast unless inconsistent with public safety or the protection of fragile coastal resources, or where adequate access exists nearby.

LUP/Coastal Act Policy 30252 states that the location and amount of new development should assure that the recreational needs of new residents will not overload nearby coastal recreation areas. This is accomplished by correlating the amount of development with the provision of on-site recreational facilities to serve the new development. The policy also states that new development should maintain and enhance public access to the coast by providing adequate parking facilities or the ability to circulate using public transportation.

LUP Policy 2-2 requires all new development along the Shoreline Trail to grant lateral easements for continuous public access along the shoreline. The policy requires the easement to have a sufficient width for an adequate trail and to protect the privacy of residences, with the setback of lateral trails at least 10 feet from the edge of the bluff and the establishment of native vegetation between the trail and the edge of the blufftop.

LUP Policy 2-6 requires signs on vertical and lateral public accessways informing the public of the right to use the accessways and any specific uses or constraints on public access in the areas of the accessways.

LUP Policy 2-16 requires the designation, signing, and improvement of the western extension of Higgins Canyon (Higgins Purissima) Road, Redondo Beach Road, and one additional beach access route as may be called for in the Conservancy Plan, as beach access routes.

LUP Policy 2-17 requires that no parking facility south of Kelly Avenue shall be designed for more than 50 cars.

LUP Policy 2-21 directs the State and County to construct paths or stairs to the beach from the extension of Main Street (Higgins Canyon Road) and to encourage new development in areas shown on the Access Improvements Map to construct paths or stairs to the beach.

LUP Policy 2-22 requires the connection of lateral blufftop trails with vertical trails to the beach at the end of Seymour Street, midway between Seymour Street and Redondo Beach Road (as determined by the Wavecrest Conservancy Project), and near the end of Redondo Beach Road. Policy 2-22 also requires the provision of a lateral blufftop trail to improve coastal access from Kelly Avenue to Miramontes Point Road.

LUP Policy 9.3.6(g) requires as part of any new development in the Wavecrest PDD the construction of vertical accessways from the bluff to the beach near the end of designated beach access routes. A third accessway to the beach may be required approximately equidistant between the two primary access routes.

LUP Policy 9.3.6(h) requires, as a part of any new development in the Wavecrest PDD, the improvement of the two designated beach access routes in the Wavecrest PDD, either along existing platted alignments or new alignments designed to afford equivalent access opportunities.

LUP Policy 9.3.6(k) states that new access to Highway 1 shall be limited, and one new access shall be located at the intersection of Highway 1 and Higgins-Purissima Road.

Subdivision Code Section 17.40.090 requires lateral easements specifically for subdivision applications along the shoreline.

Subdivision Code Section 17.40.095 requires the provision of vehicular access where indicated on the Access Improvements Map of the City Local Coastal Plan, the General Plan and any of its Elements, and any Specific Plan.

Zoning Code Section 18.40.030 requires new development to provide an offer to dedicate an easement for lateral, blufftop, vertical, trail, and recreational public access if the development is located on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts; if the development is located between the nearest public road and the sea; if the public has acquired the right of access through use or legislative authorization; or if the access is needed to mitigate the impacts of the development on public access. Exceptions to this code include, consistent with Coastal Act Policy 30212, areas where public access is inconsistent with public safety or the protection of fragile coastal resources, or where adequate access exists nearby.

Zoning Code Section 18.40.040 provides minimum requirements for imposing public access conditions. In particular, 18.40.040(B) states that a condition to require vertical public access as a condition of approval of a coastal development permit shall provide the public with the permanent right of access where designated by the LCP for future vertical access or where the local government has determined that vertical public access is needed. The code also requires the vertical access to extend from the road to the shoreline and have a minimum easement width of 10 feet, and limits its use to passive recreational use unless another use is specified.

Zoning Code Section 18.40.050 lists necessary findings for public access dedications proposed in projects or required as a condition of approval. These findings include a statement of the individual and cumulative burdens, the necessity for providing public access, a description of the legitimate government interest furthered by an access condition, and an explanation of how a

condition of access dedication alleviates identified access burdens and is reasonably related in nature and extent.

4.4.3 Discussion

Existing Conditions

Wavecrest Road is currently the only existing street allowing vehicular access from Highway 1 westward into the project area. The only existing parking area in the proposed project area is at the end of Wavecrest Road at an informal dirt parking area at the existing ballfields, about 2,000 feet from the bluff edge. The parking lot serves users of the baseball fields, the model airplane landing strip southwest of the ballfields and outside of the proposed project area, and the coastal trails in the vicinity.

Existing Informal Public Accessways in the North Wavecrest PDD

The public currently has access to informal lateral and vertical trails and accessways throughout the project site and surrounding area. From within the Wavecrest PDD, the public can access a few north-south lateral trails in the area west of Wavecrest Road and along the blufftop. The unpaved dirt trails lie right at the bluff edge in some places. These established trails were formed by regular public use and provide popular year-round access for walkers, cyclists, and equestrians. No development is proposed on or near the blufftop within the project area.

North of Wavecrest Road, informal lateral trails run along the western edge of the existing ballfields and along the blufftop, outside of the project area. Immediately north of the project area, the 20-foot-long Seymour Bridge was constructed over the drainage ditch on property of San Mateo County. This bridge allows public access over the ditch and connects to informal trails leading to the Poplar State Beach parking lot, a vertical beach access path, and northward blufftop trails. In May 2001, the City of Half Moon Bay approved the construction of a 10-foot wide asphalt bike and pedestrian trail and a separated horse trail to formalize public use of the blufftop area between the Seymour Bridge and Poplar State Beach.

South of Wavecrest Road, existing lateral trails branch along the bluff and open space, eventually entering or crossing an arroyo outside the project area. The trails continue south out of the arroyo to various stretches of Redondo Beach Road. A few hundred feet south of Redondo Beach Road, the City has accepted an offer to dedicate an easement through the Ocean Colony subdivision, allowing the connection of lateral trails along the coast.

In the proposed project area, the coastal bluffs are approximately 60 feet in height. Access from the blufftop to the City-owned beach is difficult in this location due to the bluff height and steepness of the bluff face. In fact, geologic information identifies the bluff area between the Seymour Street right-of-way to the Main Street extension as a high risk hazard zone, with blocks of the bluff face actively falling onto the beach (Lajoie and Mathieson 1985).

Although formal vertical beach access does not currently exist in the project area, informal vertical access from the blufftop to the beach is present in other portions of the North Wavecrest PDD, which are not part of the project site. For instance, southwest of Wavecrest Road, west of the model airplane landing strip and outside of the project area, is a steep dirt path sloping through the vegetated 35-foot-tall bluff face to the beach. Access to the public beach through the arroyo several hundred feet south of Wavecrest Road is also possible but not easily accomplished on unimproved and precarious dirt trails.

About a half-mile south of the project area but still within the North Wavecrest PDD, informal vertical trails exist at the end of Redondo Beach Road. The trails at this location run down the 80-foot-tall, steep, eroding bluff face to the beach. Visitors use an informal dirt area for parking at the end of the partially improved Redondo Beach Road. The parking area accommodates up to 70 cars during peak visitation periods, although at any given time 10 to 25 cars may be parked there (Hernandez 2000).

As discussed in greater detail below, because no development is proposed over either the blufftop area west of the residential subdivision in the northern area or the area south of Wavecrest Road, the proposed development does not interfere with the public's use of any existing informal trails in these areas on the site. To the extent that development proposed in the eastern portion of the site may interfere with the public's use of these informal trails or public access in these areas, the project incorporates equivalent public access in the form of streets and pathways in these areas.

Existing Formal Public Access Facilities in the Wavecrest PDD

Formal public beach access from the bluff at the end of Poplar Street outside of the Wavecrest PDD is maintained by the City approximately 1,000 feet north of the project area. The access consists of an unpaved gravel trail, about 10 feet wide, curving down the 40-foot-tall bluff to City-owned beach. About 47 paved parking spaces for public access are located adjacent to the trail to Poplar State Beach, with additional provisions for RVs and horse trailers. The lot is approximately 150 feet from the edge of the bluff. The previous informal parking area at this site was about 10 feet from the edge of the bluff. The beach is walkable as far south as the bluff south of Redondo Beach Road and as far north as the Half Moon Bay State Beaches on the north end of the City.

Another formal vertical public accessway exists at the end of Miramontes Point Road in the South Wavecrest PDD, about one mile south of the project area. A 15-space paved parking lot connects to a 1,000-foot-long paved trail through the Half Moon Bay Links Golf Course. The trail then reaches an overlook and stairway to the beach next to the outlet of Arroyo Cañada Verde. The stairway connects to a paved lateral blufftop trail running northward approximately 3,500 feet along the length of the golf course property. The 15-space parking lot, trail, and beach access stairway were built as part of the South Wavecrest Redevelopment Project, approved by the Commission in 1994.

As a condition of approval of the coastal development permit for the Ritz-Carlton Hotel at Miramontes Point in 1991, the Commission required the permittee to provide a minimum of 25 parking spaces for public use on the hotel premises. Currently, the 25 reserved spaces are located in the Ritz-Carlton Hotel parking structure at the end of Miramontes Point Road. Another condition of approval required the permittee to contribute a $250,000 in-lieu fee to the Commission to pay for "the completion of offsite-public access improvements within the adjacent North and South Wavecrest Redevelopment areas, including trails, parking facilities, restrooms, and vertical accessways" (CCC 1991). In Spring, 2001, the Commission directed the City to use the fee to implement access improvements as prioritized in paragraph F of the *Memorandum of Understanding between the California Coastal Commission and the City of Half Moon Bay Regarding Expenditure of Mitigation Funds* (**Exhibit 21**).

Proposed project

The applicants propose to dedicate and improve a system of lateral public access easements in the project area **(Exhibit 22)**. Increased parking, improved streets at and west of Highway 1, and formalized lateral trails are proposed to accommodate future visitation to the Wavecrest PDD. The proposed development will not interfere with the public's use of existing, informal trials in the Western Area or the area south of Wavecrest Road. To the extent that development proposed in the eastern portion of the project site may affect existing, informal trails, the project incorporates equivalent public access in the form of streets and pathways.

Proposed Road Improvements

As part of the project, the applicants propose to construct a new westward public road extending from Highway 1 and Main Street. The proposed Main Street extension, referred to as Smith Parkway, generally would consist of two separated 800-foot-long, 14-foot-wide travel lanes that would end at the proposed Street C. An approximately eight-foot-wide public walkway is proposed on the north side of Smith Parkway, and a 15-foot-wide sidewalk is proposed on the south side of the proposed street, next to 38 diagonal parking spaces and a bus stop. The proposed Smith Parkway is consistent with the requirement of LUP Policy 9.3.6(k) to provide new public access in the Wavecrest PDD at the intersection of Highway 1 and Higgins-Purissima Road. (Higgins-Purissima Road meets Main Street at Highway 1.)

The applicants also propose to improve Wavecrest Road from its existing condition as a partially-paved roadway with a 40-foot-wide right-of-way to a two-way road with five-foot-wide sidewalks, nine-foot-wide parallel parking, and landscaping on both sides of the road. As proposed, Wavecrest Road would have a 70-foot-wide right-of-way that includes two 14-foot-wide travel lanes with Class III bicycle routes. The applicants are not proposing to lengthen the 2,630-foot-long Wavecrest Road. The applicants propose to construct a 225-space parking lot at the end of Wavecrest Road. At the end of Wavecrest Road, the applicants propose 225 public parking spaces in a new lot south of the proposed ballfields. Fifteen of these public spaces are proposed for dedication as signed public access parking. In addition, the applicants propose parallel parking along the remainder of Wavecrest Road from Highway 1 to the proposed parking lot. The parallel parking would provide about 180 spaces. Together, the parallel parking on Wavecrest Road and the parking lot would provide a total of 380 spaces.

All of the proposed streets in the project area would include Class III bicycle routes. Class III bicycle routes lie within motor vehicle travel lanes, have neither pavement markings nor lane stripes, and are identified only by signs along the road. The proposed project does not include provisions for equestrian use of the project area, given that existing equestrian use in the area occurs mainly on the City-owned beach west of the project area and is infrequent on the blufftop trails south of Poplar Street (Jesperson 1999).

Proposed Lateral Public Accessways

The applicants propose to construct lateral trails to connect the blufftop open space areas to the proposed development and to provide for the Coastside Trail in the project area, providing 7,200 feet of public trails with 15-foot-wide easements in the project area. The trails would consist of compacted natural material and would be constructed for use by pedestrians and cyclists prior to the occupancy or use of any structures or other approved development. The trails are proposed to be set back 50 to 100 feet from the bluff edge, consistent with LUP Policy 2-2 and Zoning Code Section 18.38.070, which require lateral trail setbacks of at least 10 feet from the edge of the

bluff. The proposed trails are consistent with LUP Policy 2-22, which requires the improvement of lateral coastal access from Kelly Avenue to Miramontes Point Road. The proposed trails are also consistent with Zoning Code Section 18.38.070 which requires an improved bluff edge trail between the Seymour Street right-of-way and Redondo Beach Road.

The applicants plan to dedicate all of the proposed public accessways in the non-residential areas as public access easements to the City of Half Moon Bay. In the residential subdivisions, the applicants propose to construct the paths and sidewalks, dedicate these accessways to the City, and surrender the maintenance responsibilities to the subdivisions' homeowners' associations.

Adequacy of Proposed Lateral Access

Zoning Code Section 18.40.030 requires new development to provide an offer to dedicate a public access easement or other legal mechanism to provide lateral, blufftop, vertical, trail, and/or recreational public access if (1) the development is located between the first public road and the sea; (2) the LCP has identified the location for public access; and (3) access is needed to mitigate the impacts of development on public access. The proposed project includes the construction of 279 residential units. Assuming there are at least three people occupying each of these residences, the proposed development will result in an increased burden of at least 813 people on existing access and recreation facilities. In addition, the project site is located between the first public road and the sea and the LCP has identified the project site for public access. Therefore, the proposed project meets all of the criteria contained in Section 18.40.030 and must conform with Zoning Code Section 18.40.030. The Commission finds the proposed lateral access dedications are consistent with Zoning Code Section 18.40.030 because they provide 7,200 feet of public trails, thereby connecting the blufftop open space areas and providing for the Coastside Trail in the project area.

The dedications are also consistent with Policy 2-2 of the LUP, which requires that new developments grant lateral easements for public access along the shoreline, as proposed by the Shoreline Trail alignment on the Access Improvement Map. The dedications are also consistent with the requirement of Zoning Code Section 17.40.090 for subdivision development located along the shoreline to dedicate lateral easements. Therefore, the proposed lateral dedications are consistent with the provisions of the certified LCP.

Proposed Vertical Public Accessways

The applicants propose to construct a vertical accessway from the top of the bluff to the public shoreline at the end of Redondo Beach Road. Applicants no longer propose to improve the existing path at Poplar State Beach, which lies outside the Wavecrest PDD, by the construction of a stairway.

Issues Raised by the Proposed Vertical Access

The applicants propose:

- 225 single family residential units;
- 54 affordable housing units;
- a middle school with the capacity for 1,150 students;
- a Boys and Girls Club for after-school and weekend uses;
- over 26 acres of sports fields and courts for public use (including a track, football field, six ballfields, four volleyball courts, four tennis courts, and 12 basketball courts);

- over 60 acres of open space and trails for passive recreation;
- 20 acres of mixed-use commercial and residential buildings and parking;
- two improved access roads from Highway 1 into the PDD; and
- traffic improvements on Highway 1 at Smith Parkway (the Main Street extension) and Wavecrest Road.

Increased Demand for Public Access and Recreation Opportunities

The development of the Wavecrest Village Project will increase public use of the area. The beauty and convenience of its location, on a scenic coastal bluff and along the main corridors through the City (Highway 1 and Main Street), make it a desirable destination for residents and local and out-of-area visitors. As the proposed development formalizes and encourages outdoor activity, the development will draw more visitors than under current conditions. The development will also produce an increase in permanent regular users of the area by the creation of the 279 residential units and the Middle School. Assuming there are at least three people occupying each of these 279 homes, the proposed development will result in an increased burden of at least 837 people on existing access and recreational facilities. The development will therefore intensify the use of the project area and the Wavecrest PDD. This significant increase in use impacts the ability of the project area to accommodate public shoreline access and recreational needs. Specifically, the increased demand for beach access and recreational opportunities generated by the proposed development will increase the use of existing informal vertical accessways in the Wavecrest PDD, adversely affecting coastal resources. This significant adverse impact must be mitigated by the provision of vertical access. In addition, the existence of informal beach access trails created by frequent public use around the Wavecrest Village Project area indicates that adequate formal access from the bluff to the beach does not exist in the Wavecrest PDD for the current level of use. The informal trails are located on steep bluff faces 40 feet in height or taller. Continued use of these unplanned trails may potentially destroy coastal vegetation such as the California wild strawberry, identified in the LCP as a unique species found on bluffs in the Wavecrest PDD. Access to the beach using these trails also contributes to bluff erosion and presents a public safety hazard. The development proposed under the Wavecrest Village Project will increase the use of informal beach access trails and accelerate the deterioration of these trails. Given that the proposed development will cause significant adverse impacts to coastal resources, the project must provide formal vertical access from the bluff to the shoreline consistent with public safety and the protection of fragile coastal resources.

Proposed Vertical Access Improvements at the End of Redondo Beach Road Meet LCP and Coastal Act Requirements

The applicants propose to fulfill the LCP requirement to provide vertical access from the bluffs to the beach by constructing a stairway at the end of Redondo Beach Road. The applicants no longer propose to improve the Poplar State Beach accessway, which is already an established public access point, as part of the project. As conditioned, the Commission finds that provision of this vertical beach access is sufficient to meet LCP and Coastal Act requirements for the provision of vertical access.

LCP and Coastal Act Requirements for Vertical Access in the Wavecrest PDD

LUP Policy 9.3.6(g) requires as part of any new development that vertical accessways shall be constructed to the beach from the bluff near the end of designated beach routes in the Wavecrest

PDD, with a potential third accessway to the beach approximately equidistant between the two primary access routes in the PDD. According to LUP Policy 2-16, the Access Improvements Overlay Map, and the Wavecrest Restoration Plan in the LUP, the designated primary beach access routes in the PDD are the extension of Main Street (veering northward and ending at the Seymour Street right-of-way) and Redondo Beach Road (**Exhibits 24 and 17**). These are also the two designated beach access routes referenced in LUP Policy 9.3.6(h), which requires, as a part of any new development in the Wavecrest PDD, the improvement of the two routes along the alignments shown on the Overlay Map and Restoration Plan or along new alignments designed to afford equivalent access opportunities. The designated beach route depicted by the Smith Parkway/Main Street extension ends at the bluffs in the project area. As discussed above, the bluffs in the project area have resource and safety constraints that deter construction of a vertical accessway from this location. A potential accessway south of the proposed project's blufftop area in the approximate equidistant region between the Seymour Street right-of-way and Redondo Beach Road is located outside of the project area where the applicants do not have a legal interest to propose the vertical accessway. The proposed improvement of Wavecrest Road, despite its provision of parking for public access purposes, does not provide parking associated with a vertical beach accessway.

Vertical Beach Access at Redondo Beach Road

The vicinity of the end of Redondo Beach Road, however, presents the only feasible location for the applicant to provide vertical access within the PDD and in proximity to the proposed development. Redondo Beach Road is a partially improved City street, currently used by the public to access a dirt parking area at the end of the road and informal trails along the blufftop and to the beach. It is one of the primary beach access routes with a vertical accessway to the beach contemplated by the LCP. No stairways or formal accessways to the beach exist at this location. Instead, informal trails immediately west of the dirt parking area are on steep and eroding bluffs, posing a danger to public safety. As an alternative to using these hazardous trails, some people apparently enter the arroyo approximately 1,000 feet north of the parking area and walk down the slopes approximately 300 feet to the beach. Since the City and County own paper streets and parcels between Redondo Beach Road and the arroyo in the area of the westernmost dirt trail, it is possible that a trail leading to the arroyo could be located on mostly public property, with the exception of the one landowner that owns the parcel adjacent to the arroyo. Given that the implementation of public access is feasible on public property, and that the vertical access appears to be most desirable through the arroyo, the applicants can provide access to the beach from Redondo Beach Road at this location (**Exhibit 25**). However, since a trail and vertical accessway through the arroyo will be subject to an agreement with the private landowner to allow such improvements on the portion of the trail that would be located on private property, the applicants may also provide alternative routes to the beach from Redondo Beach Road.

The Commission therefore imposes **Special Condition 10**, addressing the applicants' construction of public vertical accessway improvements from the end of Redondo Beach Road to the beach. **Special Condition 10** requires that the applicants must construct a stairway, ramp or combination of stairs and ramps to the beach at this location and provide public beach access signage at the intersection of Redondo Beach Road and Highway 1. Because the construction of a stairway at this location presents significant planning questions, including geologic stability and potential impacts to sensitive habitats, **Special Condition 10** requires the applicants to obtain a coastal development permit amendment for, as well as construct or fund, the stairway

prior to commencement of construction of any residential unit authorized by A-1-HMB-99-051. Prior to issuance of this Coastal Development Permit, the condition requires the applicants to submit a complete coastal development permit application for the proposed vertical access improvement, including an analysis of siting the vertical accessway through the arroyo generally depicted in **Exhibit 25**. As conditioned, the subject coastal development permit will not issue unless and until the applicants ensure development of vertical access improvements consistent with the requirements of this coastal development permit .

The requirements of **Special Condition 10** represent the most easily implemented and likely the least expensive option for vertical beach access in the Wavecrest PDD. The public access improvements imposed by the condition provide resource benefits that would otherwise not be realized. For instance, the provision of an improved vertical accessway would discourage the public from trampling vegetation, thereby protecting blufftop habitat. The stairway or ramp would also reduce erosion of the bluff and would allow a safe way for the public to access the beach. The vertical access improvements would provide a new, formal access point to meet the demand for public access and recreation in the Wavecrest PDD resulting from the proposed development.

As conditioned, the proposed development would provide public access from the nearest public roadway to the shoreline and along the coast, consistent with LUP/Coastal Act Policy 30212. Otherwise state development will not interfere with any potential prescriptive rights that maye xist over informal vertical trails. The construction of a vertical accessway at this location is also consistent with LUP Policy 2-16, which provides for the designation, signage, and improvement of Redondo Beach Road as a beach access route and with Zoning Code Section 17.40.095, which requires vehicular access to coastal resources to be provided where indicated on the Access Improvements Map of the City Local Coastal Plan. As conditioned, the project conforms with the requirement of LUP Policy 2-21 directing the State and County to encourage the construction of paths or stairs to the beach as shown on the Access Improvements Map. Furthermore, as conditioned, the project is consistent with LUP/Coastal Act Policy 30252 requiring the locations and amount of new development to assure that recreational needs of new residents will not overload nearby coastal recreation areas.

Although the applicants propose to dedicate and construct public access trails in the Wavecrest PDD, the applicants must guarantee that these public access mechanisms will be in place before public access use is increased in the project area. In order for the proposed project to guarantee public access benefits and avoid adverse impacts to public access and other coastal resources in the project area and Wavecrest PDD, the Commission imposes special conditions for the dedication and construction of all the trails and accessways in a timely manner, prior to issuance of this coastaldevelopment permit or prior to commencement of construction of any of the residences, and for the posting of public access signage along lateral and vertical accessways. **Special Condition 12** requires that the applicants submit, for review and approval of the Executive Director, written evidence that a public access easement has been dedicated to the City for the coastside trail, and that the applicants construct a 10-foot wide, all weather surface pathway and open it to the public.

<u>The Project Will Not Interfere with Existing, Informal Public Access on the Project Site</u>

Where there is substantial evidence of the existence of a public access right acquired through use, and a proposed development would interfere with that right, the Commission may deny a

permit application under Public Resources Code section 30211. As an alternative to denial, the Commission may condition its approval on the development being modified or relocated in order to preclude the interference or adverse effect. This is because the Commission has no power to extinguish existing public rights, even though it may authorize development which affects the exercise of those rights.

A full assessment of the degree to which the criteria for implied dedication has been met in this case could only be made after a more intensive investigation of the public use of the affected areas has been performed. In this case, the applicant's improvement and dedication of public access trails and other amenities could serve to protect any existing public access rights which would be eliminated by the proposed development. Section 30214 of the Coastal Act directs the Commission to implement the public access policies of the Act in a manner which balance various public and private needs. This section applies to all the public access policies, including those dealing with rights acquired through use. Therefore, the Commission must determine the extent to which the proposed public access improvements are equivalent in time, place, and manner to the public use that has been made of the site in the past. If the Commission determines that the proposed access is in fact, equivalent in time, place, and manner to the access use made of the site in the past, the Commission need not do an exhaustive evaluation to determine if substantial evidence of an implied dedication exists because regardless of the outcome of the investigation, the Commission could find the project consistent with Section 30211. If an investigation indicated substantial evidence of an implied dedication exists, the proposed project would not interfere with such public rights because it proposed access that is equivalent in time, place, and manner to the access previously provided in the areas subject to the implied dedication. If an investigation indicated that substantial evidence of an implied dedication was lacking, the Commission could find that with or without the proposed public access proposed by the applicant, the project would not interfere with the public's right of access where acquired through use and would be consistent with Section 30211

As proposed, the project involves no development over either the blufftop area west of the residential subdivision in the northern area or the area south of Wavecrest Road. As a result, the proposed development does not interfere with the public's use of informal trails in these areas on the site. Development proposed in the eastern portion of the site could affect the public's use of informal trails which cross the area to be developed. However, the project also incorporates public access along Wavecrest Road, the extension of Mainstreet to the residential subdivision and the streets, sidewalks, and pathways running through the proposed development. In addition, the applicants propose to construct a new vertical beach accessway at the end of Redondo Beach Road. These provisions for public access offer the functional equivalent of any informal trails in the eastern portion of the site which will be affected by development because they will provide full public access across the project site to and along the blufftop and improve public access to the beach. Thus, the Commission finds that the public access proposed by the applicant is equivalent in time, place, and manner, to the access use that appears to have been made of the project area in the past. Therefore, although there is an unresolved controversy as to the existence of public prescriptive rights, the applicant's proposed improvement and dedication of public access trails and other amenities to the City of Half Moon Bay protects the rights of the public, and the Commission finds that the proposed project is consistent with Section 30211 of the Coastal Act.

Public Parking

The applicants propose a 225-space parking lot at the western end of Wavecrest Road. The lot would provide 15 parking spaces specifically designated for public access of the lateral trails in the project area. The remainder of spaces would be devoted to public use of the sports facilities.

The LUP notes that the "lack of adequate parking facilities is the major limiting constraint on shoreline access and use of the beach in the City." The LUP further states:

> *...the scale of parking must be related to appropriate levels of recreational use along the shoreline and potential conflicts with existing residential neighborhoods. New, improved, and expanded facilities are proposed to be distributed along the entire shoreline in accordance with desirable levels of recreational area use.*

However, as stated in the LUP, consideration must be given to the level of recreational use of an area. To support this, the City Zoning Code contains provisions for determining the number of off-street parking spaces for park or recreational use. Zoning Code Section 18.36.120 refers to Table A of Zoning Code Chapter 18-36 to establish one parking space for every 8,000 square feet of active recreation area within a park or playground, and one space per acre of passive recreation area within a park or playground.

The applicants propose 13.25 acres of turf and 3.15 acres of paved area in the sportsfields, including tennis, volleyball, and basketball courts, a running track, and ballfields, for a total of 16.4 acres of active recreation area in the middle school area. In addition, the sportsfields west of the middle school area offer 9.84 acres for baseball and softball. The total acreage of the active recreation area is 26.24 acres, or 1,143,014 square feet. As proposed, the project conforms with LUP Policy 9.3.6(d), requiring the development of at least 15 acres of community recreation n the wavecrest PDD.

According to the zoning requirement, 143 off-street spaces must be provided for the courts and sportsfields. The applicants must also provide adequate public access parking for the approximately 82 acres of open space proposed in the project for passive recreation, even though the area is not located within a park or playground. Since Zoning Code 18.36.080 allows the off-street parking requirements listed in Table A to apply to similar uses, one space per acre of passive recreation as listed in 18.36.120 and Table A results in the need to provide 82 additional spaces exclusively for public passive recreational purposes. These public parking spaces could be provided at the proposed parking lot at the end of Wavecrest Road. The total number of parking spaces would be 225: 143 spaces to accommodate the sportsfields, and 82 spaces for users of the open space recreation areas. To conform with the Zoning Code requirements for parking, **Special Condition 11** requires the applicants to submit for the review and approval of the Executive Director a public parking plan providing a minimum of 225 public parking spaces at the end of Wavecrest Road and/or other areas within the project site to serve the active and passive recreation or access of the project site. The parking areas shall also include signage to inform the public of the right to use the spaces for access and recreation purposes. Therefore, as conditioned, the proposed project conforms to the public access and recreation policies of the Coastal Act and LCP.

4.4.4 Conclusion

Section 30252 of the Coastal Act requires new development to assure that the recreational needs of new residents shall not overload nearby recreational access. LUP Section 2.2 acknowledges

the need for careful consideration of the needs of the local community in light of increasing demands for coastal access and recreational opportunities by visiting populations. The LUP reinforces the importance of both providing access and recreation opportunities in the City and distributing visitation along the coast to protect natural resources.

The applicants propose to dedicate and improve a system of lateral public access easements in the project area (**Exhibit 22**). Increased parking, improved streets at and west of Highway 1, and formalized lateral trails are proposed to accommodate future visitation to the Wavecrest PDD. However, vertical public access improvements from Redondo Beach Road are necessary to prevent disturbance to vegetation on the bluff top and face. Formal vertical access improvements will curb uncontrolled access down the bluff face and into the arroyos of the Wavecrest PDD, thereby reducing bluff erosion, decreasing the occurrence of hazardous conditions, and protecting public safety. In addition, the increased demand for beach access and recreational opportunities generated by the proposed development will increase the use of existing informal, vertical accessways in the Wavecrest PDD, adversely affecting coastal resources. This significant adverse impact must be mitigated by the provision of vertical access. As conditioned, the improvement of Redondo Beach Road, the vertical access from the end of Redondo Beach Road to the beach and the creation of adequately-sized formal parking lots will offset the increased use of lateral and vertical accessways. The Commission therefore finds that as conditioned the development will conform with the public access policies of the Coastal Act and the LCP.

4.5 Visual Resources

4.5.1 LCP Standards

The LCP contains policies that require the protection of the City's visual resources. The LUP chapter on visual resources states:

> *Where development is appropriate, guidelines are required to protect the scenic quality of access routes to the beach, maintain the sense of openness characteristic of the City, preserve broad views of the ocean, and maintain a scenic corridor along Highway 1. The scenic quality of access routes to the beach should also be maintained and enhanced.*

The City's LUP Policy 1-1 states:

> *The City shall adopt those policies of the Coastal Act (Coastal Act Sections 30210 through 30264) cited herein, as the guiding policies of the Land Use Plan.*

Therefore, the City incorporates the Coastal Act policies as policies of the LCP.

Coastal Act Policy 30251 requires that the scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. The policy requires development to be sited and designed to protect public views to and along the ocean and scenic coastal areas and be visually compatible with the character of surrounding areas.

Chapter 9 of the LCP states that the purpose of the Planned Development District designation is to ensure that new development is consistent with policies protecting coastal resources. Like Coastal Act Policy 30251, LUP Policy 9-9 acknowledges the importance and value of the scenic and visual qualities of coastal areas and requires the protection of this sensitive coastal resource.

LUP Policy 9-9 requires development in Planned Development designated areas to use flexible design concepts such as unit clustering and multiple dwelling types to protect the scenic quality of the site.

LUP Policy 9.3.6(m), specific to the Wavecrest PDD, requires that development be clustered to the maximum extent feasible.

LUP Policy 9.3.6(n) requires maximum consideration to be given to preserving the cypress and eucalyptus hedgerows at the west end of the L.C. Smith property in the northwestern portion of the project area.

Zoning Code Section 18.37.020 defines scenic corridors to include the Highway 1 corridor and scenic coastal access routes. The code also identifies Wavecrest Road as a secondary access route from Highway 1 to a minor parking facility for public access purposes.

Zoning Code Section 18.37.030 requires the protection and enhancement of public views within and from scenic corridors by requiring the design and siting of structures in the least publicly visible locations. The design and placement of structures must also be an appropriate distance from the Highway 1 right-of-way and scenic beach access routes, compatible with the environment, maintain natural features such as mature trees, and have low height above natural grade and/or not obstruct public views. Section 18.37.030 prohibits vegetation removal within roadway rights-of way, allows compatible landscaping in scenic corridors to enhance the visual quality of scenic corridors, and encourages the use of natural vegetation and low earth berms for screening, and permits clearing of vegetation to enhance the scenic quality of scenic corridors. The code also contains requirements for suitable landscaping and screening.

Zoning Code Section 18.37.050 lists landscape design standards for developments. It requires existing trees to be preserved where possible and the use of compatible and adaptable landscape vegetation. The code also contains guidelines for tree planting.

4.5.2 Discussion

Scenic Qualities of Site

The coast and scenery of Half Moon Bay attract residents and visitors alike. The combination of open space, small-town amenities, and proximity to the highly urbanized San Francisco Bay Area are uniquely characteristic of San Mateo County coastal cities. The LCP seeks to preserve these qualities in the City by imposing policies to protect its scenic resources from the impacts of development.

The Wavecrest Village Project area is located about 1 mile south of downtown Half Moon Bay and about 1.5 miles north of the boundary between the City and an unincorporated portion of San Mateo County. Main Street runs roughly parallel to and east of Highway 1, beginning at the intersection of Highway 1 north of Highway 92. Main Street ends at the intersection of Highway 1 and Purissima Road, directly across the Highway from the project area. The applicants propose to extend Main Street approximately 800 feet westward into the project area.

The viewshed in the Wavecrest Village Project area includes westward views of the coast and horizon, coastal bluff terrace, and eucalyptus, Monterey cypress, and other notable tree stands. The project area gradually slopes over a distance of about 4,000 feet, from approximately 81 to 85 feet in elevation above mean sea level (MSL) near the Highway 1 right-of-way down to

around 65 to 70 feet MSL at the top of the coastal bluffs. Approximately 2,100 linear feet of the project area abuts the Highway.

Currently, views of the ocean across the project site are constrained by tree stands and existing development. However, the sea is visible from Highway 1 looking west and slightly north in the area of the Highway 1/Main Street intersection. The applicants propose to preserve this view by dedicating a wedge-shaped scenic easement over this portion of the project site (**Exhibit 33**). The proposed scenic corridor would be 90 feet wide at the intersection of Highway 1 and the proposed Main Street extension, broadening to about 200 feet at the western end of the Main Street extension. As conditioned, the scenic corridor would maintain visual access to the coast from Highway 1 and from the Main Street extension. Consistent with the applicants' proposal, **Special Condition 14** specifies that prior to issuance of the permit, the applicants must submit evidence that an irrevocable offer to dedicate a Scenic Corridor Easement has been executed and recorded in perpetuity over the proposed scenic corridor.

The applicants also propose to preserve the scenic qualities of the site by maintaining existing tree stands in the northern area of the project site, limiting the height of the development proposed closest to the highway, eliminating a sound wall from the plans as approved by the City, and preserving approximately 43 percent of the project site as open space.

The Commission finds that, as conditioned, the proposed development protects the scenic quality of the Wavecrest Village PDD, consistent with LUP Policies 9-9 and 9.2.6(m), Zoning Code Section 18.37.030, and Coastal Act Policy 30251.

4.6 Regional Cumulative Traffic Impacts

4.6.1 Regional Transportation Setting

Road access to the Mid-Coast region of San Mateo County including the City of Half Moon Bay is limited to Highways 1 and 92. Studies show that the current volume of traffic on these highways exceeds their capacity and that even with substantial investment in transit and highway improvements, congestion will only get worse in the future. As a result, the level of service on the highways at numerous bottleneck sections is currently and will in the future continue to be rated as LOS F (Dowling Associates, 1998; Caltrans, 1999). LOS F is defined as heavily congested flow with traffic demand exceeding capacity resulting in stopped traffic and long delays. This level of service rating system is used to describe the operation of both transportation corridors as well as specific intersections. LOS F conditions are currently experienced at certain intersections and at bottleneck sections of both highways during both the weekday PM peak-hour commuter period and during the weekend mid-day peak period (Wilson Engineering, 1998; Brady/LSA, 1999). The LCP contains policies that protect the public's ability to access the coast. Lack of available services is specified in the LCP as grounds for denial of the project or reduction in the maximum potential allowable density. The extreme traffic congestion on Highways 1 and 92 significantly interferes with the public's ability to access the area's substantial public beaches and other visitor serving coastal resources in conflict with these policies.

The key reasons for this problem are that capacity increases to the highways are constrained both legally and physically and because there is a significant imbalance between housing supply and jobs throughout the region. Without any new subdivisions, there are approximately 2,500

existing undeveloped small lots within the City. Each of these lots could potentially be developed with at least one single-family residence. Even with the City's Measure A, 3-percent residential growth restriction in place, this buildout level could be reached by 2010. If the Measure D one percent growth restriction approved by Half Moon Bay voters in November 1999 is implemented through an amendment to the LCP, the rate of buildout would be slowed, but neither of these growth rate restrictions change the ultimate buildout level allowed.

The Local Coastal Programs of Half Moon Bay and San Mateo County predict substantial future residential growth in both jurisdictions, thus contributing to additional congestion on the highways. For instance, the Half Moon Bay LCP predicts that additional housing units in Half Moon Bay will increase over the next twenty years by 100 percent or more (an increase of 4,495 or more units in comparison to the 3,496 units existing in 1992). According to regional predictions contained in the San Mateo County Countywide Transportation Plan Alternatives Report, even with maximum investment in the transportation system, traffic volumes on both highways are predicted to be far in excess of capacity, if residential and commercial development proceeds as projected.

The County's Congestion Management Plan (CMP) concludes that a major factor contributing to existing and future traffic congestion throughout the County is the imbalance between the job supply and housing (CCAG 1998). In most areas of the County, the problem is caused by a shortage of housing near the job centers, resulting in workers commuting long distances from outside the County. In these areas, the CMP recommends general plan and zoning changes designed to increase the housing supply near the job centers of the County. In accordance with the projections contained in the CMP, buildout of the currently existing lots within the City of Half Moon Bay would exceed the needed housing supply for the area by approximately 2,200 units, contributing to significantly worse congestion on the area's highways. Simply put, the capacity of the regional transportation network cannot feasibly be increased to the level necessary to meet the demand created by the development currently allowable under the City and the County land use plans.

Approximately 2,529 vacant residential lots already exist within the City of Half Moon Bay. Approval of the creation of additional residential lots through new subdivisions would only contribute to a long-term worsening of traffic congestion and a consequent limitation on the ability of the general public to reach area beaches and shoreline for priority visitor-serving and recreational purposes. Thus, any new subdivision that would result in an increase in residential lots is inconsistent with the City of Half Moon Bay LCP transportation, access and public services policies. As such, proposals to create new residential lots in Half Moon Bay must be denied.

The current traffic volumes on the two highways that serve the San Mateo County Mid-Coast region already exceed roadway capacity. The resulting traffic congestion significantly interferes with the public's ability to access the coast. Further exacerbating this problem are the facts that (1) the capacity of Highway's 1 and 92 cannot feasibly be increased to meet even current demand, and (2) that buildout of the existing supply of developable lots in the region allowable under the City and County LCPs is expected to greatly increase traffic volumes on these highways over the next 10 years.

The most recent Countywide Transportation Plan predicts far greater congestion on these two corridors by 2010, stating "in 2010 the most congested corridor [in San Mateo County] will be

Western 92" (C/CAG 2000). This report projects increases in the traffic volumes of 197- and 218-percent on Highways 1 and 92 respectively in the Mid-Coast region, and attributes these increases to "the anticipated levels of new development on the Coastside and the continued pattern of Coastsiders commuting to jobs in San Francisco and on the Bayside." This latest report serves to corroborate and underscore the findings of all of the previous traffic studies conducted in the region over the past three decades that Highways 1 and 92 in the Mid-Coast Region are not adequate to serve either the current or the expected future demands of development.

The Half Moon Bay LCP specifies that new development shall not be permitted in the absence of adequate infrastructure including roads. LUP Policy 9-2 states in relevant part:

> ***No permit for development shall be issued unless a finding is made that such development** will be served upon completion with water, sewer, schools, and **road facilities**...* [Emphasis added.]

LUP Policy 9-4 states in relevant part:

> *Prior to issuance of a development permit, the Planning Commission or City Council shall make the finding that adequate services and resources are available to serve the proposed development... **Lack of available services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.*** [Emphasis added.]

LUP Policy 10-4 states:

> *The City shall reserve public works capacity for land uses given priority by the Plan, in order to assure that all available public works capacity is not consumed by other development and control the rate of new development permitted in the City to avoid overloading of public works and services.*

The LCP also adopts Coastal Act Section 30252 as a guiding policy, which states in relevant part:

> *The location and amount of new development should maintain and enhance public access to the coast...*

4.6.2 Market-Rate Housing

The proposed development includes the creation of 225 market-rate single-family residences. This market-rate residential development would include 190 homes in the Northern Residential Neighborhood and 35 in the Southern Residential Area (**Exhibits 4** and **10**). The proposed increase in high-cost market-rate housing would contribute to the regional job/housing imbalance with significant cumulative impacts to public access due to its contribution to traffic congestion on the area's highways. The applicants propose to offset this impact by permanently retiring the development rights on approximately 206 existing legal lots in the Redondo View Subdivision (**Exhibit 26**).

The proposed retirement of existing legal lots in the project area as mitigation for the proposed creation of new "market-rate" lots is generally consistent with the mitigation required by the Commission in its February 2001 action on the Pacific Ridge Subdivision in Half Moon Bay. However, in that case, the Commission required the applicant to retire the development rights on

an equal number of existing legal lots as that proposed to be created through the subdivision. The effect of the required mitigation for the Pacific Ridge project was to prevent any net increase in legal lots in the Mid-Coast region. By retiring the exact number of lots the applicant proposed to create for market rate residences on a 1:1 basis, the applicant will eliminate the equivalent level of traffic impact created by the development. As discussed below, the Commission finds that to adequately mitigate the regional cumulative impacts to public access and recreation caused by the traffic generated by the proposed market-rate residential development, the applicants must permanently retire the development rights on an equivalent number of existing legal lots in the Mid-Coast region.

As proposed, the development would create 225 market-rate single-family residences, and retire development rights on approximately 206 existing legal lots in the Redondo View Subdivision, with a net increase of approximately19 lots. Consequently, the project as proposed would not adequately offset its contribution to regional traffic congestion and would result in significant adverse cumulative impacts to public access and recreation. Therefore, **Special Condition 16** requires the applicants, prior to issuance of the coastal development permit, to either: (1) reduce the number of new lots for market-rate residential development to the number of existing lots on which development rights will be retired, or (2) retire the development rights for an additional number of existing legal lots in the Mid-Coast Region, equal to the number of new lots over the number of existing legal lots that are to be created for the construction of market rate single-family residences. Each mitigation lot must be an existing legal lot or combination of contiguous lots in common ownership and must be zoned to allow development of a detached single-family residence.

Retirement of development rights is not dependent on the existence of an established transfer of development rights (TDR) program, but can feasibly be undertaken by an individual developer in the absence of any such program. Even so, the City has included the development of a TDR program in its work program for the LCP update, and the Commission awarded assistance grant funding for this work program in December 2000. In its December 15, 2000 preliminary assessment to the City of the feasibility of establishing a TDR program, the City's consultant identified 663 parcels and 1,453 potential transfer or donor sites in four PUD districts in the City. These sites were identified as particularly desirable donor sites for a TDR program to achieve a number of planning goals.

Under the Malibu/Santa Monica Mountains TDC program, the development credit attributed to any donor lot is based on the lot's development potential under current zoning. In calculating development potential, the program considers several factors including lot size, availability of services, presence of environmentally sensitive habitat areas, and slope intensity. Substandard lots without road or water services do not qualify for a full credit. Thus, under the Malibu program, more than one substandard lot is required to offset the impacts of the creation of one new developable lot. The Commission has found this credit system is necessary to ensure that the retired lots fully offset the impacts of new subdivisions.

However, the retirement of development rights on existing legal lots on a 1:1 basis for the number of new lots created to support market rate residences at any location within the Mid-Coast region, including both infill lots and paper subdivisions, would be sufficient to mitigate the significant adverse cumulative impacts of the proposed subdivision. By retiring the exact number of lots, which the applicants propose to create on a 1:1 basis for market rate residences,

the applicant will eliminate the equivalent level of traffic impact created by the market rate residences. Since development anywhere within the San Mateo County Mid-Coast contributes to traffic congestion on Highways 1 and 92, retirement of lots anywhere in this region would mitigate the impacts of the proposed market-rate development. Thus, in addition to the donor sites identified in the City's preliminary assessment, the proportional retirement of any of the several thousand existing undeveloped lots within the Mid-Coast region would serve to mitigate the cumulative impacts of the proposed project. Many of these existing lots are in "paper subdivisions" the development of which would likely result in significant impacts to coastal resources, including wetlands and other environmentally sensitive habitat areas.

Imposing this lot retirement requirement as a condition of approval for the proposed subdivision is consistent not only with the Commission's recent action on the Pacific Ridge Development, but with past Commission actions dating back over 20 years. The Commission first imposed such a requirement in 1978 as a condition of a coastal development permit for a small lot subdivision in the Santa Monica Mountains to mitigate for significant adverse cumulative impacts on public access to and along the coast due to severe traffic congestion on Highway 1.

For all of these reasons, the Commission finds that the proportional retirement of legal lots that may support development of market-rate housing in the Mid-Coast region is essential to achieve consistency of the project with the Half Moon Bay LCP. The Commission finds that as conditioned to ensure no net increase in legal lots potentially available to support market-rate residential development in the Mid-Coast region, the proposed market-rate residential development is consistent with the public access and public recreation policies of the LCP and the Coastal Act.

4.6.3 Affordable Housing

In addition to the proposed subdivision and construction of 225 market-rate single-family residences, the applicants propose to construct 59 affordable housing units. Thus, the Commission must consider the regional cumulative traffic impacts of the proposed affordable housing development.

In the Mid-Coast area of the County, the job/housing imbalance is the reverse of the rest of the County. In other areas of the County, an abundance of high paying jobs and a shortage of housing leads to in-commuting. In contrast, the traffic congestion in the Mid-Coast region is the result of too few high paying jobs and too many expensive homes. The employers in the Mid-Coast are primarily hotels, restaurants, small retail shops and boutiques, and local police, fire, public school, and parks districts. The area also continues to support agriculture, generating a demand for farm labor. These jobs, typical of the Mid-Coast, generally support persons of low and moderate incomes. However, there is a severe shortage of housing in the region that is affordable to such persons. As a result, persons employed in the Mid-Coast must commute into the region from the north via Highway 1 and the east via Highway 92. Thus, although the most significant traffic congestion on these highways is caused by the commute out by Mid-Coast residents to higher paying jobs in Silicon Valley and San Francisco, the "reverse commute" into the Mid-Coast by persons employed in the area also contributes to the regional traffic congestion.

There is no evidence in the record to support the conclusion that the supply of lower paying jobs, particularly in the service sector, will diminish in the Mid-Coast. Thus, the rate of in-commuting

to the Mid-Coast for the lower paying jobs available in the region can only be reduced by increasing the supply of housing affordable to the people employed in the region. The proposed affordable housing development would increase housing opportunities for persons employed in the region, and therefore reduce the regional cumulative traffic impacts caused by in-commuting.

Although the proposed development would increase the opportunities for Coastside workers to live near their jobs, the development does not guarantee that some residents of the affordable units will not commute to jobs outside of the region. As discussed above, any increase in out-commuting would contribute to the already severe traffic congestion on the area highways with significant cumulative impacts to coastal access and recreation. Nevertheless, the provision of affordable housing on the coast is consistent with the need to resolve the area's jobs/housing imbalance. The overall effect of correcting the jobs/housing imbalance would be a reduction in congestion on Highways 1 and 92. Thus, the Commission finds that the effect of the proposed affordable housing development to help correct the Mid-Coast jobs/housing imbalance is adequate to offset the potential impacts of any increase in out-commuting from these units.

However, the Commission can only support this determination if the units remain affordable in perpetuity. As discussed in Section 4.7 of this report, the housing policies contained in the City Zoning Code require the applicants to enter into an affordable housing agreement with the City and to record a deed restriction to ensure that the affordable housing units remain affordable as defined pursuant to Zoning Code Section 18.35.015 in perpetuity. **Special Condition 17** requires the applicants to comply with these requirements. This condition is intended to prevent the future increase in traffic impacts due to out-commuting associated with the conversion of the affordable units to market rate. Therefore, the Commission finds that, as conditioned, the proposed affordable housing development is consistent with the public access and public recreation policies of the LCP and the Coastal Act.

4.7 Final Architectural Review and Site and Design Approval

LUP Policy 9.3.2 states:

> *The purpose of the Planned Development designation is to ensure well-planned development of large, undeveloped areas planned for residential use in accordance with concentration of development policies. It is the intent of this designation to allow for flexibility and innovative design of residential development, to preserve important resource values of particular sites, to ensure achievement of coastal access objectives, to eliminate poorly platted and unimproved subdivisions whose development would adversely affect coastal resources, and to encourage provision for low and moderate income housing needs when feasible. It is also the intent of the Planned Development designation to require clustering of structures to provide open space and recreation, both for residents and the public. . . .*

LUP Policy 9.3.2 states:

> *Use of flexible design concepts, including clustering of units, mixtures of dwelling types, etc., shall be required to accomplish all of the following goals:*
>
> *(a) Protection of scenic qualities of the site;*
>
> *(b) Protection of coastal resources;*

(c) Avoidance of siting structures in hazardous areas; and

(d) *Provision of public open space, recreation and/or beach access.*

Zoning Code Section 18.21.020 provides:

Prior to the issuance of any Building Permits for new construction, alterations, or additions to any residential, commercial, industrial, or institutional building, the Planning Director shall review the plans submitted for each proposed project to establish the appropriate level of review as set forth herein:

A. Residential Projects:

1. Approval by the Architectural Review Committee is required: . . . b. For any new residential structure(s) and landscaping within a Planned Unit Development Project . . .

2. Architectural Review Committee and Planning Commission approval of a Site and Design permit are required for the construction of any multiple family residential structure with more than two units on a single building site . . .

B. Commercial/Industrial/Institutional Projects: . . .

2. Architectural Review Committee and Site and Design approvals are required: a. For the Construction of any new commercial, industrial, or institutional building or associated site improvements including landscaping and parking lot plans. . . .

Zoning Code Section 18.21.030 provides:

Standards for Review. In carrying out the purposes of this section, the Planning Director, Architectural Review Committee, and Planning Commission shall consider in each specific case any and all as may be appropriate:

A. The siting of any structure on the property as compared to the siting of other structures in the immediate neighborhood;

B. All structures shall be in good proportion; have simplicity of mass and detail; shall not strive for picturesque effect; there shall be an appropriate use of materials; colors shall be in good taste and never harsh or garish, but in harmony with themselves and their environment;

C. The size, location design, color, number, lighting and materials of all signs and outdoor advertising structures shall be reviewed. . . .

D. Landscaping shall be required on the site and shall be in keeping with the character and design of the building and existing trees shall be preserved whereever possible;

E. The size, location and arrangement of on-site parking and paved areas;

F. Ingress, egress and internal traffic circulation;

G. *All the above factors shall be related to the setting or established character of the neighborhood or surrounding area.*

The applicants have submitted large-scale, conceptual plans for the proposed development in the Northeastern Area and the mixed use area of the project site. These plans schematically show the location of the proposed development, conceptual building siting in plan view for each project area, and the type and density of uses proposed for particular areas within the project. The submitted plans are sufficent to allow the Commission to evaluate the project's conformity with the policies of the LCP and the Coastal Act concerning the issues raised under these standards, including protection of wetlands, ESHA, water quality, coastal views, traffic, infrastructure, and the types, density and location of the proposed development on the project site. However, the applicants have not yet submitted the detailed site plans, including revised subdivision maps, architectural plans, landscaping plans, or engineering plans for the buildings, streets, detention basin and other improvements which are proposed as part of the project, necessary to meet the requirements of Zoning Code Section 18.21.020 and specifically confirm that development will be undertaken in a manner that protects coastal resources consistent with the provisions of the certified LCP.

The LCP and Zoning Code section 18.21.020 require that the applicants submit detailed plans for architectural and site and design review. Prior to receiving building permits, all final, detailed plans for site and building design for the project must be reviewed by the City's Architectural Review Committee, Planning Director, and Planning Commission as provided for in the ordinance using the standards set forth in Zoning Code section 18.21.030.

Because architectural review and site and design approval is a requirement of the LCP, the Commission imposes **Special Condition 23**, requiring applicants to demonstrate that they have met the requirements for site and design review in Zoning Code chapter 18.21 by submitting proof of site and design review to the Executive Director, together with copies of all final, detailed plans for the project. As conditioned, the Commission finds the proposed development conforms with the architectural, site and design requirements of the LCP.

4.8 Other Local Approvals

In addition to the conditions imposed in connection with this application for coastal development permit, the applicants must meet all other permitting requirements and obtain other necessary local approvals. These other local approvals include without limitation the following:

4.8.1 Water Service Connection Allocations

Prior to construction, applicants must obtain water service connection allocations for each of the newly subdivided parcels. The applicants will have to obtain sufficient water service allocations for all project components, including the 225 market rate residential units, 54 affordable housing units, the proposed office and retail space, the Middle School, the ballfields and the Boys and Girls Club. Water service allocations are provided through the Coastside County Water District, whose board of directors has authority to issue water service connections.

The Half Moon Bay LCP specifies that new development shall not be permitted in the absence of adequate infrastructure. LUP Policy 9-2 states in relevant part:

> *No permit for development shall be issued unless a finding is made that such development will be served upon completion with water, sewer, schools, and road facilities...*

LUP Policy 9-4 states in relevant part:

> *All new development . . . shall have available water and sewer services . . . Prior to the issuance of a development permit, the Planning Commission or City Council shall make the finding that adequate services and resources will be available to serve the proposed development upon its completion and that such developments located within and consistent with the policies applicable to such an area designated for development. . . .*

Thus the LCP explicitly requires that development must be served with adequate water "upon completion" of the development in order to obtain a coastal development permit.

At present, the applicants have obtained a commitment from the CCWD for 79 5/8 water service connections for the market rate residential portion of the project. For the balance of the 146 market rate units, the applicants propose to transfer water service connections from other property owned by applicants and by purchase agreement from other landowners of property within CCWD's jurisdiction.

According to the CCWD, greater than 500 priority connections exist for priority uses in the coastal zone. Priority uses would include the proposed affordable housing units, the Middle School, the ballfields and the Boys and Girls Club. Priority uses might also be deemed by the City to include the office and retail space

Because the applicant has not demonstrated that the CCWD Board has allocated a sufficient number of water allocations to serve the development, the Commission impose **Special Condition 21**, which requires that the applicants demonstrate to the Executive Director's satisfaction that they have obtained water service connections on a parcel-by-parcel basis prior to construction. The applicants will independently have to demonstrate the availability of adequate water service connections in order to obtain building permits for each of the individual buildings in the project.

4.8.2 Building Permit Allocations

Measure A, the municipal growth control ordinance which is currently in effect as part of the certified LCP, imposes a 3 percent per year growth cap on development in Half Moon Bay. Building permits are allocated by the City under the provisions of Measure A. As part of the hearing of the Coastal Development Permit for this project, the Half Moon Bay City Council approved the applicants' allocation phasing plan under Measure A, taking into consideration the public benefits that the development would bring to the City. The Development Agreement entered into between the City and Wavecrest Village, L.L.C., also reflects this phasing plan for building permit allocations on an annual basis.

Under the Measure A building permit allocation phasing plan which is part of the Development Agreement, the City and Wavecrest Village, L.L.C. agreed that building permit allocations would be allocated to this project each year according to the following schedule: 25 building permit allocations for market rate units beginning in 1999 through and including 2002; 15 market rate, 18 very low income, and 2 moderate income building permit allocations in 2003; 23 market rate and 12 moderate income building permit allocations in 2004 and 2005; and 19 market rate and 2 moderate income building permit allocations in 2006. Thus, the phasing plan in the Development Agreement provides for a total of 180 market rate, and 46 affordable unit building

permit allocations. The balance of the necessary building permit allocations (for 45 market rate and 8 affordable units) is not provided for by the Development Agreement.

In November 1999, the City's voters passed Measure D, a 1 percent annual growth limit, to replace Measure A. However, because the Commission has not yet certified an amendment to the LCP implementing Measure D, consistency of the proposed development with the provisions of Measure D is not within the scope of the Commission's review of the coastal development permit amendment.

Independent of other Coastal Development Permit conditions and requirements, the applicants must obtain building permits for each of the buildings included as part of the development.

4.9 Archaeological Resources

Section 6.1 of the LCP incorporates Section 30244 of the Coastal Act, which states:

> *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Policy 6-2 of the LCP states

> *Prior to the issuance of a permit for any development within 100 feet of any recorded archaeological site . . . , the City will require the submission of a report by a qualified archaeologist regarding the resources which may be affected and mitigation measures necessary to protect the site or to undertake salvage of archaeological materials before development. Any permit shall be conditioned upon reasonable measures taken to mitigate the impact of development on archaeological resources. These may include (1) designating construction to avoid important resources, (2) covering the site with fill, and (3) site sampling and salvage.*

Neither the Coastal Act nor the LCP defines the term "archaeological resources." The discussion of planning issues related to archaeological resources in Section 6.2 of the LCP policies addresses prehistoric, Native American archaeological resources. The LCP does not expressly address other historical resources of relatively recent origin.

Two one-story, poured concrete structures presently exist immediately north of Wavecrest Road in an area proposed for the Middle School site.[5] The first structure is a squat, windowless box approximately 30 feet by 20 feet. The second structure, which lies approximately 60 feet west of the first, resembles the first structure and is approximately 50 feet by 30 feet. Both structures have poured concrete walls approximately 6 inches thick. In addition, four concrete piers, which apparently supported something, perhaps a generator or fuel tank, sit outside the first structure. (**Exhibit 27**) Local, anecdotal evidence suggests that these structures may have been constructed by the military during the Second World War for use as storage sheds, possibly for ammunition.

None of these structures is listed on the State Registry of Historic Buildings or is mapped as an archaeological site in the LCP. However, since the origin and possible historical significance of

[5] A third, similar structure exists south of Wavecrest Road in an area that the applicants do not propose to develop.

these structures is unknown, the Commission finds that the applicants must take steps to determine the historical significance, if any, of these structures prior to their demolition. **Special Condition 24** requires the applicants, prior to issuance of the permit, to provide a copy of a letter of permission from the State Historic Preservation Officer allowing demolition of the structures or, in the alternative, evidence that no permit or permission is required. If the State Historic Preservation Officer determines that the structures are historically significant or is unable to grant any required permission to demolish the structures, **Special Condition 24** requires the applicants to protect the structures in place or submit a mitigation plan for the relocation or removal of the structures for Commission review and approval.

As conditioned, the Commission finds that the project conforms with Section 6.1 and Policy 6-2 of the LCP and Section 30244 of the Coastal Act.

4.10 Alleged Violation

Development consisting of the alteration of the site drainage has taken place without benefit of a coastal development permit. Although development has taken place prior to submission of this permit amendment application, consideration of the application by the Commission has been based solely upon the policies of the LCP and the public access and public recreation policies of Chapter 3 of the Coastal Act. Approval of the permit amendment does not constitute a waiver of any legal action with regard to the alleged violation, nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

4.11 California Environmental Quality Act

Section 13096 of the Commission's administrative regulations requires Commission approval of CDP applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits approval of a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant impacts that the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the access, visual, environmentally sensitive habitat area, water quality, wetlands, housing, and traffic policies of the certified LCP, and the access and recreation policies of the Coastal Act and to minimize all adverse environmental effects. The Commission incorporates its findings on LCP consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant environmental effects of the project that were received prior to preparation of the staff report. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the certified LCP and Coastal Act and to conform to CEQA.

A-1-HMB-99-051
Wavecrest Village Project

EXHIBITS
1. Regional map
2. Vicinity map
3. Project location map
4. October 2001 site plan
5. Geographical area names and location of red-tailed hawk nest
6. 4/6/01 Project description submitted by the applicant
7. 5/23/01 Project description submitted by the applicant,
8. 5/29/01 Project description clarification submitted by the applicant
9. 5/31/01 Project description modification submitted by the applicant
10. 10/9/01 Project description submitted by the applicant
11. General wetland area filled for restoration purposes
12. Drainage ditch route through project area
13. Conceptual Wetland Restoration Plan
14. Existing Vegetation Map
15. 12/00 Letter from Gary Deghi
16. 05/01 Letter from Gary Deghi
17. Wavecrest Restoration Plan
18. 5/29/01 Letter from Alvaro Jaramillo
19. 5/22/01 Letter from CCWD to Patrick Fitzgerald
20. Proposed detention basin in Western project area
21. Memorandum of Understanding Between the Commission and the City of Half Moon Bay
22. Proposed Public Lateral Access routes
23. APN Map of Existing Parcels
24. Half Moon Bay Land Use Plan Access Improvements Map
25. Potential vertical access from Redondo Beach Road
26. Redondo View Antiquated Subdivision
27. Existing structures on project site
28. 4/5/01 Water treatment report
29. 4/01 Wetland Restoration Plan Description
30. 6/10/98 North Wavecrest Village Wetland Delineation
31. 5/29/00 Wavecrest Village Vegetation Study
32. Former agricultural pond buffer area
33. Scenic corridor easement
34. Open space fee dedications
35. Public recreation fee dedications
36. San Mateo County Mid-Coast Region

APPENDICES
A. Substantive File Documents
B. LCP and Coastal Act Policies

CORRESPONDENCE
1. 5/21/01 letter from Larry Kay

A-1-HMB-99-051
Wavecrest Village Project

2. 5/31/01 letter from Michael Ferreira

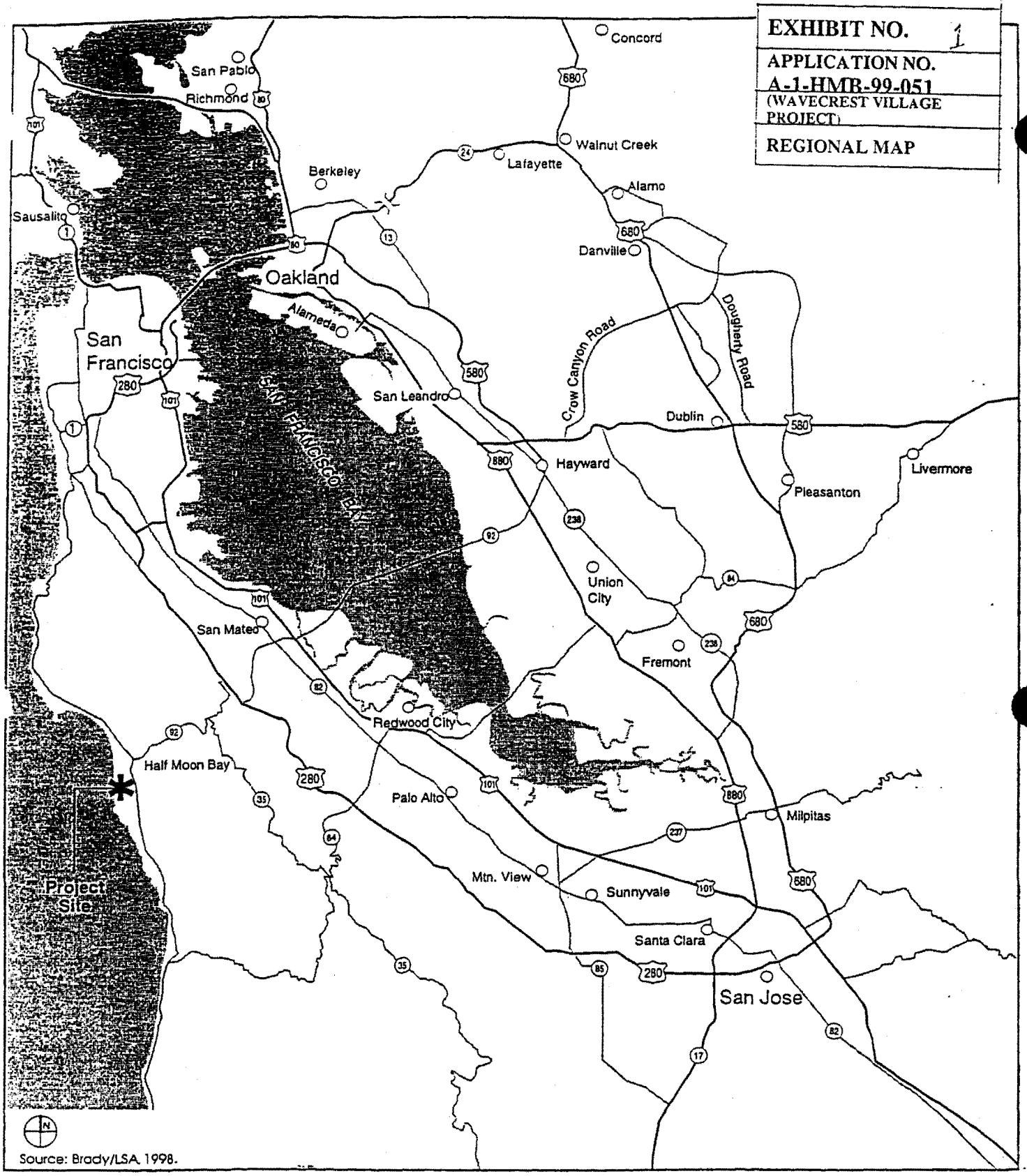


EXHIBIT NO. 1
APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)
REGIONAL MAP
Concord
San Pablo
Richmond
Walnut Creek
Lafayette
Berkeley
Alamo
Sausalito
Danville
Oakland
Alameda
San Francisco
Crow Canyon Road
Dougherty Road
San Leandro
Dublin
Hayward
Livermore
Pleasanton
Union City
San Mateo
Fremont
Redwood City
Half Moon Bay
Palo Alto
Milpitas
Mtn. View
Sunnyvale
Santa Clara
San Jose
Project Site
Source: Brady/LSA, 1998.

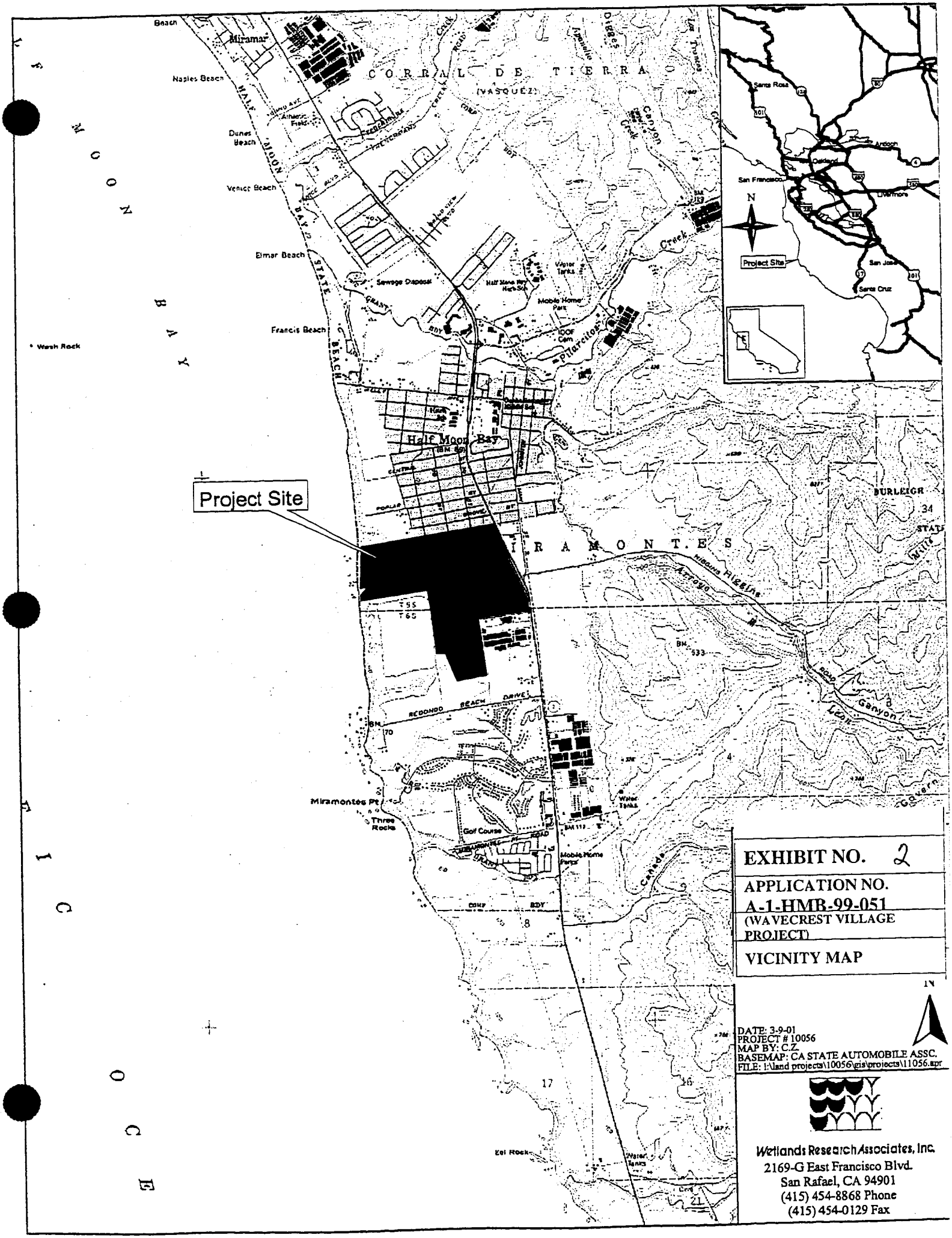
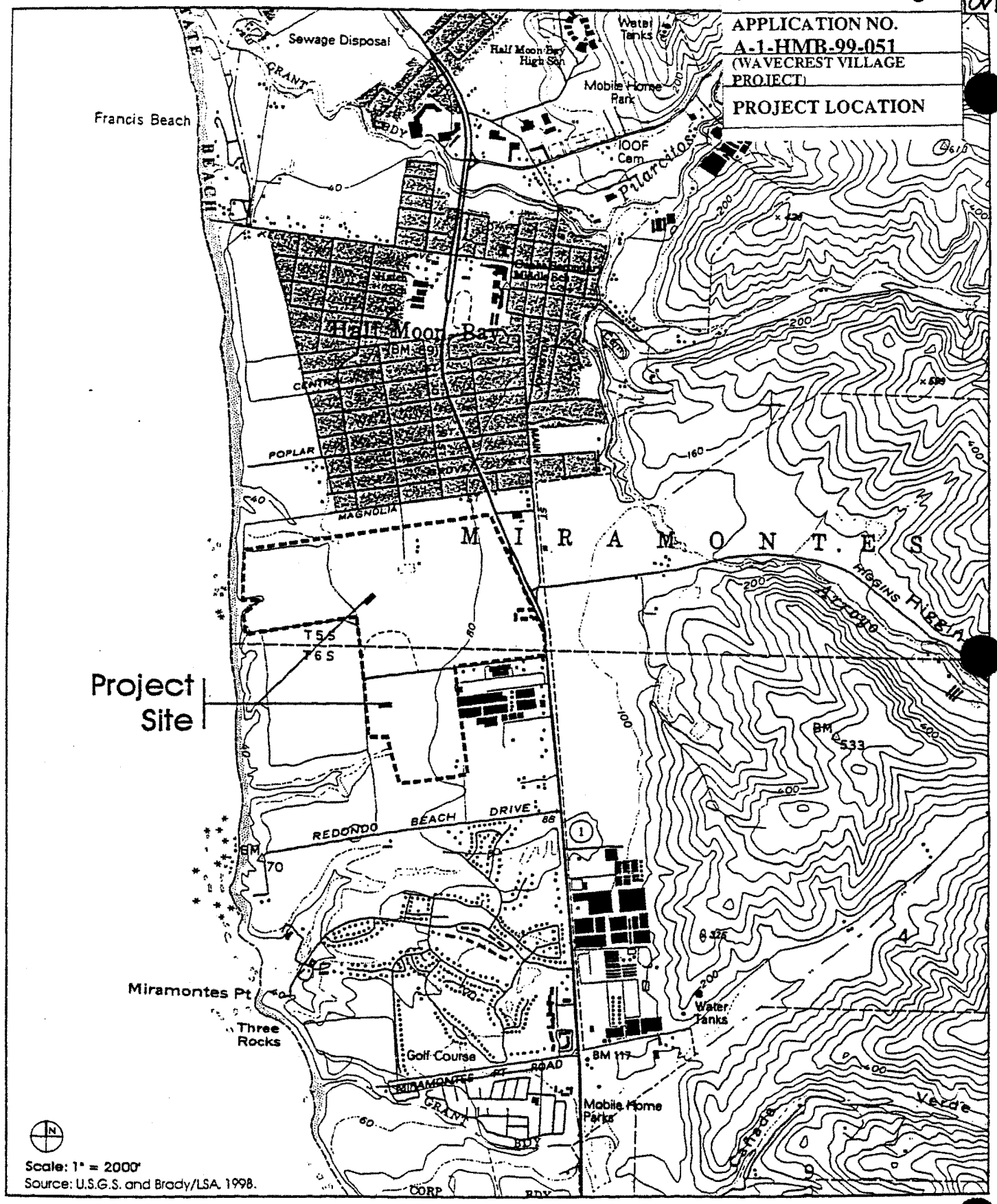

Project Site
Miramar
Naples Beach
Dunes Beach
Venice Beach
Elmar Beach
Francis Beach
Wash Rock
CORRAL DE TIERRA
(VASQUEZ)
Half Moon Bay
Sewage Disposal
Water Tanks
Mobile Home Park
IOOF Cem
Pilarcitos Creek
Canyon Creek
Arroyo Leon
Miramontes Pt
Three Rocks
Golf Course
Mobile Home Park
Canada
Eel Rock
BURLEIGH
MIRAMONTES
REDONDO BEACH DRIVE
HALF MOON BAY STATE BEACH
Santa Rosa
Oakland
San Francisco
Antioch
Livermore
San Jose
Santa Cruz
N
EXHIBIT NO. 2
APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)
VICINITY MAP
DATE: 3-9-01
PROJECT # 10056
MAP BY: C.Z.
BASEMAP: CA STATE AUTOMOBILE ASSC.
FILE: I:\land projects\10056\gis\projects\11056.apr
Wetlands Research Associates, Inc.
2169-G East Francisco Blvd.
San Rafael, CA 94901
(415) 454-8868 Phone
(415) 454-0129 Fax

EXHIBIT NO. 3

APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)

PROJECT LOCATION



WAVECREST VILLAGE DRAFT SPECIFIC PLAN EIR

Figure 2
Project Location

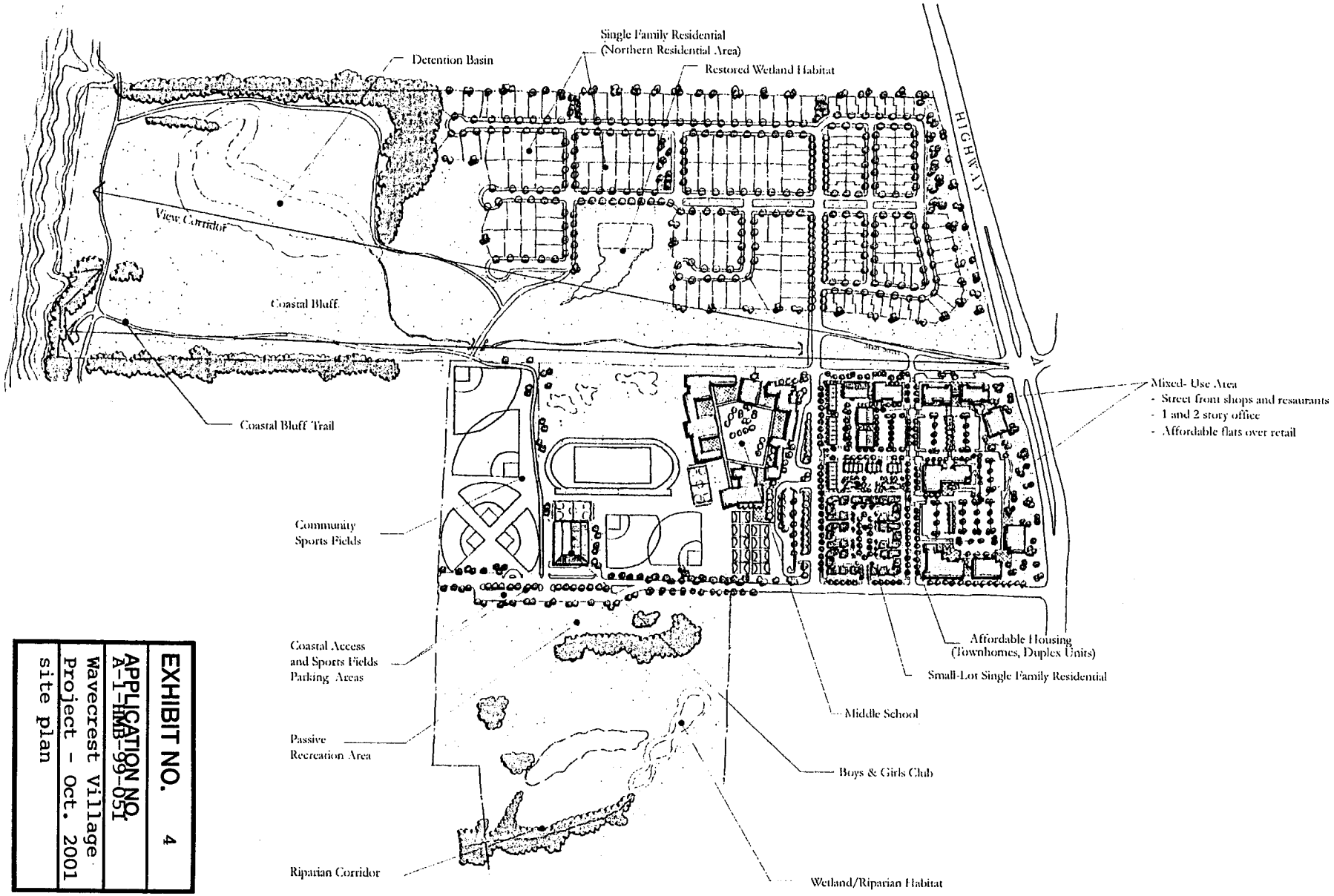


EXHIBIT NO. 4
APPLICATION NO.
A-1-HMB-99-051
Wavecrest Village
Project - Oct. 2001
site plan

EDAW
September, 2001

WAVECREST VILLAGE
HALF MOON BAY, CA
Illustrative Plan

0 200' 400' 600'

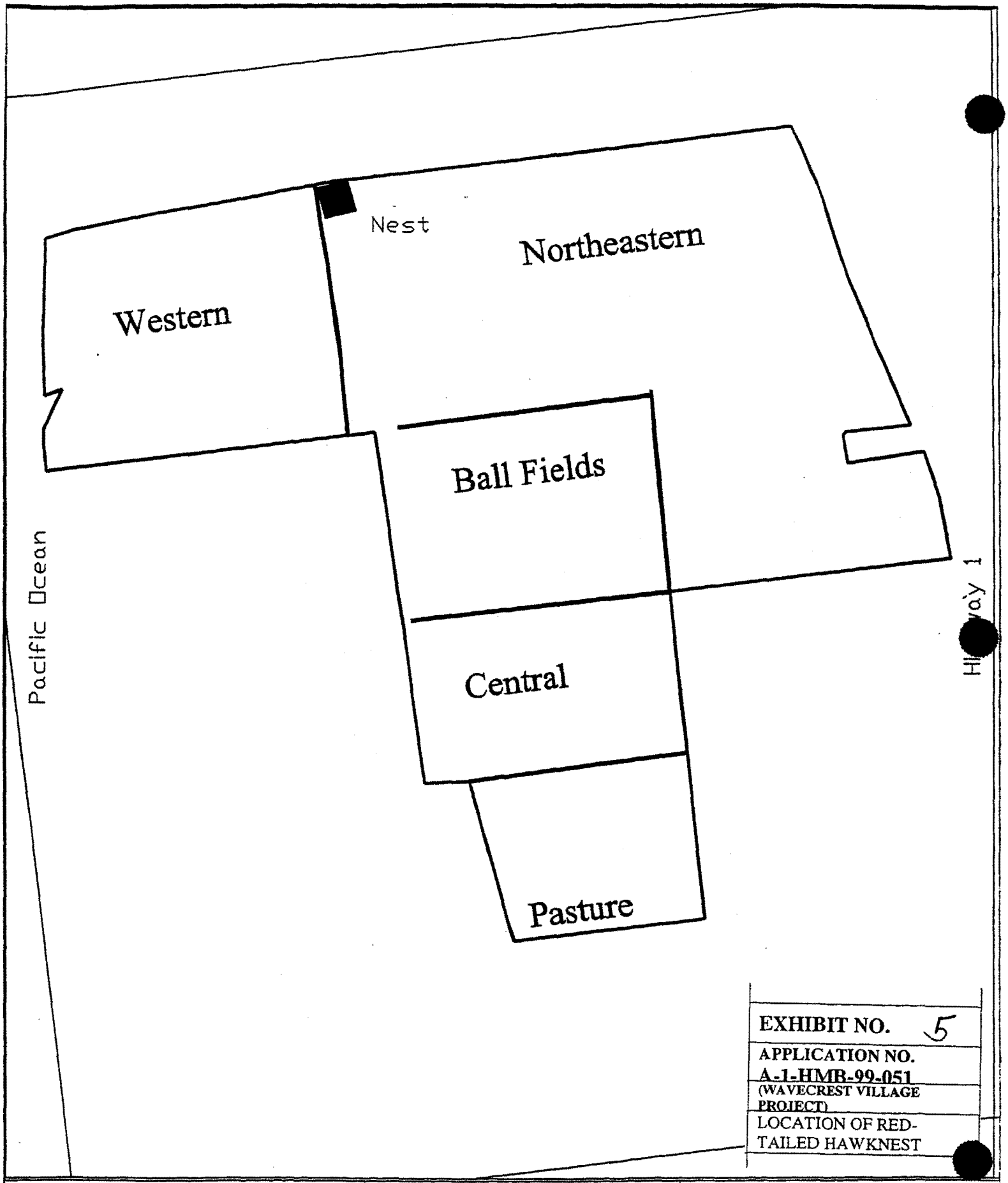


EXHIBIT NO. 5
APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)
LOCATION OF RED-TAILED HAWKNEST

Figure 3. Wavecrest Village Raptor Nesting Site

Wetlands Research Associates, Inc.

Received 4/6/01

Wavecrest Village L. L. C.
330 Purissima Street * Half Moon Bay, CA * 94019

EXHIBIT NO. 6
APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)
4/6/01 PROJECT DRESCRIPTION

April 6, 2001

Mr. Steve Scholl
Mr. Chris Kern
Ms. Virginia Esperanza
North Central Coast District
California Coastal Commission
43 Fremont Street
San Francisco, CA 94106-2219

Dear Steve, Chris and Virginia,

This letter and the enclosed information will serve as our revised project description for Wavecrest Village. First, we would like to thank you for your willingness to meet, discuss and reach solutions to the issues raised at our public hearing in October. Our meetings and submittals to you over the past months have been an effort to address those concerns and modify the project accordingly. We appreciate your review and comments to our various submittals. The revised project description and land use plan enclosed incorporates your comments to our submittals and addresses several other issues raised at our last meeting.

Overview

I would like to provide a general overview of the changes we are recommending for Wavecrest Village. The basic components of Wavecrest Village have not changed since our initial submittal. We are proposing the development of:

- a 25-acre middle school and related outdoor recreation areas;
- a 3-acre Boys & Girls Club of the Coastside facility;
- a 9.8 acre active park owned by the City of Half Moon Bay.

The location and description for these uses remain the same as detailed in our project description dated August 4 2000.

The total residential density described in the Wavecrest Village Specific Plan and approved by the City of Half Moon Bay also has not changed. We have, however, modified subdivision designs and relocated units as part of our discussions and submittals to you.

The northern residential area of Wavecrest Village has been redesigned to restore and improve the wetland habitat in this area. As we have discussed, the existing agricultural pond provides marginal wetland habitat. We are proposing to re-grade the existing agricultural pond in a manner to improve and restore the wetland vegetation in this area. There would be no reduction in wetland habitat. The agricultural pond would be reconfigured in a more natural shape and would be planted with wetland vegetation. It would also act as the first level of detention for the northern residential area drainage facilities, which would provide a source of water to the wetland throughout the year to maintain the habitat created in this area. As you know, there is no source of water for the agricultural pond.

We have also relocated thirty-five market rate units and twenty-two below market rate units located immediately south of Wavecrest Road to the mixed-use commercial area. This relocation reduces the approved maximum commercial space of 230,000 sf to approximately 160,000 sf – 120,000 in office space and 40,000 sf in retail space. We have enclosed our proposed site plans for both the relocated residential area and the commercial component in our submittal.

By relocating the residential units described above, we are proposing to create an additional 25+ acres of open space in the area south of Wavecrest Road. This would increase the total open space program of Wavecrest Village to approximately 112 acres or nearly 54% of the project area. We also propose to restore wetland habitat in this location by diverting the drainage water east of Highway #1 to this area. The wetland would be designed as a series of small basins and as an extension of the existing riparian to the south and west. It would act as a biofilter for the drainage to improve water quality and remove siltation and sediments. We would also continue the previous practice of draining irrigation water from the adjacent nurseries to this wetland to maintain the wetland habitat throughout the year.

Finally, the southern residential area has been redesigned to accommodate 34 units. We have redesigned the access for this subdivision to be from Redondo Beach Road and eliminated the street previously located in the area now proposed as open space and wetland restoration.

Northern Residential Area

As noted above, the northern residential area has been redesigned to restore and improve wetland habitat within this area. The revised land use plan shows the new subdivision design including the restored wetland. We have enclosed a description of the *Wetland Restoration Program* prepared by Dr. Michael Josselyn of Wetlands Research Associates. The restored wetland in the northern residential subdivision is described in the "Subarea C" of his report.

As in our August 2000 submittal, we have incorporated an open space element within the middle of the subdivision to facilitate views from Highway #1. As we agreed prior to our public hearing in October 2000, we also propose to limit the height of certain homes along Highway #1 to single story to improve the views along

this open space corridor to the eucalyptus grove in the western area of the project site. We have also included with this submittal a typical lot layout detailing the proposed setbacks for the subdivision. The rear setback of 20' for all the lots in this subdivision will provide another corridor for views from Highway #1 to the west. The restored wetland is setback 100' from any residential development.

The design of the homes and streets for the subdivision are consistent with our August 2000 project description.

Mixed-Use/Commercial Area

At our October hearing, the Commissioners requested further information and clarification on the mixed use/commercial area (the "white hole"). As noted above, we have redesigned this area to include a substantial portion of the residential units contained in the area adjacent to the Boys & Girls Club. In the residential area we are proposing thirty-five small lot single family residential units and twenty-two below market rate town homes. These relocated residential units comprise approximately six acres of the eighteen acre mixed use site.

Also included in this submittal is our proposed design for the site plan and buildings of the commercial area including the sizes and locations of the buildings. Our August 2000 submittal included guidelines for heights, floor area ratio (far) and architectural styling for this mixed use site. The site plan for the commercial area included with this submittal is consistent with those guidelines and indicates building sizes and locations in the mixed-use area. We have also included further clarification on the architectural styling for the buildings and shown typical elevations on the site plan. The mixed use area includes street front shops and restaurants and one and two story office buildings. As noted above, we have revised our project description to propose the development of approximately 40,000 square feet of shops and restaurants and 120,000 square feet of office space. As we discussed at our meetings, it was the goal of the City Council of Half Moon Bay and Wavecrest Village to improve the jobs housing imbalance on the coast by developing a location for job creation on the coastside. Job creation on the coastside provides an added benefit by reducing traffic trips on Highway #1 and Highway # 92.

Additional Open Space

Our revised project description for Wavecrest Village proposes to relocate the residential units described above to the mixed use area and create an additional twenty five acres of open space and restored wetland habitat in this area of Wavecrest Village. We are proposing to restore wetland habitat by constructing an extension of the existing riparian area adjacent to this site as described in "Subarea A" in Dr. Josselyn's *Wetland Restoration Program for Wavecrest Village*. In order to create this wetland habitat and provide water to this area, it is necessary to construct a pipe for the existing drainage water east of Highway # 1. We also propose to create a series of basins as the extension for the riparian habitat to not only restore the wetland habitat but to improve the water quality entering the existing riparian area and downstream to the ocean. The created wetland habitat will act as a

biofilter for sediment and siltation occurring from the farmlands east of Highway # 1 and the adjoining nurseries.

Southern Residential Area

The Southern Residential area has been redesigned to have thirty four single family lots. Access to the subdivision is now proposed from Redondo Beach Road and across and an existing dirt road that would be improved and widened to support the development. The previous access through the proposed open space area has been deleted. The lot sizes for the subdivision are slightly smaller than our August 2000 submittal. The designs of the homes and streets are consistent with our previous project description.

Public Access/Beach Access

The lateral public access system throughout the project area remains as described in our August 2000 project description and is indicated on the land use map. We have discussed with you the ability to provide vertical access to the beach. As we described in our August 2000 submittal, vertical access within the project area is considered by our engineers to be infeasible given the height of the bluffs in the project site. Staff has requested Wavecrest Village to provide access improvements including vertical access at Redondo Beach Road. We have proposed to pay a proportionate share of the costs for these improvements given that this location is offsite and it appears construction of this vertical access way may be infeasible.

However, after consultation with City of Half Moon Bay staff and Council members and as part of this project description, we would propose an alternative to our proportionate funding of the access improvements at Redondo Beach Road. As part of the development of Wavecrest Village, we would propose to construct a vertical access way at the Poplar State Beach. Currently there is an improved parking lot and connections to other lateral trails. There is an unimproved access path to the beach that is jointly used by pedestrians and equestrians. As you might imagine, there are safety issues with a joint access path for both pedestrians and horses. We would propose to construct a stairway to the beach in a design to be approved by the Commission in this location. It is important to note the Poplar Beach location is closer to the project area than the proposed access at Redondo Beach Road and very near the described northern location for vertical access in the Wavecrest Restoration Project.

Drainage Improvements

We are enclosing a report prepared by Brian Kangas Faulk entitled *Wavecrest Development Hydraulics and Hydrology*. This report provides further detail to the areas described in Dr. Josselyn's report noted above and discusses the hydrology conditions for the proposed development and related areas outside the project area. The vegetated swale and seasonal wetland ("Subarea B") discussed in Dr. Josselyn's report is the redesigned detention basin and drainage improvements in the western area of the project. We intend to plant wetland vegetation in this swale

and design it to both serve as a filter for the storm and irrigation drainage water and the detention system for the northern area of the project. Due to the revisions of our project description and the creations of restored wetlands described above, we are able to reduce the size of the detention basin in the western area of the project proposed in our August 2000 submittal by approximately 45%.

The new wetland areas and drainage features proposed in our revised project description enhances and restores wetland habitat and improves water quality entering sensitive areas such as the riparian habitat and downstream to the ocean.

Final Map

As you are aware, we have an existing agreement for seventy-nine water connections for a portion of the northern residential area from Coastside County Water District (CCWD). Also, as we discussed at our last meeting, we are currently in negotiations with landowners who own existing water connections from CCWD. We anticipate entering into an agreement with these land owners soon. These connections would be sufficient to serve the balance of the market rate residential units of Wavecrest Village. The remaining uses in Wavecrest Village (i.e. Middle School, Boys & Girls Club, affordable residential units, etc.) qualify as priority uses by the City of Half Moon Bay and CCWD has sufficient priority reserves to serve these components of the project.

We discussed alternatives for the approval of the project at our last meeting. In our discussions we proposed a condition of approval for Wavecrest Village requiring the Executive Director to approve the Final Maps for phases of the market rate residential units on our demonstration of contracts for water connections with other landowners or agreements with CCWD to provide Wavecrest Village with water connections. We include this proposed condition as part of our revised project description.

Additional Studies

As Virginia requested, Dr. Josselyn has contacted John Dixon to discuss his desired protocol for a raptor study in Wavecrest Village. This study is currently being conducted and should be completed soon. We will send you a report as soon as it is available.

As we discussed at our last meeting (and as noted in our August 2000 submittal), there are 217 lots existing in the Wavecrest Village project area. The approval of 225 market rate residential units would be in line with the abandonment of these preexisting lots.

I trust this letter and the enclosures clarify the proposed changes to the Wavecrest Village project description. We appreciate all your efforts to work with us on this project. As we have stated many times before, this is a very important project to the Cabrillo Unified School District, the Boys and Girls Club of the Coastside, the City of Half Moon Bay and ourselves as the applicant. We hope to be on the earliest

meeting possible before the Commission. Please don't hesitate to contact me if you need any further information.

Sincerely,

Patrick K. Fitzgerald
Project Manager

cc: Joe Angelini, Boys & Girls Club
Bill Barrett
Dr. John Bayless, CUSD
Blair King, City of Half Moon Bay
Bruce Russell

EXHIBIT NO. 7
APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)
5/23/01 PROJECT DESCRIPTION

WAVECREST VILLAGE: PROJECT DESCRIPTION

1. INTRODUCTION

The Wavecrest Village project ("the project") constitutes a phased master planned community by Wavecrest Village LLC, in conjunction with the Cabrillo Unified School District, the Boys and Girls Club of the Coastside, and the City of Half Moon Bay, on 206.7 acres in the City of Half Moon Bay, San Mateo County.[1] (*Please see Tab 1 of the August 4 2000 Wavecrest Project Description, Location Map*)

The project site is located on an uplifted marine terrace between Highway 1 and the 60-70 feet high Pacific Ocean bluffs, within the certified Local Coastal Program (LCP) urban limit line of Half Moon Bay. (Tab 2, Location Aerial Photograph.) The project site consists of four separate ownerships and includes (a) 206 small lots in an antiquated substandard subdivision, south of Wavecrest Road, (b) 10 larger parcels that have been farmed within the past five years, and (c) Wavecrest Road and five City paper street rights-of-way within the small lot subdivision. (*Please see Tab 3 of the August 4 2000 Wavecrest Project, Existing Property Ownership Map*)[2]

The site contains no blue line (permanent or intermittent) natural streams, but presently conveys on- and off-site agricultural and highway drainage waters through several man-made ditches that discharge onto a large percolation area and a County maintained drainage channel located off-site. (*Please see Tab 4 of the August 4 2000 Wavecrest Project, USGS Half Moon Bay 7.5 Minute Quadrangle Sheet*) The sandy beach at the foot of the bluffs beyond the westerly edge of the site is already in public ownership.

The project applicants have prepared, and the City Council has approved with clarifications and conditions, a Planned Unit Development (PUD) to implement the objectives, land uses, public access, conservation, and development controls of the certified LCP for the Wavecrest Restoration Planned Development District.

The applicant has revised that project after meetings and discussions with Coastal Commission staff and the initial public hearing in October 2000. The Revised Wavecrest Village Project is described herein (and in previous submittals to the Coastal Commission staff). The project is described by major categories within the following Project Description and in Table 1.

Specifically, the areas are:

1) *Coastal Bluff and View Corridor*
2) *Northern Residential Area*
3) *Middle School*
4) *Sports Fields*
5) *Mixed-Use Site (including Commercial space and residential units)*
6) *Boys and Girls Club*
7) *Multi-family Affordable Housing*
8) *Southern Open Space Area*

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MAY 23 2001
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COASTAL COMMISSION

[1] Certified Half Moon Bay LCP Land Use Plan ("the LUP") 'Development Conditions" Section 9.3.6(a) and (r), and discussion at 159.

[2] The four property owners are Concar Enterprises, Inc. (6 large agricultural lots), Pepper Lane Properties LLC (2 large agricultural lots. No Wavecrest Partners L.P. (3 large agricultural lots and 206 small lots, and the City of Half Moon Bay (5 street rights-of-way within the small subdivision). Although the project site is less than the whole 490-acre North Project Area of the Wavecrest Restoration Plan, the LCP specifica allows a PUD, as here, where its component parcels are in separate ownership.

9) *Southern Residential Area*

This Revised Project Description includes the previous submittals prepared by the applicant and submitted to the Coastal Commission staff except as noted in this Project Description. Table 1 provides an overview of the specific densities and intensities of uses in each of the major categories noted above, as well as the three major collector streets within the project: Smith Parkway (Main Street extended), Street C and Wavecrest Road.

2. SUMMARY OF PRINCIPAL PROJECT PROVISIONS

The Revised Wavecrest Village Project provides the following primary use classifications, and associated conservation and development standards, to implement the permissible kinds, densities, intensities, and locations contained in the LCP for the project site:

(a) Preservation of over 90 acres (43% of the project site) in open space on the blufftop, riparian preserve, along the view corridor from Highway 1 to the blufftop and Pacific Ocean, significant portions of the antiquated subdivision, along the Highway 1 and Smith Parkway landscape corridors, and in interior neighborhood parks.

(b) Dedication, improvement, and maintenance of a comprehensive and extensive system of public accessways to and along the blufftop shoreline.

(c) Development of a new Cabrillo Unified School District **Middle School** campus and a **Boys and Girls Club** of the Coastside.

(d) Modernization and expansion of **Sports Fields** and associated school recreational facilities usable to the public on a total of 26.3 acres.

(e) A **Mixed-Use** commercial/residential site, including affordable residential units.

(f) Creation of open space and a restored wetland area in an antiquated 206 unit small-lot subdivision (***Southern Open Space)***, some lots of which are located within a substantial arroyo that supports significant riparian-association habitat.

(g) Conservation of mapped wetlands, as defined in the LCP, and provision of associated 100-feet wide buffer areas.

(f) Construction of a total of 225 market-rate and 46 affordable housing units.

(h) Restoring and enhancing declining and deteriorating wetlands in the ***Northern Residential Area*** and the ***Southern Open Space*** area.

(i) Implementation of Best Management Practices to control and enhance present, primarily offsite, agricultural process water discharges and storm water runoff through construction of a 7.7-acre vegetated pond, trash screen, and other feasible measures to improve water quality.

(k) Implementation of associated infrastructure improvements, including turn and deceleration/acceleration lanes and signalization at the South Main Street-Higgins/Purissima Road/Highway 1 intersection entrance to the project, intersection and roadway improvements at Wavecrest Road and Redondo Beach Road, partial relocation (without alteration in size) of the area's sewer main, and extension of existing utilities into the project site from adjacent corridors.

3. WAVECREST VILLAGE MASTER PLANNED COMMUNITY

The Revised Wavecrest Village Project is specifically designed and organized to implement the general policy objectives and detailed content directives of the certified LCP Land Use Plan (LUP) and Implementation Program (IP), which designate and define the project site as part of the Wavecrest Restoration Project (North Project Area) planned development district.

This Revised Project description herein includes the specific information and materials, which individually and collectively constitute the Wavecrest Village project components and hence the Wavecrest Village project "development" under the meaning of the LCP and Coastal Act (Pub. Res. Code Sec. 30106), for which the applicants seek coastal development permit approval pursuant to the LCP and applicable Coastal Act Sec. 30210-30224.[3] In the following paragraphs, the project components are organized according to the framework for PUD's provided in LCP Implementation Program, Sec. 18.15.035.[4]

A. Proposed Uses, Densities, and Intensities

As shown in Part D, "Wavecrest Village Project Land Uses Uses", below, the project provides for nine use types as part of the project:

1) Dedicated open space, including bluff, grassland, windbreak tree, and riparian habitats, public view corridor, restored wetland areas, vegetated drainage pond, and neighborhood open space.

2) Dedicated public accessways, scenic overlook, and supporting facilities.

3) Public and school sports fields and associated facilities, which in part replace the existing community sport fields.

4) Clustered affordable and market rate housing.

5) A public Middle School campus for up to 1,150 students.

6) A non-profit community facility Boys and Girls Club.

7) A mixed-use commercial/residential center, between Hwy 1 and the Middle School.

8) Resubdivision of existing parcels and a small portion of an antiquated small lot subdivision.

9) Associated water, sewer, agricultural and storm drainage, other utility, and roadway infrastructure improvements, including signalization and turn lane improvements at the intersection of South Main Street and Highway 1.

---

[3] Pursuant to Coastal Act Sec. 30604(c), the Coastal Act's Chapter 3 public access and recreation policies apply to coastal development per[illegible] vi[illegible] of the Wavecrest Village project because it is located between the first continuous existing public roadway that parallels the sea (here, High[illegible] 1) and the sea (here, the Pacific Ocean).

[4] The Wavecrest Village Project does not require, include, or propose any amendment to the City's LCP Land Use Plan or Zoning Implementation Program.

The proposed project uses will take the place, as specifically indicated below, of recently dry-farmed lands, grassland and windbreak trees and former pasture. Man-made open agricultural drainage and highway storm runoff ditches are proposed to be replaced with 42" storm pipe and directed towards a restored wetland in the ***Southern Open Space*** area and the detention pond in the **Coastal Bluff** Area. A 1.4-acre agricultural pond will also be restored and improved to facilitate drainage from the ***Northern Residential Area***. A 7.7-acre vegetated agricultural and storm runoff detention pond, with Best Management Practices (BMP's) will be located in the ***Coastal Bluff and View Corridor*** area. Table 1 summarizes the proposed categories of uses, and their respective locations by acreages, densities and intensities of use.

B. Project Boundaries and Relationship to Adjoining Uses

1. Project Boundaries

The exterior boundaries of the Wavecrest Village PUD are shown in Tab 1, Location Map. Specifically, they consist of:

On the northwest, the westerly property line (PL) along the Pacific Ocean bluffs of existing Parcel APN 065-011-010 (Concar Enterprises, Inc.).

On the north, the northerly PL of existing Parcel APN 065-011 -010 (Concar Enterprises, Inc.), between the Pacific Ocean bluff and the intersection with the State of California Highway 1 ROW.

On the east, the easterly PL in existing Parcel APN 065-011-010 (Concar Enterprises, Inc.), fronting on the State of California Highway 1 ROW, south along the easterly boundary (defined by metes and bounds) of Parcel APN 065-110-100 (North Wavecrest Partners), to the southeasterly corner of the Wavecrest Road ROW at the westerly boundary of the State of California Highway 1 ROW.

On the south, from the easterly boundary of the State of California Highway 1 ROW at the intersection with the southerly boundary of the Wavecrest Road ROW, west +1322 feet along that southerly boundary of Wavecrest Road ROW to the unnamed 20-foot wide (paper) street ROW, then south +763 feet along the easterly boundary of that unnamed street to the southeasterly corner of the (paper) Harvard Street ROW, then south ±1,594 feet along the easterly PL of APN 65-110-020 (North Wavecrest Properties), then west +962 feet along the southerly PL of APN 65-110-020, then north ±794 feet along the westerly PL of APN 65-110-020, then west +211 feet along the southerly boundary of (paper) Harvard Avenue, to the intersection with the easterly boundary of the (paper) Park Avenue ROW.

On the southwest, from the southwesterly corner of Harvard Avenue, north ±763 feet along the easterly boundary of (paper) Park Avenue, to the northeasterly corner of the Intersection with the existing Wavecrest Road ROW, then north −959 feet along the westerly PL of APN 065-011-050 (Half Moon Bay LLC), then west + 1,758 feet along the south side of Lot 41 of APN 065-011 -010 (Concar Enterprises, Inc.) to the starting point of the PUD boundary.

Excluded from the PUD boundaries are (1) all parcels west of (paper) Park Avenue, south of Lot 41 of APN 065-011 -010 (Concar Enterprises, Inc.) and north of Redondo Beach Road, (2) Parcels APN 065-086-050 (Lane), -170 (Bosque), -190 (Hammell), 065-082-030 (Devine),

065-084-010 (Weistrop), and 065-110-010 (Halstead), (3) all Parcels between (paper) Marinero Avenue and Redondo Beach Road, from (paper) Park Avenue on the west to (paper) Occidental Avenue on the east, and (4) all Parcels east of the unnamed 20-foot wide paper street and its continuation, Occidental Avenue, between Wavecrest Road on the north and Redondo Beach Road on the south.

2. Relationship of Wavecrest Village Project Uses to Surrounding Area

The map in Tab 8, Wavecrest Village Project and Surrounding Uses, spatially depicts the relationships of the uses, densities and intensities proposed in the Wavecrest Village Project to existing uses within a 300-foot wide band around the project site.

2.1. To the west of the northerly part of the project site (***Coastal Bluff and View Corridor***) are the 40-60 foot high Half Moon Bay bluffs, the unnamed 300-foot long, steep-sided arroyo that bisects the bluff near the southwesterly corner of the parcel, the sandy beach, and the Pacific Ocean beyond.

The proposed Open Space uses of the ***Coastal Bluff and View Corridor*** both continue the existing open space qualities of the bluff -beach -ocean shoreline inland and provide public views from Highway 1 and intermediate public areas toward the shoreline. The L. C. Smith windbreak of acclimated trees will be permanently protected as a visual resource through the dedication of the entire parcel to the City for open space, view protection, and public access.

The proposed lateral Coastside Trail is located 50-100 feet inland of the bluff edge to both afford spectacular direct shoreline and distant ocean views, while minimizing adverse effects on the bluffs or on public safety by reasonably setting back the public accessway from the bluff top edge. The trail segment is aligned to connect with future adjacent lateral trail segments (by others) to the north and south, and also connects via a proposed signed vertical (East-West) trail system to the Highway 1 corridor and South Main Street (downtown Half Moon Bay).

Trail improvements will be made by the project developer to maximize opportunities for public access and recreation, commensurate with resource protection. For this reason, as well as those of public safety, difficulty to provide accessibility for disabled persons, and likely very high maintenance costs because of its location on the open ocean, steep bluff shoreline, development of a 40-60 foot high public access stairway to connect the blufftop trail with the beach along this segment of the shoreline has been determined to be infeasible. (*Please see Tab 10 of the August 4 2000 Wavecrest Village Project Description, Evaluation of Vertical Bluff Face Access Stairway, Wavecrest Village, Half Moon Bay.*) Low-rise signs warning trail users of the hazards associated with the bluff edge, and prohibiting climbing up or down the bluff face, will be posted to protect the natural resource and public safety.

The Project neither proposes nor allows structural development on the parts of the bluff face or bluff top within the project site. With the exception of the public trail, and the vegetated agricultural and storm water runoff detention pond, associated pipes, and a small maintenance road (further addressed in Part 2.2, below), no structural development is permitted pursuant to the Project within 1,000 feet of the bluff top.

To the west of the S*ports Fields*, the ***Southern Open Space*** and the ***Southern Residential Area***, the uplifted marine terrace consists of a remnant native bunch grassland, intermixed with

naturalized trees and shrubs, that is incised by one major (unnamed) vegetated "riparian" arroyo and two smaller ones. This area includes numerous small lots and several paper streets in an antiquated subdivision, whose owners elected **not** to participate in the Wavecrest Village Project. The area presently contains a small farmhouse and associated structures, an 18-inch sewer main in a 10-foot wide sanitary sewer easement (SSE) and maintenance road that runs in the (paper) Park Avenue ROW, and its filled crossing of the unnamed vegetated arroyo. Agricultural waste water may be discharged into the arroyo, which drains into a series of small pools just above the ocean beach, ÷1,000 feet north of Redondo Beach Road.

2.2. To the north of the ***Coastal Bluff*** and the ***Northern Residential Area*** lies a ÷1,310-foot long heavily vegetated regional storm water runoff drainage channel ("channel"), within a 60-foot wide parcel owned by the County of San Mateo. The 10-foot wide SSE continues in a northerly direction through this area. A recently approved LCP Amendment (deBenedetti) permits the resubdivision and development of residential lots north of the ***Northern Residential Area***. The improvement of Seymour Street and intersecting north-south streets within the deBenedetti subdivision will provide an additional public access connector with the Wavecrest Village public access system. The substantially built-out Arleta Park one and two story SFH residential subdivision is located to the north of Magnolia Street, and a church is located near the corner of Highway 1 and Seymour Street ROW.

The channel serves to drain various residential and other areas to the north and east, as well as the Wavecrest Village site, Highway 1, 12.5 acres of nurseries located south of Wavecrest Road, and ÷67-acres east of Highway 1. (*Please see Tab 4 of the August 4 2000 Wavecrest Village Project Description, Wavecrest Village Project Area Topographical Map (1996); USGS Half Moon Bay Quadrangle Topographical Map (1997).*) The channel discharges into an eroded pocket beach of the bluff some 20-90 feet north of the northerly ***Coastal Bluff*** property line (PL).

As described in the *Wavecrest Development Hydraulics and Hydrology* prepared by BKF submitted in April 2001, the Wavecrest Village project proposes to locate a 7.7-acre vegetated drainage pond (reduced from a 13.7 acre detention pond) and associated inflow and outflow pipes within the 55.8-acre ***Coastal Bluff*** area to apply Best Management Practices (BMP's) to the agricultural wastewater discharge and storm water runoff that now flow through the project site and into the channel. The vegetated drainage pond is designed to contain frequent (10-year storm interval) runoff within the core percolation area. The average design water depth of the pond is 3.5 feet, which during the dry season will mainly stem from agricultural water discharges that originate outside the project site. Two screened 48-inch outflow pipes will discharge water from the pond into the channel.[5] Combined 100-year storm, nursery, and watershed sub-basin drainage is designed to utilize the gently sloped bermed 7.7-acre maximum pond area; an emergency overflow weir is provided to discharge into the channel. Please see Tab 6 of the *August 4 2000 Wavecrest Village Project Description* for the proposed native pond plant species list.

The ÷1,500-foot long L. C. Smith windbreak of naturalized trees parallels and overhangs the existing channel. On the west, it extends 30-60 feet south onto the Northern Residential Area; on

[5] Based on information provided by SFRWQCB staff to the applicants' engineers, BKF, the physical type of proposed extended detention pond has a high removal efficiency for total suspended solids and heavy metals, a moderate removal efficiency for total phosphorous and biological oxygen demand, and a low removal efficiency for total nitrogen. To achieve higher levels of total phosphorous and total nitrogen removal, vegetation is proposed to be established in the pond in accordance with the species list contained in Tab -, Exhibit _.

the east. ~700 feet. (Tab 2, Locations Aerial Photograph.) The marine terrace to the north of the channel, west of the SSE, consists of a former County dump site.

2.3. To the east of proposed Wavecrest Village Project, and the entrance at proposed Smith Parkway (Main Street Extended), lie the State of California Highway 1 ROW, the unsignalized intersection with South Main Street and Higgins-Purissima Road, the Half Moon Bay Fire District station, agricultural parcels planted in field crops, the historic Johnson House, and several vacant parcels. A ~43,133 SF exholding parcel, owned by others and developed with residential and associated structures, is located along the easterly edge of the ***Mixed Use Site***, ~256-393 feet south of proposed Smith Parkway.

The Smith Parkway (Main Street Extended) intersection with Highway 1 and South Main Street/Higgins-Purissima Road will be improved with four-way signalization and turn/acceleration/deceleration lanes to implement the City conditions of approval to achieve an intersection LOS A during weekend evening peak traffic periods and an LOS B during weekend afternoon peak periods.[6]

Other uses to the east of the project, south of Wavecrest Road, consist of (a) a fenced, but otherwise undeveloped, 2-acre parcel alongside the proposed 2.77-acre site of the ***Boys and Girls Club*** (b) 12.5 acres of fenced commercial nursery space located east of the ***Boys and Girls Club*** and the ***Southern Open Space Area***, which discharges agricultural waste water into (1) a northerly trending buried 36-inch pipe that in turn emanates at the present drainage ditch just north of Wavecrest Road, ~1,340 feet west of the westerly Highway 1 ROW boundary, and (2) three 8-inch diameter pipes into man-made (by others) ±100 SF "Three Pipe Pond", and (c) low density residential uses and hobby farms.

2.4. To the south of Wavecrest Road, between Highway 1 and proposed ***Boys and Girls Club***, the project site is adjoined (from east to west) by an inn (restaurant and lodging), several singe-family residences, and the aforementioned vacant 2-acre parcel. South of these uses, the aforementioned commercial nursery (greenhouse) facilities extend ±1,330 feet between Highway I and the easterly project site.

A vacant parcel separates the southerly boundary of the project site from Redondo Beach Road and the Ocean Colony residential, golf course, and visitor-resort community.

[6] Wilson Engineering, Wavecrest Village Project Traffic Impact Study, 1998, page 14.

C. Wavecrest Village Project Site and Adjacent Area Natural Landscapes

Tab 4 of the *August 4 2000 Wavecrest Village Project Description* depicts (1) the terrestrial topography of the project site and an adjacent 300-foot wide band at 2-foot contour intervals, (2) the location of trees as well as riparian and LCP wetland habitats (environmentally sensitive habitat areas), and (3) the bluffs along the western face of the site. Tab 11 contains a species list of existing vegetation and Tab 12 provides the assessment of the condition of trees on the site, as contained in the Final EIR and supplemented for the ***Boys and Girls Club***.

The project site is located on a geologically uplifted marine terrace, which slopes gradually from the coastal range of hills east of Highway 1 to the 68-70 foot high bluffs on the west. The westerly property line (PL) of the project site generally follows the top of the bluff line and does not extend down the face of the bluff to the beach. The project site contains no mudflats, fresh- or saltwater marshes, swamps, intermittent or permanent streams, or lakes. (The riparian corridor in the southwesterly part of the site, which continues southwesterly towards the ocean, has been established since at least the 1950's and is proposed by the project to be permanently conserved through dedication for open space.)

In its natural condition prior to the advent of farming and grazing in the 19th Century, the site, which is exposed to the prevailing northwesterly winds, supported native bunch grasses on the marine terrace. Remnant populations occur on the westerly side of the ***Coastal Bluff and View Corridor*** and in several larger areas to the west of (paper) Park Avenue, outside the project site. The project site contains no dunes, rocky outcroppings, or coastal hills on the marine terrace; it also contains no significant natural topographical relief other than the Pacific Ocean bluffs.

As shown in Tab 13, wetlands have been delineated on the project site and the northerly edge of the existing Wavecrest Road ROW pursuant to the protocol provided in certified LCP Zoning Ordinance Section 18.38.020.E.

The 3.06 acres of delineated LCP jurisdictional wetlands on the project site are proposed to be permanently protected through application of a 100-foot wide buffer, provision of continued water inflow, recordation of a perpetual open space and conservation easement across both, and performance of an annual monitoring report.

Narrow man-made agricultural drainage ditches with de minimis vegetation and habitat value that are specifically excluded from the Coastal Commission's regulatory definitions currently trend along Wavecrest Road in a straight line and flow at a right angle through the proposed ***Middle School*** and ***Coastal Bluff and View Corridor***. These ditches currently convey on- and off-site agricultural wastewater, as well as storm water runoff from Highway 1, a 67-acre sub-basin east of Highway 1, and the project site. The project proposes to culvert the existing agricultural and highway drainage with project drainage, and discharge the collective runoff primarily to (1) a restored wetland feature in the ***Southern Open Space Area***, and (2) into a new shallow, vegetated (BMP), 7.7-acre pond in the ***Coastal Bluff and View Corridor***, from which it will percolate into the ground or, during major storm events, discharge to the County storm drainage channel that parallels the northerly PL of the ***Coastal Bluff***.[7] *(Please see the Wavecrest Village Development – Wetland Restoration Program Description prepared by Dr. Michael Josselyn and Wavecrest Development Hydraulics and Hydrology study prepared by BKF*

[7] The proposed new vegetated (BMP) agricultural and storm drainage pond is part of the application for Coastal Commission coastal development permit approval sought by applicants.

submitted in April 2001) In addition to the overall benefit to water quality resulting from BMP-processing of currently unfiltered agricultural and highway runoff in both locations, the restored and enhanced wetland features and the vegetated detention pond will also provide significant resource benefit by contributing to the likely emergence of seasonal wetland and related habitat values.

The deteriorating ±70,000 SF bermed irrigation pond in the proposed ***Northern Residential Area*** is proposed to be restored and enhanced as a wetland feature more fully described in Dr. Josselyn's *Wavecrest Village Development – Wetland Restoration Program Description* submitted in April 2001.

Near the southwesterly corner of the project site, the applicant has proposed a ***Southern Open Space***, which contains the proposed wetland feature and the upper reach (±15%) of an unnamed ±1,200-foot long arroyo that has been densely colonized with riparian-association species, in part due to agricultural wastewater discharges from greenhouse nurseries located east of the project site. The riparian canopy reaches, but does not substantially exceed in height, the wind burn line along the adjacent marine terrace elevations. The Revised Wavecrest Village Project provides for a 200-foot buffer on centerline (minimum 105-feet buffer from edge) of the riparian corridor through the creation of new parcel.

The mature and prominent L. C. Smith eucalyptus windbreak extends along the northerly project site, just south of the County-maintained regional drainage channel. It, and a parallel windbreak of cypress trees along the southwesterly corner of the ***Coastal Bluff***, near the bluffs, frame the Highway 1 public view corridor toward the blufftop and Pacific Ocean beyond, and will be conserved. A supplemental study of the unstable, windblown, and deteriorating naturalized eucalyptus and intermixed Acadia trees in proposed ***the Boys and Girls Club*** (immediately west of two former, but discontinued, nursery waste water drainages) recommends replacement of these trees with a native and naturalized windbreak along the southerly east-west boundary of ***the Boys and Girls Club*** (Tab 12.)

The project site is not listed in the relevant archeological, paleontological, or cultural-historical landmark data bases as containing any such known or potential resources.

D. Proposed Wavecrest Village Project Land Uses

As specified in Table 1 and depicted graphically in Tab 14, Wavecrest Village Project Land Uses, the Wavecrest Village Project proposes the following specific land uses, acreages, densities and intensities of use on the 206.7 acre project site.

In summary (as specified in Table 1) the Wavecrest Village PUD allocates ±93.5 acres to open space (45% of the area), ±56.6 acres to market rate and affordable residential units, including interior streets (27%), ±14.8 acres to mixed use commercial (7%), ±25.3 acres to education (Middle School) (12%), ±2.8 acres to Boys and Girls Club (1%), ±9.8 acres to active recreation (5%), and ±3.9 acres to streets, miscellaneous uses (3%).

E. Proposed Specific Development Standards

The Wavecrest Village project and its residential. commercial. school. Boys & Girls Club. sports fields. streets. parking. and open space areas are designed to be consistent with the conservation and development standards in the certified LCP and the Wavecrest Village Project Specific Plan. pages 7-4 through 7-9, as applicable to the respective development components except as amended in this Revised Project Description.

F. Proposed Project Lot and Street Layout, and Street and Highway 1 Intersection Improvements

1. The Revised Wavecrest Village Project Plans depict the proposed lot and street layout for the project.

In summary:

a) Smith Parkway (Main Street Extended) is proposed to be developed as a public street, to be dedicated to the City, in a 940-feet long trapezoidal corridor to the west of the proposed improved intersection of Highway 1 and South Main Street (see part (3), below).

Smith Parkway will consist of one-way westbound and eastbound travel and turn lanes, separated by a maintained and progressively larger central landscape island as the parkway approaches the intersection with Streets C (to the south) and the ***Northern Residential Area***. Eastbound Smith Parkway will expand from one to two lanes 250 feet west of the Highway 1 intersection. A turn lane through the landscape island into and from the proposed ***Mixed Use Site*** occurs +400 feet west of the Highway 1 intersection with Smith Parkway/South Main Street. Westbound Smith Parkway is proposed to consist of one lane from the intersection with Street C to within 120 feet of the Highway 1 intersection, where Smith Parkway expands to consist of a left turn, through, and right turn lane.

The project proposes vehicular travel lanes in Smith Parkway to be 14- feet wide, inclusive of Class III bike lanes along their outer edge. On the north side of the parkway and an intervening 7-feet wide planter corridor a nearly 8-feet wide" public path is proposed. On the south side of the parkway, adjacent to the proposed ***Mixed Use Site***, the project proposes five diagonal parking bays (38 parking spaces) that alternate with landscaped extensions of the proposed 15-feet wide public sidewalk.

(b) The project proposes to develop the entrance to the ***Northern Residential Area*** as a private, ungated, street in a 64-foot wide ROW. A 5-foot wide PUE and 5-foot wide PAE will be located on each side of the street. The entrance street consists of two 14-feet wide vehicular travel lanes, which accommodate Class III public bike lanes along their outboard sides, two 5-feet wide street tree landscaping corridors, two 5-feet wide public sidewalks, and two external 8-feet wide low shrub landscaping corridors.

(c) The project proposes to locate new Street C along 920 feet, between the south side of Smith Parkway and the north side of Wavecrest Road.

Street C consists of a public street, dedicated to the City, in a 74-foot wide ROW, with two 14-feet wide vehicular travel lanes, which can accommodate Class III bike lanes, 8-feet wide parallel parking, a 7-foot wide street tree landscaping corridor on both sides of the street, and two outboard sidewalks, respectively 10-feet wide along the west (school) side of the street and 8-feet wide along the east (***Mixed Use Site***) side of the street. Street C is bounded by ***Middle School*** on the west and ***Mixed-Use Site*** on the east. A 5-foot wide PUE will be located on the west side of Street C.

(d) The project proposes to redevelop Wavecrest Road along 2,630 feet, between Highway 1 on the east and the westerly boundary of the Wavecrest Village PUD.

Existing Wavecrest Road will be widened from its current deteriorated narrow paved track, within a 40-foot wide ROW, to a 70-foot wide ROW, which will provide for two 14-feet wide vehicular travel lanes (which accommodate Class III bike lanes), 9-feet wide adjacent parallel parking corridors on the north and south sides of the street, outboard 7-feet wide street tree landscape corridors, and respective 5-feet wide public sidewalks. A 5-foot wide PUE will be located on the both sides of Wavecrest Road.

Proposed public Wavecrest Road is bounded on the north, within the project site, by ***Sports Fields***, ***Middle School*** campus, and ***Mixed-Use Site***.

(2) *Street and Lot Layout in the Northern Residential Area.*

The revised Wavecrest Village Project plan depicts the proposed lot and street layout and associated open space for the ***Northern Residential Area***.

In summary, the ***Northern Residential Area*** development project consists of:

(a) The subdivision and structural development of 156 residential lots of approximately 7,200 SF.

(b) The designation and construction of private streets within the ***Northern Residential Area*** each with a 54-feet wide ROW, and with two 10-feet wide vehicular travel lanes (that accommodate a Class III bike lane), two 8-foot wide parking corridors, and respective 4-feet wide street tree landscaping corridors, and public 5 wide sidewalks.

(c) Development of landscaped areas within the ***Northern Residential Area***.

(3) *Intersection Improvements at Highway 1 and South Main Street*

The *August 4 2000 Wavecrest Village Project Description* depicts the proposed intersection improvements at Highway 1 and South Main Street, including in the State of California Highway 1 ROW and the City South Main street ROW. These improvements constitute mitigation, pursuant to the FEIR, to bring the present weekend afternoon peak hour Highway 1-South Main Street intersection LOS F to a LOS A during weekday evening peak periods and to LOS B during weekend afternoon periods. (Wilson Engineering, "Traffic Impact Study", 1998, page 14.)

In summary, the project for which applicants seek a coastal development permit from the Coastal Commission proposes that:

(a) A four-way traffic signal be installed and operated at the Highway 1 intersection with Smith Parkway and South Main Street/Higgins-Purissima Road.

(b) Southbound Highway 1 be improved with one 12-feet wide south-to- westbound deceleration and turn lane into Smith Parkway, and one 12- feet wide south-to-east/northeast bound deceleration and turn lane into South Main Street and Higgins-Purissima Road. Curbs will be provided along all turn lane improvements in the median

or shoulder of Highway 1. The project does not alter the size of the existing two southbound through lanes of Highway I at this location.

(c) Northbound Highway 1 be improved with one 12-feet wide north-to- westbound deceleration and turn lane into Smith Parkway. The project does not affect the existing northbound through lane. but locates a new combined through-and-right-turn lane of Highway 1 at this location to replace the existing sinuous offramp.

(d) The curve of westbound South Main Street to north Highway 1 be clearly delineated (striped) and a curved quasi-triangular raised island be located at the intersection's to further direct turning traffic.

(e) A westbound through lane to Smith Parkway and a dedicated westbound to southbound Highway 1 turn lane be located in the South Main Street curve east and northeast of the intersection.

(f) A 12-foot wide acceleration lane be located in Highway 1 from the southbound turn from Smith Parkway, and a merging lane be located in the triangulated median from South Main Street to southbound Highway 1.

(4) *Street and Lot Layout in* ***the Southern Residential Area***

The revised Wavecrest Village Project plan depicts the proposed lot and street layout and associated open space for the ***Southern Residential Area.***

(a) The subdivision and structural development of 34 residential lots of approximately 7,200 SF.

(b) The designation and construction of private streets within the ***Northern Residential Area*** each with a 54-feet wide ROW, and with two 10-feet wide vehicular travel lanes (that accommodate a Class III bike lane), two 8-foot wide parking corridors, and respective 4-feet wide street tree landscaping corridors, and public 5 wide sidewalks.

(c) Development of landscaped areas within the ***Northern Residential Area.***

All proposed streets within the project site will be provided with curbs, curb ramps to accommodate disabled persons, and with drains and gutters that direct storm runoff water to the best management practices vegetated storm drainage pond.

G. Typical Building Elevations and Design

1. Residential Buildings

Tab 17 of the *August 4 2000 Wavecrest Village Project Description* (Low Density Villa Residential Prototype and Low Density Estate Residential Prototype) depicts typical market-rate single family homes (SFH's) proposed by the project for low density residential development in the ***Northern Residential Area*** and the ***Southern Residential Area***.

In summary, the "villa" SFH's are proposed to be semi-custom or production homes, with a variety of floor plans in one and two story elements, in a visually cohesive neighborhood, where no identical structures either face or are located adjacent to each other and where houses have a primary orientation toward the street, clearly identifiable building entries that preferably include porches and integrated balconies, recessed garage doors, varied garage placement relative to the street and individual houses, interesting window configurations, and varied roof and wall planes. The project also proposes implementation of a street tree and shrub landscape corridor between SFH yards and adjacent sidewalks and curbside parking.

The "estate" SFH's are proposed to be larger custom or production homes whose primary entry is oriented toward the street and on which driveway and parking apron widths are minimized. These homes present varied wall and roof planes, and therefore heights and materials, to the street, likely will include porches and garages set back even further from the street than in the "villa" homes. The project proposes to continue the landscaping corridor between the yards of "estate" homes, or adjacent sidewalks, and curbside automobile parking.

Included in the Revised Wavecrest Village Project Plans are elevations and site plans for the smaller single family residential homes located in the ***Mixed-Use Site*** – residential component. As depicted in the project plans, the ***Mixed-Use Site*** – residential component proposes medium density affordable and smaller SFH's and duplexes that will utilize creative siting of a mix in the sizes and floor plans in combination with such architectural features as porches, balconies, other usable private open space, garage and building facade variation to create a varied and aesthetically interesting street presentation.

2. Commercial Buildings

Tab 19 of the August 4 2000 Wavecrest Village Project Description (Commercial Building Prototypes) depicts the project's proposed design of the commercial office and minor anchor buildings in the ***Mixed Use Site***. We have submitted with the Revised Wavecrest Village Project Plans a new site plan for the ***Mixed-Use Site*** and elevations and building sizes for the Commercial buildings in the Mixed Use Site. As described in our April submittal, the Revised Wavecrest Village Project proposes the development of 40,000 sf of shops and restaurants and 120,000 sf of office space at a Floor Area Ratio (FAR) of .3.

In summary, the design and presentation of the proposed commercial buildings in the Wavecrest Village mixed-use commercial project provide:

(a) Doubled-loaded one- and two-story Commercial Mixed-Use buildings that front on Smith Parkway and Street C with zero-lot line setback, and are provided with adjacent on-street parking, wide landscaped sidewalks, ground floor pedestrian-oriented retail spaces,

second floor office space, building entries that emphasize special ground level storefront treatment, passageways through the buildings between and among the street frontage, plazas, and the interior businesses, and interior ("rear") vehicular parking. Project street-side landscaping includes street trees and ornamental street lights. Mixed-use buildings facing Wavecrest Road are set back 10-12 feet from the street ROW.

(b) Primarily one-story "minor anchor commercial buildings that are surrounded by a continuous arcade, especially along the side of primary entry, and have mansard roofs to create visual interest. The project provides for special pavement and two-story entrance treatment, architectural variety along the buildings' rear elevations, and screened or sheltered loading areas.

(c) One- and two story office buildings with mansard roofs, special entry treatment, and framed windows rather than glass curtain walls, and with a 0-15 feet setback along Smith Parkway and Street C, and 25-feet setback along Wavecrest Road. Parking is provided interior to ("in the rear of") the project's proposed office campus.

3. *Middle School*

The Cabrillo Unified School District ("CUSD") has designed a middle school campus for up to 1,150 students in grades 6, 7, and 8, and 50-60 instructors, support staff, and maintenance personnel, which will vary with, and depend on, the programs incorporated into the school's curriculum. The school is proposed to operate between 8:15 am and 3:00 pm on a traditional school year. After school activities will include athletics, band practice, club meetings, and similar functions.

CUSD proposes up to 82,000 SF of building floor area, including 40 classrooms and 25,000 SF of covered walkways, that will be located on the easterly half of ***the Middle School*** site, and turf and landscape areas for sports fields that will be located on the westerly half of the site. CUSD's objective is to create a physical setting that will foster interdisciplinary teaching and communication among faculty, staff, and students at 11 grade levels, as well as to allow for flexibility to accommodate a variety of teaching styles and programs. The campus is designed to provide a wide variety of specialty spaces for science and other laboratory electives; multi-purpose spaces for drama, music, physical education, and extracurricular activities; and athletic fields and recreational facilities that allow for community, as well as school, use. All spaces anticipate the increased use of technology and buildings are designed to be constructed of materials that require low maintenance and upkeep, while withstanding the rigors of an active middle school body.

As depicted in Tab 21, ***the Middle School*** campus consists of the following eleven buildings:

(a) Multi-use Building A, with music rooms: 22,940 SF and a maximum height of 40.5 ft.

(b) Food service Building B: 780 SF and a maximum height of 13.25 ft.

(c) Classroom Cluster C: 5,576 SF and a maximum height of 13.25 ft.

(d) Classroom Cluster D: 7,920 SF and a maximum height of 13.25 ft.

(e) Classroom Cluster E: 5,576 SF and a maximum height of 13.25 ft.

(f) Industrial Technology Building F: 3,035 SF and a maximum height of 20 ft.

(g) Home Skills and MS Rooms Cluster G: 5,280 SF and a maximum height of 13.25 ft.

(h) Science Rooms Cluster H: 8,640 SF and a maximum height of 13.25 ft.

(i) Library and Media Center J: 6,160 SF and a maximum height of 19 ft.

(j) Classroom Cluster K: 11,808 SF and a maximum height of 13.25 ft.

(k) Administration Building L: 4,493 SF and a maximum height of 25.75 ft

The typical building design of ***the Middle School*** campus is depicted in two elevations at Tab 21. 25,000 SF of covered exterior walkways are proposed to connect the buildings. The campus plans provide for 101 parking spaces in two separate lots: (1) 49 employee and 30 public spaces on 45,467 SF, with two driveways that connect with Street C between Wavecrest Road and the westerly entrance to the ***Mixed Use Site***, and (2) 20 employee and 2 public spaces on 8,519 SF, with a driveway that connects to Street C at eastbound Smith Parkway. In addition, the campus plans provide for a 5,705 SF bus/automobile loading/drop-off area, with one entrance (or exit) near the westerly driveway into the ***Mixed Use Site*** and a second entrance (exit) in upper Street C, south of eastbound Smith Parkway.

The campus plans further provide for clusters of dense landscaping in combination with earthen berms to screen the school buildings from adjacent southern neighbors. Landscaping with trees is also proposed along parts of the Middle School boundary with the City ***Sports Fields*** to the west and the north-south segment of the Coastside Trail, from the trailhead on the north to Wavecrest Road on the south, weaves between the two parcels. The Middle School parking lots will include perimeter landscaping. Lighting of outdoor covered areas and on buildings will be directed at paths and entry doors, while parking lot lighting on 12-foot tall poles will be shielded to avoid or minimize off-site illumination.

As also shown in Tab 21, ***the Middle School*** outdoor areas are proposed to include a 577,756 SF turf play area on 13.25 acres and a 137,240 SF paved play area on 3.15 acres, as follows:

(l) One 400-meter athletic track, with an interior multi-purpose sports field and adjacent high jump, long jump, and shot put areas.

(m) One Pony League baseball and one softball field, which in part overlay a second, larger, multipurpose field.

(n) 12 basketball courts.

(o) 4 volleyball courts.

(p) 4 tennis courts.

(q) A paved plaza area between the Pony League baseball field and the centrally located restroom and storage building on the ***Sports Field***.

The campus plans indicate that the nearest buildings and parking to the delineated LCP wetlands are proposed to be set back ~-125-175 feet from it, while the Pony League baseball field and the nearest Multi-Purpose Sports Field are located beyond the 100 foot buffer from the three delineated wetlands on the *Middle School* site.

4. Boys and Girls Club

As depicted on Tab 22, Boys and Girls Club Site Plan, this non-profit community youth facility is proposed to be located south of Wavecrest Road and directly across the street from the proposed Middle School campus. ***The Boys and Girls Club*** is proposed to include the following buildings, structures, and landscape areas:

(a) A 26,850 SF main building, with a 1 0-ft eaves height at low roof, a 36-ft peak at the high roof, and a 42-ft cupola maximum height, that includes:

(1) A 10,000 SF gymnasium.
(2) A 3,600 SF games area.
(3) A 2,500 SF multi-use area.
(4) A 1,500 SF teen center.
(5) An 800 SF kitchen.
(6) 1,800 SF of administrative space.
(7) A 250 SF health office.
(8) A 600 SF classroom.
(9) A 900 SF computer room.
(10) A 700 SF arts room.
(11) A 1,400 SF multi-use/dance area.
(12) 750 SF of storage.
(13) 600 SF of mechanical space.
(14) 1,000 SF for restrooms.
(15) 450 SF for the entry and halls.

(b) A future 7,500 SF covered (roofed) and paved outdoor use area, located to the west of the main building, with a peak height of ~35 feet.

(c) 66,224 SF of landscaped area, including a 100-foot fenced buffer from "Three-Pipe Pond", a native/naturalized tree windbreak along the southerly and westerly property lines, turf areas to the east, south, and west of the main building, and a five-foot wide landscape corridor along the Wavecrest Road frontage of ***the Boys and Girls Club*** Master, in addition to the 7-foot wide street tree landscape corridor on the south side of the street.

(d) 56 automobile parking paces (3 for disabled persons), a bus/car drop-off zone near the entrance to the main building, and a ~450 SF bicycle parking area. Two 24-ft. wide entrances (exits) from Wavecrest Road to ***the Boys and Girls Club*** are proposed to be located ~76 feet from the northwesterly and ~55 feet from the northeasterly comers of the ***Boys and Girls Club***.

(e) An ~850 SF recycling area.

The site plan provides for a minimum 10-foot wide SDE along the easterly boundary of ***the Boys and Girls Club*** to accommodate the proposed north flowing agricultural drainage pipe into the BMP runoff and discharge system proposed by the Wavecrest Village project.

H . Location and Acreage of Open Space

As depicted in Tab 14, the Wavecrest Village project provides 93.5 acres of permanent open space (45% of the 206.7 acre Project site) and an additional 26.24 acres of active recreational open space at the Middle School and City Sports Fields.

The project will dedicate the ***Coastal Bluffs*** and View Corridor and the Riparian Preserve to the City in fee-simple, while permanent open space easements will be dedicated to the City across the public view corridor from Highway 1 to the bluffs, the Highway 1 landscape buffers (***Multi-Family Affordable Housing*** and part of ***Mixed Use Site***), and the active recreation area ***Sports Fields***.

In summary, the project provides the following specific open space areas:

(a) The ***Coastal Bluffs and View Corridor,*** the entire westerly portion of the Project site (62.3 acres) and the public view corridor from Highway 1 that is located west of the intersection of Smith Parkway with Streets C (south).

(b) The Highway 1 and Smith Parkway entry landscape corridor (3.7 and 1.95 acres), which extends from the northerly property line south to Smith Parkway." These landscape corridors will be maintained initially by the subdivision project applicant and permanently by the Homeowners' Association.

(c) The 50-foot wide landscape corridor along Highway 1 the ***Mixed-Use Site***, between Smith Parkway and Wavecrest Road, (with the exception of the +1 -acre parcel fronting on Highway 1 that is owned by others). These landscape corridors will be maintained by the owner.

(d) The 16.4-acre active recreational school-public sports fields and courts in the ***Middle School*** campus. These open space areas will be maintained by the Cabrillo Unified School District.

(e) The ***Southern Open Space*** area representing 27.2 acres along the southerly boundary of the ***Boys and Girls Club*** project and, including, the riparian habitat preserve (7.81 acres) which will be dedicated in fee simple to the City.

(f) Parcel F, the 9.84-acre sports fields.

In addition, the project contains proposed internal subdivision open space (landscaped) areas and a long various interface corridors between residential subdivision and collector street areas.

I. Preliminary Landscape and Grading Plans

Tab 23 of the *August 4 2000 Wavecrest Village Project Description* depicts illustrative landscape plans for the Wavecrest Village PUD project well as individual Master Parcels and specific project elements for which applicants seek Coastal Commission coastal development permit approval. Page 2 of 6 in the Draft Master Landscape Plan should be deleted since the Revised Project has deleted this residential area. Dr. Josselyn will be preparing project level plans for the restored wetland areas including the area to be replaced by this sheet.

The principal objectives of these landscape plans, individually and together, is to maintain, and create, as appropriate, a high quality visual environment, including through (a) protection of the Highway 1 view corridor to the bluffs, (b) the two windbreaks of trees on the northerly and southerly sides of the ***Coastal Bluff***, which frame the public view corridor, (c) provision of a landscaped Highway 1 linear open space buffer relative to residential and commercial uses within the subdivision, (d) protection of the riparian corridor in the ***Southern Open Space*** Area , and (e) planting and maintenance of native and naturalized (acclimated) tree (overstory) and shrub species to enhance the appearance of developed areas.

Development of the very slightly sloped project site involves only a small amount of grading to excavate footings for residences, the school buildings, Boys and Girls Club, commercial building piers, and to create the base for the associated streets, public accessways, utility infrastructure, parking lots, and landscaped areas. A balanced total of ÷50,000 cubic yards will be excavated, principally to create the pond in Parcel I and from underground utilities, and will be used, as appropriate, for street base elevations near raised Highway 1, public and private landscaped areas, and to fill existing drainage ditches that are replaced by proposed agricultural and storm runoff water drain pipes.

J. CEQA

The Draft Environmental Impact Report (DEIR) and Final Environmental Impact Report (FEIR) of the Wavecrest Village Specific Plan specifically address, analyze, and mitigate, as appropriate, the potentially significant environmental effects from the proposed Wavecrest Village Project.

The DEIR and FEIR have previously been submitted by the City under separate cover to the Coastal Commission through the State Clearinghouse environmental review process. (CEQA Guidelines Sec. 15060(d).)

K. Public Access Improvements

Included in the Revised Wavecrest Village Project Plans is a new public access map, which depicts the comprehensive and extensive project system of public accessways. Table 2, above, contains a specific, detailed enumeration of individual accessway segments, supporting facilities (e.g., trailhead parking, restrooms, benches, trash receptacles) and their respective improvements and intensities of pedestrian, bicyclist, etc.). All public accessways will be signed and accessible to disabled persons.

All public accessways in the Coastal Bluffs, the public accessway proposed for the south side of Parcel B (Phase 3, subject to further coastal development permitting) will be constructed of compacted natural materials. Public access sidewalks and/or terraced/plaza areas will be paved.

Class III bike lanes will be located in the outer part of vehicular travel lanes in collector streets. Bicycles will also be permitted on the Coastside Trail in the ***Coastal Bluff***.

Vehicular parking lots to support public access uses will be located at the westerly end of Wavecrest Road, south of the ***Sports Fields*** (15 dedicated and signed public access parking spaces).

In cooperation with the City and State of California, the project will place "Coastal Access" signs in or along the Highway 1 ROW north and south of the intersections with Smith Parkway and Wavecrest Road.

All public accessways identified in this project description for non-residential parcels will be (a) improved by the applicants as conditions precedent to occupancy of the first building or permitted use (e.g., sports fields) in the respective development, (b) dedicated through public access easements (PAE's) to the City, and (c) maintained by the City. Public accessways (e.g., sidewalks or paths) through the residential subdivisions will be improved by applicants, dedicated to the City as PAE'S, and maintained by the Homeowners' Association.

Table 1
Revised Wavecrest Village Project

NORTHERN RESIDENTIAL AREA

The Northern Residential is a signal family home development at the northeast corner of the proposed project. This area was previously identified as Parcels J and K on the approved Phase 1-A vesting map and in the August 4 2000 Wavecrest Village Project Description. The design criteria for this area shall be as indicated on the revised Wavecrest Village Project Plans and Description. The Northern Residential has the following general statistics:

Total Area:	40.3 acres
Lots:	156
Average Lot size:	7,200 sf
Roadways:	324,100 square feet
Drainage Pipe *1:	4,350 linear feet
Sanitary Sewer Pipe *2:	7,830 linear feet
Joint Trench *3:	8,700 linear feet
Water Pipe	8,700 linear feet
Roadway Landscaping:	159,000 square feet

COASTAL BLUFF AND VIEW CORRIDOR

The Coastal Bluff and View Corridor is an area proposed for public detection and use by the public. This area was previously identified as Parcel L and I on the approved Phase 1-A vesting map and in the August 4 2000 Wavecrest Village Project Description. The area has the following general statistics:

Total Area:	62.3 acres
Public Trails within 15-foot easements:	7,200 linear feet
Detention Basin with wetland vegetation:	7.7 acres
Restored Wetland:	1.4 acres
Vegetated Drainage Ditch:	2,200 linear feet
Drainage Pipe *1:	1,300 linear feet
Sewer Pipe *2:	575 linear feet

MIXED USE SITE (COMMERCIAL AND RESIDENTIAL)

The Mixed Use Site is an area proposed for retail and office space, as well as the southwest corner will be used for affordable housing. This area was previously identified as Parcel H on the approved Phase 1-A vesting map and in the August 4 2000 Wavecrest Village Project Description. The area has the following general statistics:

Total Area:	19.9 acres
Commercial/Office Space Site Area:	14.8 acres
Commercial/Office Space:	160,000 sf
Parking Stalls:	500 spaces
Residential Area:	5.1 acres
Residential Units:	57 units (35 market; 22 affordable)

MIDDLE SCHOOL

The Middle School is an area proposed for the new City of Half Moon Bay Middle School. This area was previously identified as Parcel G on the approved Phase 1-A vesting map and in the August 4 2000 Wavecrest Village Project Description. The area has the following general statistics:

Total Area:	
Building Floor Area:	83,893 square feet
Turf Sports Fields:	577756 square feet
Paved Sports courts	137,240 square feet
Parking Area:	101 spaces
Bus Drop Off Area	5,705 square feet

SPORTS FIELD

The Sport Field is an area proposed for multi-purpose turf sport fields. This area was previously identified as Parcel F on the approved Phase 1-A vesting map and in the August 4 2000 Wavecrest Village Project Description. The area has the following general statistics:

Total Area:	9.8 acres
Sports Fields:	253,315 square feet
Concessions:	2850 square feet
Public Trail with 15-foot easement:	1,100 linear feet

BOYS AND GIRLS CLUB

The Boys and Girls Club parcel is located on the Southside of Wavecrest Road. This area was previously identified as Parcel E on the approved Phase 1-A vesting map and in the August 4 2000 Wavecrest Village Project Description. The area has the following general statistics:

Total Area:	2.8 acres
Building:	26,850 square feet
Parking:	27,460 square feet
Landscaping:	58,725 square feet

MULTI-FAMILY AFFORDABLE HOUSING

The Multi-Family Affordable is an area proposed for "walk-up apartments". This area was previously identified as Parcel L Phase 1-C vesting map and in the August 4 2000 Wavecrest Village Project Description. The area has the following general statistics:

Residential Area:	1.8 acres
Multi-family units:	18

SOUTHERN OPEN SPACE

The Southern Open Space is an area proposed to be dedicated to the public on behalf of the applicant. The dedicated area consists of individual lots owned by the project applicant in the area. This area was previously identified as parcels B, C, and a portion of D on the approved Phase 1-A vesting map and in the August 4 2000 Wavecrest Village Project Description. The area has the following general statistics:

Total Area:	20.1 acres
Wetland restoration area	4.0 acres

SOUTHERN RESIDENTIAL AREA

The Southern Residential Area is a signal family home development in the southern portion of the project. This area was previously identified as Parcel A on the approved Phase 1-A vesting map and in the August 4 2000 Wavecrest Village Project Description. The design criteria for this area shall be as indicated on the revised Wavecrest Village Project Plans and Description. The Southern Residential Area has the following general statistics:

Total Area:	7.6 acres
Lots:	34
Average Lot Size:	7,200 sf
Roadways:	70,600 square feet
Drainage Pipe *1:	750 linear feet
Sanitary Sewer Pipe *2:	1,350 linear feet
Joint Trench *3:	1,500 linear feet
Water Pipe *4:	1,500 linear feet
Roadway Landscaping:	17,000 square feet

SMITH PARKWAY

Total Area:	7.95 acres
Roadway:	30,000 square feet
Landscaping:	16,500 square feet
Parking:	38 spaces & bus stop
Drainage pipe *1:	275 linear feet
Water pipe *4:	495 linear feet
Sewer pipe *2:	15 linear feet
Joint trench *3:	550 linear feet

STREET C (BETWEEN MIDDLE SCHOOL AND MIXED-USE AREA)

Total Area:	0.8 acres
Roadway:	20,680 square feet
Landscaping & Walkways:	14,100 square feet
Parking:	66 spaces
Drainage pipe *1:	235 linear feet
Water pipe *4:	470 linear feet
Sewer pipe *2:	423 linear feet
Joint trench *3	470 linear feet

WAVECREST ROAD

Total Area:	154,000 square feet
Roadway:	161,200 square feet
Landscaping & Walkways:	52,800 square feet
Parking:	200 spaces
Drainage pipe *1:	1,100 linear feet
Water pipe *4:	2,200 linear feet
Sewer pipe *2:	1,980 linear feet
Joint trench *3:	2,200 linear feet

1. Drainage pipe lengths based on 50% of the total linear feet of roadway in area. Catch basins, manholes, pipe sizes and actual alignment will be set during the design process.
2. Sanitary Sewer pipe length based on 90% of the total linear feet of roadway in area. Manholes, clean outs, laterals and pipe sizes will be set during the design process.
3. Joint Trench lengths based on 100% of the total linear feet of roadway in area. The trench shall include electric, phone, television and gas services for the development area.
4. Water pipe lengths based on 100% of total linear feet of roadway in area. The pipe sizes, valve locations, hydrant locations and service locations will be determined at the design process

EXHIBIT NO. 8
APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)
5/29/01 PROJECT DESCRIPTION CLARIFICATION

Wavecrest Village L. L. C.
330 Purissima Street * Half Moon Bay, CA * 94019

May 29, 2001

Mr. Steve Scholl
Mr. Chris Kern
Ms. Virginia Esperanza
North Central Coast District
California Coastal Commission
43 Fremont Street
San Francisco, CA 94106-2219

Dear Steve, Chris and Virginia,

Following up from our telephone conversations on Friday, I wanted to clarify some of your questions regarding our project description.

Our project description for the revised Wavecrest Village Project includes the following:

1) We propose to construct vertical access at Poplar State Beach instead of Redondo Beach Road as proposed in the October 2000 staff report. As we discussed in our April 2001 submittal, the current situation at Poplar is that equestrians, pedestrians and bicyclists use the same vertical beach access. As you might imagine, the joint use of this accessway causes some conflict particularly between the equestrians and pedestrians. We arrived at this proposal after discussions with City staff and elected officials. If this alternative is unacceptable to staff (or the Commission), we would propose to pay our pro-rata share of the costs for vertical access improvements at Redondo beach Road.

2) Our project description includes the construction of the improvements to Redondo Beach Road as described in the letter from Wilson Engineering regarding the impacts of the ***Southern Residential Area*** on Redondo Beach Road. We would propose to construct these improvements prior to the issuance of the first certificate of occupancy for the homes in the ***Southern Residential Area.***

3) The number of parking spaces in the Mixed Use Commercial area is 580.

4) Our Project Description includes the rezoning of a portion of the antiquated subdivision for the creation of the Boys and Girls Club parcel and the Multi-family affordable housing parcel. The remaining parcels of the antiquated subdivision would remain and. as part of our project description, we propose to place an open space easement over those parcels to ensure there would be no future development on the lots under our ownership.

5) Finally, as confirmation, we are working on four photo simulations for the project. Three of the simulations are at the intersection of Main Street and Highway 1 looking (1) northwest (over the Northern Residential Area), (2) southwest (over the Mixed Use Site) and (3) west along the View Corridor. The last simulation (4) is looking west through the Northern Residential Area along the landscaped median to the eucalyptus grove.

As we discussed, Dr. Josselyn is also preparing the information requested in your May 17 letter regarding project level detail for the restored wetland areas.

Please do not hesitate to contact me at (650) 726-5764 for any other questions or clarifications you may have regarding our project description.

Sincerely,

Patrick K. Fitzgerald
Project Manager

cc: President Pro-Tem John Burton
Senator Byron Sher
Senator Jackie Speir
Assemblyman Ted Lempert
Bill Barrett
Dr. John Bayless, CUSD
Joe Angelini, Boys & Girls Club
Mayor Deborah Ruddock, City of Half Moon Bay
Steve West, City of Half Moon Bay
Bruce Russell

Wavecrest Village L. L. C.
330 Purissima Street * Half Moon Bay, CA * 94019

RECEIVED
MAY 31 2001
CALIFORNIA
COASTAL COMMISSION

May 31, 2001

Mr. Steve Scholl
Mr. Chris Kern
Ms. Virginia Esperanza
North Central Coast District
California Coastal Commission
43 Fremont Street
San Francisco, CA 94106-2219

Dear Steve, Chris and Virginia,

Following up from our telephone conversation yesterday, please find enclosed a redesign for a portion of the ***Northern Residential Area*** including the restored wetland. As the design indicates, we have modified our proposed subdivision layout for this area to include approximately 33% of the existing agricultural pond. We have maintained the required 100' setback around the restored wetland.

We would also like to confirm that as to the proposed condition regarding "lot retirement" for the market rate units, Wavecrest Village will provide additional lots within North Wavecrest to satisfy this condition and maintain the proposed market rate density.

As always, please do not hesitate to contact me at (650) 726-5764 for any other questions or clarifications you may have regarding our project description.

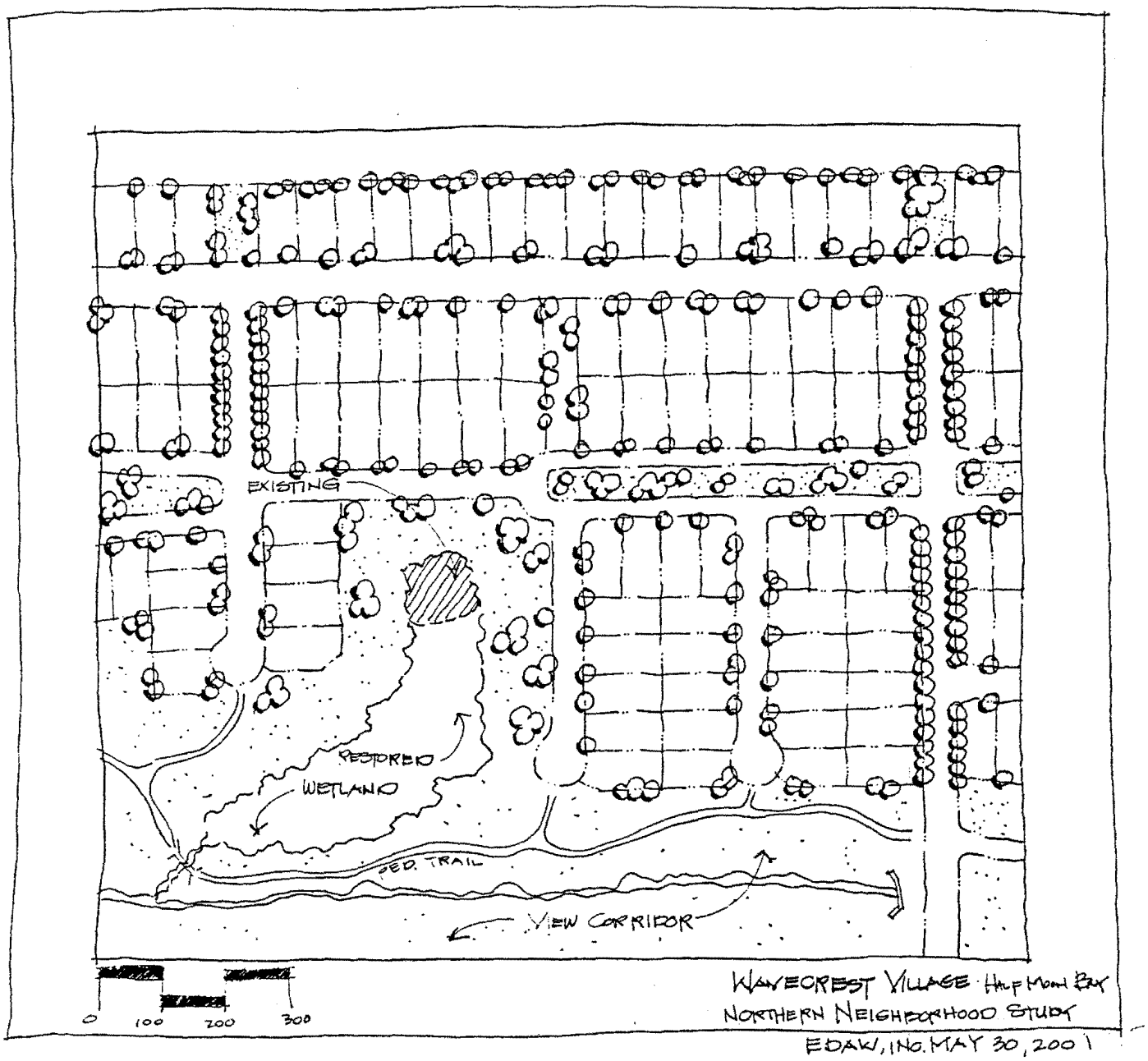
Sincerely,

Pat Fitzgerald

Patrick K. Fitzgerald
Project Manager

cc: Bill Barrett
Dr. John Bayless, CUSD
Joe Angelini, Boys & Girls Club
Mayor Deborah Ruddock, City of Half Moon Bay
Steve West, City of Half Moon Bay
Bruce Russell

EXHIBIT NO. 9
APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)
5/3/01 PROJECT DESCRIPTION MODIFICATION SUBMITTED
BY THE APPLICANT



RECEIVED
MAY 31 2001
CALIFORNIA
COASTAL COMMISSION

Wavecrest Village L. L. C.
330 Purissima Street * Half Moon Bay, CA * 94019

EXHIBIT NO. 10
APPLICATION NO. A-1-HMB-99-051
Wavecrest Village Project-10/9/01
Project description submitted by applicant

October 9, 2001

Mr. Steve Scholl
Mr. Chris Kern
North Central Coast District
California Coastal Commission
45 Fremont Street Suite 2000
San Francisco, CA 94106-2219

Dear Steve and Chris,

This letter and the enclosed information will serve as our revised project description for Wavecrest Village and respond to your letter of July 17, 2001. Since our last hearing, we have been working very hard with our co-applicants, the Cabrillo Unified School District and the Boys & Girls Club of the Coastside to present to you and the Commission our modified plans for Wavecrest Village. The revised project description and enclosed land use plan address many of the Commissioner's concerns raised at the public hearing on Wavecrest Village in June and answers the questions raised in your letter.

Overview

I would like to provide a general overview of the changes we are recommending for Wavecrest Village. Again, the basic components of Wavecrest Village have not changed since our initial submittal. We are proposing the development of:

- a middle school and related outdoor recreation areas;
- a Boys & Girls Club of the Coastside facility;
- a 9.8 acre active park owned by the City of Half Moon Bay.

As you will see, we have relocated the Boys & Girls Club to the middle school site to remove any development in the "Central area" (previously identified as the Boys & Girls Club and affordable housing). We have also relocated the affordable units in this area to the mixed-use site. We have increased the number of affordable units for the entire project to fifty-four (54) to comply with the condition identified in the last staff report for Wavecrest Village. The area formerly identified for the Boys & Girls Club and affordable units is identified as a passive recreation area where no development is proposed. We are proposing to create a parcel in this area, 100' outside of any existing or proposed wetland to be owned by the Cabrillo Unified School District. Their intent is to use this parcel for biological studies and passive recreation. Again, no development is proposed in this area. By relocating the Boys & Girls Club and

residential units described above, we are adding an additional 3.1 acres of open space to the Wavecrest Village project.

The total residential density described in the Wavecrest Village Specific Plan and approved by the City of Half Moon Bay has not changed. We have again however modified the design of the subdivisions to address the issues raised in your letter and at the hearing.

The northern residential area of Wavecrest Village had been redesigned to restore and improve the wetland habitat in this area as part of our May submittal and described in your June staff report. As submitted to you in May, we are proposing to restore the basin of the agricultural pond in its present location and add additional wetland habitat. We are now proposing to develop one hundred and ninety units in the northern residential area. The enclosed land use plan depicts the redesign of this subdivision.

As noted above, we have relocated the balance of the affordable units to the mixed-use site. We have modified the program for the commercial space slightly. We are now proposing to develop 150,000 sf of office space and 15,000 sf of retail space for a total of 165,000 sf - an increase of 5,000 sf or 3% from our last submittal. The site plans indicate 597 parking spaces for the office space and 95 parking spaces for the retail space. We have enclosed our redesigned site plans for the mixed use site including the additional affordable residential units.

Finally, as you will see from the land use plan enclosed, we have deleted the southern residential area from our project description. Therefore, we are not proposing any access from Redondo Beach Road and there would be no impact on any potential wetlands south of the project area. The removal of this area from Wavecrest Village reduces the project acreage by 9 acres.

Northern Residential Area

The northern residential area has been redesigned for one hundred and ninety units. (Please see *North East Neighborhood Layout* enclosed) The revised land use plan shows the new subdivision design including the restored wetland. In our redesign we have deleted a portion of the units along Highway # 1 to provide a view down the street and open space element within the middle of the subdivision to the eucalyptus grove in the distance.

We have also modified the type of units to be developed in the subdivision. All the units will be single family lots. However, there will be a mix of sizes where in the previous submittal the typical lots were 110' by 60'. We are now proposing basically two types of homes. Single family lots consistent with our prior submittals with typical sizes of 60+/-ft by 110+/-ft. In addition we are also proposing another series of lots that are typically 40' by 80'. We have included with this submittal typical lot plans, proposed setbacks and prototypical elevations for these homes. We are amending our project description to include all the above.

There is no change proposed to the restored wetland and it is setback 100' from any residential development.

Mixed-Use Site

At noted above, we have modified the mixed use site since our last submittal (Please see *Town Center and Mixed-Use Area* enclosed). We are proposing to locate the 54 affordable units in this location. As before, there will be a mix of units including town houses and apartments similar in design to the plans submitted to you previously.

We have increased the commercial space component approximately 3% to 165,000 sf. We are proposing the same elevations and development conditions to the buildings and the site as has been previously submitted to you. As noted above, we have increased the number of parking spaces for the Commercial component of the Mixed-use site to a total of 692 – 597 for the office space and 95 spaces for the retail space.

We are also enclosing a memorandum from Wilson Engineering, traffic engineers and consultants, addressing the parking demand at the Mixed Use site. The traffic mitigation measures were addressed as part of the EIR for the project previously submitted to you. I would like to point out that the EIR and respective mitigation measures were based on a higher density of office and retail space totaling 230,000 sf. Clearly, we are proposing less space at this time and the resultant impacts will be less than identified in the EIR.

Southern Residential Area

As noted above we have deleted the Southern Residential area (approximately 9 acres) from our project description. Since we are not including this area or providing access to this area, we have not addressed the issue regarding the potential wetlands in this area.

Visual Resources

As requested, included with this submittal is a visual analysis of the proposed project from two points along Highway # 1. The analysis is presented to show the existing conditions in a photo, a computer rendering detailing the height and massing of the buildings and an artist's conceptual rendering based on the computer-generated drawings. The computer rendering considered the height of each building and the elevation of Highway # 1 and the respective subdivisions. As noted above, we have modified the northern residential area design and have now provided for fewer homes along Highway # 1. As depicted in one of the visual analyses, the northern half of the subdivision has no single family lots along Highway # 1 and provides views through the center median of the residential area to the eucalyptus grove in the distance.

Wetland Restoration Plan

We are enclosing Wetlands Research Associates (WRA) *Conceptual Wetland Restoration Plan.* This report addresses the issues raised at the last public hearing and in your letter of July 2001. The report details the goals and objectives of the restoration project, shows a conceptual grading plan and cross sections for the restored wetlands and establishes performance criteria and monitoring methods of the restoration project. Also included with the *Conceptual Wetland Restoration Plan* is a *Vegetation Study, Wavecrest Village Northeastern Central Parcel, Half Moon Bay* for the Central Area. This report shows that the

restored wetland will be placed outside of any existing wetlands within the Central area based on the presence of hydrophytic vegetation. Finally, in Appendix B of the report, WRA presents an *Analysis of Alternative Water Supplies* describing the potential of alternative water sources for the restoration area.

Affordable Housing

As part of this amended project description, we agree to place deed restrictions on the affordable housing in a form acceptable to you and the City of Half Moon Bay that provides for the affordability of these units in perpetuity.

Measure A Allocations

Under the implementation ordinance for Measure A, the City Council of Half Moon Bay has allotted a certain number of Measure A allocations for infill, new projects and a reserve for subdivisions approved before May 1991, the date Measure A was approved. In general, the allocation has been 1% to infill, 1% to new projects and 1% to the previously approved subdivisions. In considering new projects, the City Council is required by ordinance to weigh the benefits of proposed developments to determine the number of allocations a given project should receive. This action is both in the City Council's legal discretion and, I suggest, good planning for the City of Half Moon Bay. I should note that over the past few years, the City Council has set aside a higher portion of the Measure A allocations to infill lot owners. You may confirm this with the City Manager.

As part of the public hearing process for Wavecrest Village, the City Council considered the amount of public benefits including open space, dedication of park land, a Boys & Girls Club site, a new middle school and affordable housing the project was providing and whether to allocate a portion of the Measure A allocations set aside for new projects to Wavecrest Village. The economic infeasibility of providing such public benefits without a revenue source to pay for these benefits in the form of residential units was specifically reviewed. The City Council as part of their action approving Wavecrest Village approved the allocation phasing plan previously provided to you for Wavecrest Village.

Under Measure A, there remains the 1% allocation for infill lot owners and the 1% for the subdivisions approved before 1991. I should note that under the proposed implementing ordinance for Measure D (the new pending growth initiative), the allocations for Wavecrest Village were exempt and will not effect the 1% available for infill lot owners. Therefore, either under Measure A or D, the allocation for building permits for infill lot owners were not affected by the approval of Wavecrest Village.

Coastside County Water District (CCWD) Connections

Please find enclosed a copy of our agreement with CCWD regarding the seventy-nine water connections for 79 market rate residential units. This agreement was recently extended in May 2001. In addition, the other members of Wavecrest Village LLC are also landowners of property within CCWD's jurisdiction and have additional water connections. We will approach CCWD to transfer these water connections to Wavecrest Village upon approval of

the project. In addition, we have entered into agreements with other landowners in Half Moon Bay to purchase water connections upon approval of the Wavecrest Village project. This combination of CCWD connections are sufficient to supply the market rate residential component of Wavecrest Village. We would agree to a condition of approval that prior to development of portions of the market rate residential component of Wavecrest Village, we provide the Coastal staff approval by CCWD of the transfer of the water connections to the appropriate parcel in the project.

CCWD has ample priority connections for the remaining components (i.e. affordable housing, Bys & Girls Club, etc.) of the project.

Redondo Beach Public Access

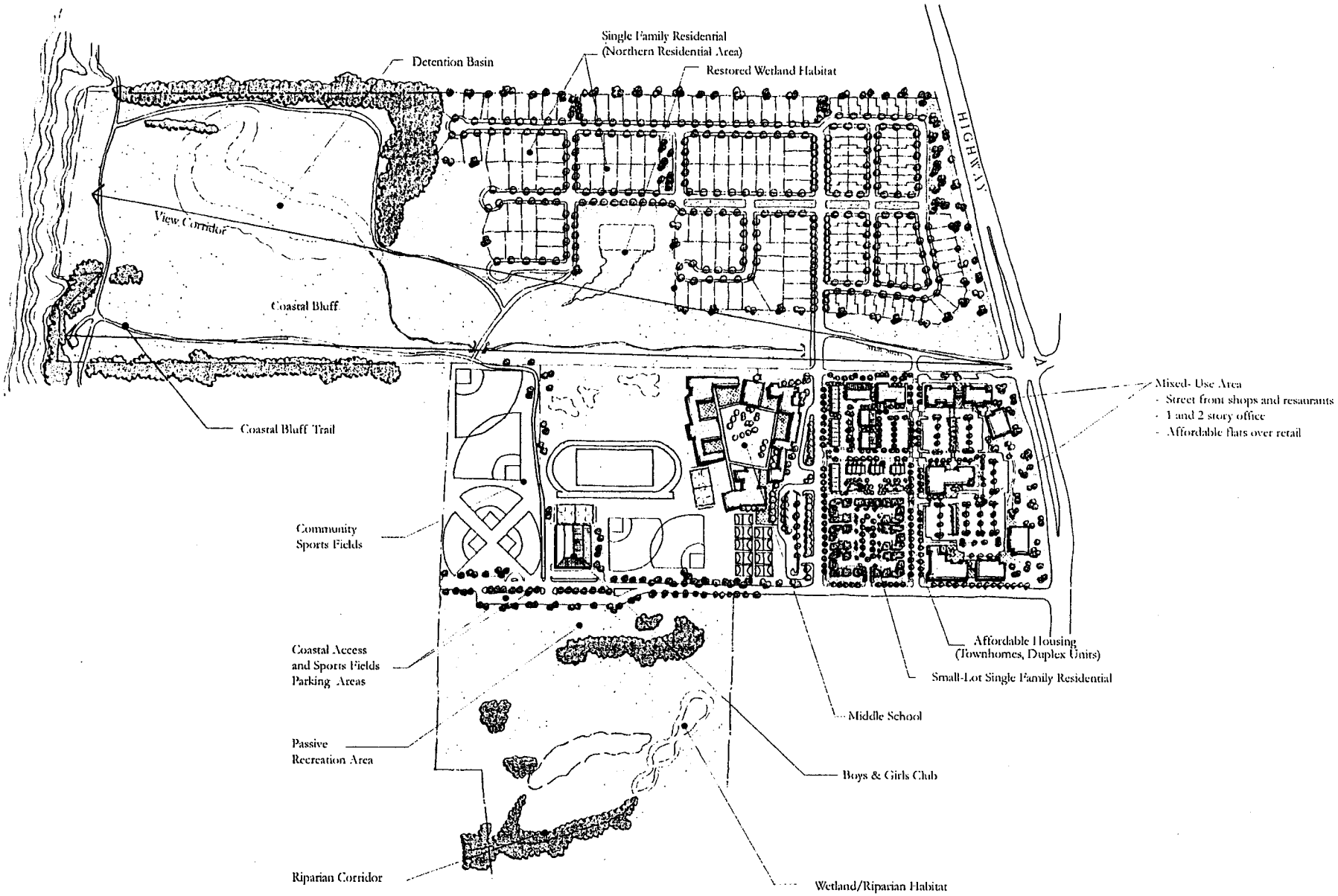
As further information, we are providing to you an exhibit for the access improvements at Redondo Beach Road. The plan shows fifty parking spaces and a trail to the beach. We have located the improvements either on property owned by San Mateo County or public rights-of-way. As part our amended project description, we are agreeing to the condition imposed in the last staff report to present to staff a plan for the beach access improvements and to construct only the trail to the beach.

I trust this letter and the enclosures answers the issues raised in your July 17 letter and at the last public hearing. As we have stated before, we hope you can schedule us for the earliest meeting possible before the Commission. Please don't hesitate to contact me if you need any further information.

Sincerely,

Patrick K. Fitzgerald
Project Manager

cc: President Pro-Tem John Burton (w/o enclosures)
Senator Byron Sher (w/o enclosures)
Senator Jackie Speier (w/o enclosures)
Joe Angelini, Boys & Girls Club
Bill Barrett
Dr. John Bayless, CUSD
Deborah Ruddock, Mayor, City of Half Moon Bay
Bruce Russell
Lydia Sandoval, Packard Foundation (w/o enclosures)

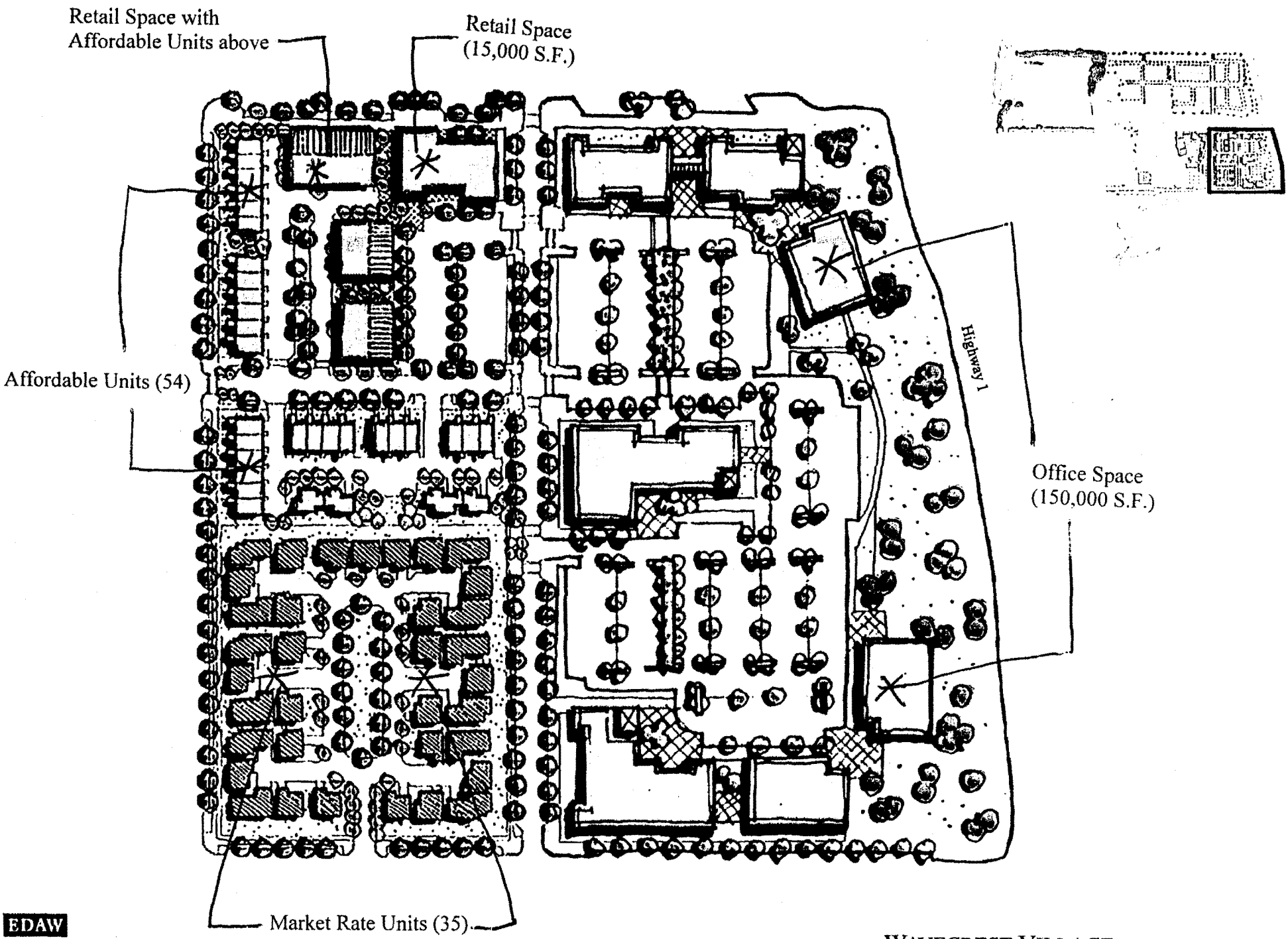


EDAW

September, 2001

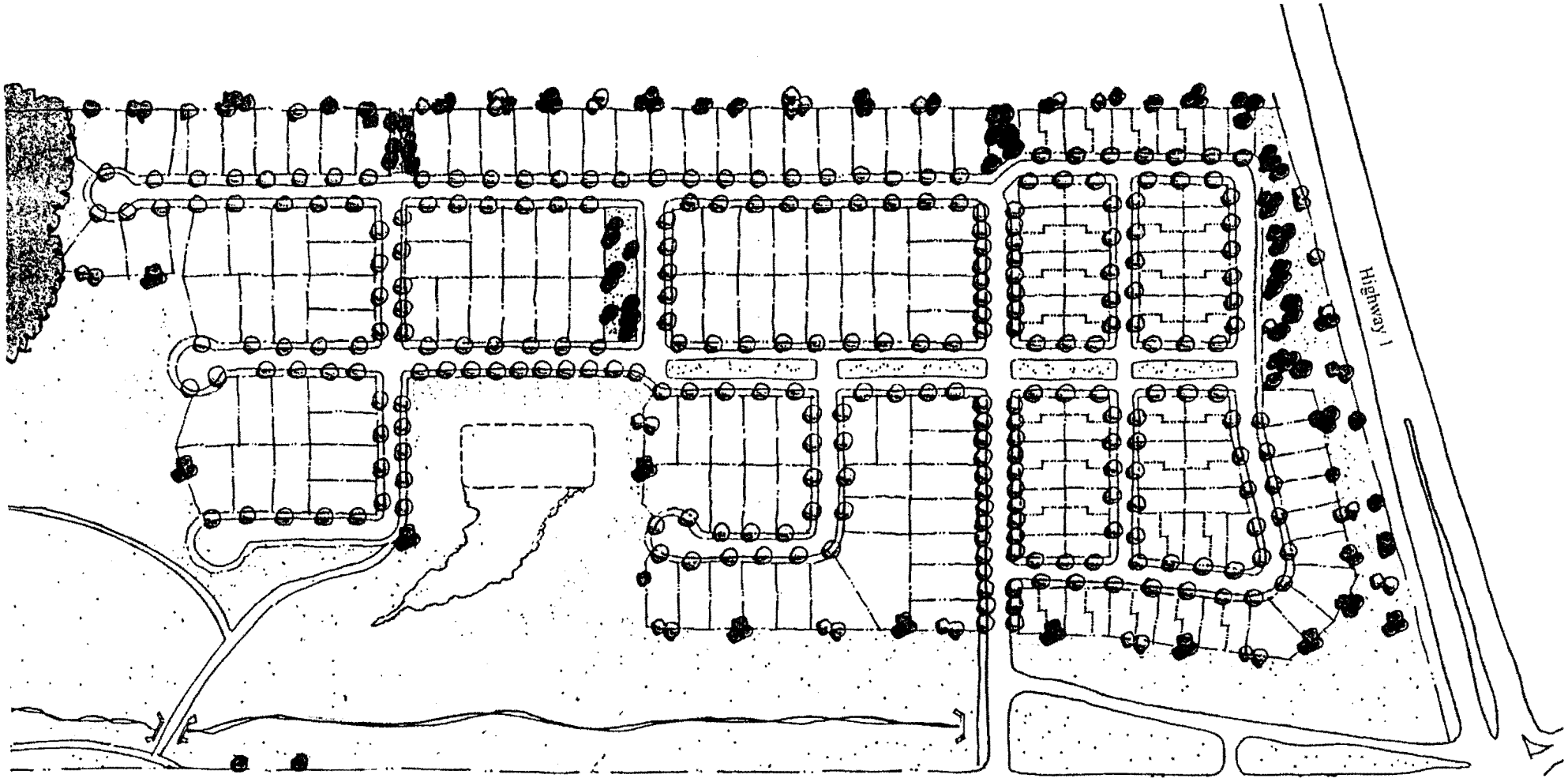
WAVECREST VILLAGE
HALF MOON BAY, CA
Illustrative Plan

0 200' 400' 600'



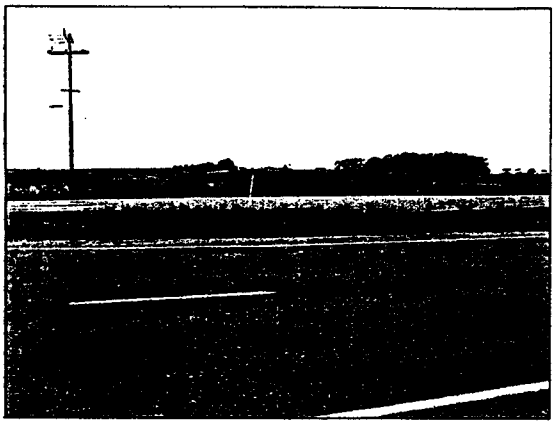
EDAW
September, 2001

WAVECREST VILLAGE, HALF MOON BAY, CA
Town Center and Mixed Use Area

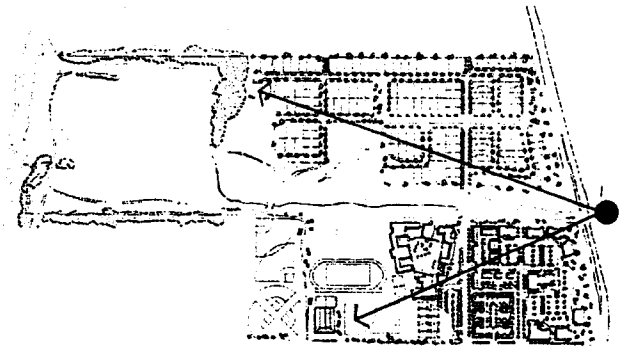


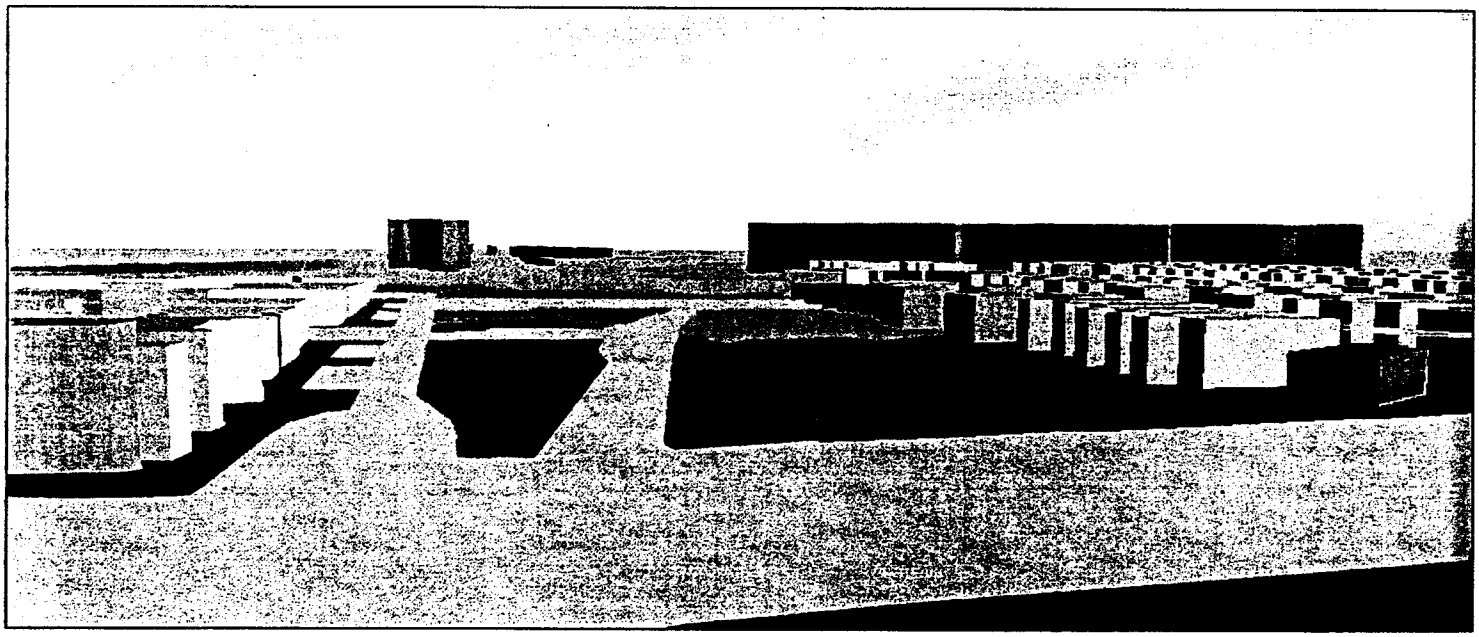
EDAW
September, 2001

WAVECREST VILLAGE, HALF MOON BAY, CA
North East Neighborhood Layout



View across the Site from Highway 1



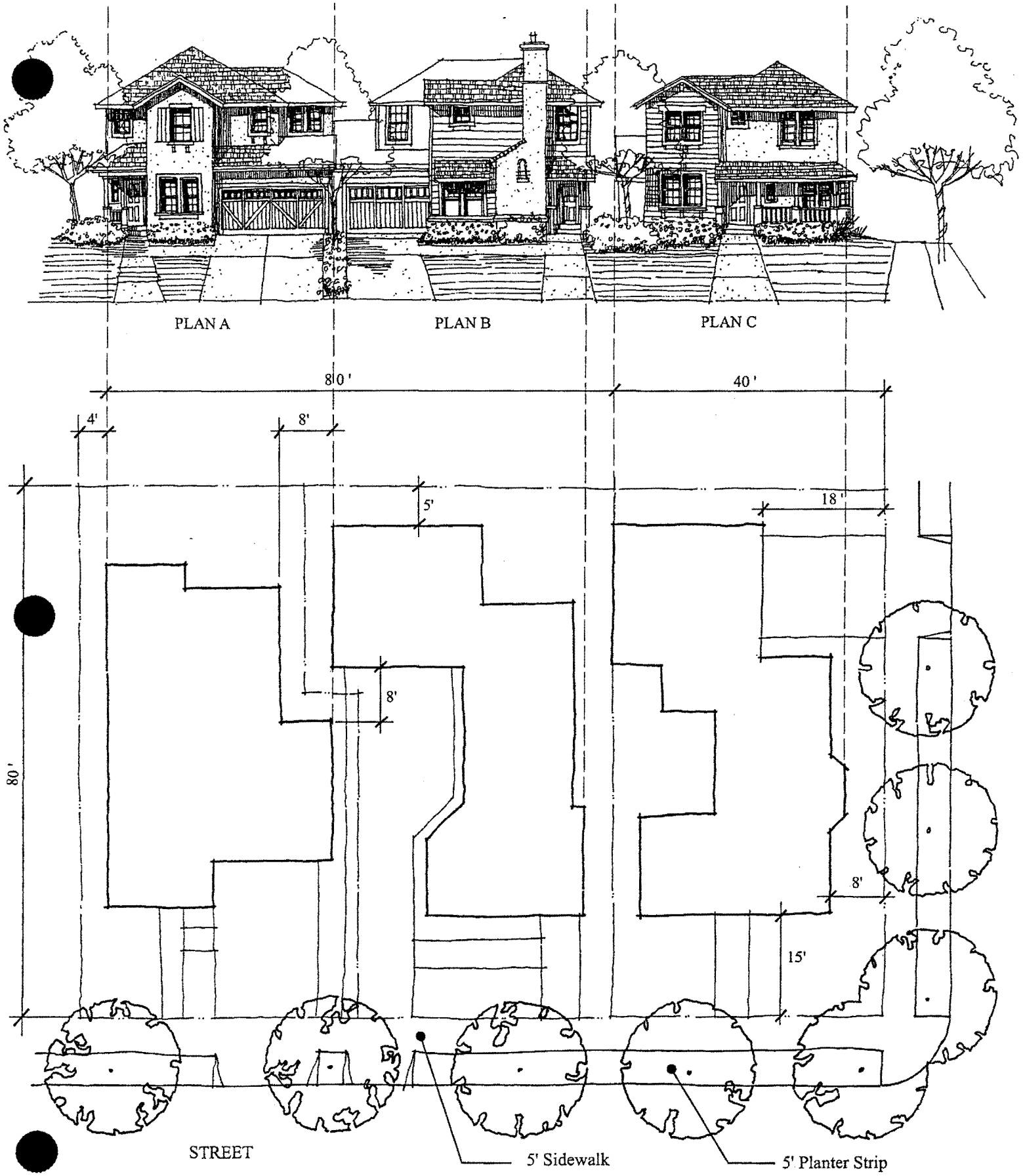


General Massing Study of North Neighborhood and Town Center

Rendering of North Neighborhood and Town Center

EDAW
September, 2001

WAVECREST VILLAGE
HALF MOON BAY, CA



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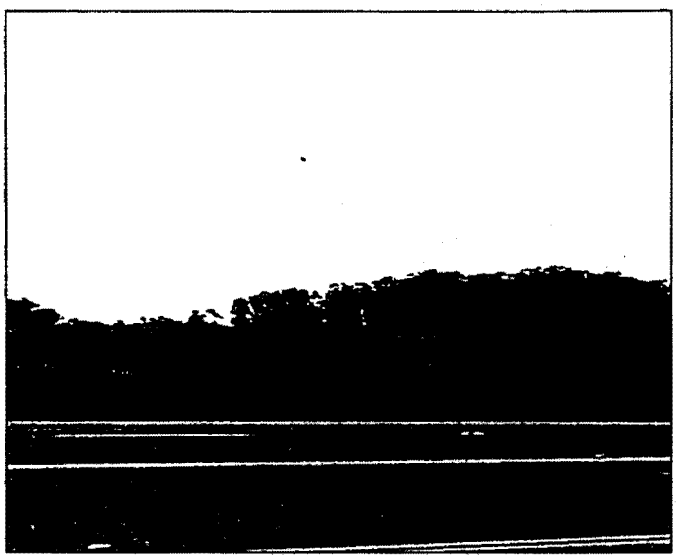
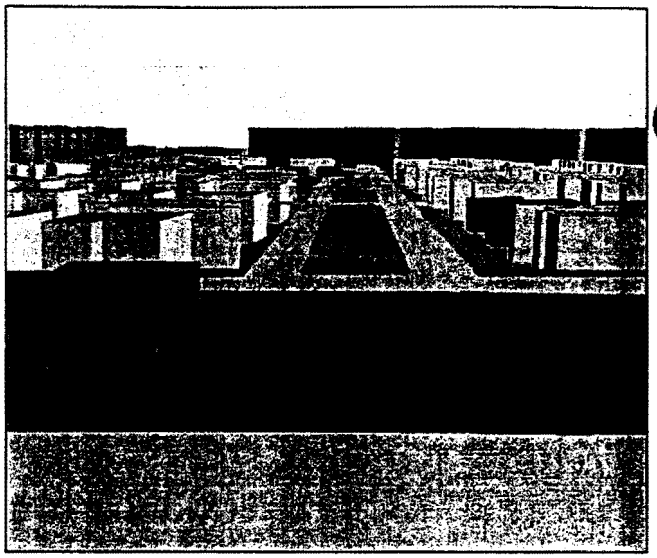
September, 2001

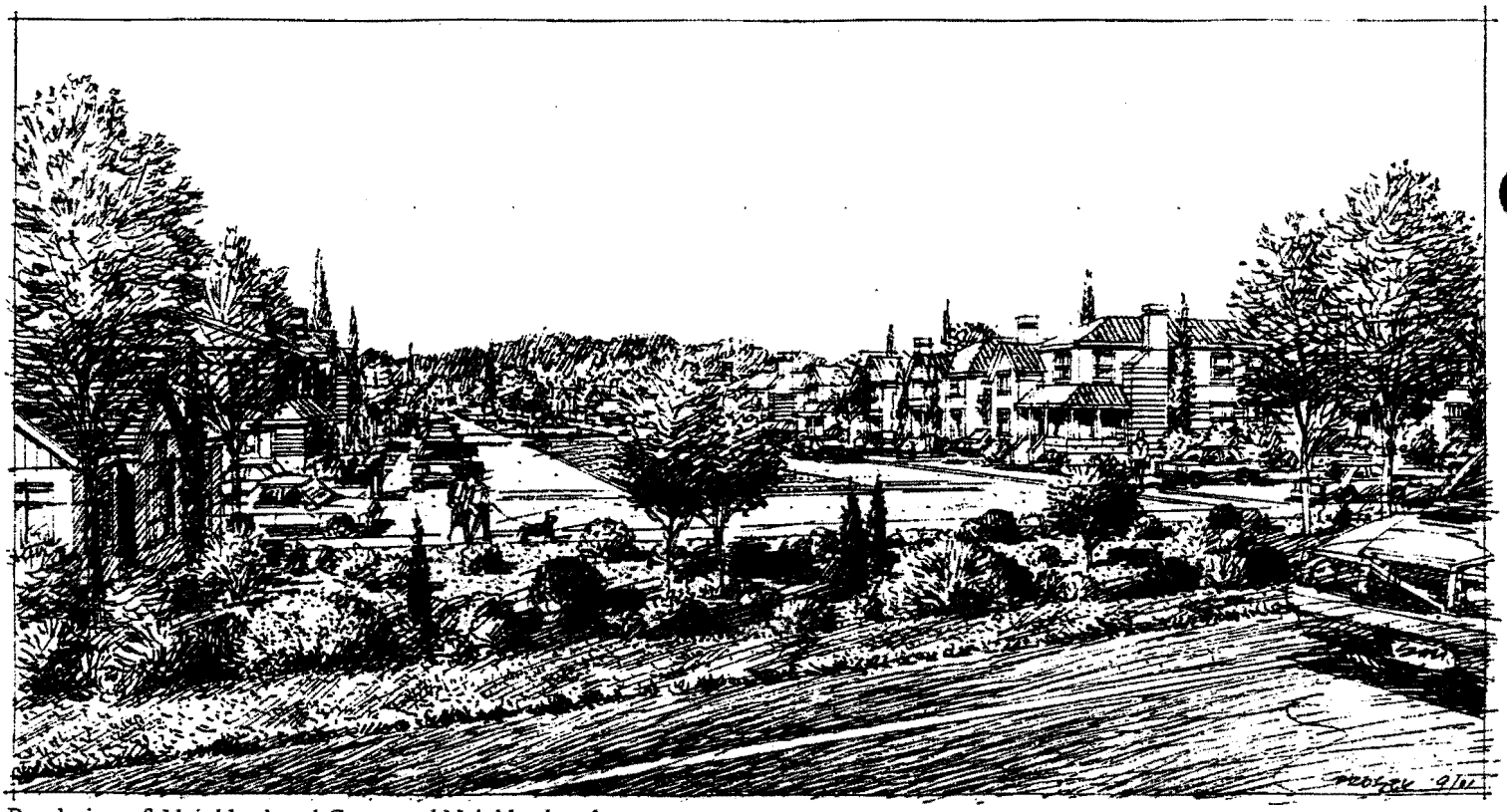
WAVECREST VILLAGE, HALF MOON BAY, CA
North East Neighborhood Study Detail



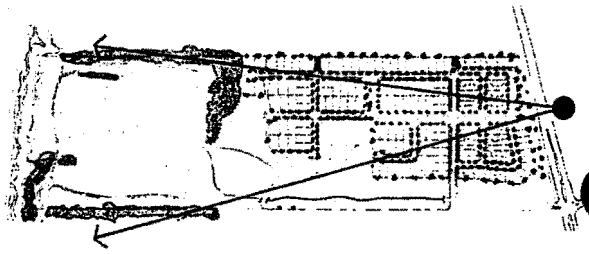
View across the Site from Highway 1



Massing Study of Northern Neighborhood



Rendering of Neighborhood Green and Neighborhood



EDAW

September, 2001

WAVECREST VILLAGE

HALF MOON BAY, CA

WILSON
ENGINEERING
& TRANSPORTATION
CONSULTANTS, INC

MEMORANDUM

To: Mr. Patrick Fitzgerald,
Ocean Colony Partners

From: John Wilson, Traffic Engineer

Date: October 4, 2001

RE: Parking Demand for Wavecrest Village

Per your request, Wilson Engineering has reviewed potential parking demand associated with the office and retail components of Wavecrest Village. Our understanding is that the project proposal now includes 150,000 gross square feet of office space, another 15,000 gross square feet of retail space and a total of 692 parking spaces. The City of Half Moon Bay has a parking requirement of one space per 200 square feet of office space less storage, mechanical/ maintenance areas, restrooms, etc.; and 19 spaces plus one space for each 200 gross square feet of retail floor area in excess of 5,000 square feet. Assuming a 20 percent allocation of gross office space to storage, mechanical/ utility areas, restrooms etc. yields an area of 120,000 feet of space with a demand of one space per 200 feet, or a requirement for 600 spaces. The 15,000 square foot retail component has a requirement of 19 spaces for the first 5,000 square feet plus an additional one space for each 200 square feet of the additional 10,000 square feet of space for a total retail related requirement of 69 spaces. The combined office and retail related parking requirement using City of Half Moon Bay criteria is 669 spaces, or 23 less than proposed.

This is consistent with requirements of other communities in the Bay Area. The Cities of Redwood City and Burlingame both have an office related parking requirement of one space per 300 gross square feet which would be equivalent to 500 spaces for the office component of the proposed project. The City of Palo Alto has a requirement of one space per 250 gross square feet of office space which equates to a requirement of 600 spaces for 150,000 square feet of office space.

It should also be noted that the project will include on-street parking on adjacent roadways within the Wavecrest Village site that will be used regularly by retail related visitors, particularly those making more minor, convenience related purchases.

CIVIL ENGINEERING
TRAFFIC IMPACT STUDIES
TRANSPORTATION PLANNING
TRAFFIC SIGNAL DESIGN

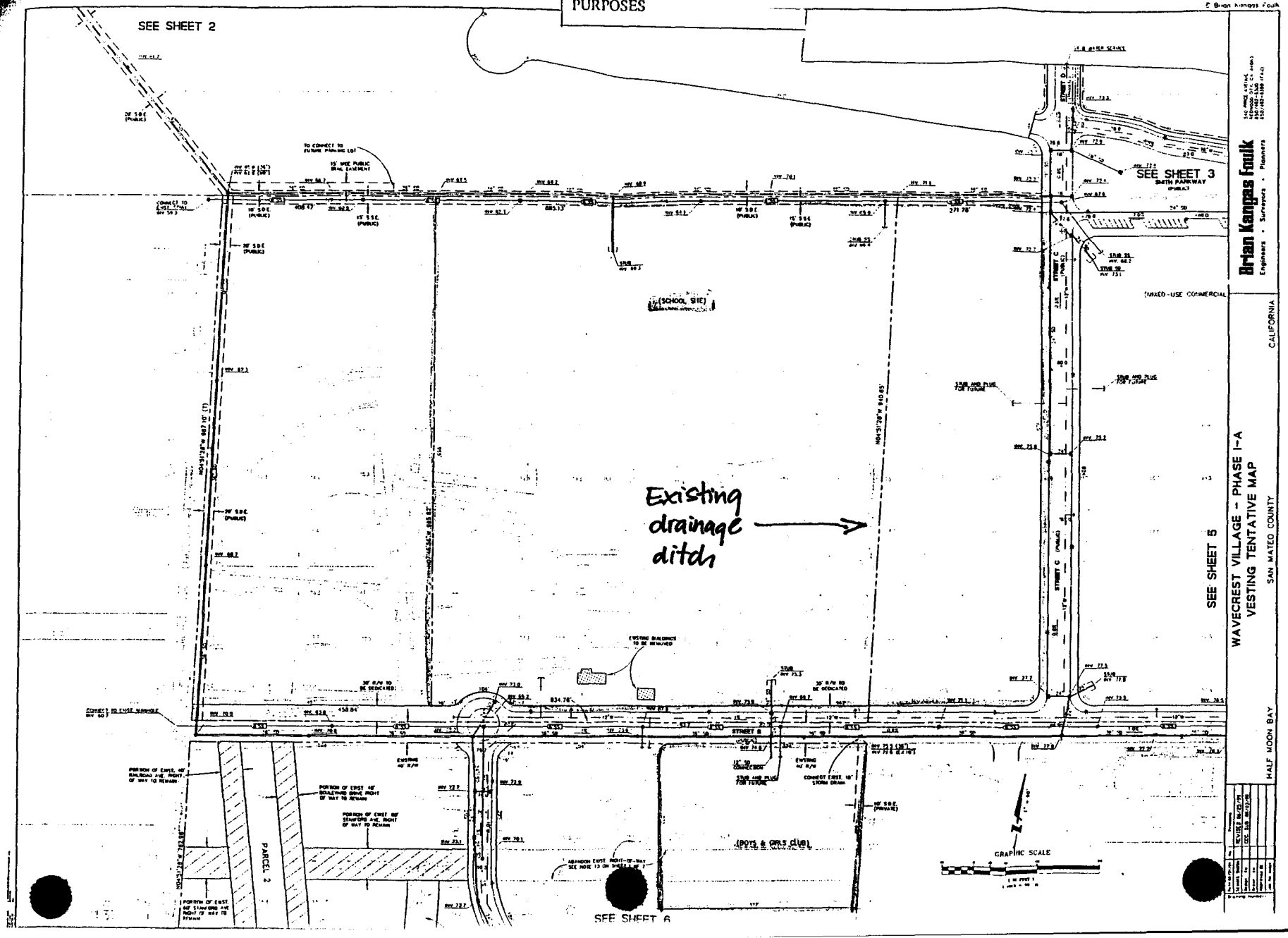
70 ZOE STREET
SUITE 200
SAN FRANCISCO, CA
94107

TEL (415) 974-5071
FAX (415) 974-5074

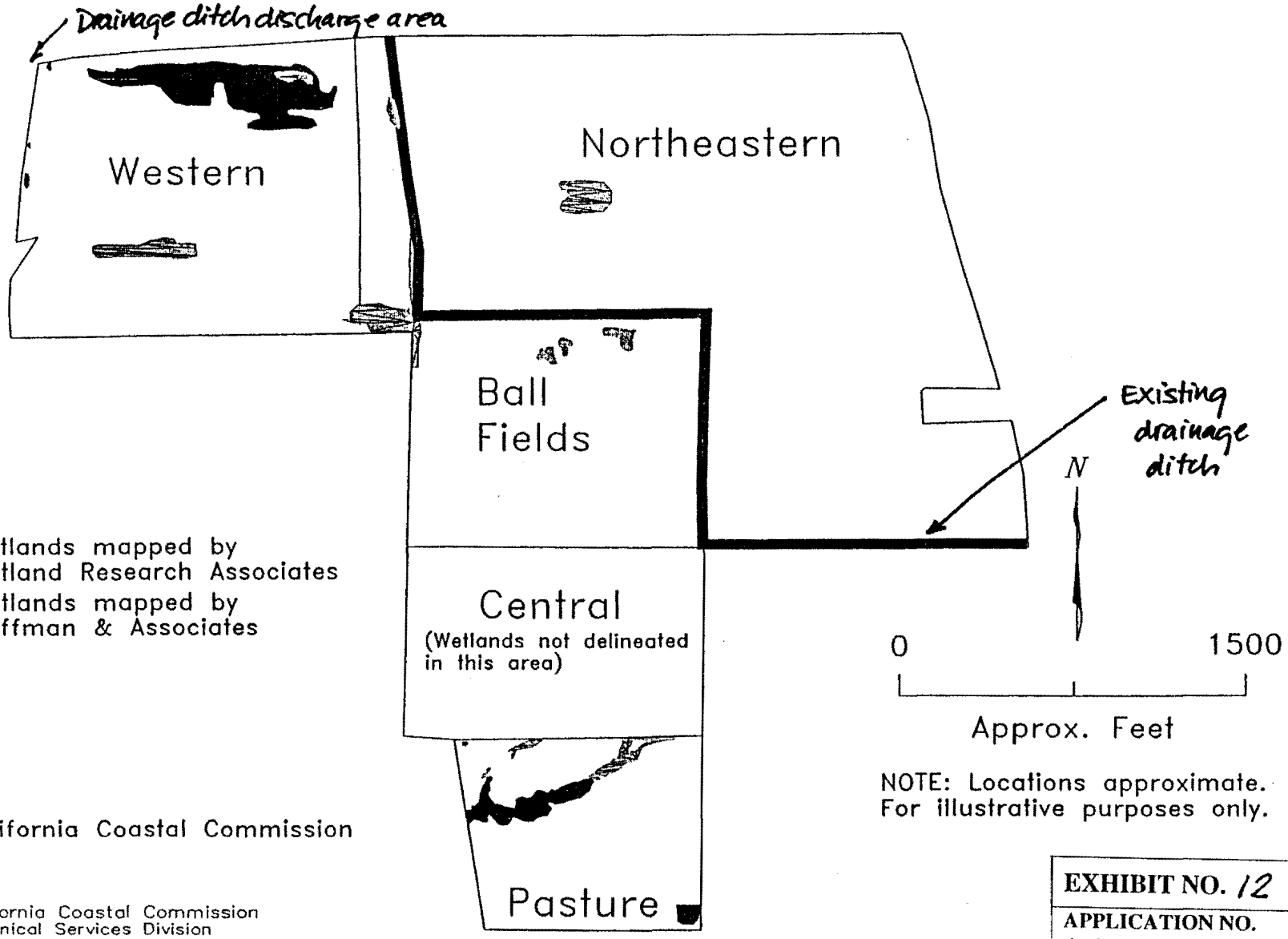
EXHIBIT NO. 11

APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)

GENERAL WETLAND AREA FILLED FOR RESTORATION PURPOSES



Existing Wetlands: Wavecrest Village Project Site



NOTE: Locations approximate. For illustrative purposes only.

SOURCE: California Coastal Commission

California Coastal Commission
Technical Services Division

EXHIBIT NO. 12

APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)

DRAINAGE DITCH ROUTE THROUGH PROJECT AREA

CONCEPTUAL WETLAND RESTORATION PLAN

WAVECREST
HALF MOON BAY, CALIFORNIA

A-1-HMB-99-051

SUBMITTED BY:

Wavecrest Village , LLC.
330 Purissima Street
Half Moon Bay, California 94019
Contact: Patrick Fitzgerald
Telephone: (650) 726-5764

SUBMITTED TO:

California Coastal Commission
45 Fremont Street Suite 2000
San Francisco, CA 94105-2219
Contact: Chris Kern
Telephone: (415) 904-5400

PREPARED BY:

Wetlands Research Associates
2169 East Francisco Boulevard, Suite G
San Rafael, California 94901
Contact: Mike Josselyn
Phone: (415) 454-8868

September, 2001

EXHIBIT NO. 13
APPLICATION NO. A-1-HMB-99-051
Wavecrest Village Project -Conceptual
Wetland Restoration Plan

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1.0 PROJECT DESCRIPTION

1.1 Brief Summary of Restoration Project

The proposed Project, Wavecrest Village, is located in the southwestern portion of Half Moon Bay, between Highway 1 and the Pacific Ocean. The Project Site consists of five areas: Western, Northeastern, Ballfields, Central, and Pasture (Figure 1). The Site and adjacent properties are currently used for grazing, recreation (ballfields), or agricultural purposes. The Pasture area is currently used for grazing cattle. The southwestern corner of the Ballfields area contains three baseball diamonds, which are currently used for sports recreation. Areas south and north of the Site have been developed for residential use.

The proposed Project is a mixed-use development containing residential and community-serving components including residential, a public school, public sports fields, a community serving Boys and Girls Club, and associated road and infrastructure improvements. Natural resource preservation and wetlands enhancement and restoration are important elements of the overall project.

Significant portions of the Site including the entire Central area will be set aside as open space for the protection of wetlands and other resources. The wetlands in the Central area are currently supported primarily by an artificial water discharge from the plant nurseries adjoining the property to the east. Because this artificial source of water has decreased over the past several years and may cease in the future, the applicant is proposing to redirect water currently contained within the storm water drainage ditch into drainage improvements that will flow directly to the Central area. The abandoned drainage ditch would be filled. The storm water comes from a natural upland watershed on the east of Highway 1. The storm water will be conveyed by pipe to the Central area and discharged near the surface to provide a natural seasonal water source. The diversion and drainage improvements must occur near Highway 1 in order to allow for gravity flow to the Central area. The discharge in the Central area will direct water to restore wetlands that have been altered due to changes in the nursery water discharge and will enhance existing wetlands.

The restoration of natural storm water runoff to the Central area will allow for long-term gain in the quantity, quality, and permanence of wetland acreage and values within the Site. This document describes the restoration plan proposed for the Central area (see Figure 2 and 3).

1.2 Responsible Parties

The responsible party for the implementation of this plan is:

Wavecrest Village, LLC
330 Purissima Street
Half Moon Bay, California 94019

Figure 1. Areial Photograph of the Central Area within the Wavecrest Project Site.

Wetlands Research Associates, Inc.

1.3 Wetland Areas

Wetlands Research Associates, Inc (WRA) completed a wetland delineation survey for the Central area using the presence of hydrophytic vegetation (Appendix A). The delineation shows that both wetland and upland areas occur within the Central area. Earlier studies by Huffman and Associates showed areas that were subject to irrigation water discharge from the nursery operation. Changes in the operation of the nurseries and their discharge have reduced the amount of water entering the Site and some areas that were formerly dominated by obligate and facultative wet species are now dominated by facultative species.

As part of the proposed Wavecrest Village project, the applicant will undertake a wetland restoration enhancement plan within the Central area (1) to protect wetland areas from future deterioration, (2) to assure a long-term natural water supply to the area, and (3) to restore areas that have been reduced in size due to changes in the nursery operations.

1.4 Types of Wetland and Non-Wetland Areas

The wetlands in the Central area consist of two types: (1) a natural wetland depression that fills with precipitation from ponding over an impervious clay layer and (2) man-made wetlands where nursery supplied irrigation water supports an artificially high groundwater throughout the year. There is one natural wetland within the Central area (Vegetation polygon M) that is located in an area where an underlying clay layer in the soil profile is near the surface. The presence of this clay layer allows rainwater and local winter surface water runoff to pond near the surface long enough to create a seasonally ponded wetland. The man-made wetlands are fragmented throughout the area where the nurseries discharge irrigation water. The vegetation within these wetlands include emergent wetland species such as broad-leaved cattail (*Typha latifolia*), pennyroyal (*Mentha pulegium*), brown-head rush (*Juncus phaeocephalus*), rabbitsfoot grass (*Polypogon monspeliensis*), and sedge (*Carex* sp.).

The current water sources to the Central area include direct precipitation and excess irrigation water from the nurseries to the east. Historically, sheet flow from areas to the east of Highway 1 may have also contributed to wetland hydrology; however, this flow is now diverted from the Central area by the drainage ditch along Wavecrest Road. The other major change has been the discharge of irrigation water, which increased during the 1980's as more greenhouses were constructed to the east. However, this discharge also altered the natural seasonal wetlands to perennially wet areas that are now dominated by cattails. Recently, the nursery operators have taken efforts to reduce their use of water and a portion of the discharge has been eliminated to the Central area. As a result, portions of the Central area have become drier and are now dominated by facultative grassland species.

Non-wetland areas consist of open ruderal areas and non-native tree communities consisting of acacia, eucalyptus, and Monterey cypress (a native which is outside its natural range).

1.5 Wetland Functions and Values

The existing drainage ditch along Wavecrest Road has marginal wetland values. It is narrow (generally less than 10 ft wide) and relatively deep (generally 5 ft deep). While it supports some wetland vegetation, that vegetation must be removed on a regular basis to allow for flood flow conveyance. As a result, the plant and animal communities within the ditch are constantly subject to early stage habitat succession from barren to vegetated condition. The habitat structure is simple and does not support the diversity seen in natural systems with herbaceous, shrub, and tree canopy layers.

Wetland functions and values in the Central area will exhibit much greater diversity after restoration occurs. Currently, off-road vehicle use has destroyed vegetation and altered natural drainage patterns. The year-round discharge of nursery water has encouraged the growth of cattails and invasive vegetation in portions of the area. The restoration project will protect the Central area from unauthorized use and will provide a natural source of water to the site. The restoration of natural, seasonal water flows to the area will not only create additional wetlands, but will sustain a complex of wet meadows and natural wetland features.

Wildlife surveys of the Central area have found that habitat for sensitive species is currently limited. No California red-legged frog or San Francisco garter snake have been observed based on standard protocol surveys nor is suitable habitat present. Special status wildlife associated with aquatic habitats (western pond turtle, San Francisco garter snake, and California red-legged frog) are unlikely to be present on the Site because (1) the wetland areas appear to be of recent creation with a periodic artificial hydrology, (2) aquatic habitat may not be present throughout the year, and (3) no existing populations of these species are known in the vicinity of the Wavecrest Village project site, reducing the likelihood of colonization With the preservation of the Central area and its existing trees and shrubs, nesting and foraging area will be available for summer nesting birds and winter migrants including overwintering raptors.

2.0 GOAL OF RESTORATION PROJECT

2.1 Goal and Objectives

The overall goal of the restoration plan is to create a self-sustaining seasonally flooded wetland system dominated by emergent herbaceous wetland plant species. Water will be directed to the wetland system from the watershed east of Highway 1 by capturing the water that currently flows within the drainage ditch along Wavecrest Road and piping this flow to the Central area. The existing drainage ditch is too deep adjacent to the Central area to flood or saturate the soils necessary for the restoration of the wetland system. It is necessary to redirect the storm water near Highway 1 into drainage improvements to allow for gravity flow. This natural storm water will be then be discharged to an upland area within the Central area to promote a natural gradation between wetland and upland habitats. Some excavation will be required to allow for the gravity discharge and to bring the existing soil surface in portions of the Central area closer to the underlying impervious clay layers.

While the diversion of water will result in the loss of 1.1 acres of marginal wetlands within the storm water drainage ditch, the project will restore approximately 2.3 acres of seasonal wetlands within the Central area and enhance additional wetlands bordering the restoration area. The restoration project will also create a larger complex of wetlands and adjoining uplands that will provide wildlife habitat and foraging and nesting area for raptors.

2.2 Functions and Values of Habitat to be Created

The restoration mitigation plan will permanently restore 2.3 acres of seasonal wetlands and enhance the surrounding existing wetlands within the Central area. As noted above, the current source of water is excess irrigation water discharged by the nursery operations on property adjacent to the Central area. The wetland created by this discharge has varied drastically throughout the years as the nursery operations have altered their discharge. If the nursery operations were to cease, substantially reduce water use, or divert its excess flow elsewhere, the existing wetlands would further decrease in size. The restoration plan will involve redirecting the current flow in the drainage ditch into drainage improvements at Highway # 1 and the flow will be discharged into the Central area to sustain existing wetlands and to assure long-term survival of wetlands in this area. This would restore a natural source of water to the wetland site that has been lost due to the commercial development along Highway 1 and the excavation of the drainage ditch itself.

Seasonal wetland habitat created at the restoration site will provide important functions and values including:

- Expansion of wetland habitat for wildlife; potential visiting birds include raptors such as the red-tailed hawk (*Buteo jamaicensis*), white-tailed kite (*Elanus caeruleus*), northern harrier (*Circus cyaneus*), and American kestrel (*Falco sparverius*).

- Increased supply of macro- and micro-invertebrates that can be used as food by birds.

- Winter ponded habitat for migratory waterfowl.

- Increased buffering of created and existing wetland areas by upland vegetation that screens the area from development activities.

- Establishment of plants in the restoration area that will take up nutrients and transform them into organic plant tissues, thereby improving water quality and increasing food available for herbivores, detritivores, and other organisms.

- Reduction in storm water velocities that currently move through the drainage ditch and onto the coastal bluffs thereby decreasing coastal erosion

2.3 Time Lapse

Wetland conditions have varied within the Central area over the past 20 years. The proposed enhancement would result in the stabilization of natural habitats. The hydrologic regime will be based on seasonal rainfall and runoff rather than artificial discharge from the commercial nursery operations. The establishment of native target plant species will be encouraged by seeding and planting the wetland area and planting coyote brush and native upland grasses in the upland buffer zone once excavation has been completed. The site should develop plant cover and densities comparable to other natural seasonal wetlands within three to five years.

3.0 TARGET RESTORATION CRITERIA

3.1 Target Functions and Values

The restoration plan proposes the enhancement of existing wetlands and the restoration of additional seasonal wetlands within an open space area. The restoration will enhance wetland values in the area by creating a substantial net gain in wetland functions over the drainage ditch. The created wetlands will should have higher value in terms of (1) increased attractiveness to wildlife (invertebrates and birds) and (2) increased plant diversity and primary production, and (3) improved water quality. The juxtaposition of seasonally wet meadows and surrounding uplands will replicate the natural condition that existed in the coastal terrace before the construction of man-made drainage ditches, commercial facilities and Highway #1.

3.2 Target Hydrological Regime

The proposed restoration site will function hydrologically as a seasonal wetland. The hydrogeomorphic classification for the wetland types within the Central area is a *surface water depression*, meaning that surface water derived from rainfall and local surface water runoff is held near the ground surface by an underlying clay layer. Soil borings in the Central area have shown that a clay layer exists between 0 and 36 inches below the ground surface. The one natural wetland within the Central area (Polygon M in the Vegetation Map in Appendix A) intersects the underlying clay layer and surface water ponds for 2-3 months during the winter and spring depending upon the amount of rainfall.

Direct rainfall can only support a few surface water depressions. Additional water is needed to sustain a larger, more significant and integrated habitat. Currently, that source is the artificial and interruptible irrigation water. Under the restoration plan, a natural source, the upland watershed east of Highway 1 will be reconnected to the Central area.

Under the proposed plan, natural runoff water will be piped by gravity from near Highway 1 and then discharged on the surface of the Central area. This additional discharge coupled with excavation of surface soils to the underlying clay layer and replanting with native vegetation will create additional seasonal wetlands and will enhance the existing surrounding wetlands by

restoring the historic flows that came from the surrounding watershed.

3.3 Target Restoration Acreage

Under the proposed restoration mitigation plan, the existing wetland acreage within the Central area will be expanded by 2.3 acres of seasonal wetlands. This will require construction of drainage improvements at Highway 1, capturing of runoff water that currently flows in the drainage ditch, and the loss of 1.1 acres of marginal man-made wetland habitat within the ditch. In addition, the existing wetlands in the Central area will be enhanced through: (1) expansion of wetland habitat and upland buffer areas, (2) improvement of wetland hydrology, and (3) seeding of the restored wetlands with native wetland plant species.

4.0 RESTORATION PLAN CONCEPTUAL DESIGN

4.1 Rationale for Expecting Success

The restoration plan has a high probability of success because the design is based on a reference natural wetland within the Central area. The hydrogeomorphic type of the reference wetland is a surface water depressional wetland meaning that surface water is retained by an underlying impermeable layer. Soil borings taken within the Central area show that an underlying clay layer exists between 0 and 36 inches below the surface. In areas where the clay layer is lower within the soil profile, the plant community is dominated facultative and upland species. Where the clay layer is shallower (or where excess irrigation water is discharged), wetland vegetation is predominantly obligate and facultative wet species. The restoration will involve the excavation of topsoil from certain areas of the site to mimic the natural wetland on-site. Approximately 1 to 3 feet of topsoil will be removed in the area of the proposed new discharge to allow for ponding to occur near the surface and to support seasonal wetland vegetation.

The restoration plan will also restore natural hydrologic water sources rather than reliance on artificial and interruptible sources. Historically, the Central area received water from sheet flow from the local watershed; however, the construction of the plant nurseries has blocked this flow and the existing drainage ditch along Wavecrest Road diverted it from the Central area. The proposed project will require the construction of drainage improvements at Highway 1 to capture the water from the upland watershed and pipe it to the Central area thereby providing a natural, seasonal water source. The system will be designed to operate by gravity flow and will not be dependent upon any pumping of groundwater, purchase of water from municipal sources, or dependence upon the commercial nursery operation (see Appendix B for a further analysis of alternative water supplies).

The planting plan will ensure the successful development of a seasonal wetland habitat. Seeding in the wetland area will encourage the establishment of native freshwater wetland plant species. Planting of coyote brush in the upland buffer zone will help to control erosion, provide habitat for wildlife, and provide visual barriers from adjacent areas into the restoration site.

4.2 Site Preparation

Site preparation consists of two primary aspects. The first is the excavation of topsoil to create additional wetland acreage and to allow for the placement of a discharge pipe in the Central area. The second is the construction of a diversion structure near Highway 1 to allow for a natural storm event driven surface water to flow to the restored wetlands.

To create the seasonal wetland, a shallow depression will be constructed at the point of discharge (Figure 2). Minimal grading will be necessary as the existing elevations are very similar to desired wetland elevations and the clay layer is within 24 to 36 inches of the surface in this area[1]. The estimated amount of material to be excavated is approximately 4000 cubic yards. The depressional area will be contoured such that it will grade into the existing elevations downstream of the restored area. This will allow surface water to flow into the surrounding wetlands to enhance their function.

The existing drainage ditch along Wavecrest Road will be abandoned. The depth of the ditch is such that it is not possible to divert its flow to the Central area from the point where the ditch is the nearest to the Central area. Based on the depth of the ditch and the required gravity flow lines, a wetland basin would have to be 8 feet deep to capture flow from the ditch. Therefore, it is proposed that the water be captured at a higher location, near Highway 1. At this point, storm water can be captured and provided via gravity flow to the restored wetland area. An 18-inch pipe will be installed within a drop basin structure such that normal storm flows will be directed to the Central area. Because of the relatively small size of the Central area compared to the watershed east of Highway 1, the balance of any flows during large storm events will be contained in a storm drain system to be built as part of the proposed development. Therefore, the drainage improvements at Highway 1 will have an overflow to allow major storm flows to enter the project storm drain system and downstream detention basin. The size of the pipe[2] delivering water to the Central area will restrict the amount of water that flows to it; however, the size is also adequate to allow most storms to be diverted to the restored wetlands.

The existing flows from one nursery is currently contained in an underground drainage system that will continue to discharge to the Project storm drain system. The other nursery discharges to a ditch that separates the nursery property from the Central area. This water is then discharged to the riparian corridor in the Pasture area to the south.

To further enhance the habitat structure of the restored wetlands, coyote brush will be planted in the upland buffer zone surrounding the wetland. Suitable fencing will be installed at the

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[1] Prior to the final design, a geotechnical survey will be conducted to determine the depth of the clay layer. Preliminary borings have been made and indicate that it is approximately 24 to 36 inches below the surface. The final grading plan and the estimated amount of excavated material will be based on a goal to maintain the restored area at an elevation above the clay layer. This will be important to the success of the wetland as deeper layers of soil may not perch water at the surface.

[2] The exact pipe size and any control gates will be determined as part of the final engineering design phase.

perimeter of the Central area to ensure that the area is not used for recreational purposes other than bird watching.

During engineering design and construction, a qualified wetland restorationist will be available to review work completed and to approve any changes in the plan. The restorationist will have the authority to contact appropriate federal and state agencies to request their assistance in reviewing any changes that will substantially affect either the quantity or quality of the wetlands to be restored.

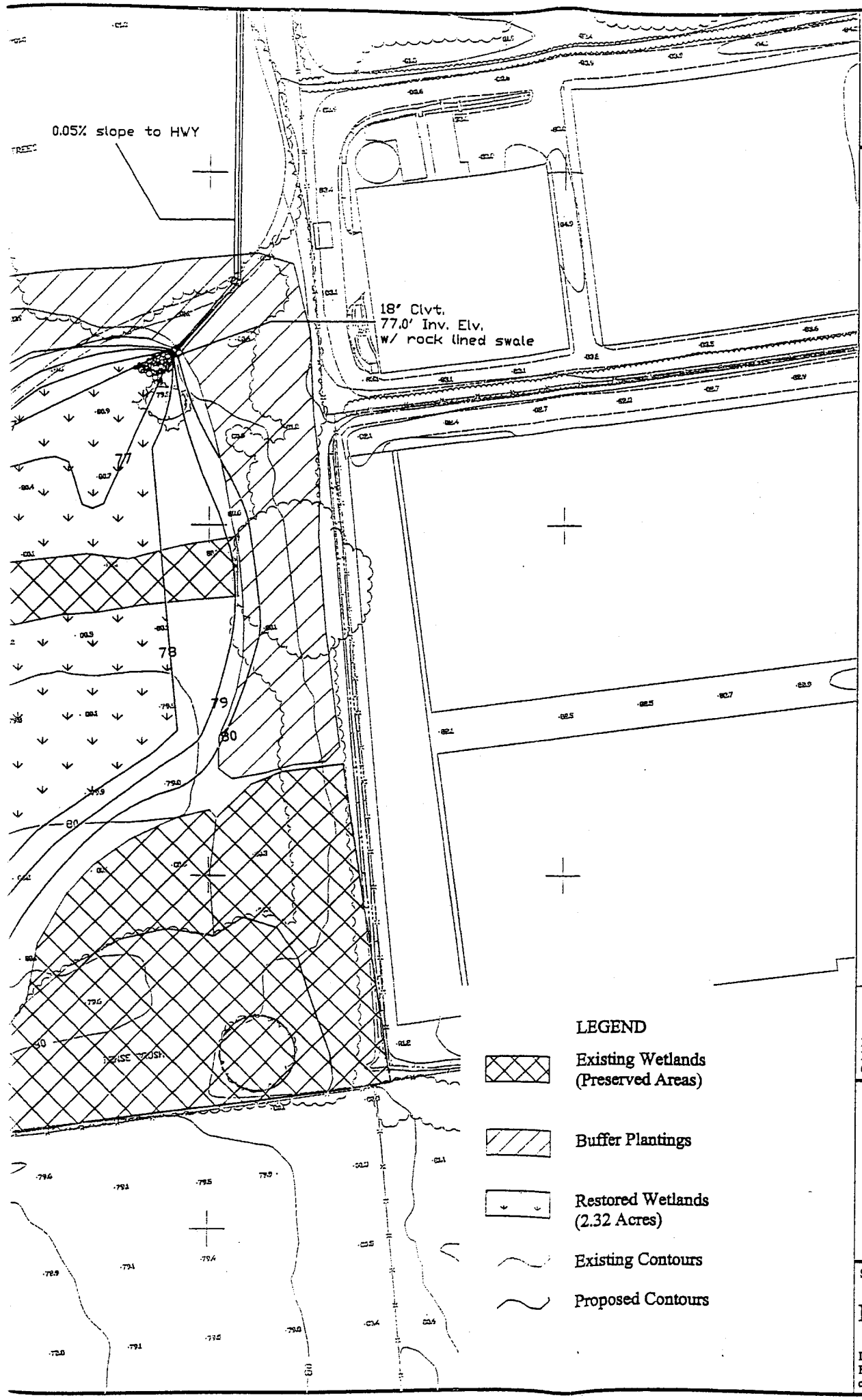
4.3 Planting Plan

The restoration area will be planted with native wetland plants using seeds obtained from a commercial source. Seed will be hand broadcast following final grading and raked into the soil to discourage seed consumption by insects and birds. Recommended native wetland grasses and forbs for planting in the created wetland are listed in Table 1. Transplanting of nursery grown stock may occur if the revegetation does not meet performance criteria (Section 8.0 Contingency Measures).

Table 1. Planting recommendations for the wetland mitigation area

Species	Common Name	Wetland Indicator Status
Wetland Plants		
Eleocharis macrostachya	spike rush	OBL
Carex harfordii	sedge	OBL
Carex subbracteata	small-bract sedge	FACW+
Danthonia californica	California oatgrass	FACW
Hordeum brachyantherum	meadow barley	FACW
Juncus phaeocephalus	brown-headed rush	FACW
Juncus bufonius	toad rush	FACW+
Deschampsia caespitosa	tufted hair grass	FACW
Juncus xiphioides	iris-leaved rush	OBL
Buffer Zone Plants		
Baccharis pilularis	coyote brush	NL
Bromus carinatus var. carinatus	California brome	NL

The upland areas will be planted with coyote brush plants and seeded with native upland grasses



Wetlands Research Associates, Inc.
2169-G East Francisco Blvd.
San Rafael, CA 94901
(415) 454-8868 Phone
(415) 454-0129 Fax

WAVECREST PROPERTIES CENTRAL PARCEL
Conceptual Restoration Plan

HALF MOON BAY, CALIFORNIA

Date:	Issues	No.
08/30/01	Rev. Drawing Set	2
08/03/01	Drawing Set	1

PROJECT #00066
DRAWN BY: P.T.
ORIGINAL DRAWING SIZE: 11" X 17"

SCALE: 1" = 75'

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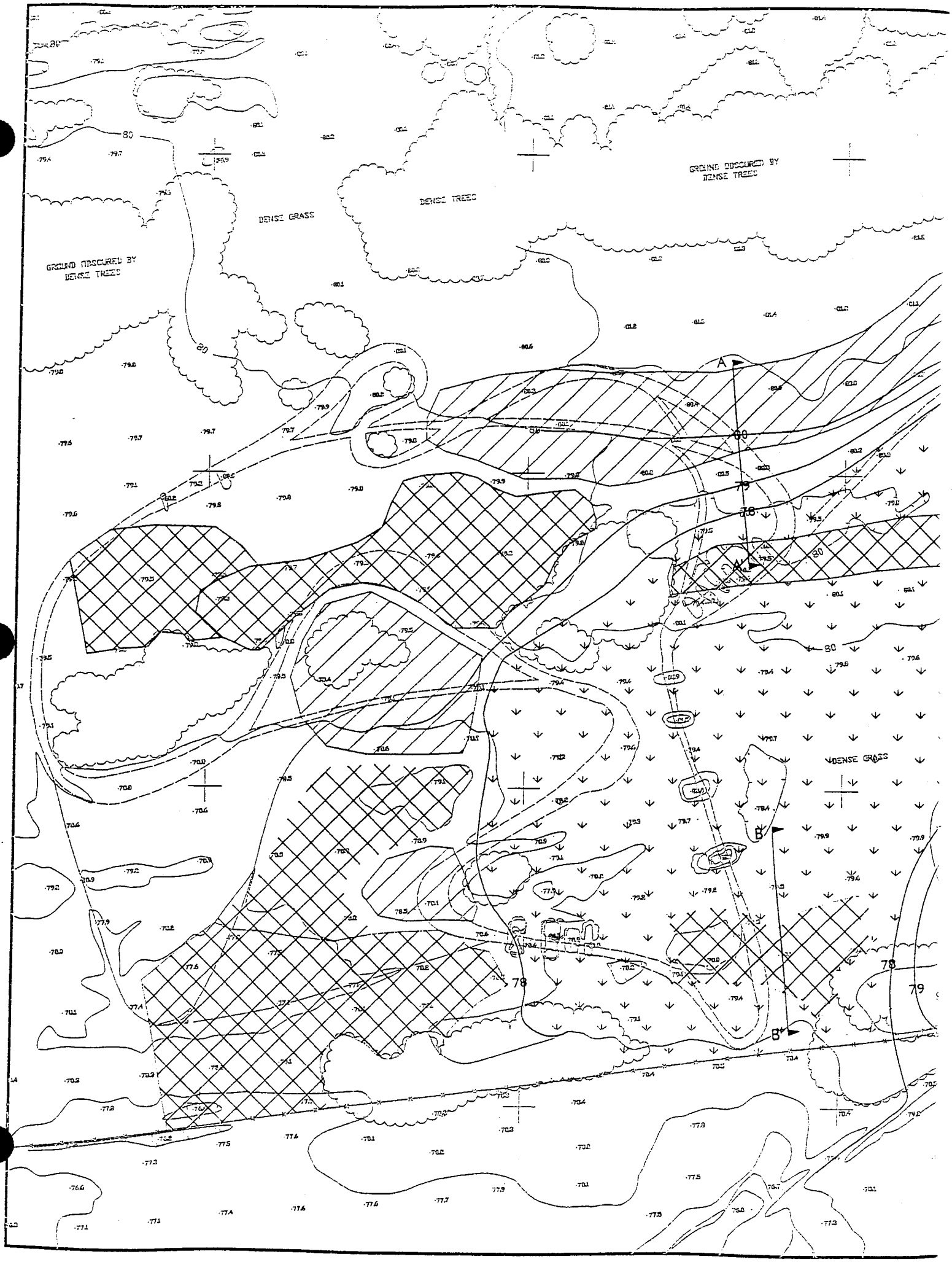
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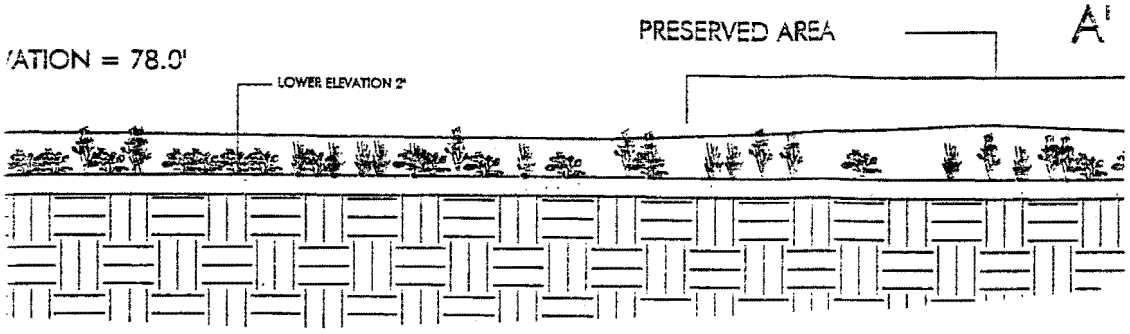
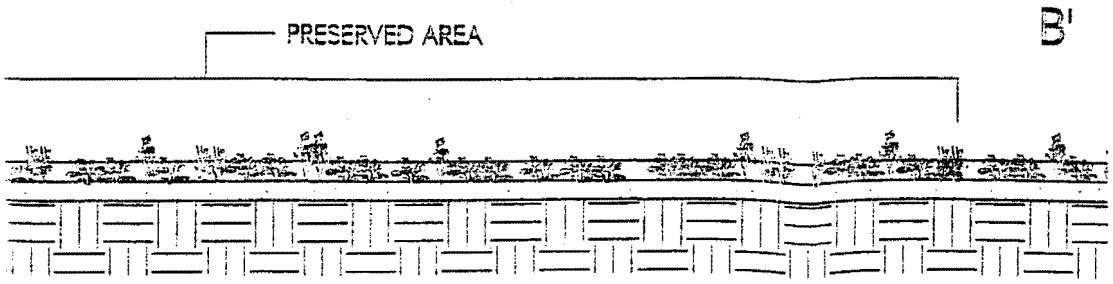


ED WETLAND



ID

Wetlands Research Associates, Inc.
2169-G East Francisco Blvd.
San Rafael, CA 94901
(415) 454-8868 Phone
(415) 454-0129 Fax

WAVECREST PROPERTIES
CENTRAL PARCEL
Conceptual Restoration Plan
Cross Section

HALF MOON BAY,
CALIFORNIA

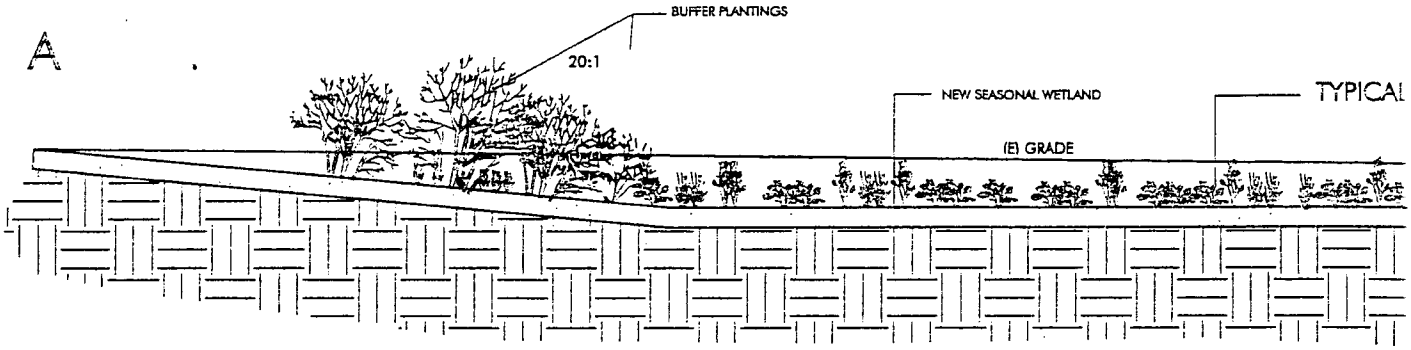
Date:	Issues	No.
09/11/01	Drawing Set	1

PROJECT #00066
DRAWN BY: P.T.
ORIGINAL DRAWING SIZE: 11" X 17"

SCALE: AS NOTED

Figure 3

A

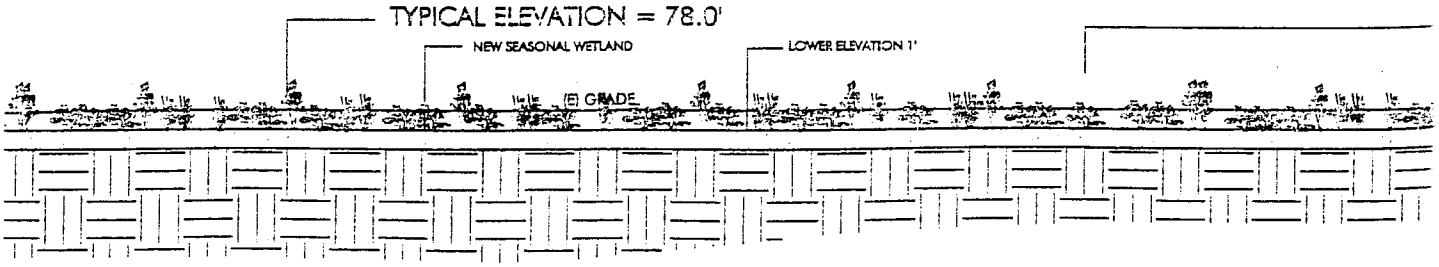


4 / W-1

SECTION A-A' BUFFER, NEW WETLAND, AND RESTO

SCALE 1" = 10' - 0"

B



4 / W-2

SECTION B-B' NEW WETLAND AND RESTORED WETL

SCALE 1" = 10' - 0"

to help control erosion and reduce the invasion of non-native grasses onto the site. Planting will take place in the fall, just before winter rains begin. For the planting, 6-inch coyote brush liner plants will be planted on 5-foot centers in holes that are approximately twice the size of each plant container. Irrigation of the planted shrubs and seeds will not be necessary as they will be planted just before the rainy season begins.

4.4 Schedule

Final design and engineering studies will be conducted following approval of the CDP and any other approvals necessary to proceed with the Project. It is expected that construction of the diversion structure will proceed with the improvements necessary for the storm drain system. Soils excavated within the wetland depression will be removed from the site. Following excavation, soil compaction (as needed) within the wetland, and creation of the inlet and spillway, planting of upland buffer zone plants and seeding of wetland vegetation will take place. Planting and seeding will both take place before winter rains begin.

5.0 MAINTENANCE

An important element of the restoration plan is to create, to the extent possible, wetland habitats that are self-sustaining and maintenance-free over the long term. Initially, maintenance is often necessary to ensure success, but a properly created wetland should eventually maintain itself.

Initial maintenance activities that will be required on the restoration site include visual assessment of the condition of graded area and the condition of the plantings. Maintenance may be required to handle erosion problems as the plants are becoming established. If significant levels of erosion occur on the newly graded banks, additional hydroseeding may be recommended. The condition of the banks that surround the seasonal wetland will be examined several times each year to determine if additional strengthening is required. Biologists will also monitor the extent of non-native invasive forbs. Weed removal will also be undertaken on the restoration site to ensure vigorous growth by target vegetation.

The diversion structure and outlet structure will be checked several times during the first two to three rainfall seasons to ensure that they are functioning properly. It will then be checked and maintained annually thereafter. The wetland will be monitored to ensure the desired amount of ponding is occurring within the created wetland.

6.0 MONITORING PLAN

Monitoring will be required to document habitat development and determine if mitigation performance criteria have been met. Annual reports that describe the monitoring methodology and results will be submitted to the California Coastal Commission. These reports will assess the progress in meeting performance criteria, and identify any problems with flooding, sedimentation, vandalism, and/or other general causes of poor survival or wetland degradation.

If necessary, recommendations to improve success in achieving performance criteria will be made. After five years, a final report describing the success of the restoration in meeting the performance criteria, and an evaluation of the success of any necessary corrective measures undertaken, will be prepared and submitted. Reports will be prepared by a qualified wetland biologist with experience in mitigation monitoring.

6.1 Performance Criteria

Following construction of the wetland restoration, a five-year monitoring program will be conducted to determine whether the restoration has achieved functions greater than the existing nearby reference wetland within the Central area, and whether corrections to the site design or implementation procedure are necessary.

The criteria that will be used to determine the success of the restoration area will be:

YEAR 1

- Continuous inundation of the wetland restoration site will not exceed 3 months in a normal rainfall year.
- The majority of the wetland restoration site will be saturated for at least 4 months.
- No permanent standing water will be present in the lowest portions of the restoration site after May 31.
- Five or more of the 10 most prevalent plant species found in the wetland restoration area will be native seasonal wetland species as found in the natural wetland within the Central area.
- Survival of buffer shrub plantings will exceed 85 percent.
- Invasive plants listed by the California Exotic Pest Plant Council (List A) will not exceed 15 percent cover.

YEAR 3

- Continuous inundation of the wetland restoration site will not exceed 3 month in a normal rainfall year.
- The majority of the wetland restoration site will be saturated for at least 4 months.
- No permanent standing water will be present in the lowest portions of the restoration site after May 31 unless water is also present within the natural wetland on-site.
- Vegetation percent cover in the seasonal wetland should average at least 50 percent absolute cover.
- Five or more of the 10 most prevalent plant species found in the wetland restoration area will be native seasonal wetland species as found in the natural wetland on-site.
- Survival of buffer zone shrub plantings will exceed 85 percent.
- Invasive forbs will not exceed 10 percent cover.

YEAR 5

- Continuous inundation of the wetland restoration site will not exceed 3 months in a normal rainfall year.
- The majority of the wetland restoration site will be saturated for at least 4 months.
- No permanent standing water will be present in the lowest portions of the restoration site after May 31 unless water is also present within the natural wetland on-site.
- Vegetation percent cover in the seasonal wetland should average at least 75 percent absolute cover.
- Five or more of the 10 most prevalent plant species found in the wetland restoration area will be native seasonal wetland species similar to the natural wetland on site.
- The wetland restoration site will be dominated by native seasonal wetland vegetation similar to the natural wetland on site.
- Survival of buffer zone shrub plantings will exceed 85 percent.
- Invasive forbs will not exceed 5 percent cover.

6.2 Monitoring Methods

Three variables will be monitored over the five-year monitoring period to assess progress in creating wetlands. All monitoring will be conducted within the restored wetland and within the natural (reference) wetland within the Central area. Data from the restored wetland will be compared to the natural wetland and percent similarity determined. It is anticipated that the percent similarity will be within 70% in terms of hydrology and vegetative species composition.

Hydrology

Each year of the monitoring period, hydrology of the wetland restoration site will be monitored twice a month during the rainy season to ensure that the site is functioning hydrologically as a seasonal wetland. The wetland will be monitored to ensure that soils are either inundated (visual observation of ponding as measured by a staff gauge) or saturated within the root zone (1.0 feet from the soil surface). Observations of surface ponding and duration of inundation will be conducted 14 to 18 days following a major rainfall event and/or on a semi-monthly basis during the winter and spring rainy season. Photographs will be taken as necessary to document hydrologic conditions within the wetland restoration site.

Soil saturation will be measured using groundwater wells that are placed within the wetland above the clay layer. The wells will be monitored twice a month during the rainy season and then monthly until the wetland is dry.

An operational record of the restoration site, including rainfall data, discharge frequency through the diversion pipe, and any release of nursery water via sluice gates will be kept.

Soil

Soil profiles will be examined to confirm development of the redoximorphic features such as

oxidized rhizospheres, gleying, or mottling. Soil saturation will be monitored throughout the wetland restoration site during the rainy season to confirm the presence of conditions described above. Any sedimentation or erosion occurring will also be noted, and remediation measures will be recommended if the problem becomes severe.

Vegetation

Vegetation monitoring involves three components: (1) assessing plant species occurrence and percent cover along transects within the wetland restoration site and the reference wetland, (2) assessing the survival of planted upland shrubs, and (3) surveying for the presence of invasive exotics.

During years one to five, overall seasonal wetland plant establishment will be examined by monitoring plant species occurrence and percent cover along transects. Three transects will be established through the elevational range in the wetland restoration site and three transects within the reference wetland. The transects will be set up with fixed endpoints (labeled stakes) that can be used for each of the five years of sampling. Plant species coverage will be measured to the nearest 5 percent within a 0.5-meter-square quadrat every five meters along these transects. Sufficient quadrats will be established to obtain a statistically significant sampling size. Additional sampling also will be conducted in an existing wetland on the project site for comparison. These data will be tabulated and analyzed to assess whether vegetation coverage is meeting the performance criteria goals outlined in Section 6.1. Photographs will be taken at selected permanent photopoints during the vegetation monitoring visit each monitoring year for year-to-year visual comparison. Monitoring will be conducted at the end of the growing season for these wetland plant species, typically late spring (May).

Survival of the planted coyote brush serving as a screen for the restoration site will be assessed six months and one year after planting. Any shrubs not surviving will be replanted as part of a remedial planting during the first fall following initial planting. In subsequent years planted upland shrubs will be replaced on an annual basis as needed.

Surveying for the presence of invasive exotic plant species will occur annually during the monitoring visit. Removal by hand of exotic forbs will occur where possible if these species are observed on the restoration site.

7.0 REMEDIATION MEASURES

If annual or final success criteria are not met, the applicant will prepare an analysis of the cause(s) of failure and, if determined necessary by the California Coastal Commission, propose remedial action for approval. Potential remediation action measures may include improving soil water retention capability using bentonite clay, additional measures to reduce invasive species growth, planting of additional wetland species, or expanding wetland habitat within other areas of the Central area if insufficient wetland acreage is achieved. The remediation recommendation will be presented to the Commission staff for approval before beginning the

work. The applicant will be responsible for funding the remediation procedures necessary for successful completion of the restoration effort.

8.0 REFERENCES

California Department of Fish and Game. 1997. Natural Diversity Data Base, Half Moon Bay quadrangle. California Department of Fish and Game, Natural Heritage Division, Sacramento, CA.

Reed, P.B., Jr. 1988. National list of plant species that occur in wetlands: California (Region 0). U.S. Fish and Wildlife Service Biological Report 88(26.10).

U.S. Soil Conservation Service. 1961. Soil survey of San Mateo Area, California. In cooperation with the University of California Agricultural Experiment Station.

Appendix A: Vegetation survey of the wetland restoration area within the Central area

VEGETATION STUDY
WAVECREST VILLAGE, NORTHEASTERN CENTRAL PARCEL, HALF MOON BAY

Wetland Restoration Area

Draft

September, 2001

Prepared by:

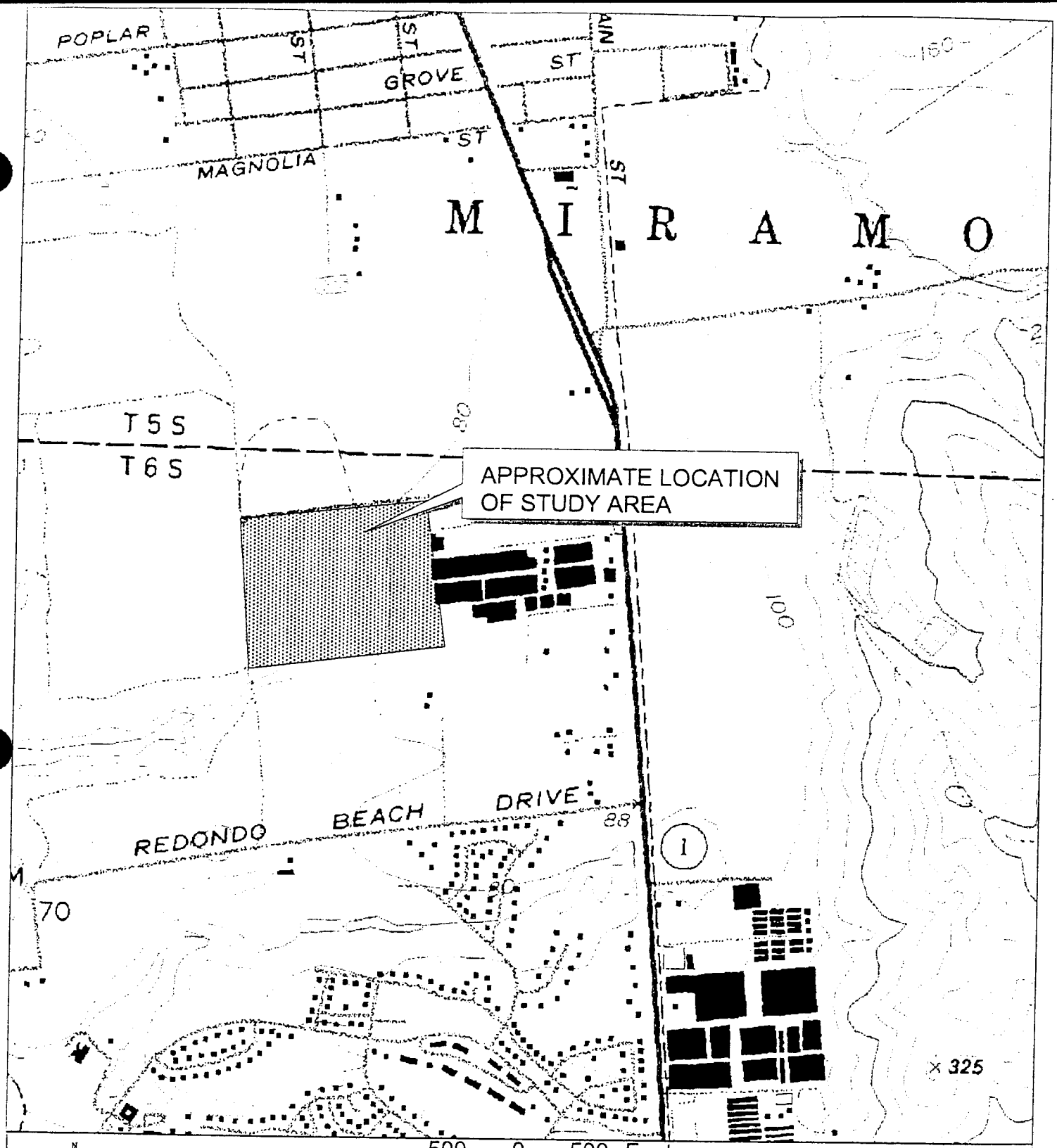
Wetlands Research Associates, Inc.
2169 E Francisco Blvd Suite G
San Rafael, CA 94901
Contact: Michael Josselyn, PhD
(415) 454-8868

INTRODUCTION

The purpose of this report is to provide the Coastal Commission and its staff with a vegetation study describing the extent of hydrophytic vegetation on the northeastern portion of the central parcel in Wavecrest Village, Half Moon Bay ("Study Area") (Figure 1). The area is proposed for wetland restoration and the CCC has requested a delineation of this area for the purposes of showing the extent of areas that will be included within the restoration plan area. This report presents the findings from the vegetation study and a map of vegetative communities observed on the Study Area in June 2001.

BACKGROUND

Wetlands Research Associates, Inc (WRA) previously completed a wetland determination pursuant to the Coastal Act and City of Half Moon Bay Local Coastal Program (LCP) wetland definitions on the Wavecrest Village Study Area (WRA 1998). This determination was submitted to the City of Half Moon Bay (City) for the purposes of completing an Environmental Impact Report and review of various Coastal Development Permits (CDP) for the Site. In addition, at the request of the Coastal Commission, a map of hydrophytic vegetation was completed for Wavecrest Village.



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SCALE: 1:15,000

Figure 1

PURPOSE: Vegetation Map DATUM: NGVD USGS QUADRANGLE: Half Moon Bay, 1991, 7.5 minute series	VICINITY MAP Wavecrest Village L.L.C. 330 Purissima Street Half Moon Bay, CA 94019 Contact: Pat Fitzgerald	LOCATION: Central Parcel, Wavecrest Village COUNTY: San Mateo Application by: Wavecrest Village L.L.C. Sheet: 1 of 2 DATE: September 2001

(WRA 2000). At the time, the Central Area was not mapped since it was not proposed for development. However, with the proposal to enhance and restore wetlands within this area, the Commission requested a vegetation map for the affected area within the Central Area.

The Coastal Act defines wetlands as:

> *Wetland means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, or fens.*
>
> *Section 30121 (California Coastal Act)*

Furthermore, the CCC Administrative Regulations (Section 13577 (b)(1)) provides the following definition:

> *Wetlands are lands where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent or drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salt or other substance in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deepwater habitats.*

The LCP which has been certified by the Coastal Commission to implement the Coastal Act defines wetlands as follows:

> "*Wetland is an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground. Such wetlands can include mudflats (barren of vegetation), marshes, and swamps. Such wetlands can be either fresh or saltwater, along streams (riparian), tidally influenced areas (near the ocean and usually below extreme high water of spring tides), marginal to lakes, ponds, and man-made impoundments. Wetlands do not include*

areas which in normal rainfall years are permanently submerged (streams, lakes, ponds, and impoundments, nor marine estuarine areas below extreme low water of springtides, nor vernally wet areas where the soils are not hydric."

(City of Half Moon Bay Local Coastal Program, Land Use Plan, Appendix A ("Special Definitions"): See § 18.38.020

This vegetation study follows a format similar to that submitted to the Commission by WRA (2000) for Wavecrest Village and by WRA (2001) for the Arleta Park Subdivision project, which occurs immediately north of Wavecrest Village. The study is based solely on vegetative communities and the mapping of areas based on the dominance of species as classified under the US Fish and Wildlife Service's Wetland Indicator Status Plant list.

METHODS

The vegetation study was conducted in June 2001. Prior to the field visit, 1:14,700 color and color infrared aerial photographs, dated 4/19/01, were reviewed for homogenous areas which would help stratify the area into visually distinct polygons. In the field, the Study Area was traversed on foot and homogeneous polygons (those with relatively uniform physiognomy and plant species composition) selected via releve sampling. At each polygon, the percent cover for dominant species was determined. Dominant species were those with cover greater than 10 percent.

A list of all the species observed on Wavecrest Village is contained in Appendix A. The categorization of these species using the US Fish and Wildlife Service Wetland Plant Indicator Status (NWI) (1997) is also provided in Appendix A. The US Fish and Wildlife Service has defined wetland indicator plants in the following categories:

Status	Description	Frequency of occurrence
OBL	Obligate, always found in wetlands	> 99%
FACW	Facultative wetland, usually found in wetlands	67-99%
FAC	Facultative, equal occurrence in wetland or non-wetlands	34-66%
FACU	Facultative upland, usually found in non-wetlands	1-33%
UPL/NL	Not found in local wetlands	<1%

In this vegetation study, areas where FACW-OBL species comprised greater than 50 percent of the dominant species (dominant species are those with greater than 10 percent cover within the polygon) were considered to have a preponderance of hydrophytic vegetation[1].

RESULTS

The Study Area is composed of four broad physiognomic classes–forest, shrubland, annual grassland, and seasonal wetland. Forests occur in the northern and southern portions of the Study Area. Dominant trees include Monterey cypress (*Cupressus macrocarpa*, NL), blue gum (*Eucalyptus globulus,* NL), and blackwood acacia (*Acacia melanoxylon,* NL). Shrubland is generally occurs adjacent to forested communities, and is principally dominated by coyote brush (*Baccharis pilularis,* NL) and California blackberry (*Rubus ursinus,* FAC+). Annual grassland is scattered throughout the Study Area and is dominated by mostly non-native species such as velvet grass (*Holcus lanatus,* FAC), Italian ryegrass (*Lolium multiflorum,* FAC), and vulpia (*Vulpia bromoides*, FACU*). Wetland communities are scattered throughout the Study Area and are dominated by broad-leaved cattail (*Typha latifolia,* OBL), pennyroyal (*Mentha pulegium,* OBL), rush (*Juncus phaeocephalus,* FACW), rabbitsfoot grass (*Polypogon monspeliensis,* FACW+), and sedge (*Carex harfordii,* OBL).

Within these broad physiognomic classes, a total of 24 vegetative communities were observed on the Study Area (Figure 2). These communities were differentiated based on species dominance (dominant species are those with greater than 10 percent cover within the polygon). While plant species generally act as individuals along environmental gradients, the dominance of distinct species assemblages made each area distinguishable as a vegetative community. The dominant species in within each vegetative community are presented in Appendix B.

Of the 24 vegetative communities observed on the Study Area, 11 had a preponderance of FACW-OBL vegetation. These hydrophytic areas were generally located in depressions and swales and had wetland hydrology

---

[1] This is consistent with the Wavecrest Village Permit (A-1-HMB-99-051) report in which the CCC requested a vegetation report be prepared of a similar nature as this report. John Dixon of the Commission staff reviewed the vegetation report and "used the more stringent method to identify areas of wetland vegetation, including only those areas with an occurrence of greater than 50 percent obligate or facultative wetland species." This method was applied in this study.

indicators such as algal mats.

Conclusion

A vegetation map was prepared for the northeastern portion of the central parcel as requested by the Coastal Commission staff. The methods used were consistent with those applied by WRA during the vegetation study conducted on Wavecrest Village (excluding the central parcel) (WRA 2000). Twenty-four plant communities were observed on the Study Area, and 11 had a preponderance of FACW-OBL vegetation which is the more stringent standard used by the Coastal Commission staff in evaluating the presence of wetlands on the Wavecrest Village site.

The applicant proposes to create a 1.10 acre wetland within upland plant communities. A separate wetland restoration plan is being prepared for submittal to the Commission.

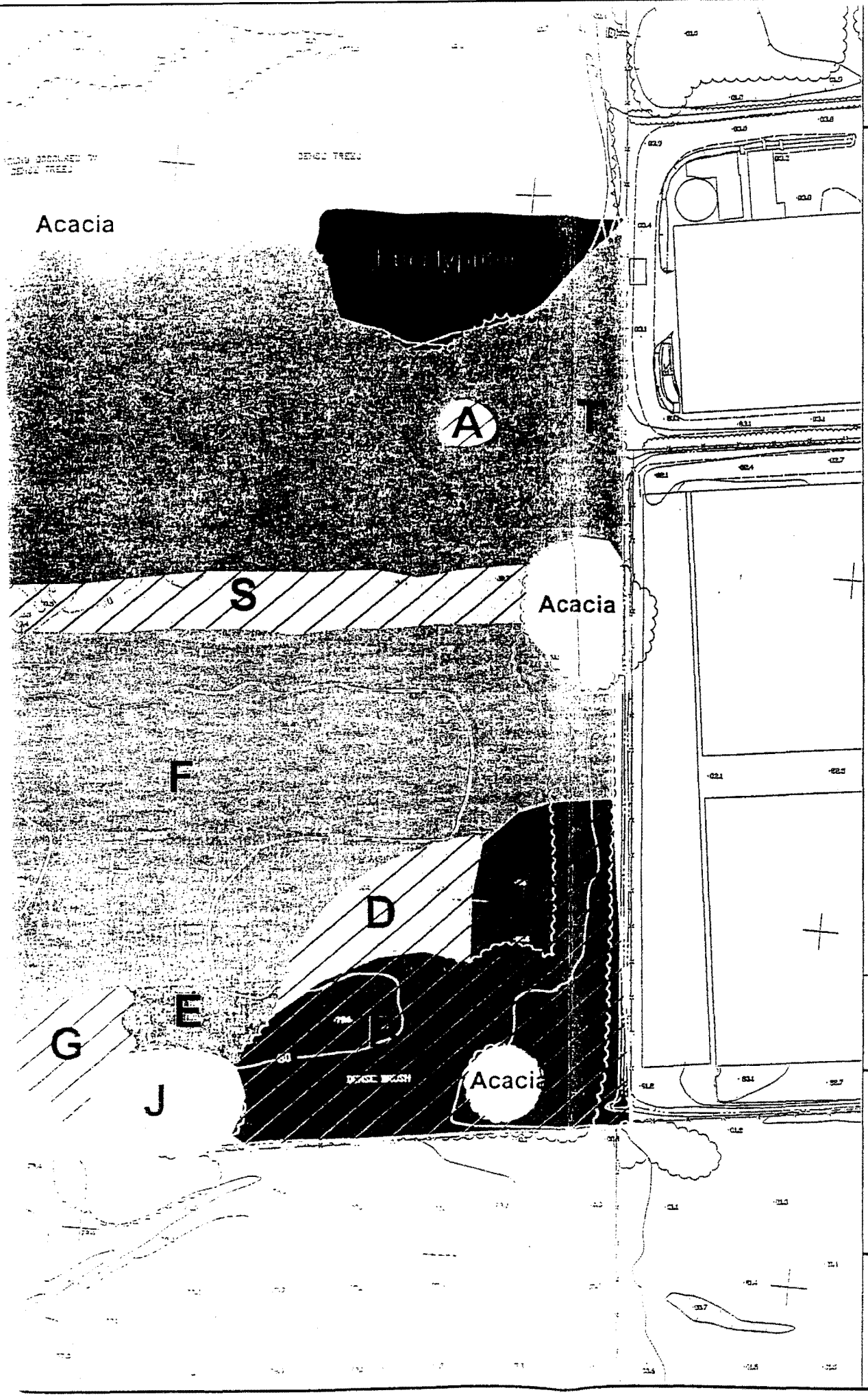
References

US Fish and Wildlife Service. 1997. National list of plant species that occur in wetlands. California Region 0.

Wetlands Research Associates, Inc. 1998. North Wavecrest jurisdictional wetland analysis. June 10, 1998.

Wetlands Research Associates, Inc. 2000. Vegetation study, Wavecrest Village, Half Moon Bay. June 23, 2000.

Wetlands Research Associates, Inc. 2001. Vegetation study, Arleta Park Subdivision, Half Moon Bay. May 18, 2001.



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(415) 454-8868 Phone
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WAVECREST VILLA
NORTHEASTERN
CENTAL PARCEL
VEGETATION MAP

HALF MOON BAY,
CALIFORNIA

07/30/01	Drawing Set	1
Date:	Issues	No.

PROJECT #00066
DRAWN BY: F.L.
ORIGINAL DRAWING SIZE: 11" X 17"

FIGURE 2

SCALE: 1" = 75'

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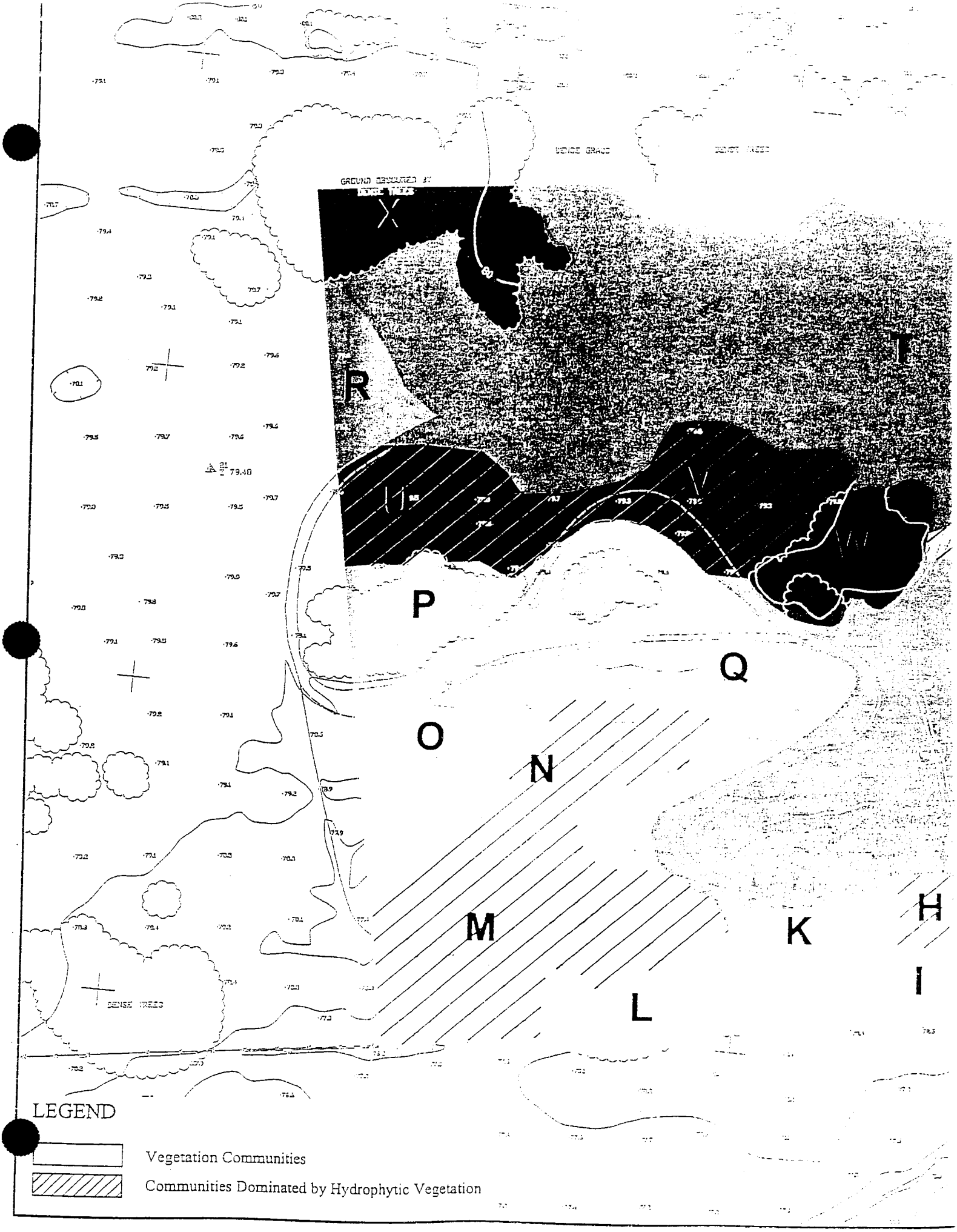
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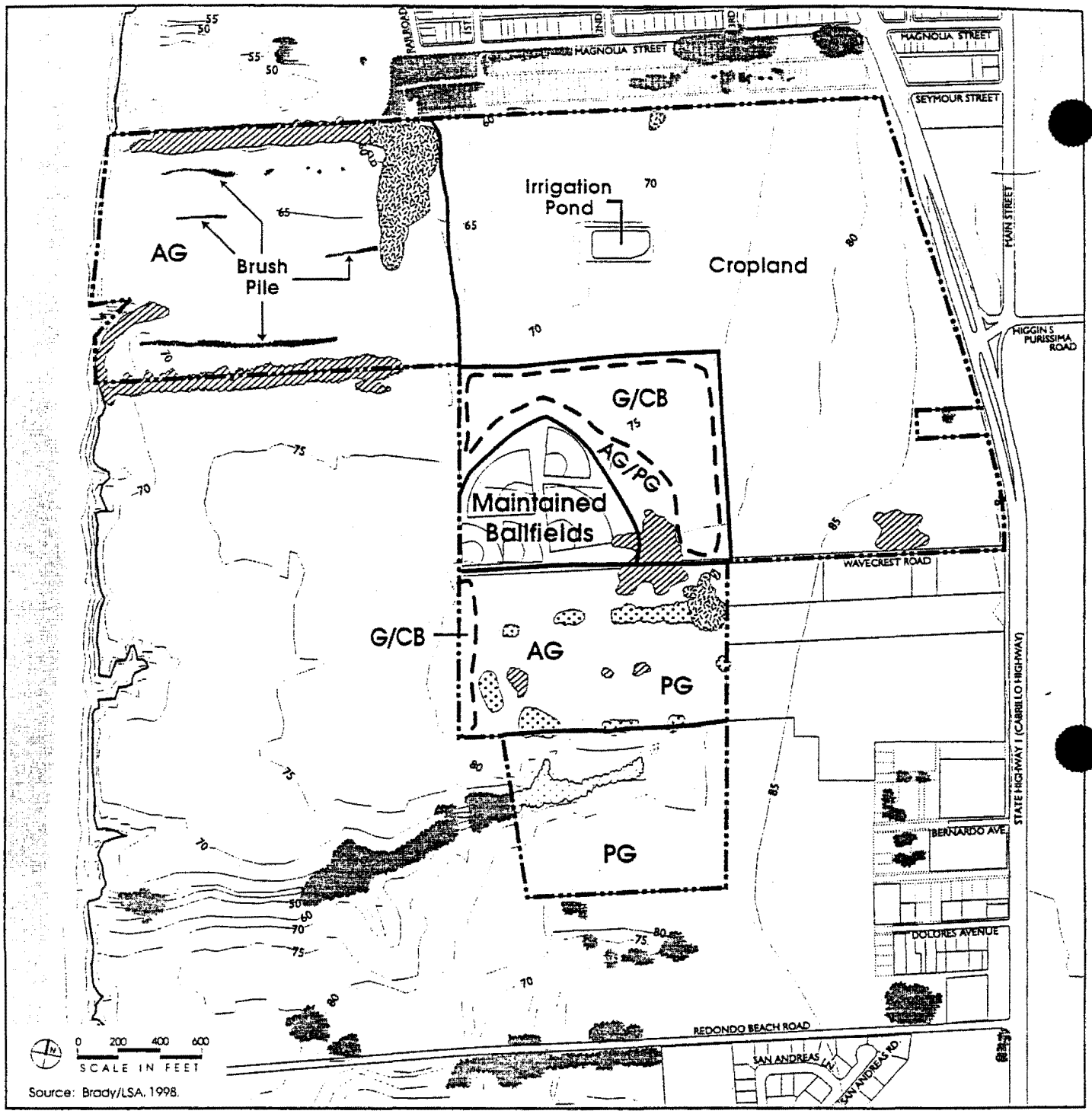
LEGEND
Vegetation Communities
Communities Dominated by Hydrophytic Vegetation



WAVECREST VILLAGE DRAFT SPECIFIC PLAN EIR

Legend:

- = Monterey Cypress
- = Blue-gum Eucalyptus
- = Black Acacia
- = Riparian Scrub/Woodland

AG = Annual Grassland

PG = Perennial Grassland

G/CB = Grassland with Scattered Coyote Brush

For wetland vegetation see wetlands map.

EXHIBIT NO. 14

APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)

VEGETATION MAP

Figure 40: Vegetation Map

BRADY LSA

EXHIBIT NO. 15
APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)
12/20/00 LETTER FROM GARY DEGHI

Gary Deghi
8 Pinehurst Lane
Half Moon Bay, CA 94019

RECEIVED
DEC 22 2000
CALIFORNIA
COASTAL COMMISSION

December 20, 2000

Ms. Virginia Esperanza
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Subject: Populations of Raptors in the North Wavecrest Restoration Area in Half Moon Bay, California (Wavecrest Village, Appeal # A-1-HMB-99-051)

Dear Ms. Esperanza:

It has come to my attention that the California Coastal Commision has asked for information concerning the value of the North Wavecrest Restoration Area as habitat for raptors. This information has been requested as part of deliberations and review of the Wavecrest Village project currently before the Commission. I have continuous first-hand knowledge of the nature of the area as a habitat for raptors going back to 1987. I have an M.S. in Wildlife Ecology and have worked as an environmental consultant for the last 23 years, primarily in the areas of conservation planning and permitting related to wetlands and endangered species. I am a member of the Board of Directors of the Sequoia Audubon Society, a former member of the Half Moon Bay City Council, and have been an active "birder" for the last 20 years. Since 1987, I have personally visited this site routinely for purposes of noting raptors present, including visits nearly every year as part of the annual Audubon Society Christmas Bird Count.

The area has a mix of habitats making it of particular importance for raptors. Wildlife habitat types in the area include wetland and riparian habitats, open grassland and coastal scrub. Features which are of particular importance to raptors and other wildlife include dense cover along the riparian corridors, mature trees which provide cover, perching and roosting sites, and nesting substrate, and emergent wetlands and grasslands providing a nesting and foraging area for many species. The area is particularly valuable for populations of raptors due to an abundance of voles and other small rodents that provide a source of prey, in this area that is not tilled for agricultural purposes. Based on the quality of the habitat, numbers of individuals and the mix of species, this area is considered by Sequoia Audubon Society as the best habitat for wintering raptors in San Mateo County.

The Breeding Bird Atlas of San Mateo County cites confirmed breeding in this area by red-tailed hawk, red-shouldered hawk, American kestrel and great-horned owl, and possible breeding by sharp-shinned hawk. Common wintering raptors include red-tailed hawk, red-shouldered hawk, American kestrel, turkey vulture, great horned owl, barn owl, white-tailed kite (a state-designated fully protected species), Northern harrier, Cooper's hawk and sharp-shinned hawk. Numbers of white-tailed kite, Northern harrier and barn owl are impressive in the winter. The eucalyptus trees just south of Wavecrest Road harbored a population of 10 barn owls in one Christmas Count during the early '90s. Even the casual observer can often see barn owl roosting on the telephone lines along Wavecrest Road oppsite Cameron's restaurant during the winter. Numbers of red-tailed hawks, red-

shouldered hawks and American kestrels, as well as harriers and kites, are easily seen by the casual observer from Highway 1, particularly in winter.

Other species of raptors use the area in the winter that are either unusual for the area or are, in fact, species of special concern to the state of California. A population of between one to five short-eared owls (a state species of special concern) winter in this area and are noted each year in the Audubon Society's Christmas Bird Count. I have observed these individuals every year since 1987. During the 2000 Christmas Count conducted on December 16, our group counted five short-eared owls at dusk in the fields near the end of Wavecrest Road.

Wintering raptors have included merlin, and ferruginous and rough-legged hawks. Also observed in the area have been broad-winged hawk, golden eagle, peregrine falcon and prairie falcon. Two winters ago, an immature Swainson's hawk (state-listed as endangered) was observed in the area. This individual stayed for the entire winter, providing the first record of over-wintering Swainson's hawk ever in coastal Northern California. Of the species mentioned above, merlin and ferruginous hawk are listed as state species of special concern with respect to wintering populations, and golden eagle and peregrine falcon are listed as fully protected by state agencies. Ferruginous hawk is also considered a federal species of concern, and peregrine falcon is state-listed as endangered.

The value of the area as a winter foraging area for raptors on a local as well as regional scale cannot be underestimated. The value of the area for populations of raptors is certainly relevant to the Commission's review of development proposals for this area. It is unclear to me whether these issues were properly taken into account when a model airplane field was constructed in this area approximately ten years ago, or if they are being considered as part of the ongoing review for construction of a dog walking facility within this area.

The North Wavecrest Restoration Area is also a common destination for birders along with other heavily birded areas along the coast such as Pillar Point Harbor and Pescadero Marsh. Many species have been sighted in the area that "make the tape" on the regional birding hot lines and Rare Bird Alerts. Vagrant or rare birds that have been observed in the area that hold interest for birders include broad-winged hawk, ferruginous hawk, rough-legged hawk, Swainson's hawk, prairie falcon, golden eagle, short-eared owl, Pacific golden plover, dusky flycatcher, tropical kingbird, thick-billed kingbird (only the second occurrence ever in Northern California), black-and-white warbler, blackpoll warbler, palm warbler, white-throated sparrow, vesper sparrow, swamp sparrow (seen most years in the wetlands behind McCahon's nursery), clay-colored sparrow, grasshopper sparrow, snow bunting, chestnut-collared longspur, and bobolink. Rock sandpipers are sometimes found on the rocks along the shoreline and pelagic species such as marbled and ancient murrelets are at times found just offshore in winter.

If you need any additional information regarding the value of the North Wavecrest Restoration Area to raptors or other avian species please call me at 650-726-1340.

Sincerely

Gary Deghi

Gary Deghi

cc: Sara Wan, Chairperson

EXHIBIT NO. 16
APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)
5/29/01 LETTER FROM GARY DEGHI

Gary Deghi
8 Pinehurst Lane
Half Moon Bay, CA 94019

May 29, 2001

Ms. Virginia Esperanza
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Subject: Populations of Raptors and other Wildlife in the North Wavecrest and Wavecrest Village Areas in Half Moon Bay, California (Wavecrest Village, Appeal # A-1-HMB-99-051)

Dear Ms. Esperanza:

On December 20, 2000, I submitted a letter to the California Coastal Commision with information concerning the value of the North Wavecrest Restoration Area (including Wavecrest Village) as a significant habitat area for raptors. The letter contained information regarding the habitat types supporting raptor use, lists of raptor species (including a number of special status species) that have been documented on the site, particularly using the site as a winter foraging area, and other information regarding avian use of the area. Since then the applicant's consultant has prepared a raptor nesting survey which unfortunately does not recognize the importance of the site in supporting significant winter raptor populations. It thus is necessary at this juncture to elaborate on winter raptor use and provide data in this regard.

I also recently received from Commission staff and reviewed a copy of the Staff Report dated September 28, 2000 regarding the Wavecrest Village project. I was surprised to find out that the ecologically sensitive area south of Wavecrest Road and west of the nursery (referred to as the Central area in Exhibit 13, and in which development is proposed in the applicant's site plan) is described on the wetland map in Exhibit 13 as one for which the wetlands were not determined. This area has extensive and well-developed wetlands, the presence of special-status species, and elements important to a significant population of wintering raptors on the overall site. I do not believe that the Commission should be considering an action on this project, when ecological constraints on the most environmentally sensitive portion of the site have not been fully evaluated.

I have an M.S. in Wildlife Ecology and have worked as an environmental consultant for the last 23 years, primarily in the areas of conservation planning and permitting related to wetlands and endangered species. I am a member of the Board of Directors of the Sequoia Audubon Society and a former member of the Half Moon Bay City Council, but I am making my comments as a concerned resident of the City of Half Moon Bay. Since 1987, I have personally visited the project area routinely for purposes of noting raptors and other birds present, including visits many years as part of the annual Audubon Society Christmas Bird Count. A copy of my resume is attached.

Raptor Use

The Breeding Bird Atlas of San Mateo County cites confirmed breeding in the area west of Highway 1 between Redondo Beach Road and Miramar (a fairly wide area encompassing the Wavecrest Village site) by red-tailed hawk, red-shouldered hawk, American kestrel, and great-horned owl, and possible breeding by sharp-shinned hawk. The nesting survey completed by the

applicant's consultant documented nesting in the project site area with two pairs of red-tailed hawks and one pair of red-shouldered hawks with territories within or overlapping the Wavecrest Village site.

However, the data base that has been provided by the applicant totally ignores the value of the site as a winter habitat of considerable importance for raptor populations. The area has a mix of habitats making it of particular importance for raptors. Wildlife habitat types in the area include wetland and riparian habitats, open grassland and coastal scrub. Features which are of particular importance to raptors and other wildlife include dense cover along the riparian corridors, mature trees which provide cover, perching and roosting sites, and nesting substrate, and emergent wetlands and grasslands providing a nesting and foraging area for many species. The area is particularly valuable for populations of raptors due to an abundance of voles and other small rodents that provide a source of prey in this area that is not tilled for agricultural purposes.

Based on the quality of the habitat, numbers of individuals and the mix of species, this area is considered by Sequoia Audubon Society as the best habitat for wintering raptors in San Mateo County. Winter use of the site by raptors is evaluated annually as the North Wavecrest and Wavecrest Village areas are covered in the annual Christmas Bird Count conducted by Sequoia Audubon Society. Table 1 shows counts of the number of individuals of various raptor species observed during a number of these surveys conducted between 1988 and 2000. The data shows considerable use of the site during the winter by a variety of species of raptors. It has been determined by Sequoia Audubon Society that there is no other site in San Mateo County that achieves use by a greater number of raptor individuals and attains such diversity of raptor species in the winter.

Although the Christmas Bird Counts are for the wider North Wavecrest area, it should be pointed out that the Wavecrest Village area comprises a considerable portion of the area. The Wavecrest Village site contains grasslands and wetlands serving as foraging habitat and a eucalyptus grove and cypress trees serving as roost sites for the general area. More importantly, the Wavecrest Village site is adjacent to the remainder of the North Wavecrest area, and together they form an integrated complex of winter foraging area and roosting sites. In daily movements in winter an individual raptor would typically forage over many portions of the North Wavecrest area, in search of roost sites and prey. Significant roost sites in the general area include a cypress wind row and two eucalyptus groves on the north edge of the Wavecrest Village site, an additional cypress wind row further north, a eucalyptus grove and cypress trees in the Central area of Wavecrest Village south of Wavecrest Road and west of the nursery, and additional cypresses and eucalyptus along Redondo Beach Road south of Wavecrest Village at the south end of North Wavecrest.

According to my personal observations, the cypresses and eucalyptus along the north boundary of Wavecrest Village and in the area of Wavecrest Village located south of Wavecrest Road and west of the nursery are the most commonly used winter roosting areas within the overall North Wavecrest area. Notes taken by J. R. Blair (Biology lecturer at San Francisco State Universty) during the last four Christmas Bird Counts indicating location of raptor observations with North Wavecrest (see Attachment 1), shows that many of the observed individuals were utilizing habitat present on the Wavecrest Village site. Many of the individuals noted in the vicinity of Smith Field use the important area south of Wavecrest Road, which is proposed for development in the applicant's plans, as well as open fields located nearby.

Common wintering raptors on the Wavecrest Village site and adjacent areas include red-tailed hawk, red-shouldered hawk, American kestrel, great horned owl, barn owl, white-tailed kite (a state-designated fully protected species), Northern harrier, Cooper's hawk and sharp-shinned hawk. Numbers of white-tailed kite, Northern harrier and barn owl are impressive throughout the North Wavecrest area in the winter. Red-tailed hawks, red-shouldered hawks and American kestrels, as well as harriers and kites, are easily seen by the casual observer from Highway 1 in winter. Barn owls are often seen in the evening on the telephone wires in the vicinity of Cameron's Restaurant at the corner of Wavecrest Road and Highway 1. On December 14 last year, two days before the Christmas Bird Count, my 8 year old son and I stopped along Highway 1 just north of Wavecrest Road to study three barn owls perched together on telephone lines there. The eucalyptus trees just south of Wavecrest Road and west of the nursery within the Wavecrest Village site harbored a population of 11 barn owls in the Christmas Bird Count conducted on December 17, 1994. A number of the surveys conducted for the Christmas Bird Counts tallied 20 or more red-tailed hawks within North Wavecrest over the course of the day. Other observers who have tallied such high counts of red-tailed hawks include Al Eisner, a respected birder and credible observer, who counted over 20 red-tailed hawks within North Wavecrest, many on the Wavecrest Village site, along with the other raptors noted on a day last fall. On a recent evening in January 2001, I personally conducted a visit to the area at dusk accompanied by Ken Curtis, Half Moon Bay Planning Director, Michael Ferreira and Robin King of the City's Planning Commission, and Kathryn Slater-Carter, Director on the Montara Sanitary District. From the model airplane field beyond the end of Wavecrest Road, we observed three short-eared owls, many Northern harriers and red-tailed hawks, two red-shouldered hawks, and so many white-tailed kites that I observed six within one binocular field of view, looking southeast toward the Central portion of the Wavecrest Village site, all within a period of less than a half an hour.

Species of raptors use the area in the winter that are either unusual for the area or are, in fact, species of special concern to the state of California. A population of up to six short-eared owls (a state species of special concern) winter in this area and are noted each year in the Audubon Society's Christmas Bird Count. I have observed these individuals every year since 1987. During the 2000 Christmas Count conducted on December 16, our group counted five short-eared owls at dusk in the fields near the end of Wavecrest Road. Al Jaramillo (a professional ornithologist with the San Francisco Bay Bird Observatory) has counted six short-eared owls on visits to the area. The short-eared owls use the wider North Wavecrest area as well as the Wavecrest Village site. I have many times watched the birds forage between the Wavecrest Village site and the adjacent areas both north and south of the ballfields, and have observed foraging birds passing over Wavecrest Road on occasion.

Other wintering raptors have included ferruginous hawk, rough-legged hawk, broad-winged hawk, golden eagle, peregrine falcon, prairie falcon and merlin. Two winters ago, an immature Swainson's hawk (state-listed as endangered) was observed in the area. This individual stayed for the entire winter, providing the first record of over-wintering Swainson's hawk ever in coastal Northern California. Of the species mentioned above, merlin and ferruginous hawk are listed as state species of special concern with respect to wintering populations, and golden eagle and peregrine falcon are listed as fully protected by state agencies. Ferruginous hawk is also considered a federal species of concern, and peregrine falcon is state-listed as endangered.

The value of the area as a winter foraging area for raptors on a local as well as regional scale must not be underestimated, and needs to be of paramount concern by the Coastal Commission when

considering possible development of this area. Development of any significant portion of the North Wavecrest area would seriously compromise the value of the entire area for wintering raptor species.

Other Avian Use

The North Wavecrest area, including Wavecrest Village, is also a common destination for birders along with other heavily birded areas along the coast such as Pillar Point Harbor and Pescadero Marsh. The extensive and well-developed wetlands located within the Wavecrest Village site harbor many species adapted to these types of environments, including Virginia rails which are easily heard calling from immediately adjacent wetlands on winter mornings from the end of Wavecrest Road. Many species have been sighted in the area that "make the tape" on the regional birding hot lines and Rare Bird Alerts. Vagrant or rare birds that have been observed in the area that hold interest for birders include broad-winged hawk, ferruginous hawk, rough-legged hawk, Swainson's hawk, prairie falcon, golden eagle, short-eared owl, Pacific golden plover, pectoral sandpiper, dusky flycatcher, tropical kingbird, thick-billed kingbird (only the second occurrence ever in Northern California), sage thrasher, red-throated pipit, black-and-white warbler, blackpoll warbler, palm warbler, white-throated sparrow, vesper sparrow, swamp sparrow (seen most years in the wetlands just south of Wavecrest Road and west of the nursery), clay-colored sparrow, grasshopper sparrow (breeds), snow bunting, chestnut-collared longspur, Lapland longspur and bobolink. Recently (May 19, 2001) as I was helping out at my son's Little League game at Smith Field, a flock of approximately 20 white-faced ibis flew over the North Wavecrest area (including Wavecrest Village). In addition, rock sandpipers are sometimes found on the rocks along the shoreline and pelagic species such as marbled and ancient murrelets are at times found just offshore in winter.

Birds listed as species of concern to the state of California that have significant populations occuring on the Wavecrest Village site include the wintering population of up to six short-eared owls which forage throughout Wavecrest Village and are found every year, and a breeding population of saltmarsh common yellowthroat. Al Jaramillo, a professional ornithologist with the San Francisco Bay Bird Observatory, has documented territorial (breeding) pairs of saltmarsh common yellowthroat in the extensive wetlands located within the Wavecrest Village site south of Wavecrest Road and west of the nursery (Central area), as well as the riparian corridor further south.

Environmental Sensitivity

It appears as though addtional study is necessary before an action can be taken on this project, especially within the Central area of the Wavecrest Village site. I am familiar with inundation characteristics of the Wavecrest Village site from many visits for the purposes of censusing avian populations, and nearly all of the Central area west and south of the eucalyptus grove has wetland vegetation and is sufficiently inundated in the winter that traversing the area requires a good pair of waterproof boots. Significant wetland resources supporting aquatic-adapted species such as Virginia rails cover much of this area. One state species of concern, short-eared owl, forages at the site in the winter. A second state species of concern, saltmarsh common yellowthroat, is documented as a breeding bird at this site. In addition, the eucalyptus grove and cypress trees at this site provide one of several important roosting sites for raptors in a general area believed by Sequoia Audubon Society to be the most important area for wintering raptors in the entire county. This Central area should satisfy criteria for designation as an Environmentally Sensitive Habitat Area (ESHA) under the Coastal Act and the City's Local Coastal Program (LCP). The applicant's

development plans and mitigation programs developed to date by Commission staff for this area should be revisited, as these constraints were not previously considered. In addition, the extraordinary value of the entire project site as wintering habitat for raptors should be considered in evaluating impacts of development of any part of the Wavecrest Village site.

If you need any additional information regarding the above, please call me at 650-726-1340.

Sincerely

Gary Deghi

Gary Deghi

cc: Sara Wan, Chairperson, California Coastal Commission
Ken Curtis, Planning Director, City of Half Moon Bay
Michael Ferreira, Chairman, Half Moon Bay Planning Commission
Robin King, Half Moon Bay Planning Planning Commission
Carl Wilcox, California Department of Fish and Game
Patricia Anderson, California Department of Fish and Game
Mark Littlefield, U.S. Fish and Wildlife Service
Robin Smith, President, Sequoia Audubon Society

Table 1. Observed Raptors During Sequoia Audubon Society Christmas Bird Counts at North Wavecrest, Half Moon Bay

Date[1]	White-Tailed Kite	Northern Harrier	Sharp Shinned Hawk	Cooper's Hawk	Red-Shouldered Hawk	Red-tailed Hawk	Rough-legged Hawk	Ferruginous Hawk	Golden Eagle	American Kestrel	Merlin	Peregrine Falcon	Barn Owl	Short-eared Owl	Great Horned Owl	Observers[2]	Area Of Survey
12/18/99	15	10	1		4	18				9				5		Hully Blair	(3)
12/18/99	5	6		3	4	6				6			1	2		Hully Nunn	(3)
12/19/98		8	2	1	3	10				3		1	1	1	1	Powell Hully	(3)
12/20/97	3	5		1	6	5			1[5]	7	1			1		Powell Jaramillo	(3)
12/21/96		9	1	2	7	23	1			14			1	2	2	Powell Hully Blair	(3)
12/16/95	1	6	1	2	6	15		1		8				1		Powell	(4)
12/17/94	2	9	1		4	20	1			14			11[6]			Deghi Powell	(4)
12/18/89	6	9		3	1	20[7]				10			1	2	2	Deghi Kratter	(4)
12/17/88	6	5		1	1	5	6			9			1	4	1	Kratter	(4)

[1] Data for surveys conducted in 1990-1993 was unavailable. Due to fewer participants in the surveys prior to 1988, survey areas were too large to provide meaningful results for this analysis.

[2] J.R. Blair: Biology Lecturer at San Francisco State University.
Jim Hully, Gary Nunn and David Powell: All have many years experience in bird identification and are credible observers.
Alvaro Jaramillo: Professional ecologist working with the San Francisco Bay Bird Observatory.
Gary Deghi: see attached resume.
Andrew Kratter: Now has a Ph.D. in Ornithology from L.S.U. and serves as Ornithology Department Collections Manager at the Florida Museum of Natural History in Gainesville.

[3] North Wavecrest area (between Redondo Beach Road and Kelly Avenue west of Highway 1.

[4] In addition to North Wavecrest, the survey area included Ocean Colony (limited raptor habitat) and South Wavecrest (prior to development as an 18-hole golf course provided some habitat for species like Northern harrier and white-tailed kite). Most (nearly all) raptors counted between 1988 and 1995 were within the North Wavecrest area.

[5] Golden Eagle seen by Deghi/Kratter headed toward Wavecrest Village from east side of Highway 1.

[6] Barn owls roosting in Wavecrest Village eucalyptus grove.

[7] Red-tailed hawks included one Krider's red-tailed hawk.

Received 5/29/01

Attachment I

Notes on raptor observations in the vicinity of Wavecrest Lane, Half Moon Bay, Christmas Bird Counts, 1996-1997, 1999-2000. Observations by J.R. Blair.

White-tailed Kite
- 12/18/99: 1 seen flying, later 2 in cypresses @ Smith Field
- 12/16/00: at least 10 in area, often interacting with each other & with harriers, 10 roosting south of Field @ dusk

Northern Harrier
- 12/21/96: 1 male 1 female, 1 female, 1 female, vicinity of Smith Field
- 12/20/97: 1 female perched on coyote brush, then flying, dropped to ground once, chasing/being chased by kestrel once
- 12/18/99: 1 male 1 female, 1 male 1 female flying, sometimes male(s) chasing female(s)
- 12/16/00: at least 10 in vicinity of Smith Field, often interacting with each other & with kites

Sharp-shinned Hawk
- 12/16/00: 1 juvenile flying south, Redondo Beach Road

Cooper's Hawk
- 12/18/99: 1 adult female flying north from southern ravine, same? seen at ballfields later; 1 adult male flushed from north side of ballfields, flew west

Red-shouldered Hawk
- -12/18/99: 2 @ Redondo Beach & SR-1, 1 adult perched in cypress n of Smith Field
- 12/16/00: 1 adult around cow pasture to south of Field, seen twice - once flushed from willows, once on fencepost

Red-tailed Hawk
- 12/21/96: 1 adult, 1 immature, 1 adult vicinity of Smith Field; 2 perched, 1 adult flying, North Wavecrest
- 12/18/99: 3 singles flying and/or hovering, vicinity of Smith Field; 1 chasing kestrel near SH 1 & Redondo Beach Rd, 2 hovering near bluff end of RB Rd
- 12/16/00: at least 8 in area, mostly immature birds, vicinity of Smith Field; at least 5 off RB Rd; 1 sw part of North Wavecrest

Rough-legged Hawk
- 12/21/96: 1 near model plane runway

American Kestrel
- 12/21/96: 1 south side North Wavecrest
- 12/20/97: 1 female @ ballfield
- 12/18/99: 1 on wire @ Dolores St & SR-1; 1,2,1, vicinity of Smith Field; 1 chased by redtail Redondo Beach Rd near SR-1
- 12/16/00: 1 female @ ballfield; 1 @ Strawberry Ranch

Barn Owl
- 12/18/99: 1 flushed from acacias to south of Field

Short-eared Owl
- 12/21/96: 1 @ dawn, west of Smith Field
- 12/20/97: 1 @ dawn, same location
- 12/16/00: 5 @ dusk, same location

RESUME OF GARY S. DEGHI

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SUMMARY

Gary Deghi has 25 years experience in ecological research, wetlands management, environmental review of land development proposals, regional and city planning, and the application of federal and state resource management regulations and policy. He has strong understanding of the interaction of the natural sciences and environmental policy and has extensive experience working with diverse public agencies and communities in reaching solutions to complex natural resource issues.

Mr. Deghi utilizes this unique set of skills in providing a variety of natural resource studies pursuant to the Clean Water Act of 1972, Rivers and Harbors Act of 1899, Endangered Species Act of 1973, National Environmental Policy Act of 1969 (NEPA), and the California Environmental Quality Act (CEQA) as well as environmental assessment and compliance requirements of the World Bank and Inter-American Development Bank. Services provided include permit procurement evaluations pursuant to Section 404 of the Clean Water Act such as wetlands jurisdictional determinations, 404(b)(1) alternatives analysis, development of wetland mitigation plans, the field monitoring of habitat restoration and enhancement activities and agency coordination, including negotiation of permit conditions. He is skilled in conducting evaluations for endangered species including surveys, Section 7 consultations, and Section 10(a) permitting. His expertise also includes regulatory compliance and environmental auditing, the development of resource management plans, ecological constraints analysis, and habitat evaluations and mapping in a variety of ecosystems. He has performed environmental consulting services throughout portions of the United States as well as parts of South America and the Caribbean.

Gary Deghi is a recognized expert in the application of requirements of both NEPA and CEQA. He has overseen the production of over 200 Environmental Impact Reports, Environmental Impact Statements and Environmental Assessments for residential, commercial, industrial and office developments, redevelopment plans, mass transit systems, airports, marinas, landfills, electric generating facilities, water and wastewater facilities, ocean dredge disposal operations, roadway projects, downtown parking programs, hotels, recreational facilities and planning actions such as General Plan Updates, General Plan Amendments, rezonings and annexations.

In addition to his skills in environmental review and ecological evaluation, Gary Deghi also has extensive specific experience with public interface and public participation. He has participated in over 100 meetings of city councils, city or county planning commissions, county boards of supervisors and boards of special districts, explaining environmental findings at public hearings. Mr. Deghi served as a member of the city council for the City of Half Moon Bay, where he led a series of public workshops leading to the development of an implementation plan for the voter-approved residential growth control initiative. He has also developed and implemented public participation programs for major transportation projects, and has assisted cities in preparation of planning documents including General Plan Updates, Local Coastal Program Land Use Plans and redevelopment plans, efforts which included extensive public coordination.

EXPERIENCE

Deghi Environmental 2000 to Present
Half Moon Bay, California

Owns and manages an independent environmental consulting business providing pre-development planning, ecological studies, and evaluations pursuant to permit procedures related to natural resource issues.

Huffman and Associates, Inc. 1992 to 2000
Larkspur, California

Vice President/Wetland Regulatory Scientist. Provided pre-development planning and permitting services related to ecological parameters such as wetlands and other sensitive habitats, special status species, and other environmental constraints. Implemented regulatory requirements of Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, Section 7 and Section 10 of the Endangered Species Act, among others. Conducted contract administration, technical evaluation, business development and budgetary compliance.

Earth Metrics Incorporated 1981 to 1992
Brisbane, California

Senior Vice President. Performed senior level management of an environmental consulting firm including technical evaluation, business development, personnel management, contract negotiations and administration, project review and staff training. Served as a consultant to city and county planning departments, land developers, state and federal agencies and special districts providing planning and permitting services, environmental review of major development projects, and coordination with regulatory agencies.

Environmental Systems and Service 1980 to 1981
Kelseyville, California

Environmental Planner. Performed environmental analysis related to geothermal exploration and development in Northern California.

INTASA, Incorporated 1978 to 1980
Menlo Park, California

Ecologist/Planner. Performed analysis of public policies, programs, institutions and technologies related to management of natural resource and environmental systems.

Center for Wetlands 1975 to 1978
University of Florida, Gainesville, Florida

Research Assistant. Worked with a multi-disciplinary team investigating the feasibility of recycling secondarily-treated wastewater through cypress wetlands. Tasks included extensive field studies, laboratory analysis, statistical analysis, ecosystem modeling, writing of reports to National Science Foundation and presentations at scientific symposia.

EDUCATION

M.S. 1977. University of Florida, Gainesville, School of Forest Resources and Conservation, Wildlife Ecology.

B.S. 1974. University of California, Davis, Biological Sciences.

CONSULTING EXPERIENCE - SELECTED PROJECTS

Program Management

Managed the implementation of a five-year general service contract with the U.S. Environmental Protection Agency, Region IX. Evaluations under this agreement included the preparation and review of EISs and the management of numerous biological studies.

Coordinated an indefinite delivery order contract with the U.S. Army of Corps of Engineers, San Francisco District.

Coordinated a term contract with the U.S. Postal Service over a five-year period. Evaluations included over 30 engineering reports, environmental assessments, site planning reports and other environmental analysis necessary for site acquisition and development related to new or expanded postal facilities in California, Nevada, Utah, Arizona, New Mexico and Hawaii.

Orchestrated the preparation of environmental reviews, archaeological excavations, habitat assessments and monitoring of traffic, noise and air quality impacts for the 10 million square foot Hacienda Business Park in Pleasanton, California.

Environmental Permitting and Compliance

Supervised and participated in an on-site audit of construction operations for a pipeline project in Bolivia for compliance with the environmental, health and safety provisions of the project's Environmental Management Plan (EMP) and provided recommendations for improving the implementation of that Plan. Also participated in a post-construction compliance audit of the pipeline project to verify the turnkey contractors completion of contracted work and compliance with environmental requirements of the EMP. Participated in an audit of the implementation of the Environmental and Social Management System for a related pipeline project in Mato Grosso, Brazil and nearby areas in Bolivia.

Project Manager or field investigator on numerous federal wetland jurisdictional determinations including delineations on properties within the Cities of Fremont, Milpitas, Fairfield, American Canyon, Benecia, Vacaville, Oakland, Sacramento, Foster City, Millbrae, Hayward, San Jose, Watsonville, Scotts Valley, Novato, Grass Valley, Windsor, and Los Angeles, and the Counties of Placer, Contra Costa, Kern, Monterey and Santa Cruz, California; Washoe County, Nevada; Orange County, New York and Ponce County, Puerto Rico.

Section 404 wetland permit documentation, mitigation planning, agency coordination, and receipt of regulatory approvals including Corps permits, water quality certifications from Regional Water Quality Control Boards, Stream Alteration Agreements from California Department of Fish and Game and endangered species approvals from the U.S. Fish and Wildlife Service, for numerous development projects including: PriceCostco Project and Woodlake Detention Basin Project, City of Sacramento; Orchard Baytech Centre, City of San Jose; Rancho Lagunita Project, Regional Commerce Center, Planned Employment Center, City of Fairfield; Northeast Sector Assessment District Water Pipeline, City of Vacaville; Preston Pipeline Office and Warehouse Project, City of Milpitas; Millbrae Avenue Interchange Improvements, City of Millbrae; Koll Arden Industrial Center, City of Hayward; Greenbrae Boardwalk Single-Family Home Structure, Marin County; Eccles Ranch Estates, Washoe County, Nevada; Reno-Cannon International Airport Runway Improvement Project, Reno, Nevada.

Ecological evaluations, preparation of permit application materials, mitigation planning, alternative siting analysis, review of third party environmental documentation and agency coordination for numerous projects in California with either pending regulatory approvals or withdrawn from consideration including: North Village and West Village Projects and Gibson Canyon Creek Flood Control Project, City of Vacaville; Bahia Master Plan, City of Novato; Cowell Ranch Development Plan, Contra Costa County; Polo Ranch Project, City of Scotts Valley; Petaluma Crossroads Project, City of Petaluma; Canyon Homes Project, City of American Canyon; Oro Loma Sanitary District Sludge Handling Facilities, San Lorenzo; Bryant Lease Site Project, City of Long Beach; among others.

Monitoring of mitigation construction and/or compliance monitoring and reporting for numerous projects including Stanford Ranch Project, Placer County; Northside Subdivision, Price-Costco Retail Development and Woodlake Detention Basin Project, City of Sacramento; AT&T Fiber Optic Cable Project and Garcia River Restoration, Point Arena; Madera del Presidio, Town of Corte Madera; Hayden Hill Mine, Lassen County; and Portage Realty Corporation's Tawny Lake Mitigation, South Bend, Indiana.

Section 7 consultation or Section 10(a) Permit/Habitat Conservation Plan for endangered or threatened species including salt marsh harvest mouse, California clapper rail, vernal pool fairy shrimp, San Francisco and giant garter snake, California red-legged frog, valley elderberry longhorn beetle, San Joaquin kit fox, among others. Surveys and/or mitigation planning for additional special status species including Smith's blue butterfly, Point Arena mountain beaver, Santa Cruz long-toed salamander, western snowy plover, burrowing owl, and others.

Ecological Studies

Project Manager for development of a GIS-based natural resource inventory and Wetland Conservation Plan applied to nine wildlife management areas in the state of Nevada (the Overton, W.E. Kirch, Key Pittman, Mason Valley, Humboldt, Fernley, Scripps, Alkali Lake and Franklin Lake Wildlife Management Areas). Components of the plan included wetlands definition, inventory, classification, functions and values, integration of fish and wildlife values and public use, evaluation of protective measures, strategy development, public input and support, and plan approval and monitoring. Prepared for Nevada Division of Wildlife.

Principal Investigator for a GIS-based evaluation of the status and sustainability of native Monterey pine populations in California, Pebble Beach Company.

Ecological evaluations related to electric generating facilities including: wetland evaluations and EIS review for the EcoElectrica LNG Import Terminal and Cogeneration Project at Guayanilla Bay, Puerto Rico; an assessment of the recreational fisheries potential of cooling lakes for the Electric Power Research Institute; ecological evaluations pursuant to an Application for Certification related to modernizing the Morro Bay Power Plant in Morro Bay, California; field determinations of biomass and nutrient relationships in mangrove wetlands as part of a thermal effluent study at the Turkey Point Nuclear Power Plant in South Florida; analysis of the technologies and associated costs of alternative energy sources for the Appalachian Regional Commission; environmental evaluation of the Montezuma Hills Wind Farm in Solano County, California; and development of an air and water quality baseline related to geothermal exploration and development in the Geysers Geothermal Research Area of Northern California, including participation in a Department of Energy National Laboratory Program called ASCOT ("Atmospheric Studies in Complex Terrain").

Tijuana/San Diego Joint Mexico/U.S. International Wastewater Treatment Plant Special Studies: (i) Assessment of the Environmental Effects of Sewage Discharges on the Tijuana River Estuary, (ii) Assessment of Surf Discharges of Sewage on San Diego County Beaches, U.S. EPA, Region IX.

Reno/Sparks Joint Water Pollution Control Plant Ecological Simulation Model for the Truckee River/Pyramid Lake, Nevada, U.S. EPA, Region IX. Principal in Charge of funding eligibility study for new denitrification facilities at the sewage treatment plant. The model predicted water quality changes that could be assessed for ecological effects on the survival of threatened Lahontan cutthroat trout and endangered cui-ui in the Lower Truckee River.

Ecological research for several years in Florida as part of an overall study to determine the feasibility of recycling secondarily-treated wastewater through cypress wetlands. This research involved the development of a computer model to simulate long term effects of effluent application on the phosphorus cycles of these wetland systems. Additional research included investigations of the effect of sewage enrichment, flooding and burning on ecosystem succession and seedling growth in cypress domes.

Harkins Ranch Ecological Constraints Study and Habitat Restoration/Conservation Plan in Watsonville, California. Mitigation developed for wetland habitats and multispecies conservation including foraging raptors, endangered Santa Cruz tarplant, California red-legged frog and several species of special concern.

Wetland constraints analysis related to pipeline construction in the Bañados de Taquaral and Bañados de Izozog, Department of Santa Cruz, Bolivia.

Habitat Evaluation/Survey pursuant to Local Coastal Program (LCP) policy for several locations along Pilarcitos Creek and Frenchman's Creek, City of Half Moon Bay; Corte de Madera Creek and Arroyo de Medio, San Mateo County; the Moro Cojo Slough complex, Monterey County; Del Monte Beach LCP, City of Monterey; Pillar Point Harbor Wetlands Mitigation Area, San Mateo County Harbor District.

An analysis of forest resource-related issues pertaining to the U.S. Forest Service, Intermountain Region, and Utah Division of State Lands planning including timber, range, wildlife and watershed management, recreational development and multiple use. This work included assisting in the development of a U.S. Forest Service manual for training state forest resource planners in eleven western states.

Preliminary Environmental Constraints Analysis for a linear infrastructure proposal within the Northwestern Pacific Railroad Right of Way Between Novato and Corte Madera in Marin County, California.

Resource Management Plan for the Bosch Bahai School, County of Santa Cruz.

Systematic plant surveys, mitigation planning or mitigation implementation for numerous endangered and candidate botanical species including, but not limited to, the following: Santa Cruz tarplant, Scotts Valley spineflower, Sanford's arrowhead, Mt. Hamilton thistle, silver-leaved manzanita, Ben Lomond wallflower, Contra Costa goldfields, and Seaside, Pt. Reyes and salt marsh bird's beaks, among others.

Federal Environmental Documentation

MUNI Metro Turnaround Project EIS, Urban Mass Transportation Administration (UMTA) and San Francisco Public Utilities Commission.

Marathon Industrial Business Park EIS/EIR, U.S. Army Corps of Engineers and City of Hayward.

Tijuana/San Diego Joint Mexico/U.S. International Wastewater Treatment Plant Land Outfall Pipeline EA, U.S. EPA Region IX.

Fremont General Aviation Airport EIS/EIR, Federal Aviation Administration (FAA) and City of Fremont.

Los Angeles/Long Beach (LA-2) Ocean Dredge Material Site Designation EIS, U.S. EPA Region IX.

San Diego (LA-5) Ocean Dredge Material Site Designation EIS, U.S. EPA Region IX.

Mowry Avenue Roadway Widening Project EA/Initial Study, Durham Road/Fremont Boulevard Interchange Improvement Project EA, Caltrans, Federal Highway Administration and City of Fremont.

Marshall Road Extension Project EA/Initial Study, Caltrans, FHWA and City of Vacaville.

San Ramon Branchline Corridor Transportation Alternatives Environmental Analysis and Public Participation Program, UMTA and Contra Costa County.

Westside Corridor Transportation Alternatives Analysis/EIS, UMTA, Oregon Department of Transportation and City of Portland, Oregon.

CEQA Studies

Redevelopment Plan EIRs for the cities of Tiburon, Folsom, Roseville, Auburn, Rocklin, Grass Valley, Newark, King City, Soledad, Chico, Lakeport, Woodland, Yuba City, Redding, Modesto and Scotts Valley, California.

Residential subdivision EIRs for the Cities of Monterey, Novato, Los Gatos, Morgan Hill, San Jose, Saratoga, San Mateo, Millbrae, Daly City, Half Moon Bay, Pinole, St. Helena, Calistoga, Tiburon, Oakland, Jackson, Sutter Creek, Morro Bay, and Pittsburg, and the Counties of Marin, Sonoma, Santa Clara, San Mateo, Amador, Monterey, and Colusa, California.

Commercial project EIRs for the Cities of San Luis Obispo, Half Moon Bay, Merced, Lakeport, Paradise, Morgan Hill, Pleasanton, Livermore, Vacaville, Chico, Mountain View, Marina, Fort Bragg, Scotts Valley, and Auburn, California.

Numerous environmental evaluations for public works infrastructure including: Easterly Wastewater Treatment Plant Expansion EIR, City of Vacaville; Saxon Creek Water Project EIR, County of Mariposa; Lighthouse Curve Roadway Widening EIR, City of Monterey; Helman Lane Wastewater Pipeline EIR, City of Cotati; Novato Creek Flood Control Project EIR, Marin County; Downtown Parking Structure EIR, City of San Luis Obispo; Carlos Bee Boulevard and Harder Road Extension EIR, City of Hayward.

EIRs on solid waste management facilities including: Lynch Canyon Sanitary Landfill EIR, Solano County; Tri-Cities Resource Recovery Facility EIR, City of Fremont; Watsonville Sanitary Landfill Expansion EIR, City of Watsonville.

Old Capitol Site Pebble Beach Company Project EIR, Cannery Row Parking Garage and Retail Project EIR, Ponderosa Homes Del Monte Beach Condominium Project EIR, Laguna Seca West Annexation EIR, and the Monterey Plaza, Crowne Plaza, Verga Hotel, and Rohr Hotel Project EIRs on Cannery Row, City of Monterey.

Napa Valley Wine Train EIR, California Public Utilities Commission.

Skypark Specific Plan EIR, City of Scotts Valley.

Pillar Point East Harbor Master Plan EIR, Aquaculture Facilities Environmental Assessment, San Mateo County Harbor District.

Shasta-Metro Enterprise Zone EIR, City of Redding; Richmond Enterprise Zone EIR, City of Richmond.

APPOINTMENTS/AFFILIATIONS/ACTIVITIES

Served on the Half Moon Bay City Council and Community Redevelopment Agency, 1991.

Technical Advisory Committee, Fitzgerald Marine Reserve Master Plan, San Mateo County, 1998.

Public Advisory Committee for Half Moon Bay General Plan and Local Coastal Program Land Use Element Update, 1997.

Panelist/Environmental Expert, Informational Forum on Devil's Slide Bypass and Tunnel Alternatives, Pacifica Chamber of Commerce, Pacifica, California, October 23, 1996.

Committee to Establish an Affordable Housing Ordinance for the City of Half Moon Bay, California, 1992.

Citizens EIR Review Committee, North Wavecrest Redevelopment Plan, City of Half Moon Bay, California, 1990.

Training, Wetland Delineation Using the Federal Methodology for Identifying and Delineating Jurisdictional Wetlands, American Fisheries Society, 1990.

Independent natural history study in Southeast Asia, Central America, South America, Western Europe, the Hawaiian Islands, the Caribbean, and many parts of North America, including Alaska.

Member, Society of Wetland Scientists, California Native Plant Society, American Birding Association. Field Trip Leader and Board of Directors, Sequoia Audubon Society.

SELECTED PUBLICATIONS

Deghi, G.S. 1977. Effects of Sewage Effluent Application on the Phosphorus Cycling in Cypress Domes. M.S. Thesis, University of Florida. 143pp.

Deghi, G.S., K.C. Ewel and W.J. Mitsch, 1980. Effects of sewage effluent application on litter fall and litter decomposition in cypress swamps. Journal of Applied Ecology 17: 397-408.

Deghi, G.S. and K.C. Ewel, 1982. Simulated effect of wastewater application on phosphorus distribution in cypress domes. Chapter 10 in Cypress Swamps (Ed. by K.C. Ewel and H.T. Odum), University Presses of Florida, Gainesville.

Deghi, G.S., 1982. Seedling survival and growth rates in experimental cypress domes. Chapter 14 in Cypress Swamps (Ed. by K.C. Ewel and H.T. Odum), University Presses of Florida, Gainesville.

Deghi, G.S. and T.O. Morrison, 1985. Preliminary Assessment of Environmental Effects of Sewage Discharges on the Tijuana River Estuary. Earth Metrics Incorporated, Burlingame, California. Report to U.S. EPA, Region IX.

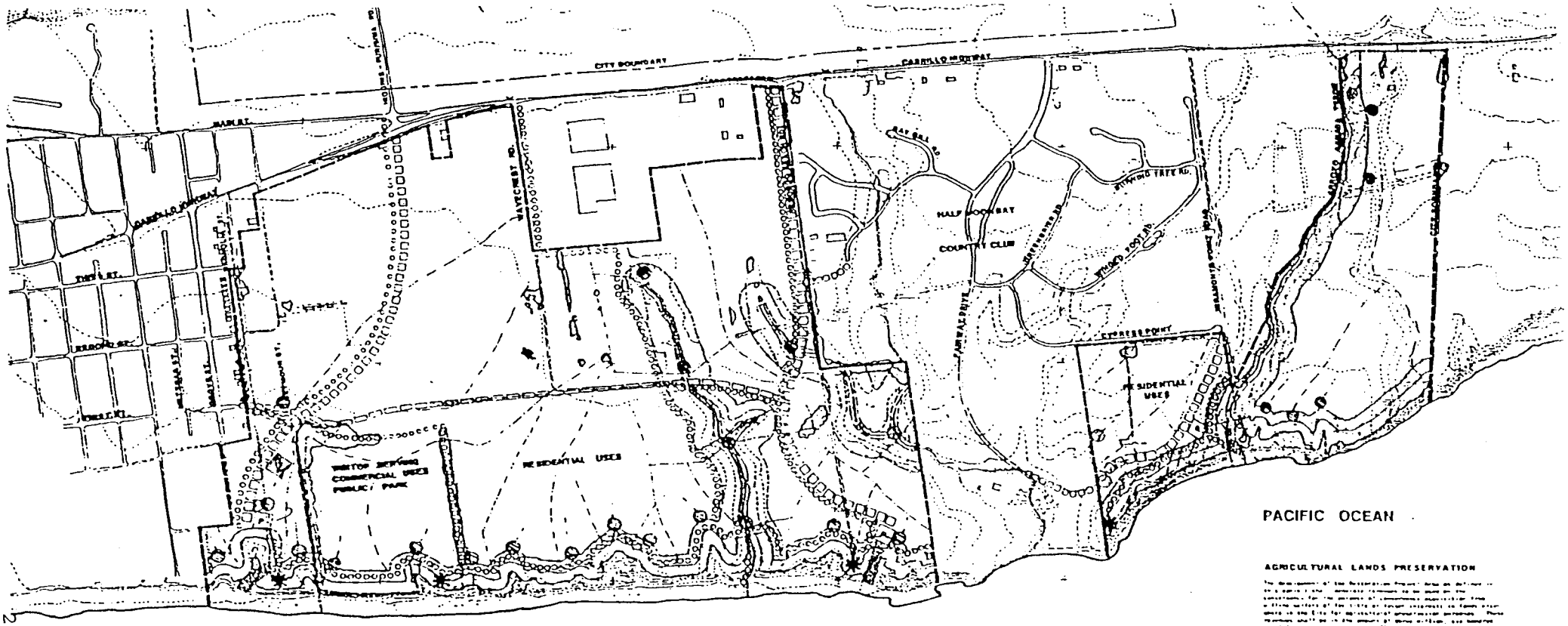
Deghi, G.S., T.O. Morrison, H.M. Runke, J.T. Brock, C. Caup, and D.L. Galat. 1987. Reno/Sparks Joint Water Pollution Control Plant Funding Justification Special Study of Truckee River/Pyramid Lake, Nevada. Final Report to U.S. EPA, Region IX.

Deghi, G. S., R.T. Huffman, and J. W. Culver. 1995. "California's Native Monterey Pine Populations: Potential for Sustainability." *Fremontia*, A Journal of the California Native Plant Society, Vol. 23, No. 1, January 1995, ppg 14-23

Huffman, R.T., G.S. Deghi, A.B. Hodgson and T. Retterer. 1998. Wetland Conservation Plan Applicable to Nine State of Nevada Wildlife Management Areas. Huffman & Associates, Inc. Larkspur, California. 90 pp. plus attachments. Prepared for Nevada Division of Wildlife, Reno, Nevada.

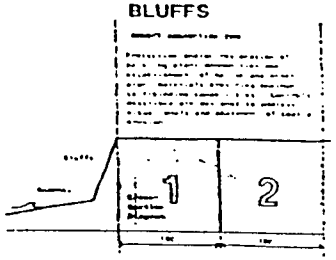
Huffman, R.T., G.S. Deghi, A.B. Hodgson and T. Retterer. 1998. Wildlife Resource Values of Wetlands at the State of Nevada Wildlife Management Areas. Huffman & Associates, Inc. Larkspur, California. 50 pp. plus attachments. Prepared for Nevada Division of Wildlife, Reno, Nevada.

Huffman, R.T., G.S. Deghi, A.B. Hodgson and T. Retterer. 1998. Wildlife Resource Values of Wetlands: Protective Mechanisms for the Management of Wetlands on Nevada Division of Wildlife Wildlife Management Areas. Huffman & Associates, Inc. Larkspur, California. 51 pp. plus attachments. Prepared for Nevada Division of Wildlife, Reno, Nevada.

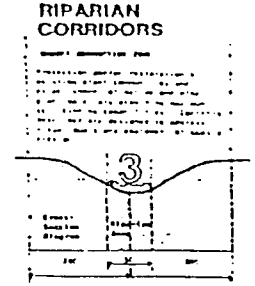


AGRICULTURAL LANDS PRESERVATION

BLUFFS



RIPARIAN CORRIDORS



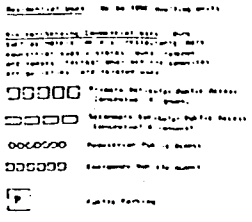
TREES

NOTE:

THE GRAPHIC REPRESENTATIONS SET OUT ON THESE MAPS ARE FOR PLANNING PURPOSES ONLY AND DO NOT REPRESENT PRECISE BOUNDARIES.

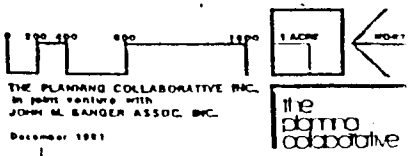
RUNOFF

LAND USES



WAVECREST RESTORATION PLAN

Half Moon Bay, California State Coastal Conservancy



THE PLANNING COLLABORATIVE INC.
in joint venture with
JOHN M. BANGER ASSOC. INC.

December 1981

the planning collaborative

EXHIBIT NO. 17

APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)
WAVECREST RESTORATION PLAN

EXHIBIT NO. 18

APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)
5/29/01 LETTER FROM ALVARO JARAMILLO

Alvaro Jaramillo
236 9th Street
P.O. Box 371509
Montara, CA
94037

RECEIVED
MAY 31 2001
CALIFORNIA
COASTAL COMMISSION

May 29, 2001

Ms. Virginia Esperanza
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Subject: Populations of Raptors in the North Wavecrest Restoration Area in Half Moon Bay, California (Wavecrest Village, Appeal # A-1-HMB-99-051)

Dear Ms. Esperanza:

Through local biologist Gary Deghi I have realized that the California Coastal Commission has asked for information concerning the value of the North Wavecrest Area as habitat for birds and raptors in particular. I have been living on the coastside since June of 1995 and observing birds and visiting the North Wavecrest Area frequently during the last six years. I have an M.S. in Evolution and Ecology, and work as a biologist for the San Francisco Bay Bird Observatory in Alviso, California. Furthermore I have published extensively on the subject of birds including research conducted on the diet of Swainson's Hawks in their winter quarters. I am a past member of the Board of Directors of the Sequoia Audubon Society, and currently Associate Editor for the bird distribution and populations journal North American Birds.

First let me begin by saying that I have observed and surveyed birds throughout San Mateo County, and I have the opinion that the North Wavecrest Area may be the most significant single site for raptors in the county. There are two factors that come to mind, both numbers of raptors and diversity of species present. It is not uncommon to see 10+ Northern Harriers in the area, multiple White-tailed Kites (6-10 at times), and 20 or more Red-tailed Hawks on a short visit during the winter months. I can confidently say that the largest numbers of Northern Harriers and White-tailed Kites I have observed on a single visit to one site in San Mateo County were at the North Wavecrest site. The area also holds good numbers of Red-shouldered Hawks. On the coastside it is the only site we know of where Short-eared Owls regularly winter, I have observed them here as far back as my first year living on the coast (1995) and every winter since then. As many as half a dozen can be viewed during an evening visit. Bair Island, on

the bay-side of the county is the only other spot where this species may be so regular in San Mateo County. However, at that spot numbers may be lower than what is found at North Wavecrest. The Short-eared Owl is a California Species of Special Concern.

The diversity of species of raptors at this site is high. Personally, I have observed the following in or around the North Wavecrest site: Turkey Vulture, White-tailed Kite, Northern Harrier, Sharp-shinned Hawk, Cooper's Hawk, Red-shouldered Hawk, Red-tailed Hawk, Swainson's Hawk, Rough-legged Hawk, Ferruginous Hawk, American Kestrel, Merlin, Peregrine Falcon, Barn Owl, Short-eared Owl, and Great Horned Owl. This is not a complete list, as other observers have seen several other species at this site. There is no other site in the county where I have seen this many raptor species. The total list of raptors reported from this site is surely one of the largest, if not the largest for any single site in the county.

The habitat of the North Wavecrest is not grazed and not tilled, unlike most other coastal sites in the county. This has created a complex grassland which is habitat for a wide variety of grassland and wetland species. The wetland between the baseball fields and the greenhouses is large enough to attract wetland species such as Virginia Rails, Common Snipe and wintering Swamp Sparrows. The latter is a bird that many birders come to look for at this site, as its distribution is patchy in California. The grasslands also hold good populations of breeding Grasshopper Sparrows, a species considered a Migratory Nongame Bird of Management Concern by the US Fish and Wildlife Service, due to a dependence on vulnerable or restricted habitat. Numbers vary from year to year, but they nest in the area annually. There are a couple of pairs there this year (2001) already, and the peak breeding season has not yet arrived. Loggerhead Shrikes, a species that has shown declines throughout the continent and which is listed as a Species of Special Concern by California Fish and Game winters commonly on the site. Finally, the Salt Marsh Common Yellowthroat another state species of Special Concern both breeds and winters in the area. It primarily is found in moister sites, particularly the wetland between the ballfield and the nursery and in the riparian corridor south of the model airplane field. I have documented territorial (breeding) birds in the area. Development proposals in this area should consider the important value to raptors and sensitive species known to occur there.

I hope this information is useful to you. Please contact me at 650-563-9044, or alvaro@sirius.com if you would like more information regarding raptors or other birds in the North Wavecrest Area.

Sincerely,

Alvaro Jaramillo

Alvaro P. Jaramillo - Curriculum Vitae

Home Address:
P.O. Box 371509
Montara, CA.
94037
(650)-563-9044
e-mail: alvaro@sirius.com

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MAY 31 2001
CALIFORNIA
COASTAL COMMISSION

Employment Experience

Jan. 99 - present	San Francisco Bay Bird Observatory. Alviso, CA Biologist
April 2000 - present.	Field Guides Incorporated. International birding guide, specializing in the New World.
July 96 - 1999	Coyote Creek Riparian Station, Alviso, CA Wildlife Biologist.
Mar. 96 - present	A & C Black Publishers, London in conjunction with Princeton University Press. Under contract to write a field guide to the birds of Chile.

Post Secondary Education

Sept. 93- June 95. (not completed) Thesis: Social Foraging in ants. Supervisor: Dr. Ronald C. Ydenberg	Simon Fraser University, Vancouver. Ph.D. in Biology
Completed Aug. 93	University of Toronto. Master's of Science.

Thesis: Parasite-host coevolution in the cowbirds *Molothrus rufoaxillaris* and *Molothrus badius*: Egg mimicry in shape and size.
Supervisor: Dr. James D. Rising

Sept. 88 - May 91	University of Toronto. Zoology Specialist Year 2 through 4
Sept. 86 - April 87	University of Guelph. Biology Year 1

Committee Activities

1999-2000. Sequoia Audubon Society. Board Member.
1999-2001. California Bird Records Committee. Voting Member.

Books Published

Jaramillo, A. and P. Burke. 1999. New World Blackbirds: The Icterids. Princeton University Press.

Publications

Jaramillo, A. P. and J.D. Rising. 1995. Intense Natural Selection in a population of Cliff Swallows. Kansas Ornithological Society Bulletin. 46(2): 21- 22.

Jaramillo, A. P. 1993. Wintering Swainson's Hawks in Argentina: food and age segregation. Condor 95: 475-479.

Francis, I.S., N. Penford, M. E. Gartshore, and A. Jaramillo. 1992. The White-breasted Guineafowl *Agelastes meleagrides* in Tai National Park, Cote d'Ivoire. Bird Conservation International 2(1): 25 - 60.

Publications In Preparation:

Jaramillo, A. and S. Hudson. In Review. Long-term trends and habitat associations of birds using a riparian restoration site. Proceedings of the Riparian Habitat and Floodplains Conference, 2001.

Sandercock, B. and A. Jaramillo. Annual Survival Rates of Wintering Sparrows: Assessing the Demographic Consequences of Migration. Auk, manuscript in review.

Gardali, T. and A. Jaramillo. Further Evidence of a Population Decline in the Western Warbling Vireo. Western Birds, manuscript accepted.

Jaramillo, A., P. Burke and D. Beadle. In prep. Field guide to the birds of Chile. Princeton University Press, Princeton, NJ.

Other Publications

Jiguet, F. , A. Jaramillo, and I. Sinclair. 2001. Identification of Kelp Gull. Birding World 14 (3): 112- 125.

Jaramillo, A. 2001. Wing covert pattern as an aid to identifying female and immature male Bullock's and Baltimore Orioles – another look. Birding 33(1): 61-64.

Lane, D. and A. Jaramillo. 2000. Identification of Hylocichla/Catharus Thrushes. Part III: Gray-cheeked and Bicknell's Thrush. Birding 32 (4): 318-330.

Lane, D. and A. Jaramillo. 2000. Identification of Hylocichla/Catharus Thrushes. Part II: Veery and Swainson's Thrush. Birding 32(3): 242-254.

Lane, D. and A. Jaramillo. 2000. Identification of Hylocichla/Catharus Thrushes. Part I: Molt and Aging of Spotted Thrushes and Field ID of Wood Thrush and Hermit Thrush. Birding. 32(2): 121-135.

Jaramillo, A. and D. Beadle. 2000. Identification of Female Cassin's and Purple Finches. Birders Journal 8(6): 288-295.

Jaramillo, A. and P. Burke. 1999. Identification Review: Red-winged and Tricolored Blackbirds. Birding 31(4): 320-327.

Jaramillo, A. 1999. Identifying a Mystery Oriole. An Answer to the February Photo Quiz. Birding: 31(3): 259-261.

McKee, B. and A. Jaramillo. 1999. Variation in Iris Color of Female Brewer's Blackbird. Western Birds 30: 131-132.

Jaramillo, A. 1997. The birds, mammals, butterflies and dragonflies of Everett Crowley Park, Vancouver, B.C. Published by the Evergreen Foundation.

Jaramillo, A. and B. Henshaw. 1995. Identification of breeding plumaged Long- and Short-billed Dowitchers. Birding World 8(6): 221-228.

Jaramillo, A. 1995. Townsend's and Hermit warblers in Eastern Canada. Birders Journal 4 (5): 232- 236.

Burke, P. and A. Jaramillo. 1995. Fall and winter plumages of male Rusty and Brewer's Blackbirds. Birders Journal 4 (2): 97-101.

Jaramillo, A. 1994. Siberian Accentor - New to Canada. Birders Journal 3(2): 93-98.

Jaramillo, A. 1992. Eskimo Curlew - A Glimmer of Hope. Birders Journal 1(4):202.

Jaramillo, A., R. Pittaway, and P. Burke. 1991. The identification and migration of breeding plumaged dowitchers in southern Ontario. Birders Journal 1(1): 8-25.

Jaramillo, A. 1990. Toronto Region Bird Report- 1987. In Toronto Birds 1987 and Toronto Christmas Bird Count Summary (1925-1988) pp 1-71. Toronto Ornithological Club, Toronto.

Papers presented at professional meetings

Riparian Habitat and Floodplains Conference, 2001.
Title: Long-term trends and habitat associations of birds using a riparian restoration site.
A. Jaramillo and S. Hudson. March 2001.

North American Ornithological Conference, 1998
Title: A banding study of migration patterns in two subspecies of the White-crowned Sparrow.
April, 1998.

Pacific Ecology Conference, 1994.
Title: Egg mimicry in the brood parasitic Screaming Cowbird. March 6, 1994.

American Ornithologists Union, 111th meeting.
Title: Reproductive success of Bay-winged cowbirds and their parasites, Screaming Cowbirds, in Argentina. June 11, 1993.

Wilson Ornithological Society, 74th meeting.
Title: Food and age segregation of the Swainson's Hawk (*Buteo swainsoni*) in Argentina. April 30, 1993.

Professional Affiliations and Activities

Member of:
- American Ornithologist's Union
- Cooper Ornithological Society
- Union de Ornitologos de Chile.
- Western Field Ornithologists.
- Dragonfly Society of the Americas
- California Bird Records Committee

References available on request.

Alvaro Jaramillo
236 9th Street
P.O. Box 371509
Montara, CA
94037

RECEIVED
MAY 31 2001
CALIFORNIA
COASTAL COMMISSION

May 29, 2001

Ms. Virginia Esperanza
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Subject: Populations of Raptors in the North Wavecrest Restoration Area in Half Moon Bay, California (Wavecrest Village, Appeal # A-1-HMB-99-051)

Dear Ms. Esperanza,

I am including a letter to you summarizing information on bird use in the North Wavecrest area in Half Moon Bay. Please also find included my C.V. giving my credentials as a biologists and bird watcher. Please note that I will be away for the first two weeks of June, in case you try to contact me.

Thank you very much.
Sincerely,

RECEIVED
JUN 1 2001
COASTSIDE COUNTY
WATER DISTRICT

COASTSIDE COUNTY WATER DISTRICT

May 22, 2001

EXHIBIT NO.	19
APPLICATION NO. A-1-HMB-99-051	
Wavecrest Village Project-5/22/01	
letter from CCWD to Patrick Fitzgerald	

Mr. Patrick Fitzgerald
Wavecrest Village, LLC
330 Purissima Street
Half Moon Bay, CA 94019

Re: **Wavecrest Village**

Dear Mr. Fitzgerald:

This letter memorializes the terms and conditions on which the Board of Directors of the Coastside County Water District, at its regular meeting of May 22, 2001, approved an extension of its commitment to reserve the hydraulic equivalent of 79 5/8 water service connections for Wavecrest Village, LLC ("Wavecrest").

The Board agreed to extend the commitment made in its July 13, 1999 letter (which was subsequently extended to November 5, 2000, December 5, 2000, and June 5, 2001, under the same terms and conditions, except as amended by the following:

A. That Wavecrest shall pay to the District an annualized eight percent (8%) of the value of the 79 5/8-inch water service connections being reserved. This amount is intended to cover the costs incurred by the District, including among other things interest it would have earned if the 79 water service connections were sold. Therefore, Wavecrest shall pay the District the sum of three thousand, six hundred, seventy-one dollars ($3,671.00 per month, due and payable in advance by the fifth day of each month. The first payment is due no later than June 5, 2001 and each month thereafter for the remainder of the term of this agreement. If Wavecrest fails to make a monthly payment by the fifth day of any month, the District may terminate its commitment by giving three (3) days advance written notice to Wavecrest. The commitment shall terminate automatically if Wavecrest does not make the overdue payment within that three (3) day period. These payments shall <u>not</u> be applied to the purchase price if Wavecrest decides to purchase all or some of the water service connections.

B. This commitment will remain in effect until the sooner to occur of: (1) sixty (60) days after Wavecrest obtains final governmental approvals necessary to develop the project, e.g., a Coastal Development Permit, which has become final and is no longer subject to appeal and any legal action challenging the issuance of said CDP is finally resolved in favor of Wavecrest, by judgment or settlement (the "Final Action"); or (2) the effective date of any final decision by the Coastal Commission denying the CDP, including the final disposition of any amended project, appeal or court action challenging said denial; (3) the date Wavecrest notifies the District and/or the California Coastal Commission, of its withdrawal of the CDP; or June 5, 2004. Final Action is a condition precedent to Wavecrest's purchase of the subject 79 connections. Wavecrest shall deliver a duly

executed Water Service Connection Purchase Agreement along with payment for the 79 connections. Said Agreement shall include reasonable terms and conditions on the purchase of said connections, and in accordance with District custom and policy.

C. The connections are non-transferable, i.e., they must be used for the project approved by a CDP ("Project"), provided, however, that the rights to water service may be conveyed, together with title to the individual parcels. Any assignment of uninstalled rights to water service must be approved, in writing, by the District (which approval must not be unreasonably withheld), and the assignee thereof must agree, in writing, to be bound by this agreement and any Water Service Connection Purchase Agreement entered into pursuant hereto. In the event the connections are unable to be used for the Project, then some or all of the connections may be reconveyed to the District. The District may then resell any such reconveyed water service connections. Upon resale of the water service connections, the District shall deliver the proceeds of any such resale to Wavecrest (or its assignee); provided, however, that the amount which the District is obligated to deliver to Wavecrest on account of the resale shall not exceed the amount Wavecrest originally pays for such connections (i.e., $6,970 per connection). Wavecrest shall not be entitled to interest on its original payment.

D. Wavecrest Village, LLC, on behalf of itself, its successors in interest and assigns, agrees to indemnify, defend and hold harmless the Coastside County Water District and its directors, officers, employees and agents from and against any claims or lawsuits which may be brought, naming the District or Wavecrest as a party, which challenges the District's decision to reserve the 79 water service connections for Wavecrest, including but not limited to Resolution No. 1999-06, the July 13, 1999 letter agreement entered into pursuant to said Resolution, and any amendment thereto including this amendment (collectively the "Decision"). Wavecrest, for itself, its successors and assigns, releases the District, its directors, officers, employees and agents from any claims, demands, causes of action or liability of whatever nature that might arise out of the Decision, including but not limited to any judgment declaring the Decision invalid and resulting in the District's inability to convey the connections to Wavecrest. Wavecrest's obligation to defend and indemnify the District hereunder shall be to the extent that the Decision is the subject of any claim or lawsuit. For example, if a lawsuit challenges only the decision to allocate 79 connections to Wavecrest Village, then Wavecrest will be responsible for the entire cost of defense. If the claim challenges all decisions by the District allocating the 305 connections, Wavecrest will be responsible for 79/305 (26%) of the cost of defense. To the same extent as its responsibility to defend the District hereunder, Wavecrest will indemnify the District for any attorney's fees and costs awarded against the District in any such action. For example, if a lawsuit challenging the Decision results in a judgment declaring only the decision to allocate 79 connections to Wavecrest invalid, and orders the District to pay the plaintiff/petitioner's attorneys fees and costs, then Wavecrest will be responsible for the entire award of attorneys fees and costs. If a lawsuit challenging the Decision results in a judgment declaring all decisions allocating the 305 connections invalid and orders the District to pay the plaintiff/petitioner's attorneys fees and costs, then Wavecrest will be responsible for 79/305 (26%) of such costs. This obligation includes, but is not limited to, the matters set forth in the action currently pending in the San Mateo County Superior Court entitled *Beuth v. Coastside County Water District*. Wavecrest's obligation to indemnify, defend and hold harmless hereunder shall survive

and remain in full force and effect after Wavecrest pays for the connections and enters into a Water Service Connection Purchase Agreement pursuant to Paragraph B, above. The District agrees to confer with and keep Wavecrest reasonably informed about the status of any litigation challenging the Decision.

Excepted as amended hereunder, the terms and conditions of the July 13, 1999 letter Agreement, and any subsequent amendment thereto, shall remain in full force and effect.

Please indicate your acceptance of these terms and conditions by signing the enclosed copy of this letter where indicated and returning it to me. You may consider this commitment in effect from the time the signed letter is delivered to the District.

Very Truly Yours,

Carol Cupp
President

Accepted:

Wavecrest Village, LLC,
a California Limited Liability Company

By: North Wavecrest Partners, L.P.,
a California Limited Partnership,
its Administrative Member

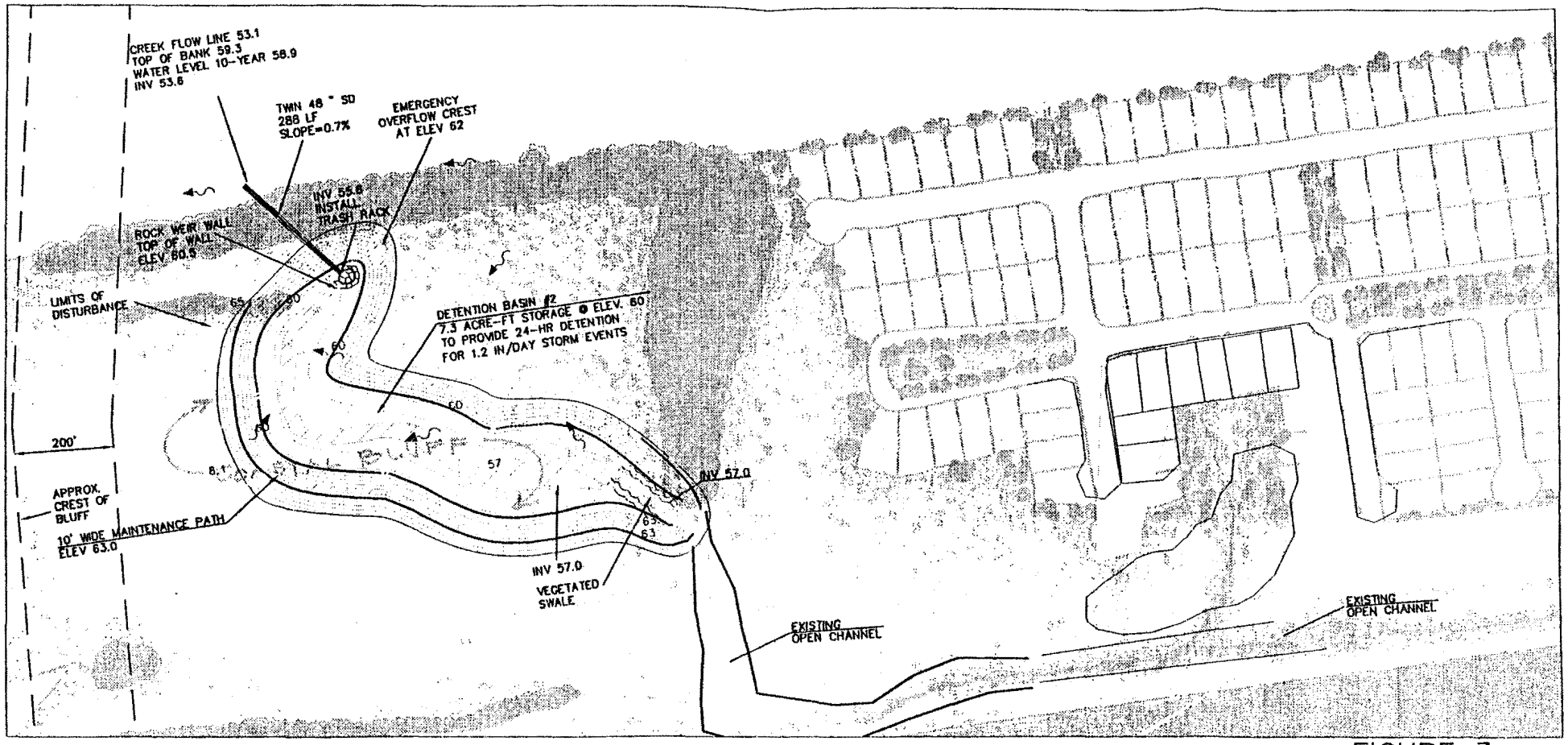
By: WMB Consulting, Inc.,
a Delaware Corporation
its General Partner

By: _____
William E. Barrett
President

EXHIBIT NO. 20

APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)

PROPOSED DETENTION BASIN IN WESTERN PRUJECT AREA



Brian Kangas Foulk

Engineers • Surveyors • Planners

SCALE 1"=200'

FIGURE 3
WAVECREST DEVELOPMENT
PROPOSED SUB AREA B
DETENTION BASIN
04/04/01

DRAWING NAME: J:\EN099\99015A\Dwg\06 DESIGN C SD\subareas4.dwg
PLOT DATE: 04/04/01 PLOTTED BY: edb

STATE OF CALIFORNIA -- THE RESOURCES AGENCY
CALIFORNIA COASTAL COMMISSION
45 FREMONT STREET, SUITE 2000
FRANCISCO, CA 94105-2219
AND TDD (415) 904-5200

EXHIBIT NO. 21
APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)
3/01 MOU BETWEEN CCC AND CITY

GRAY DAVIS, Governor

MEMORANDUM OF UNDERSTANDING

BETWEEN THE CALIFORNIA COASTAL COMMISSION

AND THE CITY OF HALF MOON BAY

REGARDING EXPENDITURE OF MITIGATION FUNDS

A. WHEREAS, the California Coastal Commission ("COMMISSION") expects to receive shortly the amount of $ 250,000 from permittee Half Moon Bay Resort Hotel pursuant to Special Condition No. 3 of Coastal Development Permit No.3-91-71 (Half Moon Bay Resort Partners, City of Half Moon Bay);

B. WHEREAS, payment of the $250,000 fee referred to above was required as part of Permit No. 3-91-71 to mitigate for the fact that there would not be adequate room to provide for a satisfactory range of low/no cost recreational facilities on the hotel site. Special Condition No. 3 requires that the $250,000 payment be used for "the completion of off-site public access improvements within the adjacent North and South Wavecrest Redevelopment areas, including roads, trails, parking facilities, restrooms and vertical accessways;"

C. WHEREAS, the City of Half Moon Bay ("CITY") is a municipal corporation organized and existing under and by virtue of the laws of the State of California and is anticipating undertaking the completion of such off-site access improvements within the adjacent North and South Wavecrest areas as described in detail in paragraph B;

D. WHEREAS, the COMMISSION is a state agency established pursuant to section 30300 of the California Coastal Act of 1976 (California Public Resources Code, §§ 30000 *et seq.*) is charged with primary responsibility for implementing and enforcing the Coastal Act, and is authorized by Public Resources Code section 30532 to enter into agreements with any public agency for the purpose of assisting the COMMISSION in meeting the public access requirements of the Coastal Act;

E. WHEREAS, the COMMISSION and the CITY desire to use the $250,000 mitigation fund referred to above for the completion of off-site access improvements within the North and South Wavecrest areas as described in paragraph C;

F. WHEREAS, the Commission has determined that the $250,000 fund shall be used for off-site access improvements within the adjacent North and South Wavecrest areas in the following order of priority:

> **First Priority**: construction of the segment of the Coastal Trail from Redondo Beach Road to the Ocean Colony property line in the trail location generally depicted in Exhibit 1, including land acquisition in the trail corridor if absolutely necessary to construct the trail consistent with the CITY's Local Coastal Plan policies relating to environmentally sensitive areas;

Second Priority: design and construction of improvements to Redondo Beach Road to provide suitable all-season access to the shoreline;

Third Priority: construction of vertical accessways at the seaward end of Redondo Beach Road;

Fourth Priority: construction of parking facilities at the seaward end of Redondo Beach Road;

Fifth Priority: construction of restrooms at the seaward end of Redondo Beach Road.

NOW, THEREFORE, the COMMISSION and the CITY agree as follows:

1. After both (a) execution of this Memorandum of Understanding by both parties and (b) receipt by the COMMISSION of $250,000 from the permittee, the COMMISSION shall effectuate a transfer to the CITY of $250,000 consisting of the funds referenced in paragraph A;

2. The CITY shall use the transferred funds exclusively to finance the completion of off-site access improvements within the adjacent North and South Wavecrest Redevelopment areas in accord with the CITY's request to the COMMISSION of March 8, 2001, attached as Exhibit 2 hereto and made a part hereof by incorporation. The CITY shall secure any and all permits necessary for such improvement projects. To the extent that there are differences between the CITY's request of March 8, 2001 and this Memorandum of Understanding relating to the particular projects on which the funds shall be spent and/or the priority in which the funds will be spent, this Memorandum of Understanding shall govern. In using the funds, the CITY shall comply fully with the use prioritization described in paragraph F such that the CITY shall spend all (or such portion) of the transferred funds as is necessary to complete the First Priority before spending any portion of the funds on the Second Priority, and so on until the Fifth Priority is completed. *If the CITY and the Commission's Executive Director together determine and agree that the First Priority cannot be accomplished with the funds available in a manner that meets that priority's objectives, then the Second Priority shall become the First Priority; if it is determined through the same process that the Second Priority is infeasible, then the Third Priority shall become the First Priority. This process shall be repeated as necessary through the Fifth Priority.* The CITY may use no more than five percent (5%) of the transferred funds to pay for administrative costs relating to the completion of such access improvements incurred by the CITY and/or its contractors or subcontractors. The CITY shall maintain accurate accounts of its expenditures from the transferred funds in accordance with generally accepted accounting procedures.

3. The CITY shall submit a report to the COMMISSION within six months of the transfer of funds as to the status of the use of the funds. The CITY shall submit another report on the status of the use of the funds and status of completion of the subject projects when the projects have been completed or within eighteen months of the transfer of the funds, whichever date comes first. If the subject projects have not been completed within eighteen months from the transfer of the funds, the CITY shall submit a third status report upon completing the projects. If the entire $250,000 is not used and/or the off-site access improvements have not been

completed by April 1, 2003, the CITY shall submit a report to the COMMISSION detailing why the projects have not been completed. The COMMISSION'S Executive Director may, at his or her discretion, grant to the CITY an extension of time beyond April 1, 2003 for use of the transferred funds upon a showing of good cause. The COMMISSION staff shall review all said reports to insure compliance with the terms of Special Condition No. 3 of Permit No. 3-91-71 imposed by the COMMISSION and with this Memorandum of Understanding.

4. If (a) less than all of the $250,000 is used by the CITY in completing the subject projects and/or (b) all of the $250,000 has not been expended by April 1, 2003 and the COMMISSION's Executive Director has not granted an extension of time for the CITY's expenditure of the transferred funds pursuant to paragraph 3, the balance of the funds shall be returned to the COMMISSION or a COMMISSION-approved alternate entity within 60 days of notification to the CITY by the COMMISSION.

5. This Memorandum of Understanding may be altered, changed, or amended by mutual consent of the COMMISSION and the CITY.

6. Either party to the Memorandum of Understanding may terminate this Memorandum of Understanding by providing written notification 30 days prior to termination. In the event of termination, any and all remaining funds shall be transferred by the CITY to the COMMISSION or a COMMISSION-approved alternate entity within 60 days of termination.

DATE: 3/30/2001 DATE: 3/29/01

CALIFORNIA COASTAL COMMISSION

Jim Wilson, Chief Deputy

By: PETER DOUGLAS
Executive Director

CITY OF HALF MOON BAY

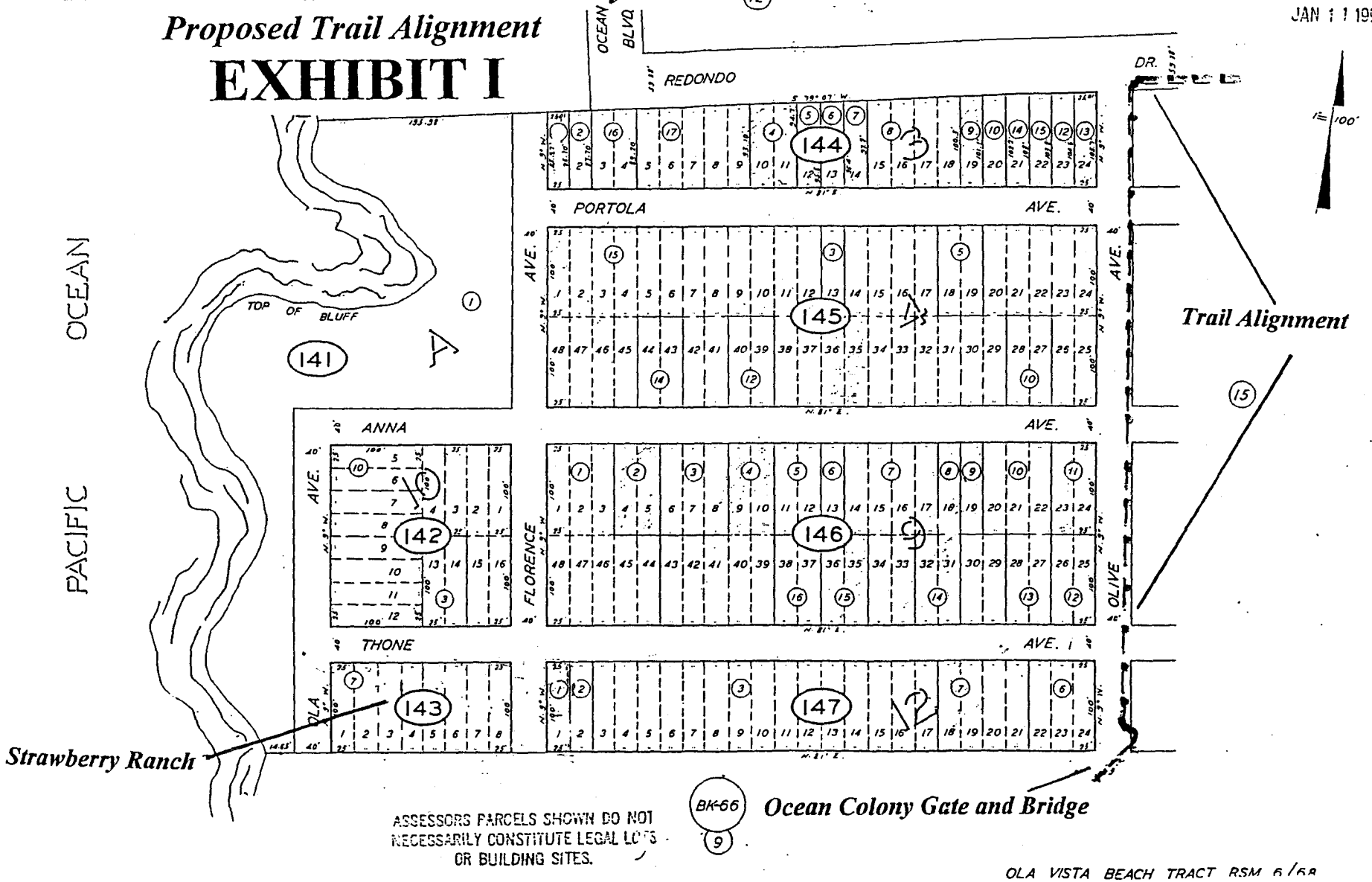
BY: BLAIR KING
City Manager

Redondo Beach Road to Ocean Colony
Proposed Trail Alignment
EXHIBIT I

TAX CODE AREA

65-14

JAN 11 1993



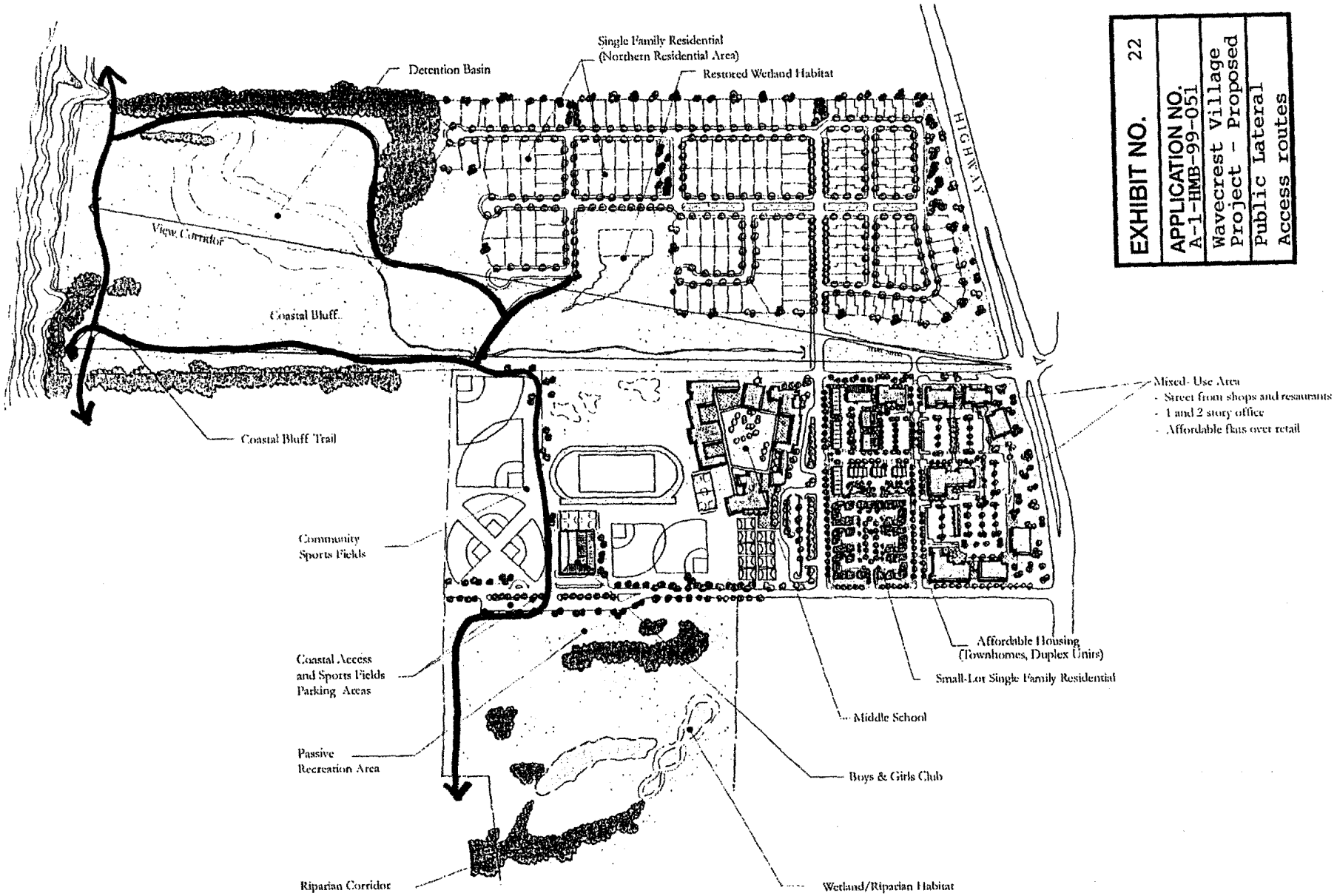


EXHIBIT NO. 22
APPLICATION NO. A-1-HMB-99-051
Wavecrest Village Project - Proposed
Public Lateral Access routes

EDAW

September, 2001

WAVECREST VILLAGE
HALF MOON BAY, CA
Illustrative Plan

0 300' 600'

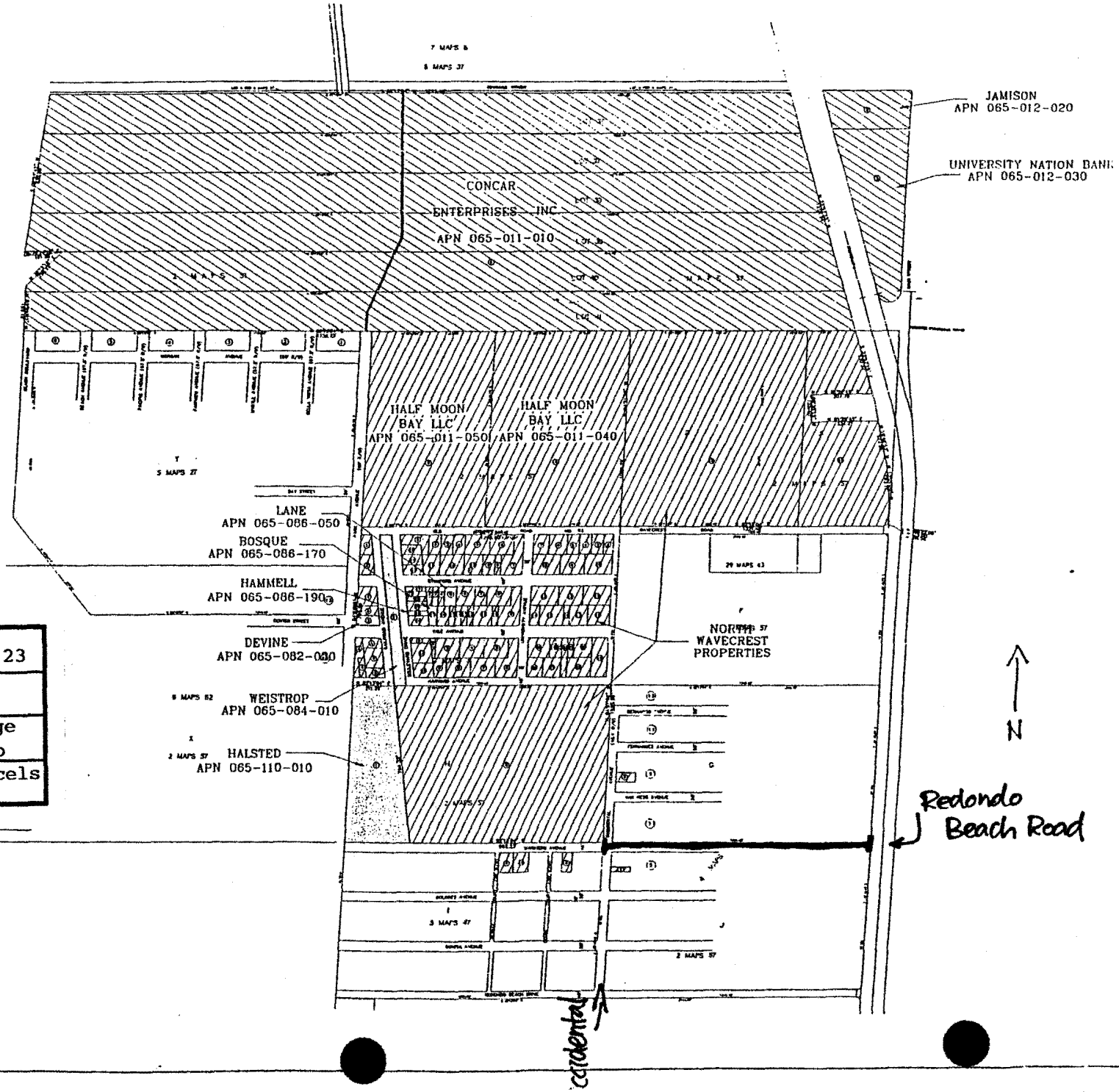


EXHIBIT NO. 23

APPLICATION NO. A-1-HMB-99-051

Wavecrest Village Project- APN Map of Existing Parcels

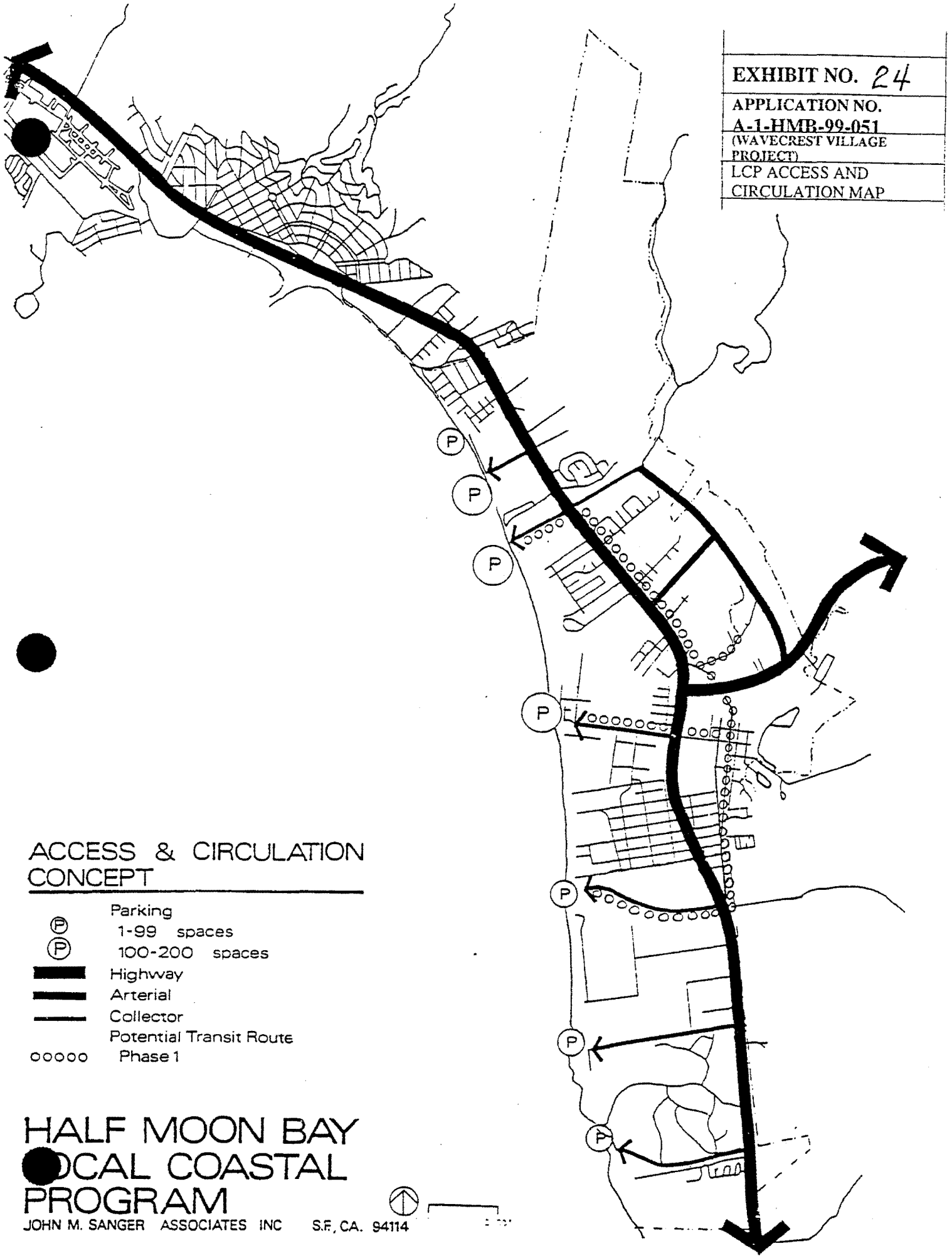


EXHIBIT NO. 24
APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)
LCP ACCESS AND CIRCULATION MAP
ACCESS & CIRCULATION CONCEPT
Parking
1-99 spaces
100-200 spaces
Highway
Arterial
Collector
Potential Transit Route
Phase 1
HALF MOON BAY LOCAL COASTAL PROGRAM
JOHN M. SANGER ASSOCIATES INC S.F., CA. 94114
P

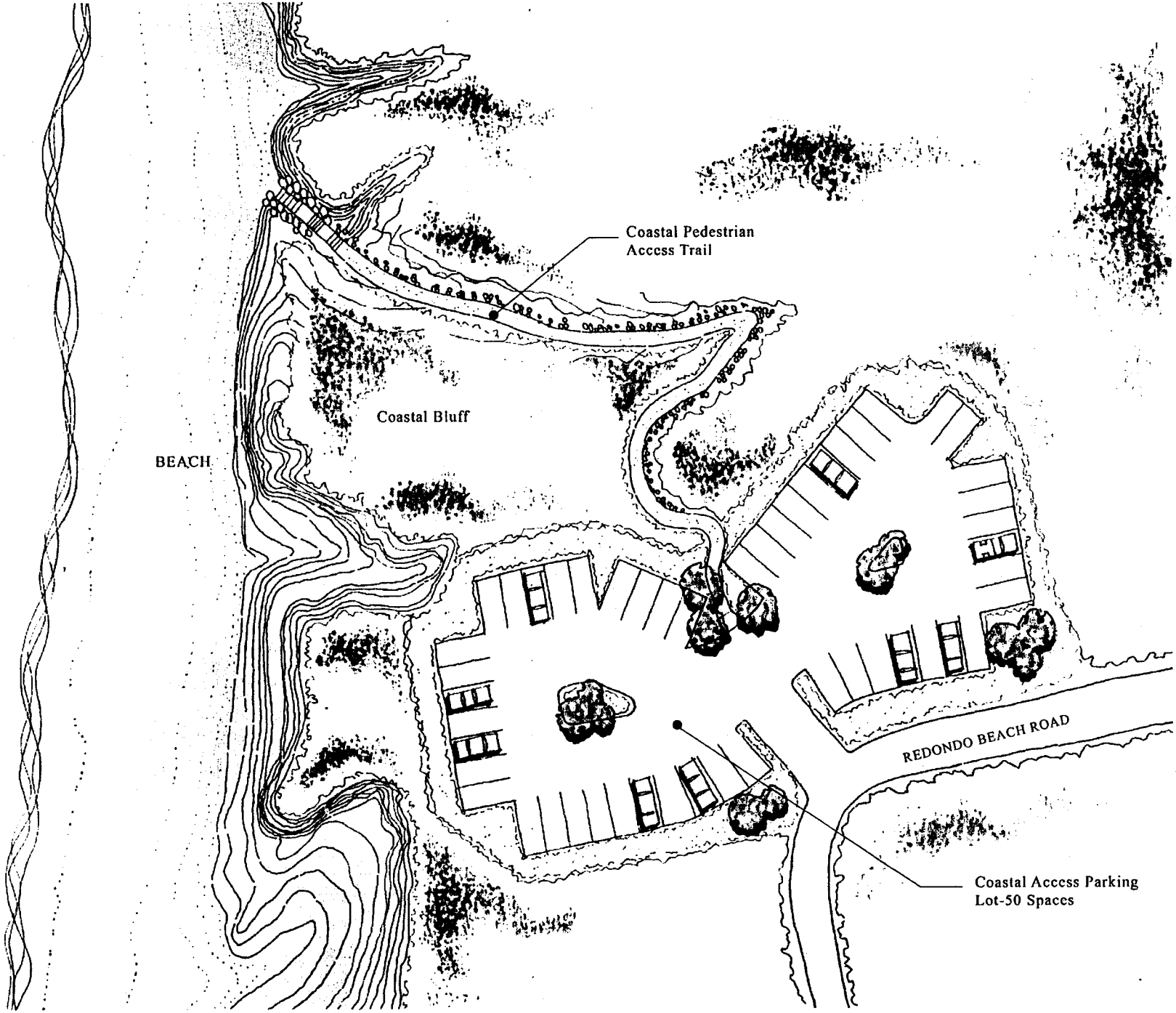


EXHIBIT NO. 25
APPLICATION NO.
A-1-HMB-99-051
Wavecrest Village
Project-Potential
vertical access from
Redondo Beach Road

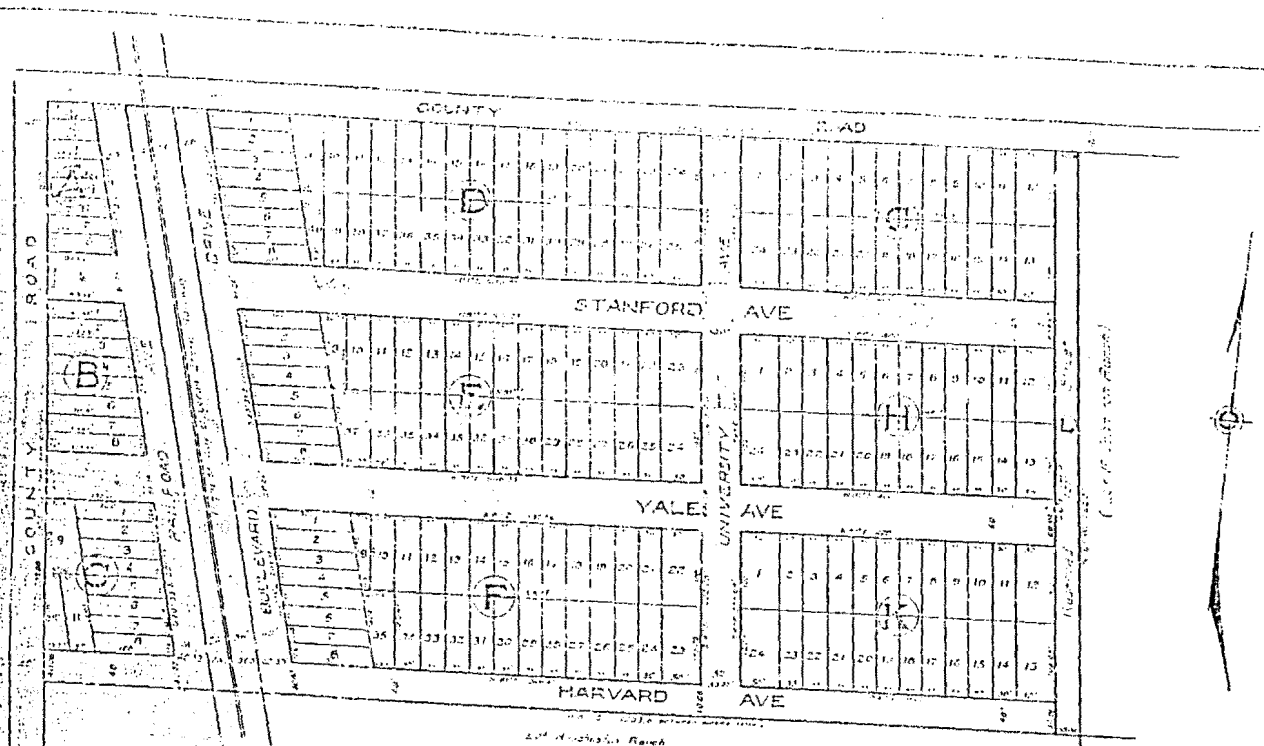
EDAW

WAVECREST VILLAGE
HALF MOON BAY, CA
Illustrative Plan Coastal Access Area

EXHIBIT NO. 26

APPLICATION NO.
A-1-HMB-99-051
(WAVECREST VILLAGE PROJECT)

REDONDO VIEW ANTIQUATED SUBDIVISION



NOTE:
All bearings are parallel, except where otherwise noted.
Distances given in feet and decimals of a foot.

STATE OF CALIFORNIA } ss.
COUNTY OF SAN MATEO }

I, [illegible] County Auditor, and ex-officio Clerk of the County of San Mateo, State of California, do hereby certify that there are no liens for unpaid State, county, municipal or other taxes, excepting taxes for the current year not yet payable, against the real property shown on the map of Redondo View, consisting of [illegible] sheets, and described within exclusive and [illegible] described upon the said map or map to which this certificate is attached.

In witness whereof I have hereunto set my hand and affixed my official seal this [illegible] day of February, 1912.

W.H. Underhill
(Seal) County Auditor and ex-officio Clerk of the County of San Mateo, State of California

Know all men by these presents that Arthur G. Annesley hereby consents to the making and filing of this map or plat in manner and form set forth, known and referred to hereinafter as REDONDO VIEW.

In Witness Whereof Arthur G. Annesley has set his hand and seal this day of February, A.D. 1912.

Arthur G. Annesley

STATE OF CALIFORNIA }
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this [illegible] day of February, A.D. 1912, before me, Martin Arcesvin a Notary Public in and for the City and County of San Francisco, residing therein, duly commissioned and sworn, personally appeared Arthur G. Annesley, known to me to be the person described in, whose name is subscribed

Whereof, and we executed the foregoing certificate and acknowledged that he executed same.

In Witness Whereof I have hereunto set my hand and affixed my official seal at my office in the City and State aforesaid, the day and year in this Certificate first above written.

Martin Arcesvin
(Seal) Notary Public in and for the City and County of San Francisco, State of California

Know all men by these presents that Geo. S. Smith is the owner of the real property shown and set forth on the map or plat upon which this certificate is endorsed, said real property being situate in the County of San Mateo, State of California, and hereby consents to the making of said plat or map in manner and form as set forth therein, the boundaries of said property map and subdivided thereon shall be hereafter known as REDONDO VIEW. That all the real property embraced within and shown on said map or plat as streets, avenues and highways are hereby dedicated to the public for public use.

And Geo. S. Smith further certifies that he is the owner of the fee simple title to said real property, that the same is unencumbered, saving and excepting the taxes for the year 1912, not yet payable.

In Witness Whereof, Geo. S. Smith has hereunto set his hand and seal this [illegible] day of February, 1912.

Geo. S. Smith

STATE OF CALIFORNIA }
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this [illegible] day of February, A.D. 1912, before me, Martin Arcesvin a Notary Public in and for the City and County of San Francisco, residing therein, duly commissioned and sworn, personally appeared Geo. S. Smith, known to me to be the person described in, whose name is subscribed

(Seal) Notary Public in and for the City and County of San Francisco, State of California

RECORDED at request of Geo. S. Smith March 7 AD at 2 min. past 1 o'clock P.M. in vol 8 of Maps, page 4, San Mateo County Records.

H.O. Heiner
Recorder

Deputy

MAP
OF
REDONDO VIEW
SAN MATEO COUNTY, CALIFORNIA

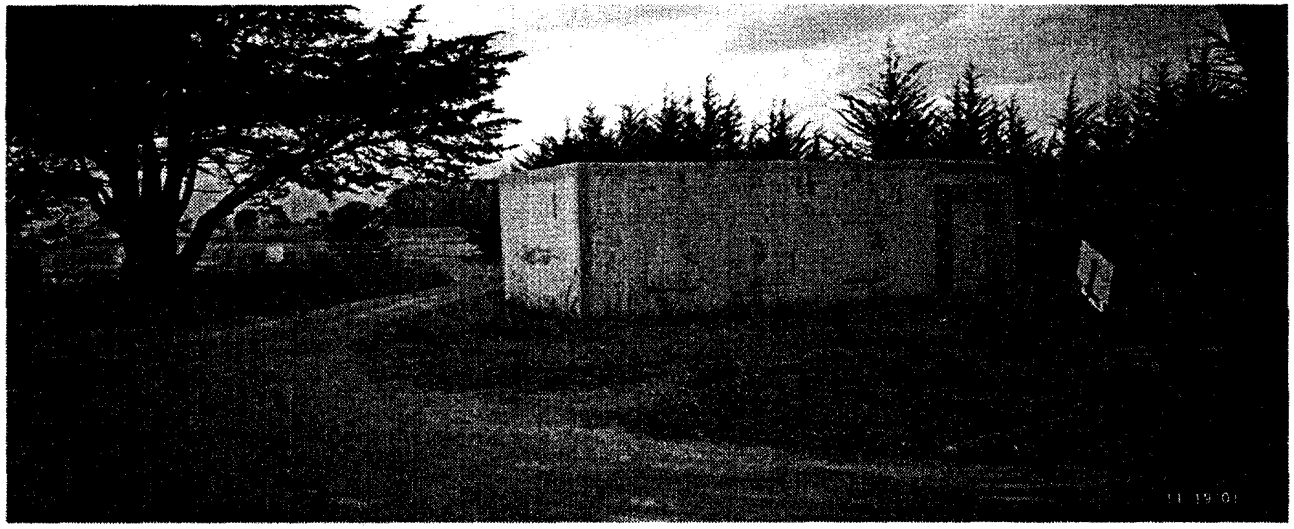
SCALE 1"=100' FEBRUARY 2nd 1912

SURVEYED BY J. GEO. SMITH

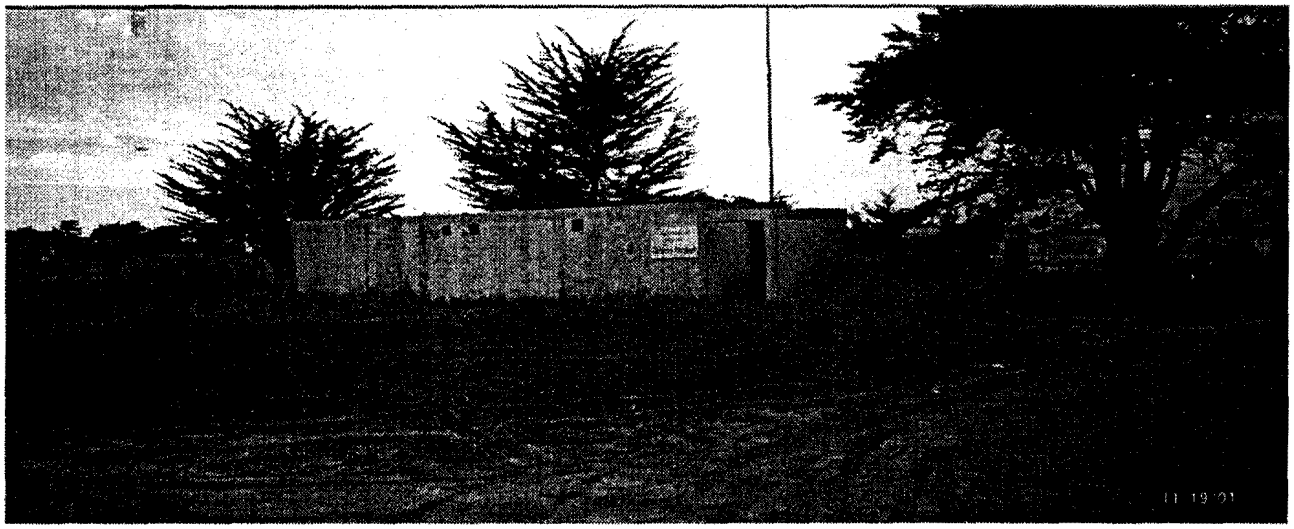
I hereby certify this to be a true copy of an original map recorded in Map Book 8 at page 4.

[illegible]
Recorder and Ex-officio
County Recorder of Maps

BOOK E R 4



Structure 1



Structure 2

EXHIBIT NO.	27
APPLICATION NO. A-1-HMB-99-051	
Wavecrest Village Project - Existing	
Structures on project site	

View eastward down Wavecrest Road toward Highway 1

Concrete support structure outside first structure

Received 4/6/01

EXHIBIT NO. 28
APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)
4/5/01 WATER TREATMENT REPORT

WAVECREST DEVELOPMENT
HYDRAULICS AND HYDROLOGY
BKF JOB # 19990154
04/05/01
DRAFT

EXISTING CONDITIONS

The Wavecrest Village project site drains to the Pacific Ocean at two locations. There is a northern swale that serves a 266-acre drainage, of which 67 acres is east from off-site areas east of Highway 1. The southern swale serves a 62-acre drainage area. Drainage areas are shown on Figure 1, with subarea B designating areas that currently flow to the northern swale and subarea A designating areas that drain to the southern swale. Immediately west of Highway 1, the drainage divide separating subareas A and B is at Wavecrest Road.

The peak flow during a 10-year storm event from subarea A is 72 cfs and from subarea B is 233 cfs.

PROPOSED CONDITIONS

Subarea A, Southern Drainage - There will be an increase in the drainage area to the subarea A discharge point. The drainage area will increase by 112 acres from 62 acres to 174 acres. This will result in an increase in the 10-year event peak flow rate from 72 cfs to 205 cfs. Detention will be provided to maintain the existing peak rate of runoff. Table 1 shows the hydrologic analyses of the existing and proposed drainage areas to the subarea A discharge point.

Figure 2 shows a conceptual detention basin for sub area A with 4.8 acre-foot of storage. With this storage, the peak discharge to the subarea A discharge point during a 10-year storm event is less than that of existing conditions. The upstream invert of 73 and design water level of 75.8 in the detention basin are established using a conceptual storm drainage system on Wavecrest Road that serves the mixed-use area, the nurseries, and the area east of Highway 1. The required detention basin volume is based on all drainage areas that will discharge to the southern swale flowing through the detention basin.

The only proposed development area that will be directed to the subarea A discharge point is the 21.5-acre mixed-use area. Runoff from this area should either be treated on-site using grass-lined swales prior to commingling with the remaining runoff, or, this area should be piped separately to an area where it can be treated separate from the remainder of the flow. The 24-hour runoff volume from the mixed-use area is about 1.7 acre-feet.

Subarea B, Northern System - With the development of the project site, runoff from approximately 112 acres that currently drains to the subarea B discharge point will be redirected to the south. Redirected areas include a 67-acre drainage area that is east of Highway 1 and the proposed mixed-use site. With development and no stormwater

detention facilities, there is a resulting decrease in the 10-year event peak runoff rate to the north of 31 cfs, from 233 cfs to 202 cfs. Stormwater detention for the 10-year event is not required for the subarea B drainage system. Table 2 shows the hydrologic analyses of the existing and proposed drainage areas to the subarea B discharge point.

For water quality purposes, extended 24-hour detention is currently recommended for subarea B. The system currently proposed is sized for the rainfall rate at which 90 percent of the average annual rainfall runoff is treated. (Based on discussions with the Regional Water Quality Control Board, a rainfall rate of 1.2 in/day is used. This is subject to further study.) With the proposed redirection of runoff, a total of 7.3 acre-feet of storage will be required for the 1.2-inch 24-hour event. Figure 3 shows a conceptual layout for the extended detention basin. As a result of the redirected drainage area to the south, the surface area required for detention is reduced from 13.8 to 7.7 acres. For the revised drainage system, it may be possible to use a vegetated swale with no detention provided.

Figure 4 shows the location of, (1) the existing North Wavecrest irrigation pond, and (2) a proposed alternate location for the pond. The location of the irrigation pond shown on Figure 4 maintains the existing surface area and meets the 100-foot setback requirement.

Received 4/6/01

Wavecrest Village Development—Wetland Restoration Program Description

Prepared By Dr. Michael Josselyn of Wetlands Research Associates

Three areas of riparian and wetland restoration will be completed as part of the Wavecrest Village development. These features will be designed to increase habitat diversity and improve wetland function with the project area. Each of these areas is described by their respective watershed subareas as shown on the designs prepared by BKF.

Subarea A. -- Riparian/Wetland Restoration

Under existing conditions, the central area supports emergent wetland vegetation consisting primarily of wetland grasses and cattails. Because of its historic agricultural uses, most of the upland areas consist of non-native, ruderal grasslands with scattered areas of coyote brush vegetation. A large portion of the wetland hydrology is supported by irrigation water discharged by the greenhouse nurseries to the east of the site. A riparian habitat with a small channel also occurs in the southwest portion of the area. It is currently surrounded by pasture lands.

The overall goal of the riparian/wetland restoration program is to increase habitat diversity within this area and to continue to sustain wetland areas with water derived from the upland drainages of the site. The specific objectives are (1) increase wetland habitat area, (2) extend the existing riparian habitat into the central area, and (3) improve water quality and reduce discharge downstream of the area. The basic plan is the construction of a channel consisting of a series of wetland pools that will extend upslope from the existing riparian area into the ruderal grasslands. The wetland pools will have areas of open water and emergent vegetation, bordered by riparian vegetation.

The elements of the riparian/wetland restoration are:

1. Extend the existing riparian habitat upstream into the central area. The riparian habitat will be extended into areas currently supporting non-wetland ruderal grasses. Willows will be planted within this riparian area on the edges of the created channel and wetland pools (described below).
2. Create a central stream channel into the central area extending from the existing riparian channel to a headworks located 100 ft from the edge of the Boys and Girls Club. The headworks will contain a discharge pipe that has diverted a portion of the flows from the upland areas east of the project site. The channel will consist of a series of wetland pools that will support wetland vegetation and open water habitat. The pools will provide some retention and detention functions. The first basin will act as a settling basin for particulates and will be maintained so as to reduce downstream siltation. The remainder of the basins will be separated by small weirs so as to reduce peak storm flows downstream, thereby reducing channel and coastal bluff erosion.

3. Water from the greenhouse operation will also be directed to these wetland pools. They will be unlined so that the water can percolate into the surrounding groundwater and continue to sustain the wetlands in this area. In addition, water from the upland watershed served by the drainage facility will also contribute to groundwater levels in this area.
4. During major storm events, the spillways along the edges of each of the pools will be provided such that water will be distributed into the central area wetlands.

Siltation has occurred within the existing riparian area. This silt can potentially move downstream during high storm events. As part of this restoration, removal of silt will occur within the existing channel and where necessary, the channel may need to be reconstructed.

The overall channel design will take into account regional stream geomorphological characteristics. Wetland pools and channels will be designed to be similar to natural systems observed elsewhere along the San Mateo coastline.

Subarea B --Vegetated swale/seasonal wetland

The existing conditions in the region of Subarea B include agricultural drainage ditches with steep sides surrounded by agricultural lands or ruderal grasslands. The overall goal for the improvement of this situation is the construction of a vegetated swale and a seasonal wetland that will act as a detention basin and wetland habitat. The specific objectives include expanding riparian and wetland habitat, improving water quality, and reducing peak storm flows that cause erosion within the channel and at the coastal bluffs.

Within Subarea B, a vegetated swale and seasonal wetland are proposed to improve overall water quality and to provide additional wetland habitat. The vegetated swale will be constructed to carry runoff from upland areas within the development including commercial, residential, and the school site. The swale will be designed so that wetland vegetation will become established along the bottom and side slopes. Its location will be similar to the existing location, however, it will be moved to provide greater opportunity to create sinuosity and natural habitat features. Channel edges will be 3:1 or shallower if possible. In areas where erosion may be expected, geoweb or other biotechnological features will be used so that the channel can be planted with wetland and riparian vegetation.

The seasonal wetland area will be created downstream of the vegetated swale. It will consist of a large shallow basin designed to retain peak storm flows and reduce erosive flows downstream. The basin will be planted with emergent wetland vegetation chosen from a suite of plants that are typically found in coastal terraces within San Mateo County. The low berms surrounding the basin will be planted with coyote brush and native grasses and herbaceous species typical of natural upland areas.

Subarea C – Enhanced agricultural pond/seasonal wetland

The existing agricultural pond is bounded by berms and was used to retain irrigation water for past farming practices. The berms are 6 feet tall and effectively block any natural transition between the wetland and the surrounding uplands. There is no watershed to support this pond and over time it is likely to revert to ruderal grassland—its original condition prior to the berms being constructed and water pumped into it. Presently, emergent wetland vegetation is present within the pond bottom that could be used for enhancement of a more sustainable feature.

The overall goal for the pond is to construct a wetland that is sustainable over time and which gradually transitions into surrounding upland—thereby providing habitat for wildlife that may use the seasonal wetland. In addition, the reconfigured wetland would have a more natural shape (rather than being a rectangle) and will be similar to the existing seasonal wetlands to be preserved within the school site. This will provide for a larger complex of wetlands and will improve both wildlife and educational opportunities.

The reconfigured wetland will be created by excavating into the shallow soils by one to two feet. The depth will depend on the soil conditions underlying this area. The design objective will be to utilize the underlying clay layer to perch surface water within the wetland.

The elements of the seasonal wetland design are:

1. Excavate an area similar in size to the agricultural pond (approximately 1.4 acres) to create suitable ponding area above the underlying clay layer
2. Shape the surrounding upland areas to grade gradually into the wetland.
3. Divert storm water from the landscaped areas within the northern residential area development. This water will be passed through vegetated swales before entering the seasonal wetland
4. Transplant wetland vegetation from the existing agricultural pond and augment those planting with native wetland vegetation typical of the other seasonal wetlands preserved within the school site.
5. Plant native coastal terrace species within the surrounding uplands.

Fencing and a trail network should also be designed such that public use of this area will not restrict wildlife use or affect wetland function.

North Wavecrest Village Wetland Delineation Study

Prepared for:

North Wavecrest Partners, L.P.
2002 Fairway Drive
Half Moon Bay, California 94019
Contact: Patrick Fitzgerald
Telephone: (415) 726-5764

Prepared by:

Wetlands Research Associates, Inc.
2169 East Francisco Blvd., Suite G
San Rafael, CA 94901
Contact: Douglas Spicher
Telephone: (415) 454-8868

June 10, 1998

EXHIBIT NO. 30
APPLICATION NO.
A-1-HMB-99-051
Wavecrest Village
Project - 6/10/98
No.Wavecrest Village
Wetland Delineation

INTRODUCTION

Wetlands Research Associates, Inc. (WRA) conducted a routine wetland delineation of potential Section 404 (Clean Water Act) wetlands at the proposed Wavecrest Village project. The site is located in Half Moon Bay, California (Figure 1) east of Route 1, north of Redondo Beach Drive, and south of Magnolia Street. The site covers approximately 210 acres. Present land uses include cattle grazing, farming, recreation (ball fields), and vacant land.

The various land use areas were named for purposes of discussion in this report. The various area names for the land use areas are as follows (shown on topographic map):

Western	Central
Northeastern	Pasture
Ball Fields	

WRA conducted wetland delineation studies to determine whether any areas on this property were potentially wetlands and or "other waters" subject to U.S. Army Corps of Engineers jurisdiction. The Corps of Engineers has defined wetlands in the regulations as follows:

> *Those areas that are inundated or saturated by surface or ground waters at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.*
> (33 CFR 328.3)

METHODS

This report describes the field studies conducted by WRA, to determine the presence or absence of wetland indicators used by the Corps of Engineers in determining wetland conditions. The three criteria used to delineate wetlands in non-tidal areas, which are stated in the *Corps of Engineers Wetlands Delineation Manual* (1987), are the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. According to the manual:

> *...[E]vidence of a minimum of one positive wetland indicator from each parameter (hydrology, soil and vegetation) must be found in order to make a positive wetland determination.*

Prior to conducting field studies, available reference materials were reviewed. These included National Wetland Inventory maps (US Fish and Wildlife Service 1985, Half Moon Bay quadrangle) and the San Mateo County Soil Survey, Western Part (US Soil Conservation Service 1961). Aerial photographs of the Study Area were obtained from Pacific Aerial Surveys. A black and white enlargement dated 23 June 97 (1 inch = 200 feet) and a color contact print dated 8 August 95. These photographs were used in the field for accurately locating potential wetlands.

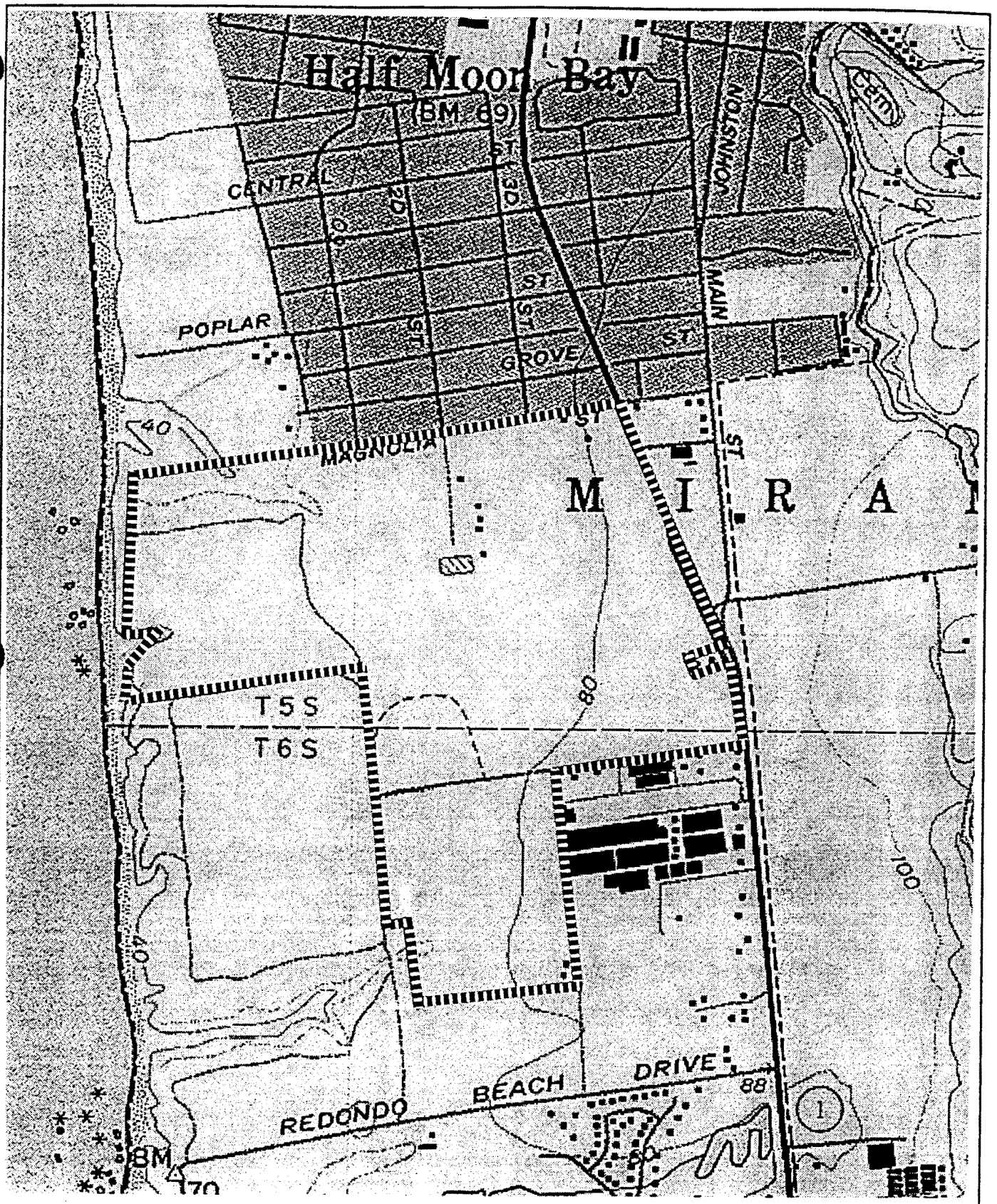


Figure 1
Map showing location of the North Wavecrest Site

Wetlands Research Associates, Inc.

In late October and early November 1997, a routine level study of soils, hydrology, and vegetation was conducted. Soil, hydrology, and vegetation were examined at sampling points in depressions or other areas that exhibited the potential for meeting wetland criteria. The results were recorded on standard 1987 *Corps Manual* data sheets. These sheets are included with this report (Appendix 1).

Soil Criteria

An area exhibits a hydric soil characteristic if it is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor growth and regeneration of hydrophytic vegetation. Soils formed over long periods of time under wetland (anaerobic) conditions sometimes possess characteristics that identify them as hydric soils. Recently filled areas generally do not have hydric soil indicators as they have not had time to develop. In the field, a shovel was used to collect soil samples (approximately 10 to 18 inches deep). Soils were examined for hydric characteristics, such as low chroma. Low chroma was determined from soil color notation using a soil color chart (Kollmorgen Corporation 1990).

Hydrology Criteria

An area exhibits a wetland hydrology characteristic if it is inundated or if the soil was saturated at a sufficient frequency and duration to support wetland vegetation during the growing season under normal circumstances. Evidence of wetland hydrology can include visible inundation or saturation, or indirect indicators such as oxidized root channels, algal mats, surface sediment deposits, drift lines, and others. Depressions and topographic low areas were examined for hydrological indicators.

Vegetation criteria

Plant species identified were assigned a wetland status according to the U.S. Fish and Wildlife Service list of plant species that occur in wetlands (Reed 1988). This wetland plant classification system is based on the expected frequency of occurrence of plants in wetlands.

OBL	Obligate, always found in wetlands	> 99% frequency
FACW	Facultative wetland, usually found in wetlands	67-99%
FAC	Facultative, equal in wetland or non-wetlands	34-66%
FACU	Facultative upland, usually found in non-wetlands	1-33%
UPL/NL	Not found in local wetlands	<1%

Plants with OBL, FACW, and FAC classifications are considered wetland plants. In using the routine wetland delineation method described in the 1987 *Corps Manual*, the dominant plants in the area are listed. If the list consists of more than 50 percent wetland classified plants, the wetland vegetation criterion is satisfied. Dominant plants observed during the field study were identified and noted on data sheets.

RESULTS

The results presented in this report are based on field studies that determine which areas of the property have the three criteria used by the Corps of Engineers to identify wetlands conditions. However, some of the areas with the three wetlands criteria are considered to be non-jurisdictional wetlands because they have been determined to be artificially irrigated and would revert to uplands once irrigation is removed. The determination of the location and extent of potential jurisdictional wetlands and non-jurisdictional wetlands is discussed in detail in a separate report, *North Wavecrest Jurisdictional Wetland Analysis* (WRA June 3, 1998).

Literature Review

The San Mateo County Soil Survey (Figure 2) indicated that three soil types were present in the Study Area:

Watsonville loam, nearly level, 0 to 2% slopes
Watsonville sandy loam, gently sloping, 2 to 5% slopes
Gullied land, Tierra and Watsonville soil materials

Both the Watsonville loam, nearly level and Watsonville sandy loam, gently sloping soils have hydric soil components as determined by the Soil Conservation Service. These include unnamed soils which primarily occur in depressions.

The most recent U.S. Fish and Wildlife Service (USFWS) wetland inventory map (Figure 3) for the Study Area was completed in 1985 (Half Moon Bay Quadrangle 1985). Wetland features within the Study Area included:

PEMC - palustrine, emergent, seasonally flooded areas
PEMCx - palustrine, emergent, seasonally flooded, excavated areas
PSSC - palustrine, scrub-shrub, seasonally flooded areas

The PEMC feature appears to be the irrigated wetland in the Pasture area that was formed at the head of the riparian corridor which is identified as the PSSC feature. The irrigated wetland received irrigation wastewater from the nurseries and is still present today. The PEMCx feature is the irrigation pond that is also still present in the Northeastern area.

Wetland inventory maps prepared by USFWS are for habitat purposes and are not acceptable for federal jurisdictional determinations (see Caution in Corps 1987 Manual, p. 44).

A wetland delineation covering a larger Study Area (which included this Study Area) was prepared by Huffman and Associates (1994). That report concluded that areas with wetland characteristics within the present Study Area included both jurisdictional wetlands and non-jurisdictional irrigated wetlands.

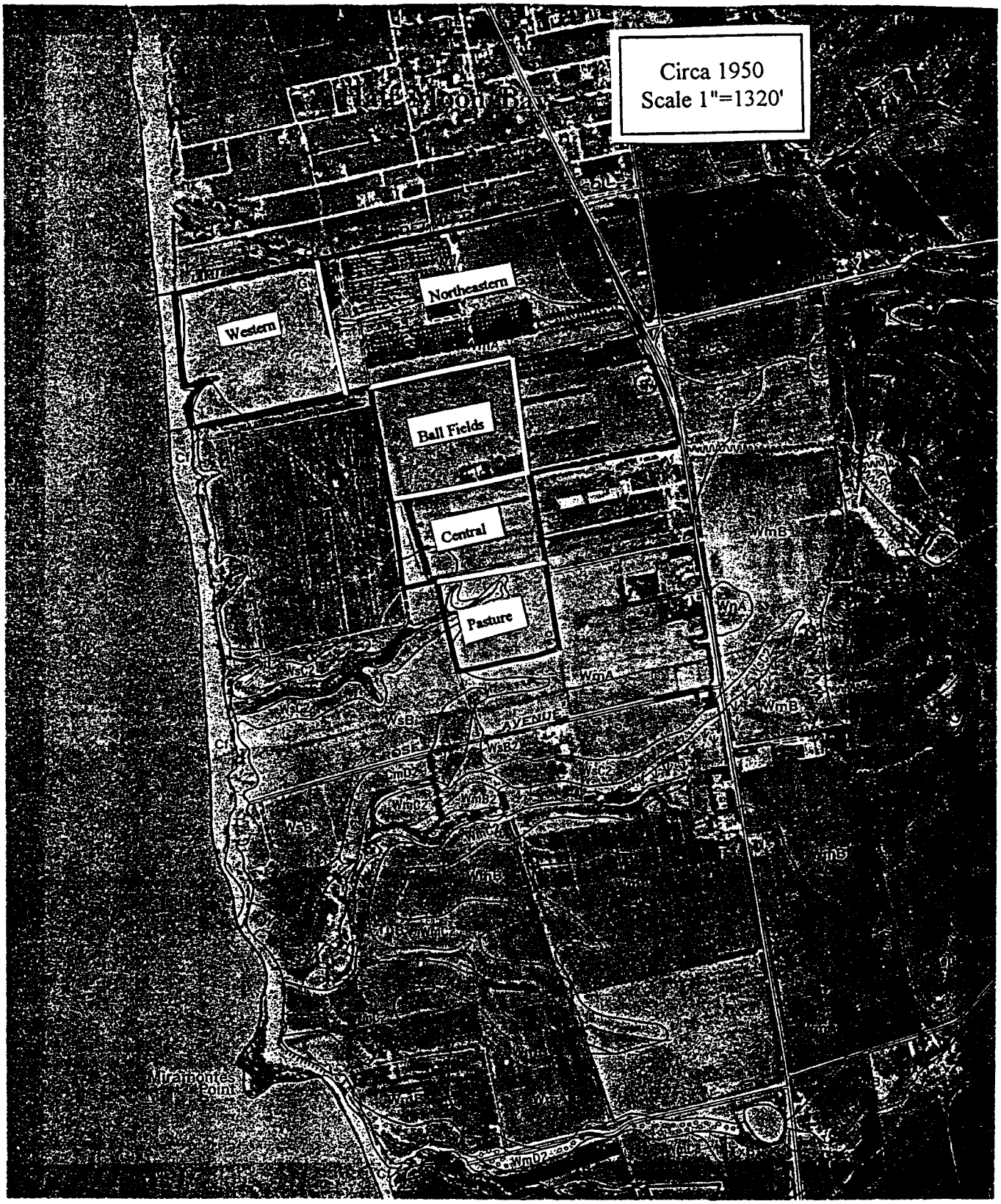


Figure 2. U.S. Soil Conservation Service map showing the various soil types within the North Wavecrest project area.

Wetlands Research Associates, Inc.

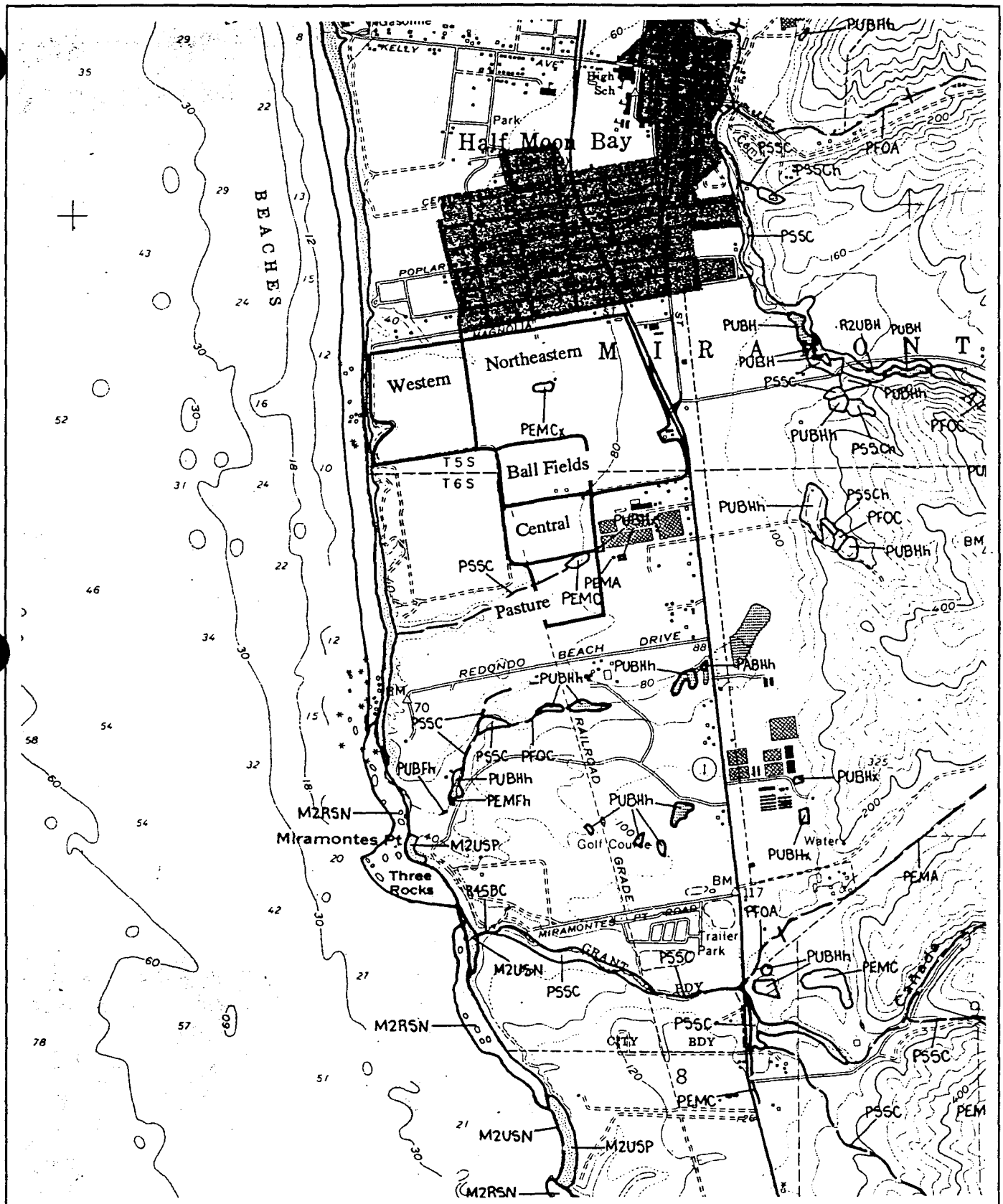


Figure 3. U.S. Fish and Wildlife Service National Wetlands Inventory map showing the wetland habitat features on the North Wavecrest project site as determined from high altitude aerial photography.

Wetlands Research Associates, Inc.

Types of Wetlands within the Study Area

Potential Jurisdictional Areas. Potential jurisdictional wetlands within the Study Area include several seasonal wetlands in depressions located in the Western and Ball Fields areas and one historical depression in the Central area. An ephemeral stream course which is a potential waters of the U.S. ("other waters") is present within the riparian corridor of the Pasture area.

Soils. Soils throughout the Study Area had low chroma (generally 1 and 2) including well drained areas that had no wetland hydrology indicators or wetland classified plants. However, the Watsonville series of soils found in the Study Area are classified as Mollisol soils. Mollisol soils typically develop on grasslands and often have low chroma due to organic pigmentation rather than the result of prolonged saturation. Soil color notation was recorded at sampling locations along with presence or absence of mottling, however, low chroma was generally not reliable as a hydric soil or wetland indicator. More reliance was placed on wetland hydrology and wetland plants in making wetland determinations.

Hydrology. Wetland hydrology indicators in depressions that had wetland plants generally included soil surface indicators, such as algal mats and sediment deposits, and soil profile indicators, such as oxidized channels. Areas considered to be upland areas did not have wetland indicators.

Vegetation. Dominant plants in depressions that had wetland hydrology indicators were wetland classified plants, such as spikerush (*Eleocharis* sp.; OBL), field mint (*Menthe arvensis*; FACW), and rabbitfoot grass (*Polypogon monspeliensis*; FACW). Dominant plants in areas considered to be uplands included FAC plants, such as velvet grass (*Holcus lanatus*; FAC) and Italian ryegrass (*Lolium multiflorum*; FAC), but also included FACU plants, such as soft chess (*Bromus hordaceus*; FACU), and not listed plants, including coyote brush (*Baccharis pilularis*).

Potential Non-jurisdictional Areas. Several areas in the Study Area have wetland indicators which are caused by artificial, irrigated conditions. These include an irrigation ponds in the Northeastern and Pasture areas with wetland characteristics in the Central, the Ball Fields, the Northeastern, and the Pasture areas. These latter areas appear to have functioned as wetlands as the result of a continuous supply of irrigation wastewater from nursery operations located immediately east of the Study Area. This irrigation wastewater also created wetland conditions in areas adjacent to the drainage ditch that runs between the Northeastern and the Ball Fields areas.

Soils. Soils in the irrigated wetlands areas have low chroma similar to other portions of the Study Area as described above, including areas that were

determined to be uplands because they had no wetland hydrology or vegetation indicators.

Hydrology. Irrigated wetland areas had soil surface indicators, such as algal mats and sediment deposits, and soil profile indicators, such as oxidized channels. However, many of these areas also had moist and/or saturated soils in October when soils under seasonal conditions would be expected to be dry. Soils closer to the nursery operation were saturated at the surface during the delineation studies. Linear ditches (approximately 2 feet wide and 1-foot deep) were observed leading from the nursery operation westward into the Central area, and water was observed flowing in the ditches parallel with the eastern property boundary adjacent to the nursery operation.

The nursery operation is two separate businesses which have high water use. Water records obtained from one of the businesses indicates that, on average, approximately 4.6 million gallons of water are used during a six month summer period (April to September). Allowing for evaporation and transpiration, it has been calculated (Clifford Bechtel, Brian Kangas Foulk) that over 1,660,000 gallons of irrigation wastewater flowed into the drainage ditches leading from the nursery area during the 6-month summer period each year. Assuming that a similar amount of water is expelled from the second nursery operation, an average total of approximately 3.32 million gallons of irrigation wastewater flows into the Study Area each summer. This is equal to over 18,000 gallons per day, and this wastewater artificially creates wetland conditions and supports wetland vegetation.

Vegetation. Vegetation in the irrigated wetlands generally include groups of plants more typical of permanent wetlands rather than seasonal wetlands. For example, areas of cattail (*Typha latifolia*; OBL), umbrella sedge (*Cyperus eragrostis*; FACW), and homogeneous stands of field mint (*Menthe arvensis*; FACW) are common throughout the irrigated wetland areas.

An August 1995 color photograph (Pacific Aerial Surveys; 1:24000 scale) is further evidence that irrigation wastewater from the nurseries operations artificially supports wetland vegetation. Areas within the Central, Northeastern, and other areas receiving irrigation water appear green on the photograph during a period when vegetation would normally be brown in photographs.

Storm runoff water from the nurseries is still diverted through the Central area. Three culverts (12-inch diameter) crossing the border of the nursery and the Central area deliver from the nurseries to the Central area excess water from storms or irrigation that exceeds the capacity of the nursery wastewater pumps. Assuming runoff is similar to irrigation wastewater runoff described above (36 percent of total), approximately 5.8 million gallons (18 acre-feet) of additional runoff is directed through the Central area during the winter from the nurseries area.

OTHER WATERS OF THE U.S.

Other waters of the U.S. include features such as lakes and streams that hold or convey water. They are, however, not vegetated with wetland plants. Potential other waters within the Study Area are limited to the ephemeral stream within the riparian corridor in the Pasture area. This stream receives local runoff and flows westward directly toward the Pacific Ocean. This stream would normally be dry during the summer, however, irrigation wastewater from the nurseries is diverted to this drainage.

CONCLUSION

Potential Jurisdictional Areas

Using the three-parameter approach described in the 1987 *Corps Manual*, it was determined that portions of the site could be considered potential Section 404 wetlands, as defined by the Corps, including several seasonal depressions in the Western area, Ball Fields area, and the Central area. The extent of these potential jurisdictional areas is approximately 1.22 acres (Table 1) and their location is shown on the topographic map (back cover). Potential other waters of the U.S., which is the stream within the riparian corridor, is approximately 740 feet long (including the shorter tributary) and 3 feet wide (0.06 acres).

Non-jurisdictional Irrigated Wetlands

The irrigation ponds (approximately 0.71 acres) located in the Northeastern and Pasture areas should not be considered jurisdictional areas because they were ponds created on dry land for the expressed purpose of irrigating adjacent farmlands.

If area is or will be no longer ag, ponds = wetland

Other areas within the Study Area that had wetland characteristics should not be considered to be jurisdictional wetlands because they were created and supported by irrigation wastewater from the nurseries on adjacent property (approximately 11.85 acres).

REFERENCES

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Pacific Aerial Surveys. 1995. Color aerial photograph, Half Moon Bay, CA area. KAV4905-10-4; 8-8-95; 1:24,000 scale.

Pacific Aerial Surveys. 1997. Black and white aerial photograph enlargement of the North Wavecrest site. AV5434-5-34; 6-23-97; 1 inch = 200 feet scale.

Reed, P.B., 1988. National list of plant species that occur in wetlands: California (Region 0). U.S. Fish and Wildl. Serv. Biol. Rep. 88(26.10). 135 pp.

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Appendix A

Corps Delineation Data Forms

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 11/6/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☒ Yes ☐ No	Community ID: Wetland
Is the site significantly disturbed (Atypical Situation)? ☐ Yes ☒ No	Transect ID:
Is the area a potential Problem Area? Seasonal wetland area ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: A-Wetland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Rumex crispus			9.		
2. Polypogon monspeliensis			10.		
3. Picris echioides			11.		
4. Eleocharis macrostachya			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100%

Remarks: Hydrophytic plants are dominant

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: _____ (in.)

Depth To Saturated Soil: _____ (in.)

Wetland Hydrology Indicators:

Primary Indicators:
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required):
- ☒ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☒ Other (Explain In Remarks)

Hydrology Remarks: Algal matting

Plot ID: A-Wetland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Taxonomy (Subgroup) :

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12+		10 YR 3/2	7.54 YR 4/6	Common/ Distinct	Clayey loam

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Low chroma and mottling indicate hydric soil conditions.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☒ Yes ☐ No

Hydric Soil Present ? ☒ Yes ☐ No

Is this Sampling Point Within a Wetland? ☒ Yes ☐ No

Remarks : Three criteria met.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 11/6/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☒ Yes ☐ No	Community ID: Upland
Is the site significantly disturbed (Atypical Situation)? ☐ Yes ☒ No	Transect ID:
Is the area a potential Problem Area? seasonal wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: A-Upland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Lolium perenne		FAC	9.		
2.			10.		
3.			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100%

Remarks: Lolium is a dominant grass in this field.

HYDROLOGY

Recorded Data

- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: _____ (in.)

Depth To Saturated Soil: _____ (in.)

Wetland Hydrology Indicators:

Primary Indicators:

- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required):

- ☐ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain In Remarks)

Hydrology Remarks: No hydrology indicators observed.

Plot ID: A-Upland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well/ Imperfect

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Taxonomy (Subgroup) :

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12+		10 YR 3/2			

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Low chroma but no mottling.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☐ Yes ☒ No

Hydric Soil Present ? ☐ Yes ☒ No

Is this Sampling Point Within a Wetland? ☐ Yes ☒ No

Remarks : Three criteria not met. Italian ryegrass is a dominant plant in this field and may have been planted.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date : 11/6/97
Applicant/Owner: North Wavecrest Partners, L.P.	County : San Mateo
Investigator: D. Spicher	State : CA
Do Normal Circumstances exist on the site? ☒ Yes ☐ No	Community ID: Wetland
Is the site significantly disturbed (Atypical Situation)? ☐ Yes ☒ No	Transect ID:
Is the area a potential Problem Area? seasonal wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: B-Wetland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Polypogon monspeliensis		FACW	9.		
2. Lythrum hyssopifolia		FACW	10.		
3. Mentha arvensis		FACW	11.		
4. Rumex crispus		FACW	12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100%

Remarks : Hydorphytic plant criteria met.

HYDROLOGY

Recorded Data

- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations :

Depth of Surface Water : _____ (in.)

Depth to Free Water in Pit : _____ (in.)

Depth To Saturated Soil : _____ (in.)

Wetland Hydrology Indicators :

Primary Indicators :

- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns in Wetlands

Secondary Indicators (2 or more required) :

- ☒ Oxidized Root Channels in Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☒ Other (Explain in Remarks)

Hydrology Remarks : Algal mats

Plot ID: B-Wetland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Taxonomy (Subgroup) :

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12+		10 YR 3/2	7.54 YR 4/6	Abundant/ Distinct	loam

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Low chroma and mottling indicates hydric soils.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☒ Yes ☐ No

Hydric Soil Present ? ☒ Yes ☐ No

Is this Sampling Point Within a Wetland? ☒ Yes ☐ No

Remarks : Three criteria met.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date : 11/6/97
Applicant/Owner: North Wavecrest Partners, L.P.	County : San Mateo
Investigator: D. Spicher	State : CA
Do Normal Circumstances exist on the site? ☒ Yes ☐ No	Community ID: Upland
Is the site significantly disturbed (Atypical Situation)? ☐ Yes ☒ No	Transect ID:
Is the area a potential Problem Area? seasonal wetlnad ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: B-Upland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Lolium perenne			9.		
2.			10.		
3.			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) _____

Remarks : Lolium is a dominant plant in this field.

HYDROLOGY

_____ Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

_____ No Recorded Data Available

Field Observations :

Depth of Surface Water : _____ (in.)

Depth to Free Water in Pit : _____ (in.)

Depth To Saturated Soil : _____ (in.)

Wetland Hydrology Indicators :

Primary Indicators :
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required) :
- ☐ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain In Remarks)

Hydrology Remarks : No hydrology indicators observed.

Plot ID: B-Upland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Taxonomy (Subgroup) :

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12+		10 YR 3/3			

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Soils do not have hydric indicators.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☐ Yes ☒ No

Hydric Soil Present ? ☐ Yes ☒ No

Is this Sampling Point Within a Wetland? ☐ Yes ☒ No

Remarks : Three criteria not met.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 10/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☒ Yes ☐ No	Community ID: Wetland
Is the site significantly disturbed (Atypical Situation)? ☐ Yes ☒ No	Transect ID:
Is the area a potential Problem Area? seasonal wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: C- Wetland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Rumex crispus		FACW	9.		
2. Eleocharis macrostachya		FACW-OB	10.		
3. Picris echioides		FAC	11.		
4. Holcus lanatus		FAC	12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100%

Remarks: Eleocharis found in lowest portions where longest inundation/ saturation would exist.

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: _____ (in.)

Depth To Saturated Soil: _____ (in.)

Wetland Hydrology Indicators:

Primary Indicators:
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☒ Sediment Deposits
- ☐ Drainage patterns in Wetlands

Secondary Indicators (2 or more required):
- ☒ Oxidized Root Channels in Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain in Remarks)

Hydrology Remarks: Some algal mats observed.

Plot ID: C- Wetland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Taxonomy (Subgroup) :

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12+		10 YR 2/1	7.5 YR 4/6	Common/ Distinct	Clay

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Low chroma and mottles indicate hydric soils.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☒ Yes ☐ No

Hydric Soil Present ? ☒ Yes ☐ No

Is this Sampling Point Within a Wetland? ☒ Yes ☐ No

Remarks : There criteria met.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 10/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☒ Yes ☐ No	Community ID: Upland
Is the site significantly disturbed (Atypical Situation)? ☐ Yes ☒ No	Transect ID:
Is the area a potential Problem Area? seasonal wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: C-Upland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Lolium perenne		FAC	9.		
2. Bromus hordeaceous		FACU	10.		
3.			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 50

Remarks :

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations :

Depth of Surface Water : _____ (in.)

Depth to Free Water in Pit : _____ (in.)

Depth To Saturated Soil : _____ (in.)

Wetland Hydrology Indicators :

Primary Indicators :
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required) :
- ☒ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☒ Other (Explain In Remarks)

Hydrology Remarks : No hydrology indicators observed.

Plot ID: C-Upland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Taxonomy (Subgroup) :

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12+		10 YR 2/1			Clay

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Soils had low chroma but are better drained than corresponding depressions due to higher topography.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☐ Yes ☒ No

Wetland Hydrology Present? ☐ Yes ☒ No

Hydric Soil Present ? ☐ Yes ☒ No

Is this Sampling Point Within a Wetland? ☐ Yes ☒ No

Remarks : Three criteria not met.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date : 10/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County : San Mateo
Investigator: D. Spicher	State : CA
Do Normal Circumstances exist on the site? ☐ Yes ☒ No	Community ID: Wetlands
Is the site significantly disturbed (Atypical Situation)? ☒ Yes ☐ No	Transect ID:
Is the area a potential Problem Area? man induced wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: D-Wetland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Cotula coronpifolia		FACW	9.		
2. Polypogon monspeliensis		FACW	10.		
3. Mentha arvensis		FACW	11.		
4. Cyperus eragrostis		FACW	12.		
5. Rumex crispus		FACW	13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100%

Remarks : Hydrophytic vegetation criteria met.

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations :

Depth of Surface Water : _____ (in.)

Depth to Free Water in Pit : _____ (in.)

Depth To Saturated Soil : _____ (in.)

Wetland Hydrology Indicators :

Primary Indicators :
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns in Wetlands

Secondary Indicators (2 or more required) :
- ☒ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain In Remarks)

Hydrology Remarks : Oxidized root channels/ matted detritus/ organic buildup on surface. Hydrology source is from irrigation wastewater and storm water drainage from adjacent plant nurseries.

Plot ID: D-Wetland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Taxonomy (Subgroup) :

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-3	A	10 YR 3/2	7.5 YR 4/6	Common, distinct	Sandy loam
3-9		10 YR 3/2	7.5 YR 4/6	Common, distinct	Sandy loam
9+		10 YR 3/2	7.5 YR 4/6	Common, distinct	Loamy clay-concrets. present

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☒ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Low chroma and presence of mottles indicate hydric conditions.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☒ Yes ☐ No

Hydric Soil Present ? ☒ Yes ☐ No

Is this Sampling Point Within a Wetland? ☒ Yes ☐ No

Remarks : Three criteria met. This site appears to be a man induced wetland based on historic aerial photograph that show the site to be uplands and diversion of irrigation waste water onto the site from adjacent plant nurseries in more recent history. Therefore, should not be considered jurisdictional wetland.

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 10/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☐ Yes ☒ No	Community ID: Upland
Is the site significantly disturbed (Atypical Situation)? ☒ Yes ☐ No	Transect ID:
Is the area a potential Problem Area? man induced wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: D-Upland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Lolium perenne		FAC	9.		
2. Bromus hordeaceous		FACU	10.		
3.			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 50%

Remarks: Sample location is topographically higher than adjacent area to the south.

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: _____ (in.)

Depth To Saturated Soil: _____ (in.)

Wetland Hydrology Indicators:

Primary Indicators:
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required):
- ☐ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain In Remarks)

Hydrology Remarks: No hydrology indicators observed.

Plot ID: D-Upland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Taxonomy (Subgroup) :

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12+		10 YR 3/3			Fill

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Fill material, no inidcation of saturation/inundation, no hydric indicators.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☐ Yes ☒ No

Wetland Hydrology Present? ☐ Yes ☒ No

Hydric Soil Present ? ☐ Yes ☒ No

Is this Sampling Point Within a Wetland? ☐ Yes ☒ No

Remarks : Three criteria not met. Location is topographically higher than corresponding wetland location that appears to be a man induced wetland.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 10/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☐ Yes ☒ No	Community ID: Wetland
Is the site significantly disturbed (Atypical Situation)? ☒ Yes ☐ No	Transect ID:
Is the area a potential Problem Area? man induced wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: E-Wetland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Mentha arvensis		FACW	9.		
2. Holcus lanatus		FAC	10.		
3.			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100%

Remarks: Hydorphytic vegetation criteria met.

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: _____ (in.)

Depth To Saturated Soil: _____ (in.)

Wetland Hydrology Indicators:

Primary Indicators:
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required):
- ☒ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain In Remarks)

Hydrology Remarks: Oxidized root channels/ Algal mats present/ Detritus mats present (filamentous). Hydrology source is from irrigation wastewater and storm water drainage from adjacent plant nurseries.

Plot ID: E-Wetland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Taxonomy (Subgroup) :

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-6		10 YR 3/2	7.5 YR 4/6	Common/ Distinct	Silty loam
6+		10 YR 3/2	7.5 YR 4/6	Numerous	Concretions

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☒ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Indicators suggest periods of saturation/inundation and reducing conditions.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☒ Yes ☐ No

Hydric Soil Present ? ☒ Yes ☐ No

Is this Sampling Point Within a Wetland? ☒ Yes ☐ No

Remarks : Three criteria met. This site appears to be a man induced wetland based on historic aerial photograph that show the site to be uplands and diversion of irrigation waste water onto the site from adjacent plant nurseries in more recent history. Therefore, should not be considered jurisdictional wetland.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 10/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☐ Yes ☒ No	Community ID: Upland
Is the site significantly disturbed (Atypical Situation)? ☒ Yes ☐ No	Transect ID:
Is the area a potential Problem Area? man induced wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: E-Upland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Bromus hordaceus		FACU	9.		
2. Picris echioides		FAC	10.		
3.			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 50%

Remarks: Hydrophytic vegetation criteria not met.

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☐ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: _____ (in.)

Depth To Saturated Soil: _____ (in.)

Wetland Hydrology Indicators:

Primary Indicators:
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required):
- ☐ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain In Remarks)

Hydrology Remarks: No hydrology indicators observed.

Plot ID: E-Upland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Taxonomy (Subgroup) :

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12		10 YR 2/2	none		
12+		10 YR 2/2	7.5 YR 4/4	Common/faint	

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☐ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: No hydric characteristics in the upper profile.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☐ Yes ☒ No

Wetland Hydrology Present? ☐ Yes ☒ No

Hydric Soil Present ? ☐ Yes ☒ No

Is this Sampling Point Within a Wetland? ☐ Yes ☒ No

Remarks : Three criteria not present. Location is topographically higher than corresponding wetland location that appears to be a man induced wetland.

Approved By HQUSACE 3/92

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 10/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☐ Yes ☒ No	Community ID: Wetland
Is the site significantly disturbed (Atypical Situation)? ☒ Yes ☐ No	Transect ID:
Is the area a potential Problem Area? man induced wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: F-outfall area

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Mentha arvensis		OBL	9.		
2. Rumex crispus		FACW	10.		
3.			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100 %

Remarks: Hydrophytic vegetation criterion met.

HYDROLOGY

Recorded Data

☐ Stream, Lake or Tide Gauge
☒ Aerial Photographs
☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: >12 (in.)

Depth To Saturated Soil: 2 (in.)

Wetland Hydrology Indicators:

Primary Indicators:

☐ Inundated
☒ Saturated in Upper 12 Inches
☐ Water Marks
☐ Drift Lines
☐ Sediment Deposits
☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required):

☐ Oxidized Root Channels In Upper 12 Inches
☐ Water-Stained Leaves
☐ Local Soil Survey Data
☐ FAC-Neutral test
☐ Other (Explain In Remarks)

Hydrology Remarks: Matted detritus/organic buildup on surface/soils have glistinening peds in top 2". Hydrology source is from irrigation wastewater and storm water drainage from adjacent plant nurseries.

Plot ID: F-outfall area

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Taxonomy (Subgroup) :

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12	A	10 YR 3/2			Concretions/ silty loam
12+		10 YR 3/2		Common/ distinct	Clay

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☒ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Low chroma and some mottling/concretion formation. Hydrology indicates saturation/inundation to the surface.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☒ Yes ☐ No

Hydric Soil Present ? ☒ Yes ☐ No

Is this Sampling Point Within a Wetland? ☒ Yes ☐ No

Remarks : Three criteria met. This site appears to be a man induced wetland based on historic aerial photograph that show the site to be uplands and diversion of irrigation waste water onto the site from adjacent plant nurseries in more recent history. Therefore, should not be considered jurisdictional wetland.

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 11/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☐ Yes ☒ No	Community ID: Wetland
Is the site significantly disturbed (Atypical Situation)? ☒ Yes ☐ No	Transect ID:
Is the area a potential Problem Area? man induced wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: F-depression

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Mentha arvensis		FACW	9.		
2. Holcus lanatus		FAC	10.		
3. Picris echioides		FAC	11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100 %

Remarks: Hydrophytic vegetation criterion met.

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: _____ (in.)

Depth To Saturated Soil: _____ (in.)

Wetland Hydrology Indicators:

Primary Indicators:
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☒ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required):
- ☒ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain In Remarks)

Hydrology Remarks: Oxidized root channels present but not common. Hydrology source is from irrigation wastewater and storm water drainage from adjacent plant nurseries.

Plot ID: F-depression

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Taxonomy (Subgroup) :

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-6	A	10 YR 3/2			Silty loam
6-10		10 YR 3/2		Common/distinct	Silty loam
10+		2.5 YR 3/2		Common/distinct	Clayey loam

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Low chroma and mottling indicate hydric soils. Hydrology indicates saturation/inundation to the surface

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☒ Yes ☐ No

Hydric Soil Present ? ☒ Yes ☐ No

Is this Sampling Point Within a Wetland? ☒ Yes ☐ No

Remarks : Three criteria met. This site appears to be a man induced wetland based on historic aerial photograph that show the site to be uplands and diversion of irrigation waste water onto the site from adjacent plant nurseries in more recent history. Therefore, should not be considered jurisdictional wetland.

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: **North Wavecrest**	Date: 10/23/97
Applicant/Owner: North Wavecrest Partners, L.P.	County: San Mateo
Investigator: D. Spicher	State: CA
Do Normal Circumstances exist on the site? ☐ Yes ☒ No	Community ID: Upland
Is the site significantly disturbed (Atypical Situation)? ☒ Yes ☐ No	Transect ID:
Is the area a potential Problem Area? man induced wetland ☒ Yes ☐ No (if needed explain on reverse.)	Plot ID: F-Upland

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Holcus lanatus		FAC	9.		
2. Solanum americanum		FAC	10.		
3.			11.		
4.			12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW and/or FAC: (excluding FAC-) 100 %

Remarks: Hydrophytic vegetation is dominant.

HYDROLOGY

Recorded Data
- ☐ Stream, Lake or Tide Gauge
- ☒ Aerial Photographs
- ☐ Other

No Recorded Data Available

Field Observations:

Depth of Surface Water: _____ (in.)

Depth to Free Water in Pit: _____ (in.)

Depth To Saturated Soil: _____ (in.)

Wetland Hydrology Indicators:

Primary Indicators:
- ☐ Inundated
- ☐ Saturated in Upper 12 Inches
- ☐ Water Marks
- ☐ Drift Lines
- ☐ Sediment Deposits
- ☐ Drainage patterns In Wetlands

Secondary Indicators (2 or more required):
- ☐ Oxidized Root Channels In Upper 12 Inches
- ☐ Water-Stained Leaves
- ☐ Local Soil Survey Data
- ☐ FAC-Neutral test
- ☐ Other (Explain In Remarks)

Hydrology Remarks: No hydrology indicators observed.

Plot ID: F-Upland

SOILS

Map Unit Name
(Series and Phase): Watsonville loam, nearly level (WmA)

Drainage Class: Well / Imperfect

Taxonomy (Subgroup) :

Field Observations
Confirm Mapped Type? ☒ Yes ☐ No

Profile Description:

Depth (Inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance / Contrast	Texture, Concretions, Structure, etc.
0-12		10 YR 3/2	None		
12+		10 YR 2/2	7.5 YR 4/4	Few/faint	

Hydric Soil Indicators :

- ☐ Histosol
- ☐ Histic Epipedon
- ☐ Sulfidic Odor
- ☐ Aquic Moisture Regime
- ☐ Reducing Conditions
- ☒ Gleyed or Low-Chroma Colors
- ☐ Concretions
- ☐ High Organic Content In Surface Layer In Sandy Soils
- ☐ Organic Streaking In Sandy Soils
- ☐ Listed On Local Hydric Soils List
- ☐ Listed On National Hydric Soils List
- ☐ Other (Explain In Remarks)

Profile Remarks: Sampling locations do not appear to become saturated or inundated for long periods.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? ☒ Yes ☐ No

Wetland Hydrology Present? ☐ Yes ☒ No

Hydric Soil Present ? ☐ Yes ☒ No

Is this Sampling Point Within a Wetland? ☐ Yes ☒ No

Remarks : Three criteria not present. Location is topographically higher than corresponding wetland that appears to be a man induced wetland.

Approved By HQUSACE 3/92

received 5/30/00

VEGETATION STUDY
WAVECREST VILLAGE, HALF MOON BAY

Final Draft

May 29, 2000

Prepared by:

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EXHIBIT NO.	31
APPLICATION NO. A-1-HMB-99-051	
Wavecrest Village Project - 5/29/00	
Wavecrest Village Vegetation Study	

INTRODUCTION

The purpose of this report is to provide the Coastal Commission and its staff with a vegetation study as requested in their letter dated January 25, 2000. The letter requested that a field survey be conducted to map the hydrophytic vegetation on the Wavecrest Village project area (Site). This report presents the findings from this study and a map of vegetative communities observed on the Site in April and May 2000.

BACKGROUND

Wetlands Research Associates, Inc (WRA) previously completed a wetland determination pursuant to the Coastal Act and City of Half Moon Bay Local Coastal Program (LCP) wetland definitions (WRA,1998). This determination was submitted to the City of Half Moon Bay (City) for the purposes of completing an Environmental Impact Report and review of various Coastal Development Permits (CDP) for the Site. The Coastal Act defines wetlands as:

> *Wetland means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, or fens.*
>
> *Section 30121 (California Coastal Act)*

Furthermore, the CCC Administrative Regulations (Section 13577 (b)(1)) provides the following definition:

> *Wetlands are lands where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent or drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salt or other substance in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deepwater habitats.*

The LCP which has been certified by the Coastal Commission to implement the Coastal Act defines wetlands as follows:

> *"Wetland is an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground. Such wetlands can include mudflats (barren of vegetation), marshes, and swamps. Such wetlands can be either fresh or saltwater, along streams (riparian), tidally influenced areas (near the ocean and usually below extreme high water of spring tides), marginal to lakes, ponds, and man-made impoundments. Wetlands do not include areas which in normal rainfall years are permanently submerged (streams, lakes, ponds, and impoundments, nor marine estuarine areas below extreme low water of springtides, nor vernally wet areas where the soils are not hydric."*
>
> (City of Half Moon Bay Local Coastal Program, Land Use Plan, Appendix A ("Special Definitions"): See § 18.38.020 Coastal Resources Areas

Coastal program technical guidance as to procedures for determining wetland boundaries using these definitions is limited to the CCC Regulations (Sections 13577 (b)(1) and (2)) which define the upland limit of a wetland and Appendix D of the "Statewide Interpretive Guidelines on Wetlands and Other Wet Environmentally Sensitive Habitat Areas". However, there are

various additional sources of information based on scientific studies of wetlands that can be used to determine wetland boundaries. One source is the Corps of Engineers Manual to the Delineation of Wetlands (Corps of Engineers, 1987). This manual contains technical guidance on the use of the US Fish and Wildlife Service Wetland Plant Indicator lists, the use of hydric soil maps and hydric soil indicators, and descriptions of hydrologic methods to determine wetland hydrology. The primary difference between the guidance provided in the Corps manual and the Coastal Act and the LCP definitions appears to be the number of parameters that must be present for an area to be considered a wetland under the Coastal Act and LCP. We view the Coastal Act and LCP to require only two parameters (hydrology and vegetation or hydric soils). WRA prepared a map of the Local Coastal Plan wetlands and provided technical data on the basis for that determination. The map was subsequently used by the City in its approval of the Coastal Development Permits.

WRA also completed a wetland delineation under the Clean Water Act (CWA). The Corps of Engineers (Corps) conducted a site review and verification of CWA jurisdiction. CWA jurisdiction is based on the presence of all three parameters (vegetation, hydrology and hydric soils) with the exception that in problem areas (as defined by the Corps manual) fewer than three parameters are required to determine the presence of a wetland. The Site is considered a problem area as the soils are mollisols (dark soils) in which redoximorphic features are often difficult to observe. Thus, the primary determinants using the Corps procedures were actually wetland hydrology[1] and dominance by hydrophytes. This makes the CWA wetland determination similar to the Coastal Act/LCP determination with exception that the CWA and the CCA/LCP and their respective regulations contain differing exclusions and exemptions.

The Corps verified its jurisdiction on August 18, 1999 with the exception of a portion of the Site (the 'Central Area') that was affected by the discharge of irrigation water from two greenhouse operations. A complete description of this discharge and its impact on the Site is provided in WRA (1998). The irrigation water discharge had the effect of altering portions of a former upland agricultural field into an area dominated by hydrophytes, the presence of which appeared to be solely supported by the irrigation water.

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[1] The Corps manual allows for both primary and secondary indicators of hydrology in the cases of problem areas. Primary indicators include direct observation of saturation and inundation whereas secondary indicators are observable features that result from saturation and inundation.

The Corps determined that this portion may or may not be subject to its jurisdiction and required that additional hydrologic studies be conducted in the future once the irrigation water discharge was removed.

In its review of the CDPs approved by the City, the staff of the Coastal Commission requested that a vegetation study be conducted to determine areas where there is a "preponderance of hydrophytic vegetation". In addition, staff noted that "we encourage documenting all plants present within a sample plot and visually estimating their percent covers". The staff further stated that if "you believe that there is reason not to delineate an area that qualifies as wetland based on vegetation alone, (e.g. elevated, well drained area dominated by *Lolium perenne*), please draw a polygon for the whole area and a second polygon for the questionable area, both with a narrative description".

This report provides this additional information as requested by the Commission staff. For purposes of this study, the portion of the Central Area that had been subject to the discharge of excess irrigation water was not mapped as this area is already subject to additional study following cessation of the man-made irrigation water source. The only portion of the Central Area included in the present study is the site for the proposed Boys and Girls Club.

METHODOLOGY

The vegetation study was conducted during late April and May 2000. The study could not be adequately performed until the vegetation on the site had begun to grow and reach sufficient maturity to be identified. Due to late spring rains and cool weather along the coast, many plants were delayed or slowed in their growth rates compared to inland areas. Because much of the site is covered with grasses that can only be identified to species after they have flowered, it was not practical to proceed with the vegetation survey until these plants could be positively identified. Weekly observations were made during March and April to determine the time when the majority of the plants could be identified.

Color and false infrared stereo pair aerial photographs (April 19, 2000) were obtained to map the potential vegetative communities on the Site (Figure 1). The photos were used to undertake a pre-field investigation categorization of the Site to assist in completing the field studies as rapidly as possible. Each photo was examined using a magnifying stereo viewer and potential vegetative communities were identified based on spectral differences. A

field map of these vegetative strata was prepared and random sampling points selected within each strata.

In the field, each of the sampling points was visited and the percent cover for each species was determined within a 5 ft radius (Corps Manual 1987). The determination of predominance for an individual species was based on its presence within all of the three replicate sampling points for each strata and the cover was greater than 10%. Subdominant species were observed in one or two of the sampling points and were not considered dominants because their cover was less than 10% or infrequent. In addition to observations made within strata determined from the aerial photograph, additional strata were observed once the field studies were initiated. These strata were then sampled, mapped, and drawn based on ground observations. In some cases, the presence of small depressions related to past agricultural activities or off-road vehicle use (in the case of the 'Ballfields' area) could not be practically mapped at the scale considered in this study. In these cases, the percent of the mapped strata that may contain such depressions was estimated.

A list of all the species observed on the Site is contained in Appendix A. The categorization of these species using the US Fish and Wildlife Service Wetland Plant Indicator Status (NWI) (1998) is also provided in Appendix A. The US Fish and Wildlife Service has defined wetland indicator plants in the following categories:

OBL	Obligate, always found in wetlands	> 99% frequency
FACW	Facultative wetland, usually found in wetlands	67-99%
FAC	Facultative, equal in wetland or non-wetlands	34-66%
FACU	Facultative upland, usually found in non-wetlands	1-33%
UPL/NL	Not found in local wetlands	<1%

Plants with OBL, FACW, and FAC classifications are generally considered wetland plants by the Corps of Engineers wetland delineation manual. However, it is important to note that the NWI listing is based solely on assumed affinities for various moisture reqimes and is not based on actual measurements showing the relationship of soil saturation or inundation to plant occurrence. In particular, there is a wide range of conditions in which facultative plants (including both FACW, FAC, and FACU) grow including many instances in which these species are not found in wetlands. Therefore, the presence of facultative plants alone cannot reasonably be assumed to represent conditions of saturated or inundated conditions sufficient to represent functional wetland hydrology.

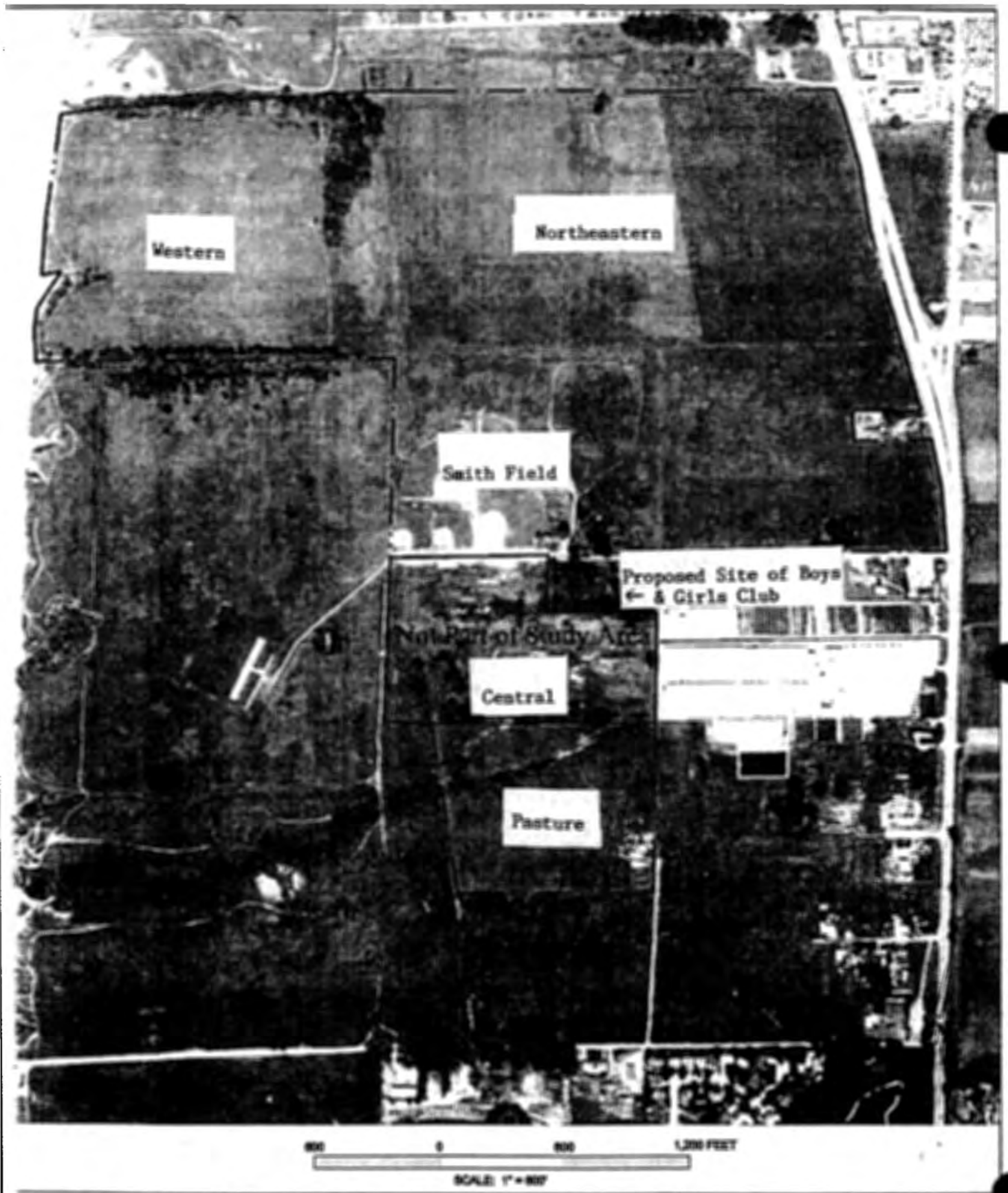

Figure 1. April 19, 2000 Aerial photograph of vegetation survey study area at North Wavecrest

Wetlands Research Associates, Inc.

Figure 2. Location of groundwater monitoring wells at North Wavecrest

Wetlands Research Associates, Inc.

In addition to the vegetative studies, groundwater monitoring wells were also established in several areas (Figure 2). The groundwater wells consisted of three foot slotted PVC pipes installed within a sand-lined hole. The top six inches of the pipe was solid and surrounded with bentonite to prevent surface water from filling the well. The wells were monitored bimonthly from April 7 to May 18, 2000. A reference site in a natural surface water depressional wetland within the 'Central Area' was also monitored.

RESULTS

One hundred and sixteen species were identified for the Site (Appendix A) and a total of 42 vegetative communities were observed on the Site (Figure 3). While there was overlap among species within these communities, the dominance of certain groups of species made these areas distinguishable during the field investigations. Although lacking wetland hydrology and other wetland characteristics, certain hydrophytic species (OBL, FACW, or FAC) were present as dominants in many of the plant communities identified (Appendix B). In particular, facultative species that have an equal potential for occurrence within uplands as well as wetlands were common throughout the Site. The dominance of the Site by these facultative species is typical of cool, moist northern coastal areas with significant disturbance due to agriculture and other human activities. Because of the foggy climate along the coast these cool, moisture-loving species sometimes predominate. Other non-native, weedy species such as *Conium maculatum*, *Rumex crispus*, *Picris echinoides* are common weeds that produce abundant seed and invade disturbed soil. As facultative species, these plants are often found in disturbed upland sites and again do not indicate saturated soil conditions.

Scientific studies have shown that sites dominated by facultative vegetation are not necessarily indicative of wetland hydrology (Wentworth and Johnson 1986). In situations where FAC are dominant, Wentworth and Johnson determined that additional data on hydrology is mandatory in order to make a proper determination. This same recommendation was reached by the National Research Council (1995) in their comprehensive review on the delineation of wetlands:

> *Because facultative vegetation does not provide conclusive evidence, determinations regarding the hydrophytic nature of the vegetation must be based on information about substrate or hydrology. In the absence of hydrologic alteration and evidence to the contrary, it should be assumed that vegetation dominated*

by facultative species–or species from a mix of indicator categories–and growing on field-verified soils that show strong evidence of being hydric (peat soils, or soils with strong redoximorphic features) is hydrophytic vegetation...If evidence from soils is not strong, hydrologic data should be required for determinations.

The site has been altered through a hundred years of farming activity and does not contain peat soils and, as stated above, does not have a listed hydric soil with strong redoximorphic features. Therefore, hydrologic data must also be used in the determination of wetland boundaries as was done in the LCP determination previously submitted.

To demonstrate the differences in hydrology between the previously identified functional wetlands determined under the LCP definition (WRA, 1998) and the areas of non-wetland facultative vegetation, groundwater monitoring wells were installed in the 'Ballfields' area (see Appendix C). Wells placed in LCP wetlands (B1 and B4) showed groundwater levels within 12 inches of the surface for one to two weeks (after installation) during April 2000. In comparison, groundwater wells outside previously delineated LCP wetlands but within facultative dominated areas (B2 and B3) did not show high groundwater levels for sufficient time to meet hydrology requirements. Even the LCP delineated wetlands within the 'Ballfields' area have a relatively short hydroperiod compared to a natural wetland on the site located on the southern edge of the 'Central' parcel (6). This area had been identified in historical aerial photographs and has a hydroperiod of surface saturation from the onset of rainfall in January to May.

COMPARISON WITH LCP WETLAND DETERMINATION

The LCP wetland determination was provided in WRA (1998) on a map dated October 13, 1997. A discussion of the LCP wetlands in relation to the vegetation map conducted for this survey is provided below in relation to each of the subareas identified on that map.

Pasture

The pasture area is dominated by *Phalaris aquatica,* a FAC species. The LCP wetlands as mapped in 1998 consisted several, small isolated wetlands located in the pasture (3). The riparian vegetation (2) was not mapped as a LCP wetland as it was considered riparian habitat and a 100 ft buffer was provided around this area.

Figure 3. Wavecrest Village Vegetation Survey
May, 2000

Wetlands Research Associates, Inc.

The area dominated by *Rorippa nasturtium aquaticum* at the head of the drainage is related to the discharge of excess irrigation water from the greenhouses to the riparian corridor. Because this area was the result of an ongoing agricultural operation (greenhouse nursery operation), it was considered exempt from Coastal Act regulation (WRA 1998).

The former irrigation water storage pond dominated by *Typha* was considered exempt from LCP jurisdiction under the Coastal Act because it was constructed by a rancher or farmer for agricultural purposes and there is evidence from the surrounding land that wetland habitat did not exist prior to the construction of that storage pond (WRA 1998).

Central

As noted in the introduction, most of the Central Area is currently being monitored as required by the Corps and the City and was not mapped for this report. The area that was verified by the Corps and the proposed location of the Boys and Girls Club was found not to support LCP defined wetlands and the vegetative communities were primarily non-native eucalyptus and Monterey cypress.

Ballfields

The LCP wetlands (10) within the Ballfields are dominated by stands of *Juncus phaeocephalus*. Most of the remaining area of the Ballfields is either developed for recreational use or is dominated by facultative plant communities. In areas of disturbance and off-road vehicle use, small areas of *Mentha arvensis* and *Polypogon monspeliensis* are found. As noted above, groundwater monitoring wells placed in the Ballfields area support the conclusion that the areas determined to be LCP wetlands can be distinguished from other areas by the presence of wetland hydrology.

The ditch that separates the Ballfields from the Northeastern area was separately mapped (41 and 42). *Rorippa nasturtium-aquaticum* was only found in the western portions of the ditch whereas it was absent from the eastern portion. The ditch was not considered to be an LCP wetland as it is an ditch dug on uplands and such drainage ditches are exempt under the Coastal Act as stated in the Statewide Interpretative Guidelines as approved by the Coastal Commission in 1981.

Northeastern

The Northeastern field is an agricultural field and is actively plowed and cropped for hay. Therefore, the plant community is subject to change based on the current agricultural activities. At the time of this study, the communities were a diverse mix of annual species indicative of ongoing agriculture and invasion by weedy species. *Lolium multiflorum* and *Vulpia bromoides* are the most common species within this field.

Several LCP wetlands were identified along the drainage ditch. These areas correspond to vegetative communities 30 and 40. These areas appear to be supported by water carried by the drainage ditch from the nurseries and from the east side of Highway 1. The former irrigation water storage pond (22 and 23) were considered exempt from jurisdiction[2] as they were constructed by farmers for agricultural purposes and wetlands did not exist prior to their construction as evidenced by aerial photography (WRA, 1998).

Western

The Western area exhibited several vegetative communities dominated by hydrophytes. The LCP wetlands (34 and 37) were both dominated by *Eleocharis macrostachya*. Some additional areas of *Eleocharis* were found along the western edge of the property (39).

CONCLUSION

A vegetation map was prepared as requested by the Coastal Commission staff. The location of the various vegetative communities in relation to the proposed development plan is given in Figure 4. The vegetation map shows that certain hydrophytic species (OBL, FACW, and FAC-status) exist on the site. In particular, facultative species were the most prevalent. However, the distribution of this vegetation on the Site is not a function of wetland hydrology as demonstrated by monitoring wells placed in LCP and non-LCP wetland areas, extensive historical aerial photographs, and soils maps. In addition, the USFWS National Wetland Inventory Map is consistent with the

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[2] The exemption is set forth in CCR 14, Art 18 which states that "the 'term' wetland shall not include wetland habitat created by the presence of and associated with agricultural ponds and reservoirs where: (a) the pond or reservoir was in fact constructed by a farmer or rancher for agricultural purposes and (b) there is no evidence (e.g. aerial photographs, historical survey, etc.) showing that wetland habitat predated the existence of the pond or reservoir.

observations that the Site is not a wetland[3]. This extensive data set was used in determining the original LCP wetland determination as submitted by WRA (1998).

The results from this vegetation study indicate that within the climatic region of the Site, hydrophytic vegetation, particularly facultative species are not indicative of areas functioning as wetlands. Because these species may also be found in upland conditions, one cannot make the assumption that they also represent areas with wetland hydrology. The Coastal Act and LCP wetland definitions specifically require that the "water table is at, near, or above the land surface long enough to promote hydric soils or to support the growth" of wetland plants. These definitions clearly require wetland hydrology and not just hydrophytic vegetation. That hydrology, however, is currently and historically absent from the Site with the exception of a few limited areas. Because the 1998 LCP determination was based on all the facts available (including the distribution of vegetation), that delineation should remain as the basis for a determination of the impacts of this project to wetlands as defined by the LCP and the Coastal Act, with the exemptions applicable by law, regulation and guidelines.

[3] Only the agricultural irrigation pond in the Northeastern area and a small discharge pond resulting from the irrigation water discharge are shown on the NWI maps. The agricultural irrigation pond is shown as an excavated feature indicative of its origin through construction by farmers.

Figure 4. Wavecrest Village Vegetation Survey and Development Plan, May, 2000

Wetlands Research Associates, Inc.

REFERENCES

Department of the Army. 1987. Corps of Engineers Wetlands Delineation Manual. Waterways Experiment Station.

National Research Council. 1995. Wetlands: Characteristics and Boundaries. National Academy Press. Washington, DC.

US Fish and Wildlife Service. 1996. National list of plant species that occur in wetlands. California Region 0.

US Soil Conservation Service. 1961. Soil Survey of San Mateo Area.

Wentworth, T.R. and G.P. Johnson 1986. Use of vegetation for the designation of wetlands. US Fish and Wildlife Service 107.

Wetlands Research Associates, Inc. 1998. North Wavecrest Jurisdictional Wetland Analysis. June 10, 1998.

Appendix A. Plant species observed within the Wavecrest Properties Study Area.

Scientific Name	Common Name	California Wetland Indicator Status
Acacia melanoxylon	blackwood acacia	NL
Achillea millefolium	yarrow	FACU
Agrostis exarata	spike bentgrass	FACW
Aira caryophyllea	hair grass	NI
Alopecurus saccatus	pacific foxtail	OBL
Anagallis arvensis	scarlet pimpernil	FAC
Avena barbata	slender wild oat	NL
Baccharis pilularis	coyote brush	NL
Brachypodium distachyon	brachypodium	NL
Brassica nigra	black mustard	NL
Briza minor	little quaking grass	FACU
Bromus diandrus	ripgut brome	NL
Bromus hordeaceus	soft chess	FACU-
Bromus carinatus	California brome	NL
Calamagrostis koelerioides	reed grass	NL
Convolvulus arvensis	morning glory	NL
Carex harfordii	sedge	OBL
Carex subbracteata	small-bract sedge	FACW+
Carpobrotus edulis	fig-marigold, iceplant	NL
Centaurium muehlenbergii	Monterey centaury	FAC
Chamomilla suavoelens	pineapple weed	NL
Chlorogalum pomeridianum ssp. pomeridianum	soap plant	NL
Cirsium vulgare	bull thistle	FAC-
Claytonia perfoliata	miner's lettuce	FACU
Conium maculatum	poison hemlock	FAC
Cortaderia sp.	Pampas grass	NL
Cotula coronopifolia	brass buttons	FACW+
Cupressus macrocarpa	Monterey cypress	NL
Cynosurus echinatus	hedgehog dogtail	NL
Cyperus eragrostis	umbrella sedge	FACW
Danthonia californica	California oatgrass	FACW
Daucus carota	Queen Anne's lace	NL
Eleocharis macrostachya	spikerush	NL
Elymus glaucus	blue wild rye	FACU

Scientific Name	Common Name	California Wetland Indicator Status
Epilobium ciliatum	willow herb	FACW
Epilobium densiflorum	willow herb	NL
Epilobium sp.	willow herb	
Eriophyllum confertiflorum var. confertiflorum	woolly sunflower	NL
Erodium sp.	filaree	
Eryngium armatum	button-celery	FACW
Eschscholzia californica	California poppy	NL
Eucalyptus globulus	blue gum	NL
Foeniculum vulgare	fennel	FACU-
Frageria chiloensis		NL
Geranium dissectum	geranium	NL
Gnaphalium sp.	cudweed	
Heliotropium curassavicum	heliotrope	OBL
Hemizonia corymbosa ssp. corymbosa	tarplant	NL
Holcus lanatus	purple velvet grass	FAC
Hordeum brachyantherum	meadow barley	FACW
Hordeum marinum ssp. gussoneanum	Mediterranean barley	FAC+
Hordeum murinum	foxtail	FAC+
Horkelia californica ssp. frondosa	horkelia	NL
Juncus patens	rush	FAC
Juncus phaeocephalus	brown-headed rush	FACW
Juncus bufonius	toad rush	FACW+
Juncus occidentalis	rush	FACW
Kickxia elatine	fluellin	NI*
Lepidium latifolium	pepperweed	FACW
Lilaea scilloides	flowering quillwort	OBL
Linum bienne	flax	NL
Lolium multiflorum	Italian rye grass	FAC*
Lolium perenne	perennial rye grass	FAC*
Lonicera involucrata	twinberry	FACU*
Lotus corniculatus	bird's foot trefoil	FAC
Lupinus bicolor	miniature lupine	NL
Lupinus variicolor	lupine	NL
Lupinus albifrons	silver bush lupine	NL
Lythrum hyssopifolium	hyssop	FACW
Madia sp.	tarweed	

Scientific Name	Common Name	California Wetland Indicator Status
Medicago polymorpha	bur clover	FACU-
Mentha arvensis[4]	pennyroyal	FACW
Navarretia squarrosa	skunkweed	FACU
Poa annua	annual bluegrass	FAC
Phalaris aquatica	Harding grass	FAC
Picris echioides	bristly ox-tongue	FAC
Pittosporum crassifolium	pittosporum	NL
Plagiobothrys chorisianus var. chorisianus	Choris's popcornflower	OBL
Plantago lanceolata	English plantain	FAC-
Plantago coronopus	cutleaf plantain	FAC
Polygonum punctatum	dotted smartweed	OBL
Polypogon monspeliensis	rabbit's-foot grass	NL
Polystichum munitum	sword fern	FACU
Prunus sp.	wild plum	
Ranunculus repens	buttercup	FACW
Raphanus sativus	wild radish	NL
Ribes sanguineum	red flowering currant	NL
Rorippa nasturtium-aquatica	watercress	OBL
Rubus ursinus	California blackberry	FAC+
Rumex conglomeratus	clustered dock	FACW
Rumex acetosella	sheep sorrel	FAC-
Rumex crispus	curly dock	FACW-
Salix sp.	willow	
Sambucus racemosa	red elderberry	FACU
Scrophularia californica	California bee plant	FAC
Senecio vulgaris	ragwort	NI*
Senecio mikanioides	cape ivy	NL
Sisyrinchium bellum	blue-eyed grass	FAC+
Solanum nigrum	black nightshade	FACU
Sonchus asper	prickly sow thistle	FAC
Spergula arvensis ssp. arvensis	starwort	NL
Spergularia sp.	sand spurrey	
Spergularia marina	sand spurrey	OBL
Stachys ajugoides var. ajugoides	hedge nettle	NL
Toxicodendron diversilobum	poison oak	NL

[4] Identification based on vegetative characters; species had not flowered by time of sampling.

Scientific Name	Common Name	California Wetland Indicator Status
Tragopogon porrifolius	salsify, oyster plant	NL
Typha angustifolia	narrow -leaved cattail	OBL
Typha latifolia	broad-leaved cattail	OBL
Urtica dioica	stinging nettle	FACW
Vicia sativa ssp. sativa	common vetch	FACU
Vicia sp.	vetch	
Vinca major	greater periwinkle	NL
Vulpia bromoides	vulpia	FACU*
Vulpia myuros	vulpia	FACU*
Zantedeschia aethiopica	calla lily	OBL

Appendix B. Preponderant and subdominant species within vegetative communities identified at the North Wavecrest Project, Half Moon Bay, CA. May 2000. Vegetative communities previously mapped as LCP wetlands are shown in **Bold**, excluding exemptions. See text for explanation of NWI status. * means under review, + means stronger wetland affinity, - means less wetland affinity.

Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
1	*Phalaris aquatica*	FAC	*Vulpia bromoides*	FACU*
2	*Salix lasiolepis*	FACW	*Rumex crispus*	FACW-
	Conium maculatum	FAC	*Lolium multiflorum*	FAC
	Rubus ursinus	FAC+		
	Urtica dioica	FACW		
3	***Mentha arvensis***	**FACW**	***Rumex sp. (salicifolius)***	**FACW- / OBL**
	Rorippa nasturtium-aquaticum	**OBL**	***Lolium multiflorum***	**FAC**
4	*Hordeum marinum ssp. gussoneanum*	FAC+		
	Lolium multiflorum	FAC		
5	*Rumex crispus*	FACW-	*Juncus bufonius*	FACW+
	Phalaris aquatica	FAC	*Ranunculus repens*	FACW
	Hordeum marinum ssp. gussoneanum	FAC+	*Picris echioides*	FAC
	Lolium multiflorum	FAC	*Trifolium sp.*	

Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
	Poa annua	FAC		
6	*Typha latifolia*	OBL		
7	*Developed land, not sampled*			
8	*Lolium multiflorum*	FAC	*Geranium dissectum*	NL
	Picris echioides	FAC	*Linum bienne*	NL
	Vicia sativa	FACU	*Raphanus sativas*	NL
	Vulpia bromoides	FACU*		
	Bromus hordeaceus	FACU-		
	Convolulus arvensis	NL		
9	*Holcus lanatus*	FAC	*Lythrum hyssopifolia*	FACW
	Lolium multiflorum	FAC		
	Phalaris aquatica	FAC		
	Picris echioides	FAC		
	Raphanus sativas	NL		
10	***Mentha arvensis***	**FACW**		
	Juncus phaeocephalus	**FACW**		

Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
11	*Holcus lanatus*	FAC	*Lythrum hyssopifolia*	FACW
	Lolium multiflorum	FAC	*Vicia sativa*	FACU
	Picris echioides	FAC		
	Vulpia bromoides	FACU*		
12	*Holcus lanatus*	FAC		
	Lolium multiflorum	FAC		
	Picris echioides	FAC		
	Conium maculatum	FAC		
	Raphanus sativas	NL		
	Geranium dissectum	NL		
13	*Lolium multiflorum*	FAC	*Picris echioides*	FAC
			Vicia sativa	FACU
			Vulpia bromoides	FACU*
14	*Baccharis pilularis*	NL	*Briza minor*	FACU
	Holcus lanatus	FAC	*Aster chilensis*	FAC
	Picris echioides	FAC	*Sonchus apser*	FAC
	Vicia sativa	FACU		
	Vulpia bromoides	FACU*		
	Bromus hordeaceus	FACU-		

Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
	Geranium dissectum	NL		
15	*Cupressus macrocarpa*	NL	*Briza minor*	FACU
	Eucalyptus globulus	NL		
	Acacia melanoxylon	NL		
	Baccharis pilularis	NL		
	Rubus ursinus	FAC+		
	Holcus lanatus	FAC		
	Lolium multiflorum	FAC		
	Vulpia bromoides	FACU*		
	Aira caryophyllea	NL		
16	*Eucalyptus globulus*	NL		
17	*Cupressus macrocarpa*	NL		
	Mentha arvensis	FACW		
	Holcus lanatus	FAC		
	Lolium multiflorum	FAC*		
18	*Holcus lanatus*	FAC	*Eleocharis macrostachya*	OBL
	Lolium multiflorum	FAC	*Mentha arvensis*	FACW
	Picris echioides	FAC	*Juncus phaeocephalus*	FACW
	Vulpia bromoides	FACU*	*Rumex acetosella*	FAC-
			Vicia sativa	FACU

Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
			Bromus hordeaceus	FACU-
19	*Lolium multiflorum*	FAC	*Medicago polymorpha*	FACU-
20	*Lolium multiflorum*	FAC	*Avena barbata*	NL
	Vicia sativa	FACU	*Bromus diandrus*	NL
	Vulpia bromoides	FACU*		
	Bromus hordeaceus	FACU-		
	Medicago polymorpha	FACU-		
21	*Lolium multiflorum*	FAC	*Picris echioides*	FAC
	Vulpia bromoides	FACU*	*Vicia sativa*	FACU
			Medicago polymorpha	FACU-
22	*Lolium multiflorum*	FAC	*Eleocharis macrostachya*	OBL
	Picris echioides	FAC		
	Rumex crispus	FACW-		
23	*Eleocharis macrostachya*	OBL		
24	*Baccharis pilularis*	NL	*Hordeum brachyantherum ssp. californicum*	FACU
	Picris echioides	FAC	*Bromus carinatus*	NL

Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
	Lolium multiflorum	FAC	*Fragaria chiloensis*	NL
	Vulpia bromoides	FACU*	*Raphanus sativas*	NL
	Vicia sativa	FACU		
	Bromus hordeaceus	FACU-		
	Medicago polymorpha	FACU-		
	Avena barbata	NL		
	Bromus diandrus	NL		
25	*Conium maculatum*	FAC		
	Lolium multiflorum	FAC		
	Picris echioides	FAC		
	Vicia sativa	FACU		
	Medicago polymorpha	FACU-		
	Convolulus arvensis	NL		
	Geranium dissectum	NL		
	Raphanus sativas	NL		
26	*Lythrum hyssopifolia*	FACW		
	Conium maculatum	FAC		
	Picris echioides	FAC		
27	*Lilaea scilloides*	OBL	*Mentha arvensis*	FACW
	Cotula coronopifolia	FACW+	*Plagiobothrys chorisianus var. chorisianus*	OBL

Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
	Lythrum hyssopifolia	FACW	*Juncus bufonius*	FACW+
	Rumex crispus	FACW-	*Polypogon monspeliensis*	FACW+
	Lolium multiflorum	FAC		
	Picris echioides	FAC		
28	*Holcus lanatus*	FAC	*Rumex crispus*	FACW-
	Lolium multiflorum	FAC		
	Picris echioides	FAC		
29	*Lolium multiflorum*	FAC	*Eleocharis macrostachya*	OBL
	Lotus corniculatus	FAC		
	Picris echioides	FAC		
	Vulpia bromoides	FACU*		
30	***Carex harfordii***	**OBL**		
	Eleocharis macrostachya	**OBL**		
	Juncus phaeocephalus	**FACW**		
	Hordeum marinum ssp. gussoneanum	**FAC+**		
31	*Lolium multiflorum*	FAC		
	Juncus patens	FAC		
	Vulpia bromoides	FACU*		

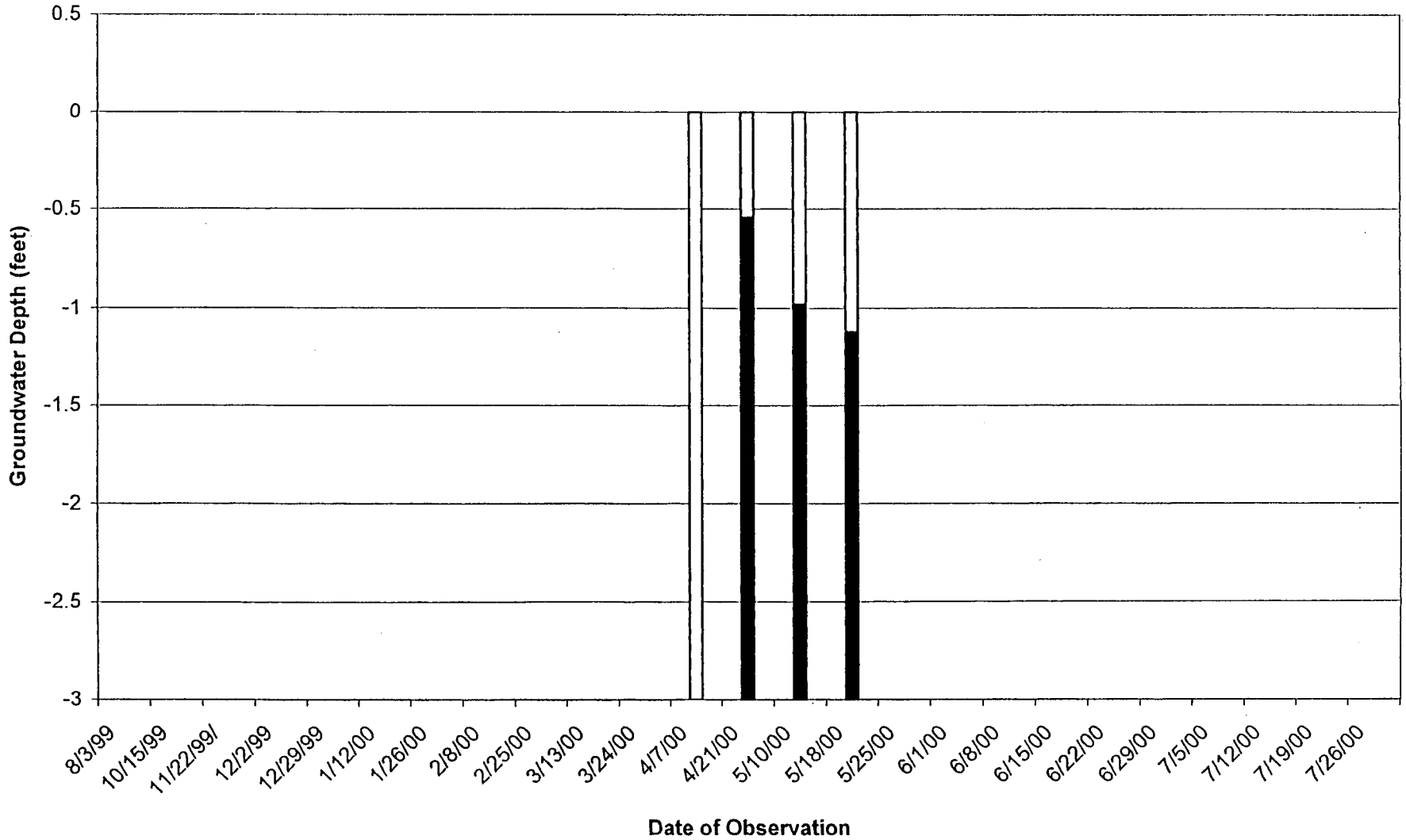
Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
	Bromus hordeaceus	FACU-		
32	*Lolium multiflorum*	FAC		
	Picris echioides	FAC		
	Vulpia bromoides	FACU*		
33	*Lythrum hyssopifolia*	FACW		
	Rumex crispus	FACW-		
	Lolium multiflorum	FAC		
	Picris echioides	FAC		
34	***Eleocharis macrostachya***	**OBL**		
	Lilaea scilloides	**OBL**		
	Mentha arvensis	**FACW**		
	Plagiobothrys chorisianus var. chorisianus	**OBL**		
	Cotula coronopifolia	**FACW+**		
	Juncus bufonius	**FACW+**		
	Lythrum hyssopifolia	**FACW**		
	Lolium multiflorum	**FAC**		
35	*Juncus bufonius*	FACW+		
	Epilobium ciliatum	FACW		
	Lythrum hyssopifolia	FACW		

Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
	Lolium multiflorum	FAC		
	Briza minor	FACU		
36	*Lolium multiflorum*	FAC		
	Rumex acetosella	FAC-		
	Vulpia bromoides	FACU*		
	Avena barbata	NL		
	Bromus diandrus	NL		
37	***Eleocharis macrostachya***	**OBL**		
	Juncus bufonius	**FACW+**		
	Epilobium ciliatum	**FACW**		
	Lythrum hyssopifolia	**FACW**		
38	*Baccharis pilularis*	NL	*Danthonia californica*	FACW
	Lythrum hyssopifolia	FACW	*Epilobium ciliatum*	FACW
	Lolium multiflorum	FAC	*Anagallis arvensis*	FAC
	Vulpia bromoides	FACU*	*Picris echioides*	FAC
			Bromus diandrus	NL
			Hypochaeris radicata	FACU*
39	*Eleocharis macrostachya*	OBL		
	Lilaea scilloides	OBL		

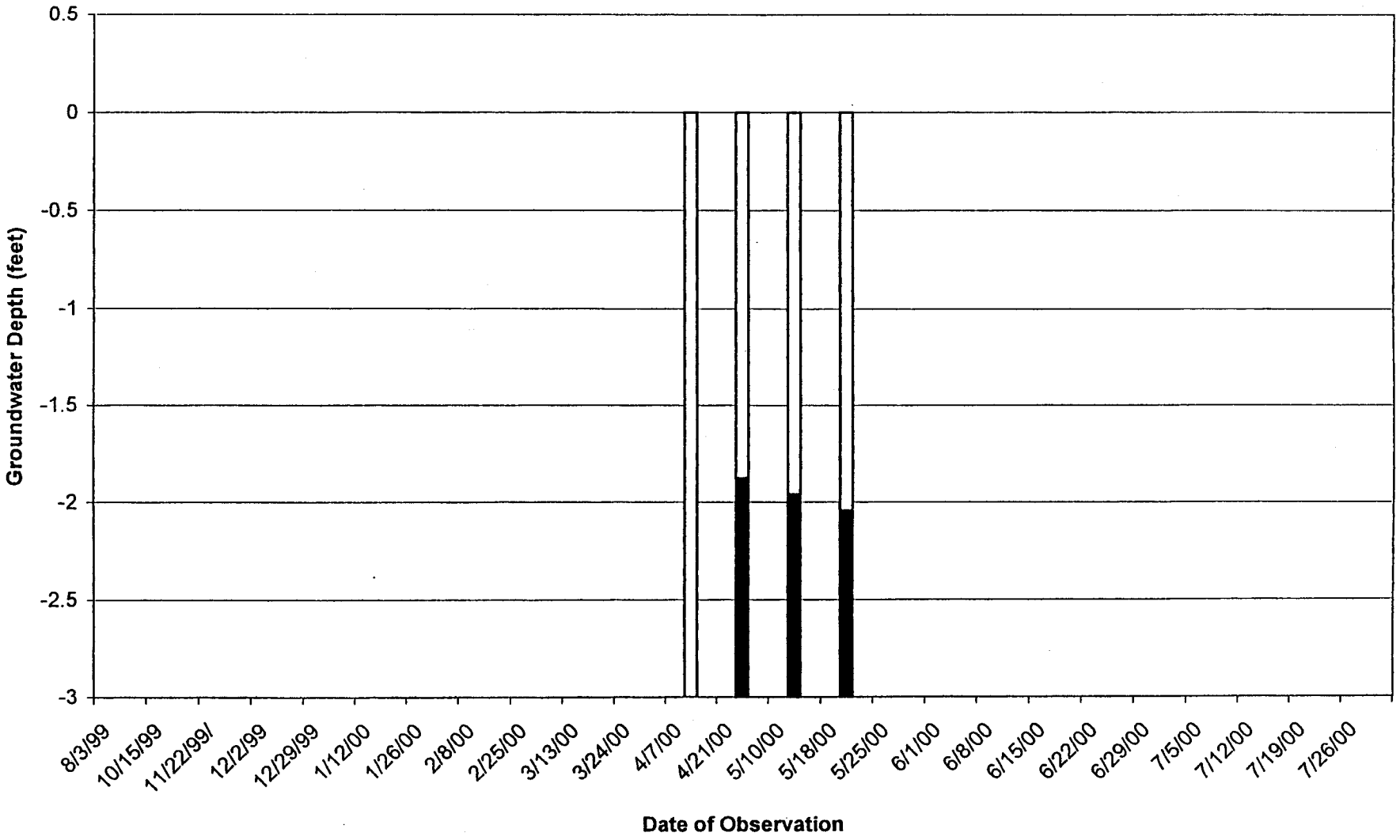
Area #	Preponderant species	FWS wetland indicator status	Sub-dominant species	FWS wetland indicator status
	Spergularia marina	OBL		
	Polypogon monspeliensis	FACW+		
	Eryngium armatum	FACW		
	Lythrum hyssopifolia	FACW		
	Hordeum marinum ssp. gussoneanum	FAC+		
	Plantago coronopus	FAC		
40	***Carex harfordii***	**OBL**		
	Eleocharis macrostachya	**OBL**		
	Juncus phaeocephalus	**FACW**		
	Hordeum marinum ssp. gussoneanum	**FAC+**		
41	*Rorippa nasturtium-aquaticum*	OBL		
	Cyperus eragrostis	FACW		
	Epilobium ciliatum	FACW		
	Picris echioides	FAC		
42	*Cyperus eragrostis*	FACW		
	Epilobium ciliatum	FACW		
	Picris echioides	FAC		

Appendix C. Data from groundwater monitoring wells established in the Ballfields area and nearby natural wetland.

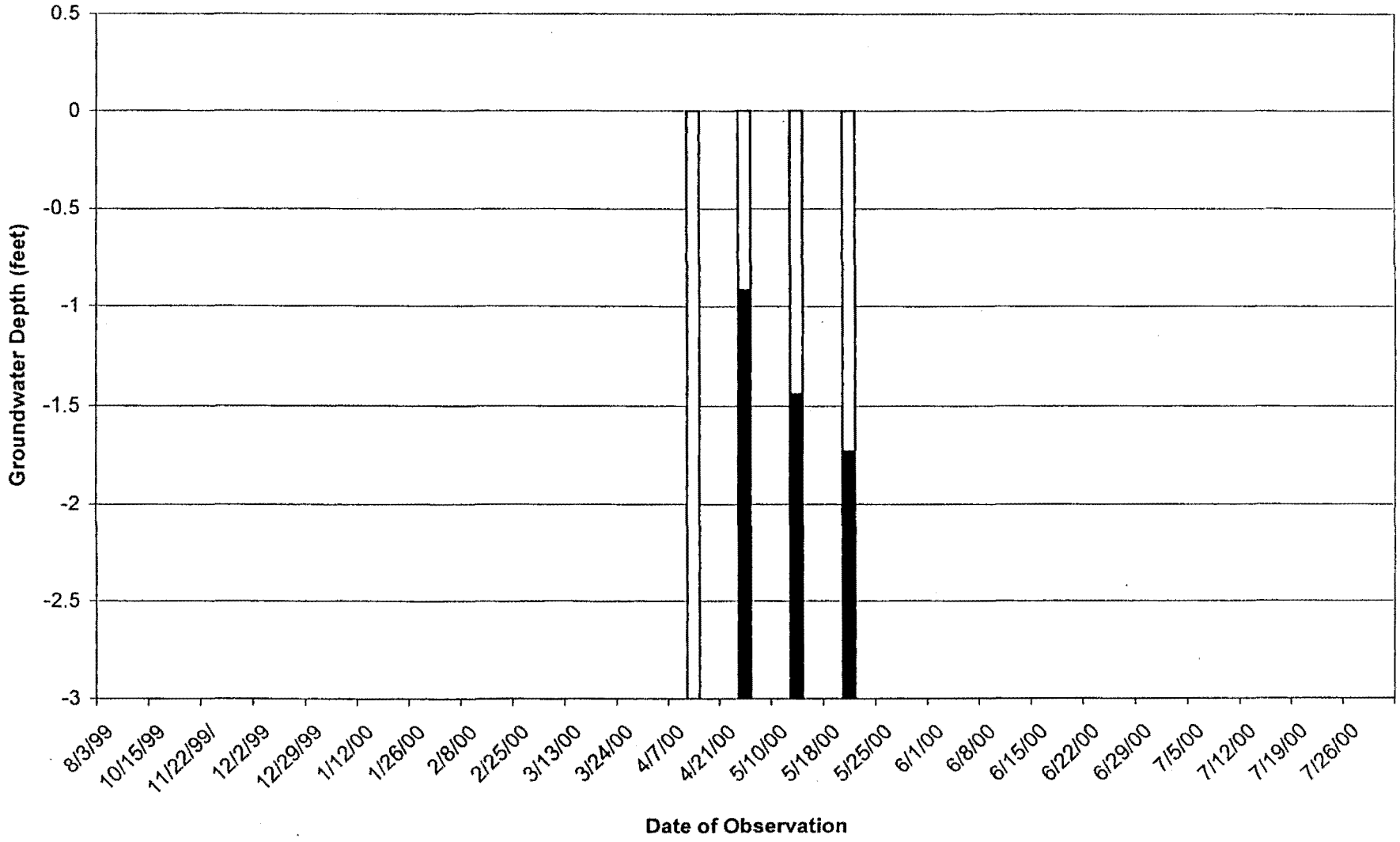
Wavecrest Hydrology Monitoring Station B1 2000



Wavecrest Hydrology Monitoring Station B2 2000



Wavecrest Hydrology Monitoring Station B3 2000



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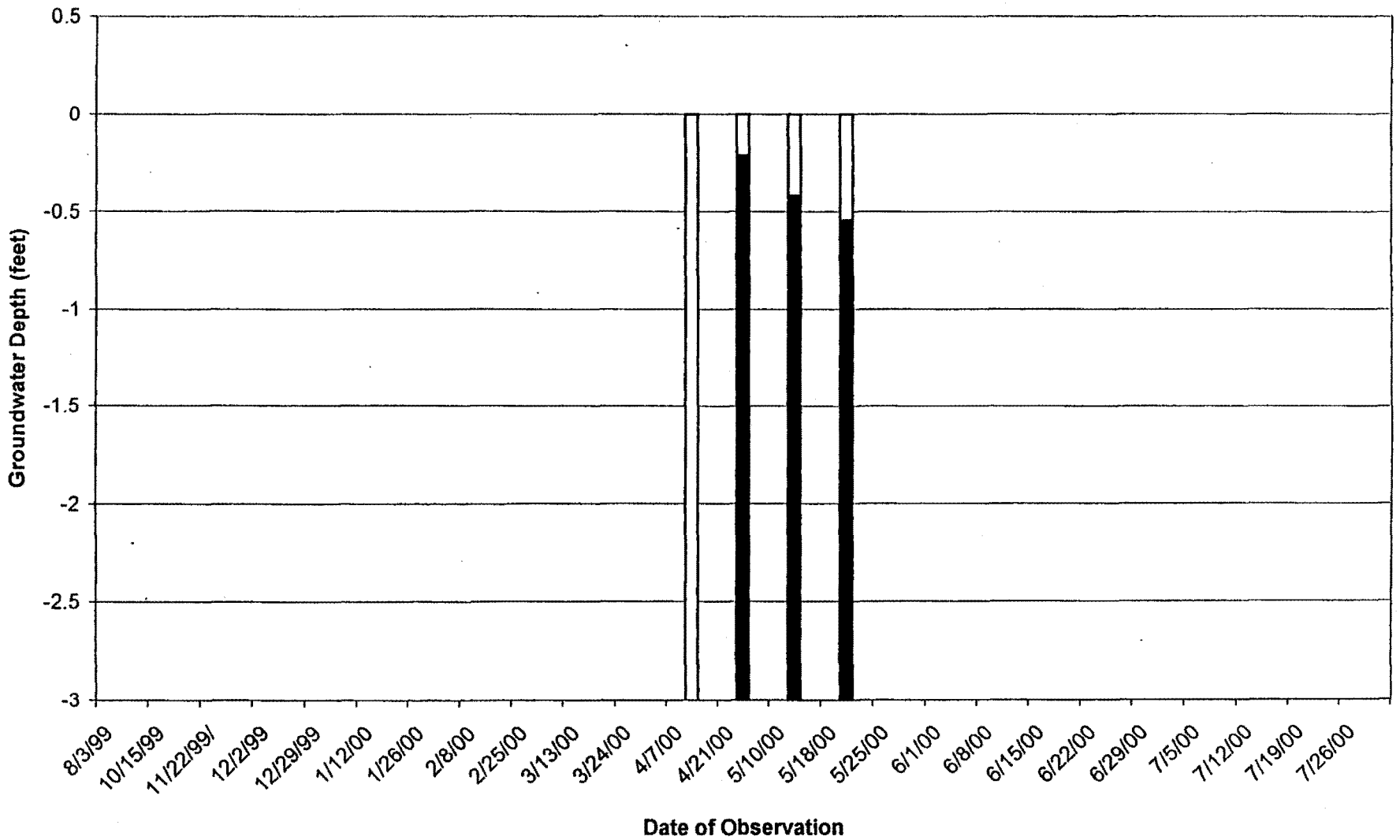

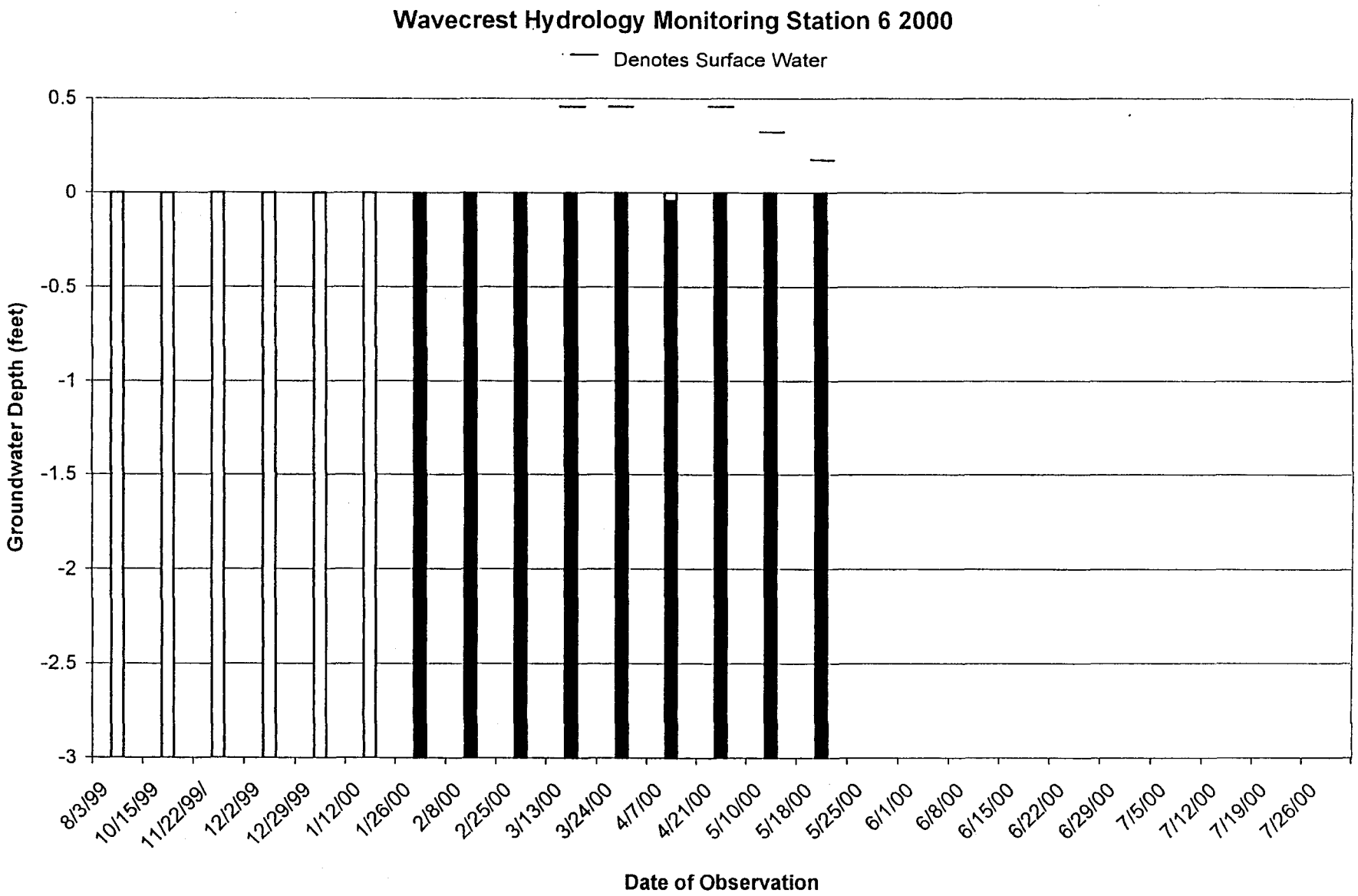
Wavecrest Hydrology Monitoring Station 6 2000
Denotes Surface Water
Groundwater Depth (feet)
0.5
0
-0.5
-1
-1.5
-2
-2.5
-3
8/3/99
10/15/99
11/22/99/
12/2/99
12/29/99
1/12/00
1/26/00
2/8/00
2/25/00
3/13/00
3/24/00
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7/12/00
7/19/00
7/26/00
Date of Observation

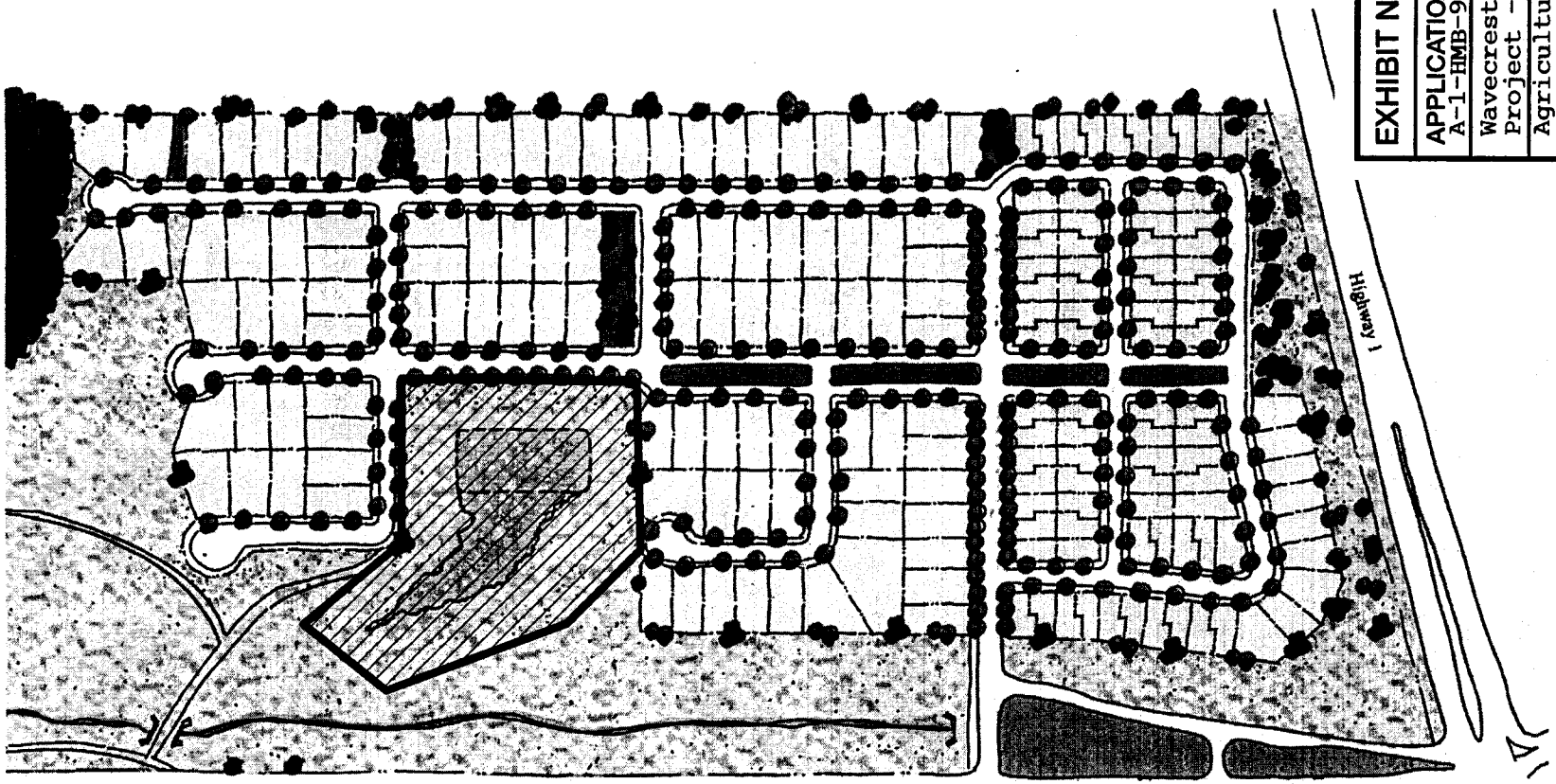
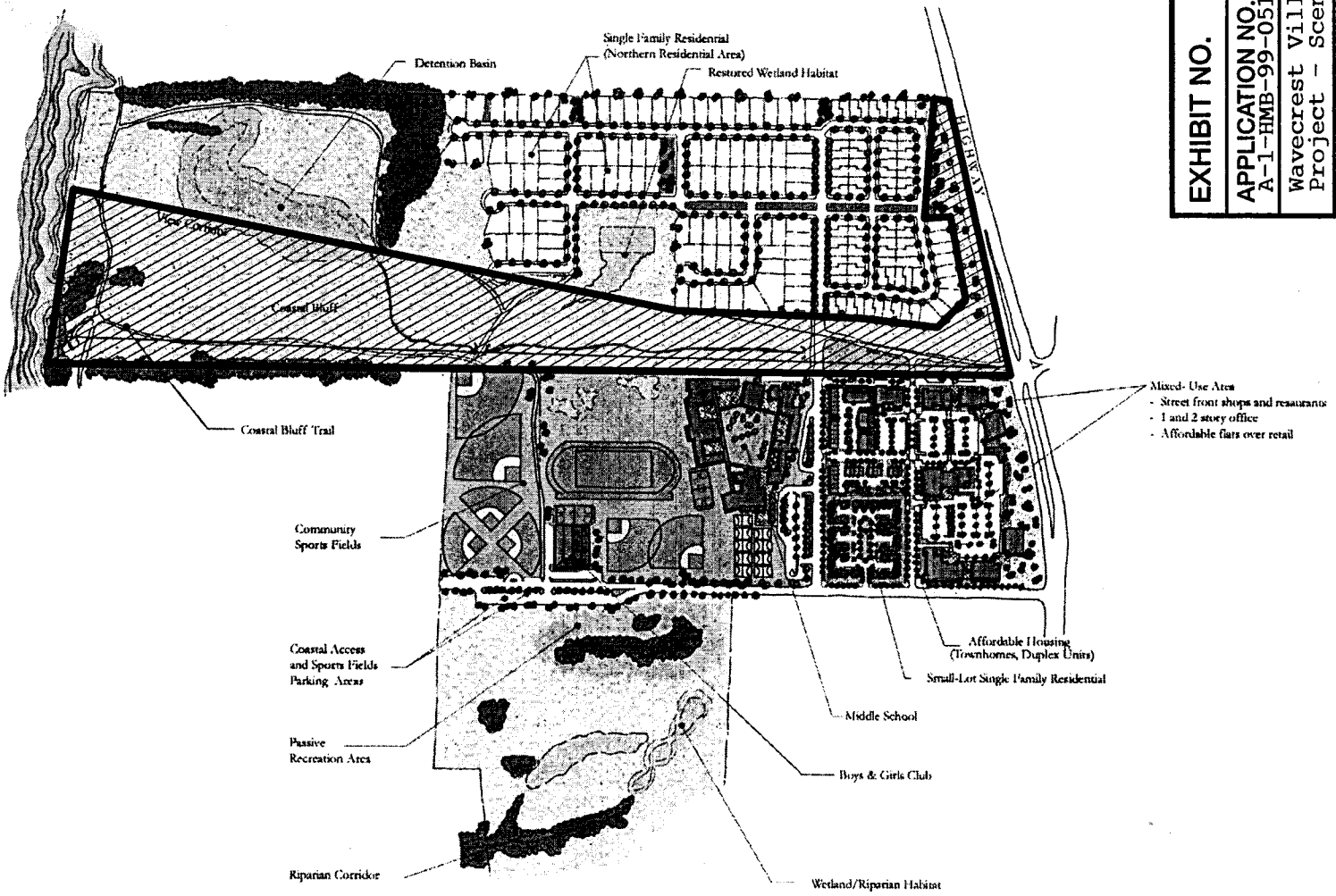


EXHIBIT NO.	32
APPLICATION NO. A-1-HMB-99-051	
Wavecrest Village Project - Former	
Agricultural pond buffer area	

LDAW
September, 2001

WAVECREST VILLAGE, HALF MOON BAY, CA
North East Neighborhood Layout

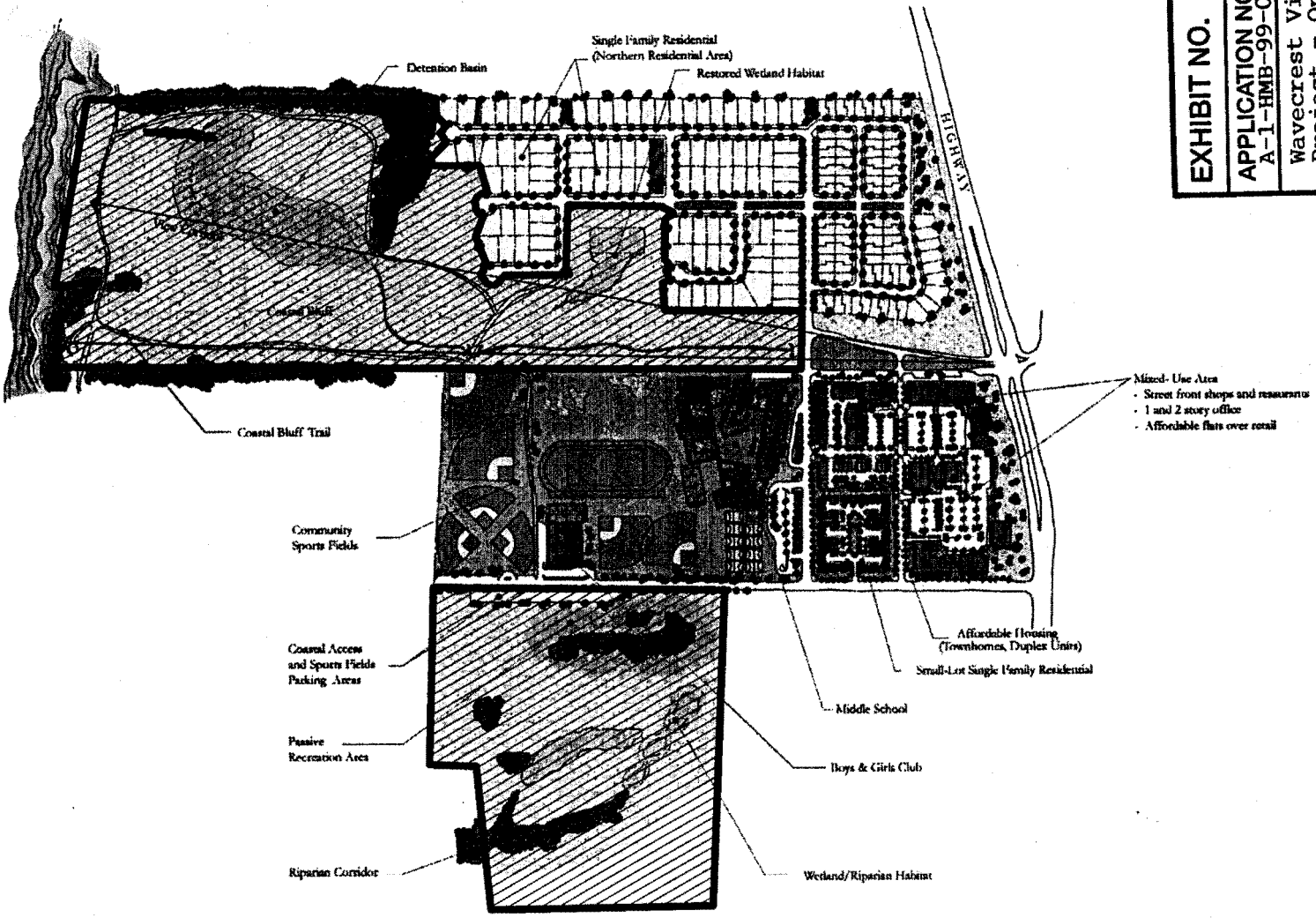
EXHIBIT NO.	33
APPLICATION NO.	A-1-HMB-99-051
Wavecrest Village Project - Scenic Corridor easement	



EDAW
September, 2001

WAVECREST VILLAGE
HALF MOON BAY, CA
Illustrative Plan

EXHIBIT NO.	34
APPLICATION NO.	A-1-HMB-99-051
Wavecrest Village Project - Open	
Space fee dedications	



EDAW

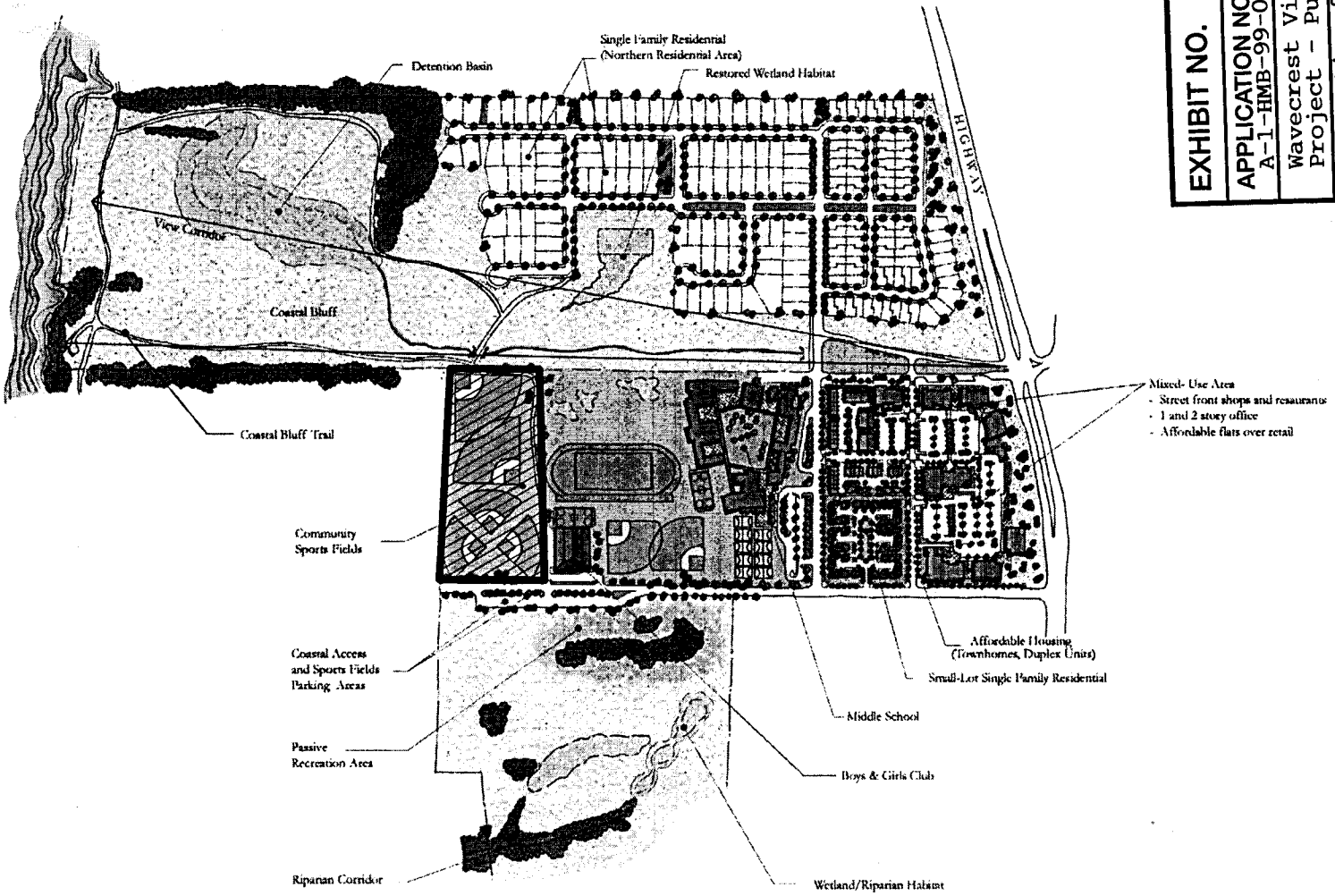
September, 2001

WAVECREST VILLAGE
HALF MOON BAY, CA
Illustrative Plan

EXHIBIT NO. 35

APPLICATION NO. A-1-HMB-99-051

Wavecrest Village Project - Public recreation fee dedications

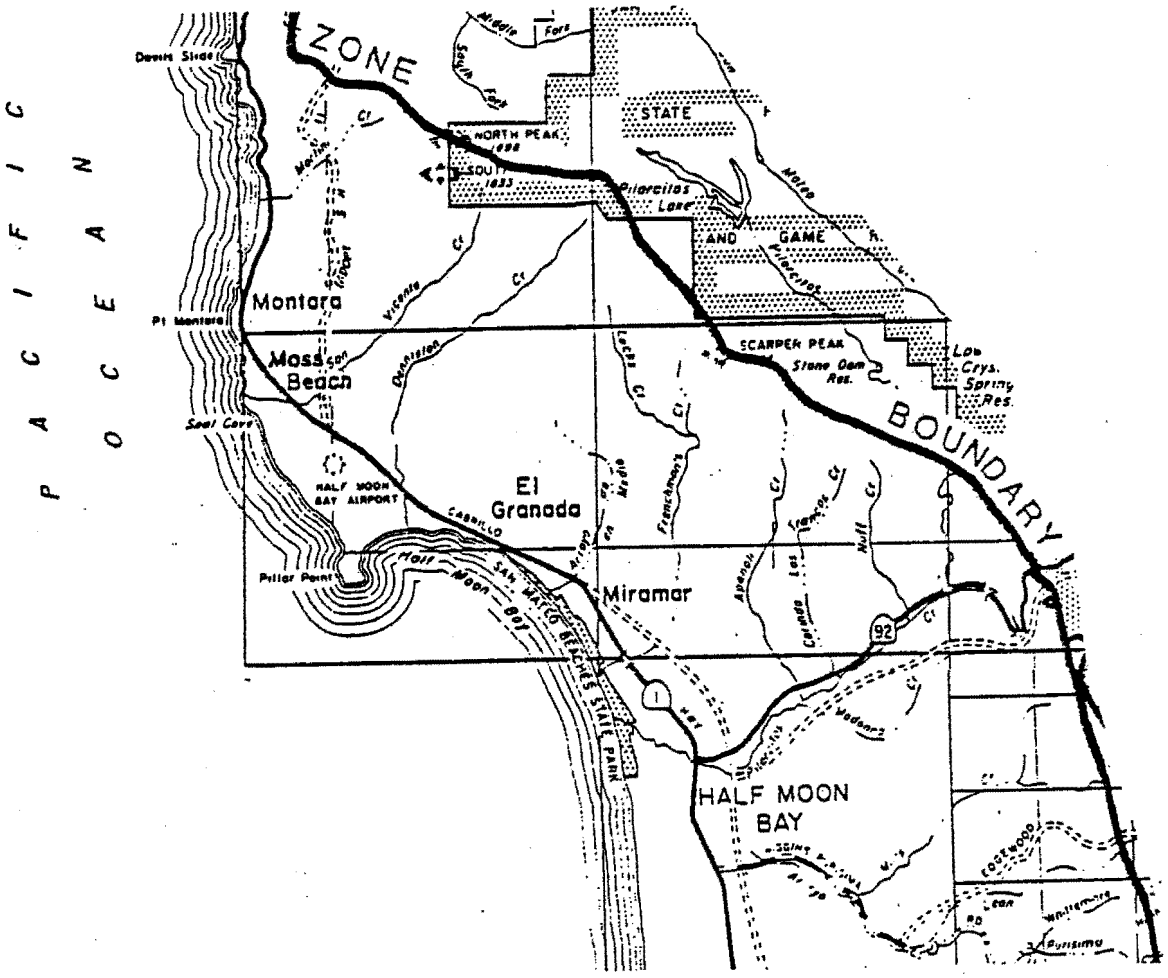


EDAW

September, 2001

WAVECREST VILLAGE
HALF MOON BAY, CA
Illustrative Plan

0 200' 400' 600'



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miles

N

EXHIBIT NO. 36
APPLICATION NO. A-1-HMB-99-051
Wavecrest Village Project - San Mateo County Mid-Coast Region

APPENDIX A
Substantive File Documents

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APPENDIX B
Referenced Policies

California Coastal Act

Section 30010

The Legislature hereby finds and declares that this division is not intended, and shall not be construed as authorizing the commission, port governing body, or local government acting pursuant to this division to exercise their power to grant or deny a permit in a manner which will take or damage private property for public use, without the payment of just compensation therefor. This section is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.

("Environmentally sensitive area", per Section 30107.5, means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.)

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212

...

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.

(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development project, except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exist nearby, or,

(3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height, or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30212.5

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities. (Emphasis Added.)

(b) Dredging and spils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited

to, the 19 coastal wetlands indentified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California," shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

Section 30240 (a)

Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (b) Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Section 30241

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Section 30242

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (l) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

Section 30250

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- Coastal Act Section 30251 (incorporated into the LUP by Policy 1-1) requires, in applicable part, that:

> The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect public views to and along the ocean and scenic coastal areas ... to be visually compatible with the character of surrounding areas ...

Section 30252

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253

New development shall: (1) minimize risks to life and property in areas of high geologic, flood, and fire hazard; (2) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Section 30254

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30603

(a) After certification of its local coastal program, an action taken by a local government on a coastal development permit application may be appealed to the commission for only the following types of developments:

(1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.

(2) Developments approved by the local government not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.

(3) Developments approved by the local government not included within paragraph (1) or (2) that are located in a sensitive coastal resource area.

(4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500).

(5) Any development which constitutes a major public works project or a major energy facility.

(b) (1) The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division.

(2) The grounds for an appeal of a denial of a permit pursuant to paragraph (5) of subdivision (a) shall be limited to an allegation that the development conforms to the standards set forth in the certified local coastal program and the public access policies set forth in this division.

(c) Any action described in subdivision (a) shall become final at the close of business on the 10th working day from the date of receipt by the commission of the notice of the local government's final action, unless an appeal is submitted within that time. Regardless of whether an appeal is submitted, the local government's action shall become final if an appeal fee is imposed pursuant to subdivision (d) of Section 30620 and is not deposited with the commission within the time prescribed.

(d) A local government taking an action on a coastal development permit shall send notification of its final action to the commission by certified mail within seven calendar days from the date of taking the action.

Section 30604

(a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for that conclusion.

(b) After certification of the local coastal program, a coastal development permit shall be issued if the issuing agency or the commission on appeal finds that the proposed development is in conformity with the certified local coastal program.

(c) Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

(d) No development or any portion thereof which is outside the coastal zone shall be subject to the coastal development permit requirements of this division, nor shall anything in this division authorize

the denial of a coastal development permit by the commission on the grounds the proposed development within the coastal zone will have an adverse environmental effect outside the coastal zone.

(e) No coastal development permit may be denied under this division on the grounds that a public agency is planning or contemplating to acquire the property on, or property adjacent to the property on, which the proposed development is to be located, unless the public agency has been specifically authorized to acquire the property and there are funds available, or funds which could reasonably be expected to be made available within one year, for the acquisition. If a permit has been denied for that reason and the property has not been acquired by a public agency within a reasonable period of time, a permit may not be denied for the development on grounds that the property, or adjacent property, is to be acquired by a public agency when the application for such a development is resubmitted.

Section 30621

(a) The commission shall provide for a de novo public hearing on applications for coastal development permits and any appeals brought pursuant to this division and shall give to any affected person a written public notice of the nature of the proceeding and of the time and place of the public hearing. Notice shall also be given to any person who requests, in writing, such notification. A hearing on any coastal development permit application or an appeal shall be set no later than 49 days after the date on which the application or appeal is filed with the commission.

(b) An appeal that is properly submitted shall be considered to be filed when any of the following occurs

(1) The executive director determines that the appeal is not patently frivolous pursuant to subdivision (d) of Section 30620.

(2) The five-day period for the executive director to determine whether an appeal is patently frivolous pursuant to subdivision (d) of Section 30620 expires without that determination.

(3) The appellant pays the filing fee within the five-day period set forth in subdivision (d) of Section 30620.

Section 30625

(a) Except as otherwise specifically provided in subdivision (a) of Section 30602, any appealable action on a coastal development permit or claim of exemption for any development by a local government or port governing body may be appealed to the commission by an applicant, any aggrieved person, or any two members of the commission. The commission may approve, modify, or deny such proposed development, and if no action is taken within the time limit specified in Sections 30621 and 30622, the decision of the local government or port governing body, as the case may be, shall become final, unless the time limit in Section 30621 or 30622 is waived by the applicant.

(b) The commission shall hear an appeal unless it determines the following:

(1) With respect to appeals pursuant to subdivision (a) of Section 30602, that no substantial issue exists as to conformity with Chapter 3 (commencing with Section 30200).

(2) With respect to appeals to the commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603.

(3) With respect to appeals to the commission after certification of a port master plan, that no substantial issue exists as to conformity with the certified port master plan.

(c) Decisions of the commission, where applicable, shall guide local governments or port governing bodies in their future actions under this division.

California Coastal Commission Regulations (excerpt)

Section 13096. Commission Findings.

(a) All decisions of the commission relating to permit applications shall be accompanied by written conclusions about the consistency of the application with Public Resources Code section 30604 and Public Resources Code section 21000 and following, and findings of fact and reasoning supporting the decision. The findings shall include all elements identified in section 13057(c).

(b) Unless otherwise specified at the time of the vote, an action taken consistent with the staff recommendation shall be deemed to have been taken on the basis of, and to have adopted, the reasons, findings and conclusions set forth in the staff report as modified by staff at the hearing. If the commission action is substantially different than that recommended in the staff report, the prevailing commissioners shall state the basis for their action in sufficient detail to allow staff to prepare a revised staff report with proposed revised findings that reflect the action of the commission. Such report shall contain the names of commissioners entitled to vote pursuant to Public Resources Code section 30315. 1.

(c) The commission vote taken on proposed revised findings pursuant to Public Resources Code section 30315.1 shall occur after a public hearing. Notice of such hearing shall be distributed to the persons and in the manner provided for in section 13063. The public hearing shall solely address whether the proposed revised findings reflect the action of the commission.

Section 13115. Substantial Issue Determination

(a) At the meeting next following the filing of an appeal with the Commission or as soon thereafter as practical, the executive director shall make a recommendation to the commission as to whether the appeal raises a significant question within the meaning of Section 30625(b).

(b) Unless the Commission finds that the appeal raises no significant question as to conformity with the certified local coastal program or, in the case of a permit application for a development between the sea and the first public road paralleling the sea (or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach) that there is no significant question with regard to the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976, the Commission shall consider the application de novo in accordance with the procedures set forth in Sections 13057-13096.

(c) The Commission may ask questions of the applicant, any aggrieved person, the Attorney General or the executive director prior to determining whether or not to hear an appeal. A majority vote of the members of the Commission present shall be required to determine that the Commission will not hear an appeal.

Section 13577. Criteria for Permit and Appeal Jurisdiction Boundary Determinations.

(b) Wetlands.

(2) For the purposes of this section, the term "wetland" shall not include wetland habitat created by the presence of and associated with agricultural ponds and reservoirs where:

(A) the pond or reservoir was in fact constructed by a farmer or rancher for agricultural purposes; and

(B) there is no evidence (e.g., aerial photographs, historical survey, etc.) showing that wetland habitat pre-dated the existence of the pond or reservoir. Areas with drained hydric soils that are no longer capable of supporting hydrophytes shall not be considered wetlands.

Half Moon Bay Land Use Policies

Policy 1-1

The City shall adopt those policies of the Coastal Act (Coastal Act Sections 30210 through 30264) cited herein, as the guiding policies of the Land Use Plan.

Policy 1-4

Prior to the issuance of any development permit required by this Plan, the City shall make the finding that the development meets the standards set forth in all applicable Land Use Plan policies.

Policy 2-2

For all new development along the Shoreline Trail alignment shown on the Access Improvement map, granting of lateral easements to allow for continuous public access along the shoreline shall be mandatory unless publicly owned bluff top land suitable for trial development intervenes between the development and the bluff edge. All beach seaward of the base of the bluff shall be dedicated. At a minimum, the dedicated easement shall have a width sufficient to all an adequate trail and to protect the privacy of any residential structures built near the accessway.

Lateral trails along the bluff edge shall be set back at least 10 feet and native vegetation shall be established between the trail and the edge to stabilize the bluff top.

Policy 2-6

All vertical and lateral accessways shall have clearly posted signs specifying the public's right to use these areas; signs shall also contain any limitations on the public's right of access and specific uses.

Policy 2-16

Designate, sign, and improve western extension of Higgins Canyon Road, Miramontes Point Road, Redondo Beach Road, one additional beach access route as may be called for in the Conservancy Plan, and a new State Park entrance north of Venice Beach Road, as beach access routes.

Policy 2-17

Provide improved State parking facilities for at least 1,000 automobiles generally in accordance with the allocation provided on the Access Improvements Map with most parking located at the end of the primary Beach Access Routes.

a. No parking facility designed for more than 200 vehicles.

b. No parking facility south of Kelly designed for more than 50 cars, located at least 50 feet back from the bluff edge.

c. Parking lots to be located on public property accessible directly from primary and secondary access routes, located at least 100 feet from lots zoned for residences and suitably screened by berms landscaping, or lowered elevation.

d. Parking surfaces to be designed to ensure that water runoff does not exceed that which exists prior to the improvement.

Policy 2-21

The State and County of San Mateo should construct new paths or stairs down to the beach from the end of the westerly extension of Higgins Canyon Road as designated in Policy 2-16. In conjunction with adjacent new development, encourage the construction of paths or stairs to the beach as shown on the Access Improvements Map.

Policy 2-22

Provide an improved bluff edge trail designed to improve coastal access and avoid increase in bluff edge runoff from Kelly to Miramontes Point Road as shown on the Access Improvements Map or as determined by the Wavecrest Conservancy Project for the area between Seymour and Redondo Beach Road. Connect the lateral trail to the beach with vertical trails at the end of Kelly, midway between Kelly and Seymour, at the end of Seymour, midway between Seymour and Redondo Beach Road as determined by the Wavecrest Conservancy Project, near the end of Redondo Beach Road, and at the end of Miramontes Point Road.

Policy 2-23

Provide a new recreational vehicle campground for not more than 100 vehicles within the Wavecrest Project Area to be screened by trees to the greatest extent possible.

Policy 2-29

Generally locate new visitor-serving commercial development facilities that provide lodging, food, and automobile services within the downtown core, within and near Ocean Colony/Half Moon Bay Golf Links, at Pillar Point Harbor (near Dunes Beach), and in the Wavecrest area as designated in the Wavecrest Conservancy Project.

Policy 3-1 Definition of Sensitive Habitats

(a) Define sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable and as those areas which meet one of the following criteria: (1) habitats containing or supporting "rare and endangered" species as defined by the State Fish and Game Commission, (2) all perennial and intermittent streams and their tributaries, (3) coastal tidelands and marshes, (4) coastal and offshore areas containing breeding and/or nesting sites and coastal areas used by migratory and resident water-associated birds for resting and feeding, (5) areas used for scientific study and research concerning fish and wildlife, (6) lakes and ponds and adjacent shore habitat, (7) existing game and wildlife refuges and reserves, and (8) sand dunes.

Such areas include riparian areas, wetlands, sand dunes, marine habitats, sea cliffs, and habitats supporting rare, endangered, and unique species.

APPENDIX A: Special Definitions...

WETLAND

Wetland is an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground. Such wetlands can include mudflats (barren of vegetation), marshes, and swamps. Such wetlands can be either fresh or saltwater, along streams (riparian), in tidally influenced areas (near the ocean and usually below extreme high water of spring tides), marginal to lakes, ponds, and man-made impoundments. Wetlands do not include areas which in normal rainfall years are permanently submerged (streams, lakes, ponds and impoundments), nor marine or estuarine areas below extreme low water of spring tides, nor vernally wet areas where the soils are not hydric.

LUP **Policy 3-2**, Designation of Sensitive Habitats:

Designate sensitive habitats as those, including but not limited to, shown on the Habitat Areas and Waer Resources Overlay.

Policy 3-3 Protection of Sensitive Habitats

(a) Prohibit any land use and/or development which would have significant adverse impacts on Sensitive Habitat areas.

(b) Development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the Sensitive Habitats. All uses shall be compatible with the maintenance of biologic productivity of such areas.

Policy 3-4 Permitted Uses

(a) Permit only resource-dependent or other uses which will not have a significant adverse impact in sensitive habitats.

(b) In all sensitive habitats, require that all permitted uses comply with U.S. Fish and Wildlife Service and State Department of Fish and Game regulations.

Policy 3-5 Permit Conditions [Biologic Report]

(a) Require all applicants to prepare a biologic report by a qualified professional selected jointly by the applicant and the City to be submitted prior to development review. The report will determine if significant impacts on the sensitive habitats may occur, and recommend the most feasible mitigation measures if impacts may occur.

The report shall consider both any identified sensitive habitats and areas adjacent. Recommended uses and intensities within the sensitive habitat area shall be dependent on such resources, and shall be sited and designed to prevent impacts which would significantly degrade areas adjacent to the habitats. The City and the applicant shall jointly develop an appropriate program to evaluate the adequacy of any mitigation measures imposed.

(b) When applicable, require as a condition of permit approval, the restoration of damaged habitat(s) when, in the judgment of the Planning Director, restoration is partially or wholly feasible.

Policy 3-7 Definition of Riparian Corridors

(a) Define riparian corridors by the "limit of riparian vegetation" (i.e. a line determined by the association of plant and animal species normally found near streams, lakes, and other bodies of fresh water: red alder, jaumea, pickleweed, big leaf maple, narrowleaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and box elder). Such a corridor must contain at least a 50% cover of some combination of the plants listed.

Policy 3-8 Designation of Riparian Corridors

(a) Establish riparian corridors for all perennial and intermittent streams and lakes and other bodies of fresh water in the Coastal zone. Designate those corridors shown on the Habitat Areas and Water Resources Overlay and any other riparian area as sensitive habitats requiring protection, except for man-made irrigation ponds over 2,500 square feet surface area.

Policy 3-9 Permitted Uses in Riparian Corridors

(a) Within corridors, permit only the following uses: (1) education and research, (2) consumptive uses as provided for in the Fish and Game Code and Title 14 of the California Administrative Code, (3) fish

and wildlife management activities, (4) trails and scenic overlooks on public land(s), and (5) necessary water supply projects.

(b) When no feasible or practicable alternative exists, permit the following uses: (1) stream-dependent aquaculture provided that non-stream-dependent facilities locate outside of corridor, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, (3) bridges when supports are not in significant conflict with corridor resources, (4) pipelines and storm water runoff facilities, (5) improvement, repair or maintenance of roadways or road crossings, (6) agricultural uses, provided no existing riparian vegetation is removed, and no soil is allowed to enter stream channels.

Policy 3-10 Performance Standard in Riparian Corridors

(a) Require development permitted in corridors to: (1) minimize removal of vegetation, (2) minimize land exposure during construction and use temporary vegetation or mulching to protect critical areas, (3) minimize erosion, sedimentation, and runoff by appropriately grading and replanting modified areas, (4) use only adapted native or non-invasive exotic plant species when replanting, (5) provide sufficient passage for native and anadromous fish as specified by the State Department of Fish and Game, (6) minimize adverse effects of waste water discharges and entrainment, (7) prevent depletion of groundwater supplies and substantial interference with surface and subsurface waterflows, (8) encourage waste water reclamation, (9) maintain natural vegetation buffer areas that protect riparian habitats, and (10) minimize alteration of natural streams.

Policy 3-11 Establishment of Buffer Zones

(a) On both sides of riparian corridors, from the "limit of riparian vegetation," extend buffer zones 50 feet outward for perennial streams and 30 feet outward for intermittent streams.

(b) Where no riparian vegetation exists along both sides of riparian corridors, extend buffer zones 50 feet from the bank edge for perennial streams and 30 feet from the midpoint of intermittent streams.

(c) Along lakes, ponds, and other wet areas, extend buffer zones 100 feet from the high water point, except for man-made ponds and reservoirs used for agricultural purposes for which no buffer zone is designated.

Policy 3-12 Permitted Uses in Buffer Zones

(a) Within buffer zones, permit only the following uses: (1) uses permitted in riparian corridors, (2) structures on existing legal building sites, set back 20 feet from the limit of riparian vegetation, only if no feasible alternative exists, and only if no other building site on the parcel exists, (3) crop growing and grazing consistent with Policy 3.9, (4) timbering in "streamside corridors" as defined and controlled by State and County regulations for timber harvesting, and (5) no new parcels shall be created whose only building site is in the buffer area except for parcels created in compliance with Policies 3.3, 3.4, and 3.5 if consistent with existing development in the area and if building sites are set back 20 feet from the limit of riparian vegetation or if no vegetation 20 feet from the bank edge of a perennial and 20 feet from the midpoint of an intermittent stream.

Policy 3-13 Performance Standards in Buffer Zone

(a) Require uses permitted in buffer zones to: (1) minimize removal of vegetation, (2) conform to natural) topography to minimize erosion potential, (3) make provisions to (i.e. catch basins) to keep runoff and sedimentation from exceeding pre-development levels, (4) replant where appropriate with native and non-invasive exotics, (5) prevent discharge of toxic substances, such as fertilizers and pesticides, into the riparian corridor, (6) remove vegetation in or adjacent to man-made agricultural ponds if the life of the pond is endangered, (7) allow dredging in or adjacent to man-made ponds if

the San Mateo County Resource Conservation District certifies that siltation imperils continued use of the pond for agricultural water storage and supply.

Policy 3-22 Permitted Uses

(a) Permit only the following uses: (1) education and research, (2) hunting, fishing, pedestrian and equestrian trails that have no adverse impact on the species or its habitat, and (3) fish and wildlife management to restore damaged habitats and to protect and encourage the survival of rare and endangered species.

(b) If the critical habitat has been identified by the Federal Office of Endangered Species, permit only those uses deemed compatible by the U. S. Fish and Wildlife Service in accordance with the provisions of the Endangered Species Act of 1973, as amended.

Policy 3-24 Preservation of Critical Habitats

(a) Require preservation of all habitats or rare and endangered species using the policies of this Plan and other implementing ordinances of the City.

Policy 3-25 San Francisco Garter Snake

(a) Prevent any development where there is known to be a riparian location for the San Francisco garter snake with the following exception: (1) existing man-made impoundments smaller than 1/2 acre in surface, and (2) existing man-made impoundments greater than 1/2 acre in surface, providing mitigation measures are taken to prevent disruption of not more than one-half of the snake's known habitat in that location in accordance with recommendations from the State Department of Fish and Game.

(b) Require developers to make sufficiently detailed analyses of any construction which could impair the potential or existing migration routes of the San Francisco garter snake. Such analyses will determine appropriate mitigation measures to be taken to provide for appropriate migration corridors.

Policy 4-8:

No new permitted development shall cause or contribute to flood hazards.

Policy 4-9:

All development shall be designed and constructed to prevent increases in runoff that would erode natural drainage courses. Flows from graded areas shall be kept to an absolute minimum, not exceeding the normal rate of erosion and runoff from that of the undeveloped land. Storm water outfalls, gutters, and conduit discharge shall be dissipated.

Policy 7-1:

The City will establish regulations to protect the scenic corridor of Highway 1, including setbacks for new development, screening of commercial parking, and landscaping in new developments.

The City will establish and map scenic corridors for Highway 1 to guide application of the policies of this chapter.. Minimum standards shall include all areas within 200 yards of State Highway 1 which are visible from the road.

Policy 7-4:

Utilities shall continue to be placed underground in all new developments.

Policy 7-5:

All new development, including additions and remodeling, shall be subject to design review and approval by the City Architectural Review Committee. (Check if review by CARC happened).

Policy 7-9:

New development shall be sited and designed so as to avoid or minimize destruction or significant alteration of significant existing plant communities identified in the General Plan (which include riparian vegetation along stream banks, and notable tree stands).

Note: Monterey Pines are specified in LUP as species with unique status. "Unique species have 1) scientific or historic value; 2) few indigenous habitats, or 3) some characteristic(s) which draw attention or are locally uncommon. For unique species, protection is desirable and may prevent future endangered status." (check on Monterey pines on site, removal of trees – affects raptor nesting areas)

Policy 7-10:

New development on upland slopes visible from Highway 1 and Highway 92 as indicated on the Visual Resources Overlay Map, shall not involve grading or building siting which results in a significant modification of the hillscape; where trees must be removed for building purposes, reforestation shall be provided as a part of any new development to maintain the forested appearance of the hillside. Structures shall be subordinate in appearance to the natural landform, shall be designed to follow the natural contours of the landscape, and shall be sited so as not to intrude into the skyline as seen from public viewing places.

Policy 7-11:

New development along primary access routes from Highway 1 to the beach, as designated on the Land Use Plan Map, shall be designed and sited so as to maintain and enhance the scenic quality of such routes, including building setbacks, maintenance of low height of structures, and landscaping which establishes a scenic gateway and corridor.

Policy 8-12:

The Urban/Rural Boundary shall be the City Limit boundary of the City of Half Moon Bay.

Policy 9-2:

The City shall monitor annually the rate of build-out in categories designated for development. If the rate of build-out exceeds the rate on which the estimates of development potential for Phase I and Phase II in the Plan are based, further permits for development or land divisions shall not be issued outside existing subdivisions until a revised estimate of development potential has been made. At that time the City shall establish a maximum number of development permits to be granted each year in accordance with expected rates of build-out and service capacities. No permit for development shall be issued unless a finding is made that such development can be served with water, sewer, schools, and road facilities, including such improvements as are provided with the development. (See Table 9.3)

General **Policy 9-3** of the City of Half Moon Bay LUP states in applicable part:

All new development permitted shall comply with all other policies of the Plan.

- 9.3.2 – Specific Planned Development Policies.

The purpose of the Planned Development designation is to ensure well-planned development of large, undeveloped areas planned for residential use in accordance with concentration of development policies. It is the intent of this designation to allow for flexibility and innovative design of residential development, to preserve important resource values of particular sites, to ensure achievement of coastal access objectives, to eliminate poorly platted and unimproved subdivisions whose development would adversely affect coastal resources, and to encourage provision for low and moderate income housing needs when feasible. It is also the intent of the Planned Development designation to require clustering of structures to provide open space and recreation, both for residents and the public. In some cases, commercial development such as convenience stores or visitor-serving facilities may be incorporated into the design of a Planned Development in order to reduce local traffic on coastal access roads or to meet visitor needs.

All areas designated in the Land Use Plan for Planned Development shall be subject to the following policies:

a) A specific plan shall be prepared for the entire area or, in the event the Project is developed in phases, for each phase, which incorporates all of the conditions listed below and conforms to all other policies of the Land Use Plan. The specific plan shall show the locations of roads and structures, and indicate the amount and locations of open space, public recreation, and commercial recreation. Each specific plan shall be subject to environmental review under City CEQA guidelines.

    The specific plan and accompanying environmental documents shall be submitted to the Planning Commission, who may recommend additional conditions for development of the site.

b) A maximum of 912 residential units may be developed on the site including at least 20% affordable to persons of low and moderate income.

c) Suitable landscaping, fencing, or other means shall be used to ensure that direct pedestrian access to the bluff edge is controlled and limited in accordance with accessways to the beach and protection of the bluff face from erosion.

d) At least 15 acres of the site shall be reserved and developed for community recreation if another site is not designated pursuant to Policy 2-34.

Consideration shall be given to reserving 20-30 acres for a major park affording active and passive recreation opportunities within a natural environment.

e) At least 30% of the site shall be retained in open space for public and commercial recreational use and sited and designed to protect view corridor from Highway 1 and the ocean, to provide buffers between primary coastal access routes and residential development, to absorb groundwater so as to retard cliff erosion, and to protect habitat areas.

f) As a part of any development, a lateral accessway along the bluff shall be improved for pedestrian and bicycle use parallel to the shoreline within the existing area of County ownership.

g) As a part of any new development, vertical accessways shall be constructed to the beach from the bluff affording access to the beach near the end of designated beach access routes. A third accessway to the beach may be required approximately equidistant between the two primary access routes.

h) A a part of any new development, provision shall be made for improvement of the two designated beach access routes in the district, either along existing platted alignments or in accordance with new alignment designed to afford equivalent access opportunities.

i) New residential units shall not front on beach access routes unless no other access is available, and access tot beach access routes from any area of residential development shall be limited to protect beach access.

j) At least a 10-acre site, within the Project area, shall be reserved for the development of a recreational vehicle park. Consideration shall be given to reserving a site of at least 5 acres for future visitor-serving facilities. Visitor –serving densities shall not exceed 20 lodging units or campsites per acre.

k) New access to Highway 1 shall be limited and one new access shall be at the existing intersection of Highway 1 and Higgins-Purissima Road, if feasible.

l) Provision shall be made to ensure that irrigation of open space for park, recreational, and general open space purposes shall, to the extent feasible, maximize3 the use of reclaimed water and measures such as retention in basins, grading, revegetation, and drainage improvements shall be taken to prevent destabilizing effects on the coastal bluffs.

m) Development shall be clustered to the maximum extent feasible.

n) Development shall give maximum consideration to preserving and enhancing the existing cypress and eucalyptus hedgerows at the west end of the L. C. Smith property.

o) As part of any new development, provision shall be made for dedication of right-of-way for the Miramontes Point Road extension to the extent required.

p) No residential structure shall be located west of the extension of Miramontes Point Road.

q) All beach and all land not otherwise devoted to a public or commercial recreational use to the west of the extension of Miramontes Point Road, not in public ownership, shall be offered for dedication to the County or the State Department of Parks and Recreation, as a part of any development, to become a part of the public recreation area.

r) The Wavecrest Restoration Project may be developed in two or more phases.

Policy 9-4:

All new development, other than development on parcels designated Urban Reserve or Open Space Reserve on the Land Use Plan Map permitted while such designations are effective, shall have available water and sewer services and shall be accessed from a public street or shall have access over private streets to a public street. Prior to issuance of a development permit, the Planning Commission or City Council shall make the finding that adequate services and resources will be available to serve the proposed development upon its completion and that such development is located within and consistent with the policies applicable to such an area designated for development. The applicant shall assume full responsibility for costs incurred in the service extensions or improvements that are required as a result of the proposed project, or such share as shall be provided if such project would participate in an improvement or assessment district. Lack of available services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the Land Use Plan. (See Table 10.3).

Policy 9-6:

The City shall develop a fee schedule or other fiscal impact measures necessary to assure that new development permitted by the Land Use Plan within the Urban/Rural Boundary will generate sufficient revenues to cover costs to the City for providing public services (i.e. police, fire, school, roads, etc.)

Policy 9-8

The entire site shall be planned as a unit. Preparation of specific plans (Government Code Section 65450) may be required for one or more separate ownerships, individualy or collectively, when parcels comprising a site designated PD are in separate ownerships.

Policy 9-9 – Flexible Design Concepts.

Use of flexible design concepts, including clustering of units, mixture of dwelling types, etc., shall be required to accomplish all of the following goals:

(a) Protection of the scenic qualities of the site;

(b) Protection of coastal resources, i.e. habitat areas, archaeological sites, prime agricultural lands, etc., as required by the Coastal Act;

(c) Avoidance of siting structures in hazardous areas; and

(d) Provision of open space, recreation, and/or beach access.

Policy 9-14:

In the case of any Planned Development District hereafter described where portions of the District are in separate ownership, approval may be given for development of a parcel or group of parcels in the same or different ownerships, provided that the City has approved a specific plan for the District as required by the provisions of this section.

Policy 10-3

The City shall limit development or expansion of public works facilities to a capacity which toes not exceed that needed to serve build-out of the Land Use plan, and require phased development of public work facilities in accordance with phased development policies in Section 9 and the probable water capacity of other public works and services.

Policy 10-4

The City shall reserve public works capacity for land uses given priority in the Plan, in order to assure that all available public works capacity is not consumed by other development and control the rate of new development permitted in the City to avoid overloading of public works and services.

Policy 10-13:

The City will support and require reservation of water supplies for each priority land use (visitor serving?) in the Plan, as indicated on Table 10.3....p. 199

Policy 10-25

The City will support the use of Level of Service C as the desired level of service on Highways 1 and 92, except during the peak two-hour commuting period and the ten-day average peak recreational hour when Level of Service E will be acceptable.

The City shall request all agencies providing major (water, sewer, roads) utilities to monitor their services. Based upon actual use (reported annually to the City) of services, the City shall determine the need and timing for additional services. ...

Policy 10-31

The City will require participation in an assessment district for properties for which new development is approved in accordance with this Plan along the designated Foothill Boulevard alignment, as indicated on the Land Use Plan Map, in order to provide funding for this new coastal access and bypass route. This roadway shall provide for through-traffic and local street connections shall be minimized to the extent feasible and on-street parking shall not be allowed.

10.4.4 Transportation Issues

Highways 1 and 92 are the only roads connecting Half Moon Bay with the rest of the region. Highway 1 also serves as the key northsouth collector road, providing for local traffic connections among neighborhoods and between them and the downtown commercial core. To a lesser extent, Highway 1 provides for local circulation in and around downtown.

Limited road capacity for movement into, out of, and within the City, has long been recognized as a problem and constraint on new development, as indicated in past studies and the former General Plan's Circulation Element.i The Coastal Act requires that limited road capacity not be consumed by new, non-priority development, at the expense of adequate service for priority uses, such as public recreation and visitor-serving commercial uses. The major issue involves potential conflict for transportation capacity between new residential development and reservation of adequate capacity for visitor travel to coastside beaches. The issue involves two components: commuter traffic and visitor traffic on Highways 1 and 92, and competition between local resident traffic and visitor traffic on local streets and Highway 1 (with some possible effect on Highway 92). In addition, the commuter-visitor traffic conflict issue is related to the Coastal Act policy that Highway 1 be limited to two lanes in rural areas, which could include portions of Highway 1 which link Half Moon Bay to San Francisco and other employment centers to the north.

Therefore, the overall capacity of the existing transportation system to accommodate resident population growth must be considered.

Half Moon Bay LCP Implementation Ordinance Standards (Zoning Code Sections)

Pedestrian Access to Coastal Resources states in part:

A. All subdivision applications filed subsequent to the effective date of this Title located in whole or in part along the Shoreline Trail Alignment shown on the Access Improvements Map of the City's Local Coastal Plan or along the Pedestrian Trail provided for in the Park and Recreation Element of the General Plan shall provide a lateral easement for public access along the shoreline.

17.40.095 Vehicular Access to Coastal Resources

Vehicular access to coastal resources shall be provided where indicated on the access improvements Map of the City Local Coastal Plan, the General Plan and any of its Elements, and any Specific Plan. Primary access routes which end in public parking facilities shall not have new residential development fronting on the route and shall not be necessary for the local traffic circulation.

17.40.100 Beach Dedication:

In conjunction with any proposed division of land fronting on the ocean, bay, or a beach, all privately owned beach seaward of the base of any coastal bluff shall be dedicated for public access in accordance with the provisions of this Title and Title 18, the City Zoning Code.

18.02.040 Definitions

Wetland: The definition of wetland as used and as may be periodically amended by the California Department of Fish and Game, the California Coastal Commission and the US Fish and Wildlife Service.

18.15.010 Intent and Purpose.[of a PUD]

This District is intended to provide for a variety of land uses, such as attached and detached single-family residential development, multiple-family housing development, professional and administrative areas, commercial and industrial uses, institutional uses, and public and private open space and recreation opportunities through the adoption of a comprehensive development plan as set forth in the City of Half Moon Bay General Plan and this Chapter. The intent of establishing the Planned Unit Development District is to:

A. Implement the plans and policies of the adopted City of Half Moon Bay Land Use Plan, or General Plan, and the Land Use Plan Map;

B. Establish regulations and procedures for the preparation, review, and approval of Planned Unit Development Plans to guide the orderly development of land within this District;

C. Establish a procedure for the administration of Specific Plans and Precise Plans, prepared in accordance with the State Government Code and consistent with the Half Moon Bay Land Use Plan;

D. Provide for the classification and development of parcels of land as coordinated , comprehensive projects so as to take advantage of the superior environment that can result from requiring that an entire area be planned as a unit and developed under a single plan;

E. Encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding properties, neighborhoods, and the City;

F. Avoid piecemeal development and provide for the replatting of old subdivisions for development under a comprehensive planning document;

G. Avoid monotomy by allowing greater flexibility in the design and development of land within this District;

H. To ensure that a minimum of 20% of the site area in any Planned Unit Development is provided in public and/or private open space;

I. Encourage variety and diversification of land uses; and

J. Provide flexibility required for achievement of coastal access goals, protection of coastal resources, provisions of open space and recreation areas, and avoidance of siting structures in hazardous areas.

18.15.045 Implementation of a Planned Unit Development Plan

...

C. Expiration of the Planned Unit Development Plan. Unless otherwise approved by the City council, a Planned Unit Development Plan shall expire two years after its effective date unless a building permit has been issued, construction diligently pursued, and substantial funds invested.

...

18.36.120 Required Spaces designated. The number of off-street parking spaces required shall be set forth in Table A: Required Off-Street Parking.

18.37.020 Visual Resources Areas. The Planning Director shall prepare and maintain maps of all designated Visual Resource Areas within the City, based upon the Visual Resources Overlay Map contained in the City's Local Coastal Program Land Use Plan. Visual Resource Areas within the City are defined as follows:

A. Scenic Corridors. Visual Resource Areas along the Highway One corridor and scenic beach access routes, defined as follows:

1. Highway One Corridor. Located on both sides of Highway One, for a distance of 200 yards in those areas where Highway One is designated as a Scenic Highway by the State of California and in those areas shown on the Visual Resources Overlay Map in the City's Local Coastal Program Land Use Plan.

...

3. Scenic Coastal Access Routes. Primary access routes from Highway One to major parking facilities adjacent to State Beaches:...secondary access routes from Highway One to minor parking facilities: Wavecrest Road, Redondo Beach Road, Miramontes Point Road.

C. Planned Development Areas. New development within Planned Development Areas shall be subject to development conditions as stated in the Local Coastal Program Land Use Plan for each Planned Development, to Design Review Standards set forth in this Title, and Standards set forth in this Chapter regarding landscaping, signs, screening, lighting, parking areas and utilities.

18.37.30 Scenic Corridor Standards. Public views within and from Scenic Corridors shall be protected and enhanced, according to the following standards:

A. Development within areas whown on the Visual Resources Overlay Map as providing Broad Ocean Views. Development within areas shown on the Visual Resources Overlay Map as providing Broad Ocean Views. Development may not significantly obscure, detract from, or negatively affect the quality of broad ocean views. All new development shall be reviewed by the Planning Commission for conformance with the following criteria:

1. Structures shall be sited and designed to preserve unobstructed broad views of the ocean and shall be clustered to the maximum extent feasible.

2. Landscaping plan shall be provided which incorporated landscaping species which, when mature, will not interfere with public views of the ocean.

3. Within the mapped area of the Visual Resourcesd Overlay Map, building height shall not exceed one story or 15 feet, unless an increase in height would not obstruct public views to the ocean from the highway or would facilitate clustering of development which would result in greater view protection. The building height may be increased upon approval by the Planning Commission, if findings are made that greater view protection will result or public views will not be obstructed, but in no case shall building height excveed a height of 28 feet.

B. Development within the Highway One Corridor and Scenic Corridors along all designated shoreline access routes as indicated on the Visual Resources Overlay Map where existing permits or development does not exist. In general, structures hall be:

1. Situated and designed to protect any views of the ocean and scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance the scenic quality of visually degraded areas.

2. Located where least visible from the public view. Development shall not block views of the shoreline from scenic road turnouts, reststops or vista points.

3. Designed to the compatible with the environment, in order to maintain the natural features such as streams, major drainage, mature trees, and dominant vegetative communities.

4. Set back an appropriate distance from the Highway One Right-of-Way and from the Highway One Right-of-Way and from scenic beach access routes in accordance with the intent of this Ordinance.

18.38.020 Coastal Resource Areas. The Planning Director shall prepare and maintain maps of all designated Coastal Resource Areas within the City. Coastal Resource Areas within the City are defined as follows:...

E. Wetlands. As defined by the US Fish and Wildlife Service, a wetland is an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground. Such wetlands can include mud flats (barren of vegetation), marshes, and swamps. Such wetlands can be either fresh or saltwater, along streams (riparian), in tidally influenced areas (near the ocean and usually below extreme high water of spring tides), marginal to lakes, ponds, and man-made impoundments. Wetlands do not include areas which in normal rainfall years are permanently submerged (streams, lakes, ponds, and impoundments), nor marine or estuarine areas below extreme low water of spring tides, nor vernally wet areas where the soils are not hydric.

...

18.38.030 Required Reports. Biological, Archeological and Geological Reports shall be required as set forth in Sections 18.38.035, 18.38.040, and 18.38.045. Required Reports shall be prepared by a qualified professional selected by the City in accordance with established City procedures. Unless otherwise specified herein, all required Biological, Archaeological, and Geological Reports shall be performed by a consultant selected by the City and paid for by the applicant.

A. Report Requirements. The following requirements apply to reports.

1. Reports shall identify significant impacts on identified Coastal Resources on the project site that would result from development of the proposed project

2. Reports shall recommend feasible measures to mitigate any significant impacts and to protect the identified coastal resource. The adequacy of these measures shall be evaluated under a program developed jointly by the applicant and the Planning Director. These measures may include, but are not limited to:

a. changes in development intensity;

b. siting of buildings, structures or paving; and

c. limitations on the timing and location of construction.

3. Reports shall contain a proposed monitoring and reporting program to ensure that development conditions imposed are adequately being carried out and that significant impacts on the coastal resources have not occurred.

4. Reports shall be reviewed by the City for consistency with this Title and with the California Environmental Quality Act.

5. Reports shall be completed to the satisfaction of the Planning Director prior to the determination that a required development permit application is considered complete.

B. Exceptions. The Planning Director may grant exceptions to the requirements of this Chapter if he or she finds that existing studies adequately fulfill the requirements of this Chapter, provided such studies were prepared by a qualified professional as a part of a previously Certified Final EIR in accordance with the provisions of this Chapter.

18.38.035 Biological Report.

A. When Required. The Planning Director shall require the applicant to submit a Biological Report, prior to development review, prepared by a qualified Biologist for any project located in or within 100 feet of any Sensitive Habitat Area, Riparian Corridor, Bluffs and Seacliff Areas, and any Wetland...

B. Report Contents. In addition to meeting the report requirements listed in Section 18.35.030, the Biological Report shall contain the following components:

1. Mapping of Coastal Resources. The Biological Report shall describe and map existing wild strawberry habitat on the site, existing sensitive habitats, riparian areas and wetlands located on or within 200 feet of the project site.

2. Description of Habitat Requirements.

a. For Rare and Endangered Species: a definition of the requirements of rare and endangered organisms, a discussion of animal predation and migration requirements, animal food, water, nesting or denning sites and reproduction, and the plant's life histories and soils, climate, and geographic requirements;

b. For Unique Species: a definition of the requirements of the unique organism; a discussion of animal food, water, nesting or denning sites and reproduction, predation, and migration requirements; and a description of the plants' life histories and soils, climate, and geographic requirements.

C. Distribution of Report. Any Biological Report prepared pursuant to this Title shall be distributed to the US Fish and Wildlife Service, the Army Corps of Engineers, the California Coastal Commission, the State Department of Fish and Game, the Regional Water Quality Control Board, and any other Federal or State agency with review authority over wetlands, riparian habitats, or water resources.

1. The Biological Report shall be transmitted to each agency with a request for comments from each agency with jurisdiction over the effected resource on the adequacy of the Report and any suggested mitigation measures deemed appropriate by the agency.

2. Included within the transmittal of the Biological Report to the various agencies shall be a request for comments to be transmitted to the Planning Director within 45 days of receiving the Report.

18.38.055 Environmental Impact Reports. At the discretion of the Planning Director, a project applicant may use the analysis contained in an Environmental Impact Report prepared under the California Environmental Quality Act or an Environmental Impact Statement prepared under the federal Environmental Policy Act to fulfill the requirements of this Title.

...

B. Use of Previously Prepared Environmental Impact Report. The Planning Director may accept the information and analysis contained in a previously prepared Environmental Impact Report required under the California Environmental Quality Act in lieu of a new Geological, Biological, or Archaeological Report if the Planning Director determines that:

3. In order to use any previously prepared Biological Report pursuant to this Section, the Biological Report must have been a part of a Certified Final EIR that was accepted as complete and adequate no more that one year prior to the date of submittal.

18.38.075 Riparian Corridors and Buffer Zones.

A. Permitted Uses. Except as may be specified in this Chapter, within Riparian Corridors, only the following uses shall be permitted:

1. Education and research;

2. Consumptive uses as provided for in the Fish and Game Code and Title 14 of the California Administrative Code;

3. Fish and wildlife management activities;

4. Trails and scenic overlooks on public land(s);

5. Necessary water supply projects;

6. Restoration of riparian vegetation.

B. No Alternative Permitted Uses. The following are permitted uses where no feasible or practical alternative exists:

1. Stream-dependent aquaculture provided that non-stream-dependent facilities locate outside of corridor;

2. Flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development;

3. Bridges when supports are not in significant conflict with corridor resources;

4. Pipelines and storm water runoff facilities;

5. Improvement, repair, or maintenance of roadways or road crossings;

6. Agricultural uses, provided no existing riparian vegetation is removed, and no soil is allowed to enter stream channels

C. Standards. Development shall be designed and constructed so as to ensure:

1. That the removal of vegetation is minimized;

2. That land exposure during construction is minimized and that temporary vegetation or mulching is used to protect critical areas;

3. That erosion, sedimentation, and runoff is minimized by appropriately grading and replanting modified areas;

4. That only adapted native or non-invasive exotic plant species are used for replanting;

5. That sufficient passage is provided for native and anadromous fish as specified by the State Department of Fish and Game;

6. That any adverse effects of waste water discharges and entrainment are minimized;

7. That any depletion of groundwater supplies and substantial interference with surface and subsurface water flows are prevented;

8. That waste water reclamation is encouraged;

9. That natural vegetation buffer areas which protect riparian habitats are maintained;

10. That any alteration of natural streams is minimized.

D. Riparian Buffer Zone. The Riparian Buffer Zone is defined as:

1. land on both sides of riparian corridors which extends from the "limit of riparian vegetation" 50 feet outward for perennial streams and 30 feet outward for intermittent streams;

2. land along both sides of riparian corridors which extends 50 feet from the bank edge for perennial streams and 30 feet from the midpoint of intermittent streams, where no riparian vegetation exists.

E. Permitted Uses within Riparian Buffer Zones include:

1. Uses permitted in riparian corridors;

2. Crop growing and grazing, provided no existing riparian vegetation is removed and no soil is allowed to enter stream channels;

3. Timbering in "stream side corridors" as defined and controlled by State and County regulations for timber harvesting.

F. No Alternative Permitted Uses. The following are Permitted Uses within Riparian Buffer Zones where no feasible alternative exists:

1. The construction of new structures on existing legal building sites, set back 20 feet from the limit of riparian vegetation, only if no other building site on the parcel exists;

2. The creation of new parcels only if the only building sites available are those within in buffer area, if the proposed parcels are consistent with existing development in the area, and if the building sites are set back 20 feet from the limit of riparian vegetation, or if there is no vegetation, 20 feet from the bank edge of a perennial stream or 20 feet from the midpoint of an intermittent stream.

G. Development Standards within Riparian Buffer Zones. Development shall be designed and constructed so as to ensure:

1. That the removal of vegetation is minimized;

2. That development conforms to natural topography and that erosion potential is minimized;

3. That provisions have been made to (i.e. catch basins) keep runoff and sedimentation from exceeding pre-development levels;

4. That native and non-invasive exotic vegetation is used for replanting, where appropriate;

5. That any discharge of toxic substances, such as fertilizers and pesticides, into the riparian corridor is prevented;

6. That vegetation in or adjacent to man-made agricultural ponds is removed if the life of the pond is endangered;

7. That dredging in or adjacent to man-made ponds is allowed if the San Mateo County Resource Conservation District, or any similar or successor agency or entity, certifies that siltation imperils continued use of the pond for agricultural water storage and supply.

H. Findings for Development within Riparian Buffer Zones. The following Findings shall be supported by the contents of the required Biological Report:

1. That there are special circumstances or conditions affecting the property;

2. That the project is necessary for the proper design and function of some permitted or existing activity on the property;

3. That the project will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located;

4. That the project will not significantly reduce or adversely impact the sensitive habitat, or there is no feasible alternative which would be less damaging to the environment;

5. That the project is in accordance with the purpose of this Chapter and with the objectives of the L.C.P. Land Use Plan;

6. That development on a property which has its only building site located in the buffer area maintains a 20-foot buffer from the limit of riparian vegetation, or if no vegetation exists, a 20-foot buffer from the bank of a perennial stream and a 20-foot buffer from the midpoint of an intermittent stream.

<u>18.38.080 Wetlands</u>

A. Permitted Uses:

1. Education and research;

2. Passive recreation such as bird-watching;

3. Fish and wildlife management activities.

B. Permitted Uses with approval of a Use Permit:

1. Commercial mariculture where no alteration of the wetland is necessary;

2. Bridges;

3. Pipelines and storm water runoff facilities;

4. Improvement, repair or maintenance of roadways.

C. Standards. The Riparian Corridor Standards listed in this Chapter shall apply to Wetlands.

D. Wetlands Buffer Zone. The minimum buffer surrounding lakes, ponds, and marshes shall be 100 feet, measured from the high water point, except that no buffer is required for man-made ponds and reservoirs used for agricultural purposes.

E. Permitted Uses within Wetlands Buffer Zones. The Riparian Buffer Zone Uses listed in this Title shall apply to Wetlands Buffer Zones.

F. Permitted Uses within Wetlands Buffer Zones, where no feasible alternative exists. The Riparian Buffer Zone Uses listed under this Title shall apply to Wetlands Buffer Zones.

G. Development Standards within Wetlands Buffer Zones. The Riparian Buffer Development Standards listed under this Title shall apply to Wetlands Buffer Zones.

H. Findings for Development within Wetlands Buffer Zones. The following Findings shall be supported by the contents of the required Biologic Report:

1. That there are special circumstances or conditions affecting the property;

2. That the project is necessary for the proper design and function of some permitted or existing activity on the property;

3. That the project will not be detrimental to the public welfare or injurious to other property in the area in which the project is located;

4. That the project will not significantly reduce or adversely impact the sensitive habitat, or there is no feasible alternative which would be less damaging to the environment;

5. That the project is in accordance with the purpose of this Chapter and with the objectives of the L.C.P. Land Use Plan;

6. That development on a property, which has its only building site located in the buffer area, maintains a 20-foot buffer from the outer edge of any wetland.

18.38.085 Habitats for Rare and Endangered Species

A. Rare and Endangered Species. The potential exists for any of the following Rare and Endangered Species to be found within the San Mateo County Coastal Area and therefore within the City of Half Moon Bay.

1. Animals: the San Francisco Garter Snake, California Least Tern, California Black Rail, California Brown Pelican, San Bruno Elfin Butterfly, San Francisco Tree Lupine Moth, Guadalupe Fur Seal, Sea Otter, California Brackish Water Snail, Globose Dune Beetle.

3. Plants: Rare Plants known in San Mateo County are the Coast rock cress, Davy's bush lupine, Dolores campion, Gairdner's yampah, Hickman's cinquefoil, Montara manzanita, San

Francisco wallflower, and Yellow meadow foam (botanical names are listed in the City's LCP/LUP).

B. Permitted Uses. In the event that a Biological Report indicates the existence of any of the above species in an area, the following uses are permitted.

1. Education and research.

2. Hunting, fishing, pedestrian and equestrian trails that have no adverse impact on the species or its habitat.

3. Fish and wildlife management to restore damaged habitats and to protect and encourage the survival of rare and endangered species.

C. Permitted Uses within Critical Habitats. Within the critical habitat as identified by the Federal Office of Endangered Species, permitted uses are those which are deemed compatible by the US Fish and Wildlife Service in accordance with the provisions of the Endangered Species Act of 1973, as amended.

D. Buffer Zones.The minimum buffer surrounding a habitat of a rare or endangered species shall be 50 feet.

E. Standards:

1. Animals: Specific requirements for each rare and endangered animal are listed in Chapter 3 of the Local Coastal Program Land Use Plan.

2. Plants: When no feasible alternative exists, development may be permitted on or within 50 feet of any rare plant population, if the site or a significant portion thereof shall be returned to a natural state to enable reestablishment of the plant, or a new site shall be made available for the plant to inhabit and, where feasible, the plant population shall be transplanted to that site.

F. Habitat Preservation. Rare and endangered species habitats shall be preserved according to the requirements of the specific Local Coastal Program Land Use Plan policies tailored to each of the identified rare and endangered species and LCP/LUP implementing ordinances.

<u>18.38.090 Habitats for Unique Species.</u>

B. Permitted Uses. Permitted uses include:

1. education and research;

2. hunting, fishing, pedestrian and equestrian trails that have no adverse impact on the species or its habitat; and

3. fish and wildlife management to the degree specified by existing governmental regulations.

California Environmental Quality Act (CEQA) and CEQA Guidelines

21080.5. Certified Regulatory Programs

(d) To qualify for certification pursuant to this section, a regulatory program shall require the utilization of an interdisciplinary approach that will ensure the integrated use of the natural and social sciences in decision making and shall meet all of the following criteria:

(2) The rules and regulations adopted by the administering agency for the regulatory program do all of the following:

(A) Require that an activity will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

15130. Discussion of Cumulative Impacts

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided ~~of~~ for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of significant cumulative impacts:

(1) Either:

(A) A list of past, present, and-reasonably anticipated probable.future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or

(B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated is designed to evaluate regional or areawide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency;

1. When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.

2. "Probable future projects" may be limited to those projects requiring an agency approval for an application which has been received at the time the notice of preparation is released, unless abandoned by the applicant; projects included in an adopted capital improvements program, general plan, regional transportation plan, or other similar plan; projects included in a summary of projections of projects (or development areas designated) in a general plan or a similar plan; projects anticipated as later phase of a previously approved project (e.g. a subdivision); or those public agency projects for which money has been budgeted.

3. Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.

(2) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available; and

(3) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects of a proposed project.

15355. Cumulative Impacts

"Cumulative impacts" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(c) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Larry M. Kay

PUBLIC INPUT

California Coastal Commission project # A-1 HMB - 99-051
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EXHIBIT NO.
APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)
5/19/01 LETTER FROM LARRY KAY

May 19, 2001 **(via fax to: 415-904-5400)**

To: Chair Sara Wan and all other Commissioners
Attn: Virginia Esperanza, Project Analyst

Dear Ms. Esperanza,

Recently I became aware of certain things which may be problematical regarding this application. I am seeking your clarification as to whether that is so.

During my recent inspection of CUSD board **public documents** concerning a "Preliminary Endangerment Assessment" at the proposed middle school site, it came to my attention that the site has been examined and studied for residual agricultural toxins and I think that is admirable. What disappointed me was that there was no analysis of the fact that this site was a WWII military installation which fact, I would think, should have triggered an analysis based on the widespread contamination discoveries made during the nationwide military base closings during the 1990s.

I was also nonplussed to observe that the old concrete ammunition bunkers were not described as **military** in origin in the District's reports and were only analyzed in terms of removing the lead based paint prior to their **destruction.** Their destruction, mind you.

I suppose I should apologize for not having been aware of the fact that this project was contemplating the destruction of the only WWII historic buildings in Half Moon Bay. I can only offer as an excuse that I find it inconceiveable that such is the case. I would have thought such relics could be incorporated as storage facilities (if some practical utilization is necessary) with a plaque of sorts commemorating its past. Are there not LCP policies requiring the preservation of Historical Resources?

In closing, I would like to add that there is also a smaller bunker on what I believe to be the proposed Boys and Girls Club site, and I would hope that my questions can be considered relevant to that artifact, also.

I enclose six (6) exhibits, some with multiple pages. The exhibits are:

#1 - My statement and a public notice, but in the wrong newspaper.

2 - Begs for a review by California Coastal Commission legal staff. (The already submitted CUSD EIR does not deal with historical buildings. This "PEA" does not either.)

3 - ACRONYMS used in my exerpts from the 300-400 page "PEA". (CUSD has not to my knowledge provided all of these exerpted facts, that is the entire PEA, to the California Coastal Commission.)

4 - The three (3) pages of the conclusions/recommendations section. Section 10.1 does not reveal military WWII uses. The wording impresses me as obscure.

5 - Sec 2.1.9 misses a fine opportunity to correctly identify what the "to be destroyed" structures are. (They are World War II historical structures.)

6 - This "background" information should be investigated by California Coastal Commission staff, in my opinion. The Preliminary Endangerment Assessment does not fall within the jurisdiction of the California Coastal Commission, **however, environmental (CEQA) facts revealed by the PEA obviously do fall within the jurisdiction of the California Coastal Commission.**

Sincerely,

Larry Kay

EXHIBIT # 1

Regarading:

California Coastal Commission A-1 HMB - 99 - 051

Beneath is a public notice published in the San Mateo County Times by the Cabrillo Unified School District on May 4, 2001.

The below important public notice was published in a newspaper of general circulation as required by law (the SMCTimes), but not in the local newspaper, the Half Moon Bay Review.

The Cabrillo Unified School District will give15 minutes (on June 7, 2001 between 6:45pm and 7:00pm.) for public comment on a danger assessment regarding danger assessment (toxic, etc) at the suggested new middle school site at the proposed new "Wavecrest Village". That is what the "PEA" (preliminary danger assessment) deals with.

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PUBLIC NOTICE

Notice of public review and comment.

Notice is hereby given that the Board of Trustees of the Cabrillo Unified School District, Half Moon Bay, Ca. hereinafter referred to as "DISTRICT" will have on display for public review and comment:

FINAL DRAFT PRELIMINARY:
ENDANGERMENT ASSESSMENT REPORT

CABRILLO UNIFIED SCHOOL DISTRICT
NORTH WAVECREST ROAD
HALF MOON BAY, CALIFORNIA

Management and coordination of the review is the responsibility of the District. All inquires about the review are to be directed to the DISTRICT, 498 Kelly Avenue, Half Moon Bay, Ca., 94019
ATTENTION: Roberta Carlson at 650-712-7112;
FAX 726-0270.

The Final Draft Preliminary Endnagerment Assessment hereinafter referred to as "PEA" will be available from:

May 4, 2001 through June 7, 2001 for public review between the hours of 9:00am and 4:00pm in the DISTRICT Office, located at 498 Kelly Avenue, Half Moon Bay, Ca., 94019.

Public comments and concerns will be heard by the DISTRICT at the DISTRICT Office, 498 Kelly Avenue, Half Moon Bay, Ca., 94019 on June 7, 2001 between 6:45pm and 7:00pm.

san mateo county times #2057121
published may 4, 2001.
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END OF EXHIBIT # 1
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EXHIBIT # 2

Regarding:

California Coastal Commission A - 1 HMB - 99 - 051

Published Friday, March 30, 2001, in the San Jose Mercury News

SAN FRANCISCO

Supreme Court requires historic-landmark reviews

In a victory for preservationists, the California Supreme Court on Thursday barred cities from stripping buildings of historic-landmark status without environmental reviews.

The court decided unanimously that Sierra Madre had improperly removed 29 buildings from a list of historic properties through a 1998 city-sponsored ballot measure.

The decision will affect all sorts of ballot measures by cities and counties. For instance, a county no longer will be able to put a general plan on the ballot for approval without having done a study of its environmental impact.

In an opinion written by Justice Marvin R. Baxter, the court said only citizen-placed initiatives are exempt from the California Environmental Quality Act, which requires a range of reviews, depending on how serious the environmental consequences appear to be.

Mercury News wire reports

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END OF EXHIBIT # 2

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EXHIBIT #3-A

Figure 1 Site Location Map
Figure 2 Proposed Site Development
Figure 3 Boring Location Map
Figure 4 Existing Land Use
Figure 5 Conceptual Site Model

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Appendix B Lead-Based Paint and Asbestos-Containing Materials Survey
Appendix C Boring and Sampling Procedures
Appendix D Field Sheets
Appendix E Certified Analytical Reports and Chain-of-Custody Documents
Appendix F Quality Assurance Program
Appendix G Census Information

List of Acronyms

AST	above ground storage tank
bgs	below ground surface
BTEX	benzene, toluene, ethylbenzene, and total xylenes
CARB	California Air Resources Board
CDFG	California Department of Fish and Game
COCs	chemicals of concern
COPCs	chemicals of potential concern
CUSD	Cabrillo Unified School District
DDD	4,4'-DDD
DDE	4,4'-DDE
DDT	4,4'-DDT
DSP	Draft Specific Plan
DTSC	Department of Toxic Substances Control
EDR	Environmental Data Resources
ESA	Environmental Site Assessment
IT	IT Corporation
LOAEL	lowest-observed-adverse-effects level

List of Acronyms (continued) EXHIBIT #3-B

LUFT	leaking underground fuel tank
MTBE	methyl tert butyl ether
µg/dL	micrograms per deciliter
µg/kg	micrograms per kilogram
mg/kg	milligrams per kilogram
msl	mean sea level
NOAEL	no-observed-adverse-effects level
NPDES	National Pollutant Discharge Elimination System
OCPs	organochlorine pesticides
ORNL	Oak Ridge National Laboratory
PEA	Preliminary Endangerment Assessment
PRGs	Preliminary Remediation Goals
QA/QC	quality assurance/quality control
RfDs	reference doses
site	Cabrillo Middle School
SMCDA	San Mateo County Department of Agriculture
SMCDEH	San Mateo County Department of Environmental Health
TPH	total petroleum hydrocarbons
TPH-d	total petroleum hydrocarbons as diesel
TPH-g	total petroleum hydrocarbons as gasoline
UCL	upper confidence limit
UCR	University of California Riverside
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geological Survey
UST	underground storage tank
WRA	Wetlands Research Associates

10.0 Conclusions and Recommendations

EXHIBIT #4 – A

Section 17213.1 of the Education Code established criteria for assessment of new school sites under the oversight of the DTSC. IT completed this PEA for the CUSD's proposed middle school site located in the proposed Wavecrest Village Development Project in Half Moon Bay, California consistent with the PEA Guidance Manual and the Interim Guidance for Sampling Agricultural Sites. The site and adjoining properties have historically been used for dry farming production of grain crops. Agricultural activities have been phased out over the previous 15 years. The proposed development plan includes residential, commercial, and civic land uses.

10.1 Site Setting

The 26-acre proposed middle school site has historically been used for agricultural purposes and is presently open space. The site and adjoining land have been dry-farmed for grain crops. Two small concrete block structures and a concrete pad are located near the southwestern corner of the proposed school site. No evidence of hazardous waste material storage or soil staining was observed near the structures or the concrete pad. Little League baseball fields were constructed to the west of the proposed school site in the 1960's and are currently in use. The proposed development plan includes using the eastern portion of the ball fields for school recreation and athletic fields and using 10 acres of the existing baseball fields for new baseball and softball fields separate from the school grounds.

10.2 Hazardous Substances

COCs identified for the site consisted of OCPs, paraquat and diquat, petroleum hydrocarbons, and heavy metals. The OCPs and paraquat and diquat may have been used in the field and have long soil half-lives and persistence in the environment. Some of the heavy metals may be associated with agricultural land use and residual lead may be associated with the use of lead-based paints. No evidence of hazardous materials storage or releases were identified during the Phase I ESA or during the PEA sampling. The San Mateo County Agricultural Commissioner's Office had no records of agricultural chemical use at the subject site. Staff had no recollection of chemical use on the site or applications filed for chemical use.

10.3 PEA Investigation Results

Forty-six soil borings (including the drain sample and four off-site borings) were sampled using a combination of GeoProbe equipment and hand auger equipment. Groundwater was not encountered as either a shallow perched zone or at the water table to the total depths explored of

END OF EXHIBIT #4-A

EXHIBIT # 4 - B

26 to 35 feet bgs. Five locations within drainage routes were also sampled. Borehole depths, sample intervals, and laboratory analysis were selected based upon past land use and potential source areas. Soil samples for evaluation of agricultural chemical and metals impacts were collected from ground surface and from two feet bgs. Soil samples from the vicinity of the former AST location and concrete structures were also evaluated for petroleum hydrocarbon impacts at 5 and 10 feet bgs.

OCPs (DDD, DDE, and DDT) were detected in three soil samples collected near the concrete structures and pad and in seven of the composited soil samples collected at ground surface to assess past agricultural chemical applications in the open areas of the site. One drainage route sample contained DDE and DDT. Detected concentrations were below the respective PRGs.

Paraquat and diquat analysis detected in diquat in one drainage route sediment sample at 2.8 µg/kg. This concentration is below the PRG.

Soil samples collected from the vicinity of the concrete structures and concrete pad did not contain TPH-g, BTEX, and MTBE at concentrations above method reporting limits. One soil sample contained TPH-d at a concentration of 15 mg/kg.

TPH as motor oil was detected in five surface soil samples at concentrations of 11- to 120 mg/kg. These are localized impacts at relatively low concentrations and defined the lateral extent of TPH as motor oil detected in a floor drain sample. The floor drain sample concentration was 11,000 mg/kg. The drain appears to terminate beneath the structure and was not located beyond the footprint of the structure. It appears that the floor drain oil result represents residue within the piping and not impacts to native soils.

Four off-site soil samples were collected and analyzed to evaluate the background metals concentrations because published data were not available for the Half Moon Bay Area. Site concentrations of heavy metals were compared with the off-site soil sample concentrations. Copper, lead and zinc levels were elevated above background levels and were designated as COPCs.

10.4 Evaluation of Risks and Hazards

The human health risk screening was conducted following DTSC PEA algorithms. The anticipated receptors were students and teachers at the proposed school, however the evaluation was conducted under a residential exposure scenario. The potentially complete exposure pathways are soil ingestion, dermal contact with soil, and inhalation of soil particles. Organic

END OF EXHIBIT #4-B

EXHIBIT # 4-C

COPCs evaluated were OCPs DDD, DDE, and DDT and the herbicide diquat. Based on ambient level selection criteria, copper, lead, and zinc were designated as COPCs.

Cancer risks for DDD, DDE, and DDT, were at or just below the $1x10^{-6}$ *de minimus* level.

The non-carcinogenic hazard quotients for organic and inorganic chemicals are below one. In addition, the hazard index based on all COPCs and all potentially complete exposures is 0.05. Consequently, no potential concern for non-carcinogenic health effects has been identified.

10.5 Recommendations

The September 20, 2000 lead-based paint and asbestos survey of the concrete structures identified lead-based paints on interior and exterior walls. Approximately 1,150 square feet of chipped and peeling paint will require abatement prior to demolition of the structures and disposal of the removed paint in accordance with Title 22 hazardous waste regulations. No asbestos-containing materials were identified; thus asbestos abatement is not necessary.

Demolition of the concrete structures will be monitored to identify the floor drain piping and to collect soil samples, if warranted, based upon the observed condition of soils beneath the structure. Conditions warranting sampling would include soil staining by residual motor oil or odors. If significant impacts are noted, DTSC will be notified. Localized soil excavation and removal may be necessary if concentrations require removal. It should also be noted that the proposed construction plan calls for soil removal from the vicinity of the concrete structures and placement of engineered fill to accommodate paving. These actions will further reduce exposure scenarios.

The potential health risks associated with chemicals in soil are *de minimus* for organic chemicals and consistent with background risks for arsenic and other inorganic compounds. This PEA recommends proceeding with construction of the proposed middle school once the building demolition, evaluation of piping issues, and post demolition lead soil sampling are completed.

IT also recommends evaluating imported soil fill material for potential chemical hazards. Recommended evaluation consists of soil sampling and analysis for metals to verify that naturally occurring metals concentrations in the imported fill do not represent health risks that exceed the site ambient risks. Sampling and analysis for organochlorine pesticides, based upon persistence in the environment, is also recommended if the source area was historically used for agricultural purposes.

END OF EXHIBIT #4-C
END OF EXHIBIT # 4

2.0 Site Description

EXHIBIT #5 – A

This section includes information that identifies the physical setting of the site in relation to the surrounding area.

2.1 Site Identification

2.1.1 Site Name

The site is known as the proposed Cabrillo Middle School site. The site is within the CUSD.

2.1.2 Contact Person(s)

The main contact for the CUSD is Dr. John Bayless.

2.1.3 Site Address

The site is located on North Wavecrest Road in the City of Half Moon Bay, San Mateo County, California (Figure 1). Adjoining properties:

- North - The properties to the north are open areas that have historically been dry farmed for grain crops. Under the proposed Wavecrest Village Development Plan, these areas would be developed for mixed residential and commercial uses. Further north is existing residential areas.
- South – Areas to the south of the subject site are Wavecrest Avenue, open spaces currently used for the Cabrillo Inn, a private residence, open space, and the McMahon Nursery. McMahon Nursery had a leaking underground storage tank (UST) case that was closed in 1994 after completion of assessment activities. Open areas are proposed for residential development under the proposed Wavecrest Village Development Plan.
- East – The properties to the east include: Highway 1, a City Fire Department House, a Ford dealer (1/8 mile northeast), private residences, and open space. Open space is proposed to be developed for commercial uses under the proposed Wavecrest Village Development Plan.
- West – The adjoining properties to the west of the subject site include several baseball fields and coastal bluffs. The configuration of the baseball fields will change under proposed Wavecrest Village Development Plan.

2.1.4 Mailing Address

Correspondence for this site can be mailed to the CUSD administration building located at 498 Kelly Drive, Half Moon Bay, California 94019.

EXHIBIT #5 – B

2.1.5 USEPA Identification Number

There is no U.S. Environmental Protection Agency (USEPA) identification number for the site.

2.1.6 CalSites Database Number

The CalSites database number for the proposed school property is 41-00-0001.

2.1.7 Assessor Parcel Numbers and Maps

The site is defined as assessor parcel number 065-090-080-6 and encompasses 26 acres in Half Moon Bay, San Mateo County, California.

2.1.8 Township, Range, Section and Meridian

The site is located in Section 32, township 5 south, range 5 west, of the Mount Diablo base and meridian (U. S. Geological Survey [USGS] 7.5 minute topographic quadrangle, Half Moon Bay, 1978).

2.1.9 Land Use and Zoning

The subject site and surrounding area are located in the City of Half Moon Bay. The site is situated in an open area surrounded by commercial, residential, and recreational properties. The subject site is 26 acres (located within a 207.5-acre parcel) and is currently occupied by two concrete block structures (on the southwestern edge of the subject site).

A portion of the subject site has been recognized as an artificial wetland. The wetlands are the result of the former practice of discharging irrigation water and irrigation runoff from the adjacent nursery property to the man-made drainage ditch on the subject site. Water discharge has ceased, but wetlands vegetation is established along approximately 1.83 acres bordering and encompassing drainage ditches and an additional 0.41 acre of wetlands is present north-northeast of the baseball fields. Information presented in the Wavecrest Village Draft Specific Plan (DSP) (Brady/LSA, 1999) states that the 0.41 acre wetlands may fall under California Coastal Commission jurisdiction and that the 1.83 acres of wetlands along the drainage ditches is non-jurisdictional. The DSP (Brady/LSA, 1999) also stated that the wetlands conditions were the result of the irrigation water discharge and are not naturally occurring.

The site and immediate vicinity is located in the Wavecrest Village Development Project; current zoning does not exist for the subject site.

2.2 Site Maps

2.2.1 Site Location Map

See Figure 1 for the site location map.

EXHIBIT #5 - C

2.2.2 Site Specific Maps

See Figure 2 for the site map showing proposed development of the site and surrounding properties. The existing land use for the site and surrounding properties is shown on Figure 3. Figure 4 shows the site plan, including locations of the concrete structures, drainages, and soil sampling locations.

END OF EXHIBIT #5

3.0 Background

EXHIBIT # 6-A

This section includes information regarding current and past business operations at the site.

3.1 Site Status/Historical Site Information

3.1.1 Current Business Type

The subject site is currently an open space. Two areas of approximately 0.41 and 1.83 acres, respectively, are classified as artificial wetland. There are currently two small, concrete block structures located in the southwest corner of the facility. These structures are currently used as storage by the City of Half Moon Bay. One structure contains materials used by a local theater company such as stage backgrounds and props. The second structure contained some lumber. A concrete pad that may have contained an aboveground storage tank (AST) is located immediately north of the structures. In addition, there is a small farmhouse and associated structures located to the east of the 26-acre subject site and along Highway 1.

3.1.2 Years of Operation

According to sources at the City of Half Moon Bay, the subject site has been primarily used as open space. The baseball fields along the western edge of the subject site (part of the 207.5 acre parcel), have been in place for approximately 30 years (according to Gary Wheeling from the City of Half Moon Bay). Information presented in the Brady/LSA (1999) DSP states that the baseball fields were constructed in 1967.

3.1.3 Prior Land Use

The subject site and adjoining properties were historically dry farmed and produced grain crops. According to information presented in the DSP (Brady/LSA, 1999), an air photo from 1950 showed agricultural land use. In 1967, the baseball fields located at the western end and to the west of the proposed school site were constructed. Air photo review showed gradual phase out of agricultural land use since 1985. Mr. Bill Smith, of the Half Moon Bay Planning Department, reported that the site has been dry-farmed for winter wheat for an indefinite number of years.

Irrigation water was formerly discharged from McCahon Nursery to the drainage ditch located in the eastern part of the proposed school property. The water flowed northward and at the northern margin of the subject site the drainage ditch makes a westward turn. Discharge was exempt from the National Pollutant Discharge Elimination System (NPDES) requirements under agricultural exemptions. Discharge ceased in 1998 (Brady/LSA, 1999).

EXHIBIT #6 - B

3.1.4 Facility Ownership/Operators

The site is owned by North Wavecrest Partners (Patrick Fitzgerald).

3.1.5 Property Owners

The site is owned by North Wavecrest Partners (Patrick Fitzgerald).

3.1.6 Surrounding Land Use

The subject site and surrounding area are located in the City of Half Moon Bay. The site is situated in an open space area surrounded by commercial, residential, and recreational properties. Surrounding properties are proposed to be developed for residential, civic, and commercial uses under the Wavecrest Village Development Plan (Figure 2).

Adjoining properties:

- North - The properties to the north are open areas that have historically been dry farmed for grain crops. Under the proposed Wavecrest Village Development Plan, these areas would be developed for mixed residential and commercial uses. Residential areas are located further north of the site.
- South – Areas to the south of the subject site are Wavecrest Avenue, open spaces currently used for the Cabrillo Inn, a private residence, open space, and the McCahon Nursery. McCahon Nursery had a leaking UST case that was closed in 1994. Open areas are proposed for residential development under the proposed Wavecrest Village Development Plan.
- East – The properties to the east include: Highway 1, a City Fire Department House, a Ford dealer (1/8 mile northeast), private residences, and open space. Open space is proposed to be developed for commercial uses under the proposed Wavecrest Village Development Plan.
- West – The usage of the adjoining properties to the west include several recreational baseball fields and coastal bluffs. The configuration of the baseball fields will change under proposed Wavecrest Village Development Plan.

3.2 Hazardous Substance/Waste Management Information

The following information regarding hazardous substance/waste management is for all current and former businesses that have operated on the site.

3.2.1 Business/Manufacturing Activities

No manufacturing processes were conducted at the site.

EXHIBIT # 6 – C

3.2.2 On-site Storage, Treatment, and Disposal

According to sources at the City of Half Moon Bay, the subject site has been primarily used as open space. Mr. Bill Smith, of the Half Moon Bay Planning Department, reported that the site has been dry-farmed for winter wheat for an indefinite number of years. No storage, treatment, or disposal facilities are known to have been present on-site. No agricultural chemical use records exist at the Half Moon Bay Planning Department or the San Mateo County Department of Agriculture (SMCDA). The SMCDA personnel had no knowledge pesticide or herbicide usage information being submitted in prior years.

During the Phase I ESA and PEA sampling activities, no staining of soil was observed in the vicinity of the concrete structures or the concrete pad. Inspection of the interior of the concrete structures during PEA sampling did not identify staining on the floors or floor drain areas. The smaller of the two concrete structures contained approximately two dozen cans of latex paint.

3.2.3 Regulatory Status

The subject site was not listed on any other databases as searched by Environmental Data Resources (EDR). No violations were found on the violations and enforcement database.

3.2.4 Inspection Results

There is no evidence of storage or disposal of hazardous waste at the site. No on-site evidence of spills or leaks was identified. There is no evidence of USTs at the site and agency records did not identify storage tanks or hazardous materials incidents at the site. A concrete pad located in the southwest part of the property, near the concrete buildings, may have been used for an AST. No records of AST usage were listed on environmental databases or in agency interviews. There was no evidence of chemical storage or releases on or around the concrete pad. There were no stained soils around the concrete pad or the concrete structures.

Two nearby properties (James Ford, Inc. and McCahon Nursery) have been recognized as having a past petroleum hydrocarbon release. The James Ford site had a gasoline release from an UST and petroleum hydrocarbons are present in groundwater. The James Ford, Inc. Property is located approximately 1,200 feet northeast of the site. Groundwater flow is westward. The distance and direction suggest that the James Ford UST release will not adversely affect the subject site. The McCahon Nursery had a gasoline release from an UST. The assessment and remediation activities were completed and the San Mateo County Department of Environmental Health (SMCDEH) closed the case in 1994. The former UST location is to the south and cross-gradient of the proposed school site. It is unlikely that the former UST release will have an adverse effect on the proposed school site.

EXHIBIT # 6 — D

3.2.5 Prior Assessments/Remediation

Prior assessment activities at the subject site are limited to wetlands and biological investigations performed as part of the DSP (Brady/LSA, 1999) (Wetlands Research Associates [WRA, Inc.], 1998a; 1998b; 1998c; 1998d; 1998e) and the Phase I ESA conducted by IT (2000a). The wetlands and biological investigations and the Phase I ESA did not include sampling activities. No prior remediation activities have been conducted at the subject site.

END OF EXHIBIT # 6

Appeal # A-1-99-51, Wavecrest Village
"Southern Residential Area"

To: California Coastal Commission
Attn: Mr. Chris Kern
Ms. Virginia Esperanza
Mr. Steve Scholl
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

May 31, 2001

Dear Steve, Chris and Virginia,

One of the Appellants for this project - Mrs. Carey - has been kind enough to provide me - on May 30 - with a copy of the May 23 document submission by the Applicant, Wavecrest Village LLC, and I wish to provide the following comments regarding the Southern Residential Area portion of the submission:

1.) The Applicant has submitted a Title Report evidencing the existence of a paper street named Occidental which would connect the Southern Residential Area to Redondo Beach Road. The existence of a legal paper street is not at issue. What is at issue is the fact that what is on the ground right now is a Single Lane Dirt Road which passes through an area which has many strong Wetland characteristics (photographs enclosed with Ms. Esperanza's copy), and the Applicant has submitted no delineation for this area. The Half Moon Bay LCP does not permit roadbuilding in a Wetland, only the repair and maintenance of existing roads. To change a Single Lane Dirt Road to a paved & fully improved City street cannot be characterized as Repair & Mainteance. It should also be an issue as to when this dirt road was created, given the proscriptions against such activity in the HMB LCP, the HMB LUP preceding the LCP, and the 1976 Coastal Act.

2.) The intersection of Redondo Beach Road and Highway #1 is arguably the most dangerous in Half Moon Bay even though it currently serves only two residences, a day care center, the golf course maintenance yard, a seminar facility and a beach access point. The problem is that Highway #1 at this intersection is too narrow to support a center lane for a northbound exit storage and northbound left turn. Failure to require this safety review and mitigation will put the current residential, commercial, and general public beach access users and future residents at significant peril. Because of the elevation dropoff and potential coastal resources on the eastern side of Highway #1, such a widening would be a costly undertaking and I am unaware of any plan or funding source for such.

3.) I do not understand how the HMB LCP can be interpreted to permit the conversion of delineated Wetlands to Detention Basins (Sub Area A). Does this not constitute destruction of the Wetland? Also, Detention Ponds require regular maintenance activities that are not permitted in Wetlands under the LCP. I don't understand the logic of this proposal.

Although there have been several improvements in the overall Wavecrest Village proposal, there remain several significant "rough spots" which deserve deeper examination - made more difficult by the Applicant's late submission. I will cover more of those under separate cover.

Sincerely,

Michael J. Ferreira
cc. Helen Carey

EXHIBIT NO.
APPLICATION NO. A-1-HMB-99-051 (WAVECREST VILLAGE PROJECT)
5/31/01 LETTER FROM MICHAEL FERREIRA