



Midpeninsula Regional  
Open Space District

R-09-104  
Meeting 09-26  
September 23, 2009

## **AGENDA ITEM 6**

### **AGENDA ITEM**

Informational Report on the Proposed Cooley Landing Project From the City of East Palo Alto (City); Consideration of an Ad Hoc Board Committee to Ensure Policy-level Coordination with the City Through the Conceptual Design Process; and Authorization for the General Manager to Spend Up to His Contractual Authority of \$25,000 to Fund Necessary Consultant Services

### **GENERAL MANAGER'S RECOMMENDATIONS**

1. Receive an informational report from the City of East Palo Alto on the current status and recent activities of the City concerning its proposed Cooley Landing project.
2. Consider creating a Cooley Landing Ad Hoc Board Committee to ensure policy-level coordination with the City through the conceptual design process for the proposed project.
3. Authorize the General Manager to spend up to his contractual authority limit of \$25,000 to fund necessary presentations, report copies, and other services requested by the District from the City of East Palo Alto's design consultant in order to enable timely collaboration and information exchange between the City and District.

### **SUMMARY**

Cooley Landing is located adjacent to Ravenswood Open Space Preserve (Preserve) and is the site of a recently identified Potential New Key Action Plan Project, which the Board will consider in the Fall for inclusion in the FY2009-10 Action Plan. To prepare the Board for upcoming mid-year Action Plan discussions, staff has invited the City of East Palo Alto to provide an informational presentation on the Cooley Landing project. To provide policy-level District representation as the City moves forward on the Cooley Landing Project, staff recommends creation of a Cooley Landing Ad Hoc Board Committee tasked to work closely with District staff throughout the planning, design, and implementation phases. District staff also foresees the need for services from the City's design consultant to ensure that the Ad Hoc Committee remains fully informed and involved, and therefore recommends that the Board authorize the General Manager to spend up to his contractual authority to fund these services as needed.

## DISCUSSION

### Location

Cooley Landing is a peninsula located at the eastern end of Bay Road in the City of East Palo Alto (refer to attachments A1, A2, and A3). Three parcels make up the peninsula. The District owns a 25-acre parcel to the north and a 15.7-acre parcel to the south, which together include approximately 9 acres of the uplands, while the City owns the center parcel, beginning at the end of Bay Road and running the length of the peninsula into the San Francisco Bay. The District-owned parcels were purchased in 1980, before the incorporation of the City in 1983, and are located within the jurisdictional boundary of the City of Menlo Park.

The East Palo Alto's parcel was a gift of the Peninsula Open Space Trust (POST) in 2006 and is within the jurisdictional boundary of East Palo Alto. The Preserve surrounds Cooley Landing on the north, west and south sides. Further to the south lies the Palo Alto Baylands Nature Preserve, which is located within the jurisdictional boundary of East Palo Alto and known for the highest concentration of the endangered clapper rail in the world.

### Consent Decree

The two District parcels are subject to a recorded Consent Decree with the United States Fish and Wildlife Service and the California Department of Fish and Game that was entered into in settlement of a Natural Resources Damages Assessment (NRDA) relating to mercury mining activities on District lands in Sierra Azul. Under the terms of the Consent Decree, the District is committed to maintaining the lands in perpetuity for the benefit of the clapper rail.

### History

City leaders and residents have long had an interest in opening Cooley Landing to the public for low intensity recreation, education, and conservation that respects the natural and historic integrity of the site. In 2003, the City hired a design consultant and held a study session and a series of community workshops to prepare conceptual designs for Cooley Landing. Three conceptual design plans were prepared, each building upon the previous in intensity of use. Stakeholder meetings conducted in 2004, which included District staff, focused on the type of uses deemed conceptually acceptable for the site. In 2005, the City held community meetings to present the conceptual design plans. The City Council and the community both gravitated towards the lower impact designs, namely Concept Plans A and B, whose designs focused on more passive uses on the peninsula (refer to attachments A4 and A5).

### District Coordination

From 2006 through 2007, the City conducted a series of technical studies funded by the U.S. Environmental Protection Agency (US EPA) to ascertain what regulatory issues would face the project. In 2007, the City and District were briefly in contact, resulting in a District letter that confirmed its collaborative intent and commitment to working with the City. The letter suggested contact between L. Craig Britton, then General Manager, and Alvin James, City Manager, to develop a process for working together. However, the conclusion of the Cooley Landing project manager's contract at the City, funded by US EPA, put the project on hold until earlier this year when the District was contacted by Lily Lee, the new Cooley Landing project manager on loan from the US EPA until March 2011 and funded by a Packard Foundation grant. Since that time, City and District staffs, including the City Manager and District General Manager, have discussed the City's goals and the level of potential District staff involvement in the project. With District staff input, the City issued a Request for Proposals/Qualifications (RFP/Q) in

August for design services to further the project's design process. The City hopes to contract with a consultant team later this Fall.

Cooley Landing will be recommended as a Potential New Key Project during the upcoming review and re-prioritization of the current fiscal year's Action Plan. In preparation for this process, staff has invited Alvin James, City Manager for the City of East Palo Alto, and Lily Lee, the Cooley Landing Project Manager, to give an informational presentation on the project to provide more detail on its current status and recent activities.

### **FISCAL IMPACT**

There is no current fiscal year funding for Cooley Landing. This will be under consideration during the mid-year budget review process.

### **PUBLIC NOTICE**

Public notice was provided per the Brown Act. No additional notice is required.

### **CEQA COMPLIANCE**

This informational presentation is not a project under the California Environmental Quality Act. Since the Board will be making no decisions or commitments concerning the potential project, no environmental review is required at this time. In the event the Board determines to proceed with a project, environmental review will occur prior to such a decision.

### **NEXT STEPS**

Staff will present the Cooley Landing Project as a Potential New Key Project for Board review and consideration in the fall for formal inclusion in the FY2009-10 Action Plan. As part of the City's RFP/Q process, District staff will participate on the selection panel to interview the design consultant finalists. The City plans to interview finalists in October. District staff will continue to represent the District and collaborate with the City during the conceptual design process.

#### **Attachments:**

- A1: Map of Cooley Landing Area
- A2: Aerial of Cooley Landing (2007)
- A3: Aerial of Cooley Landing (2008)
- A4: Concept Plan A (2004)
- A5: Concept Plan B (2004)

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Lily Lee, Cooley Landing Project Manager, City of East Palo Alto



# Attachment A1: Map of Cooley Landing Area





## Attachment A2: Aerial of Cooley Landing (2007)





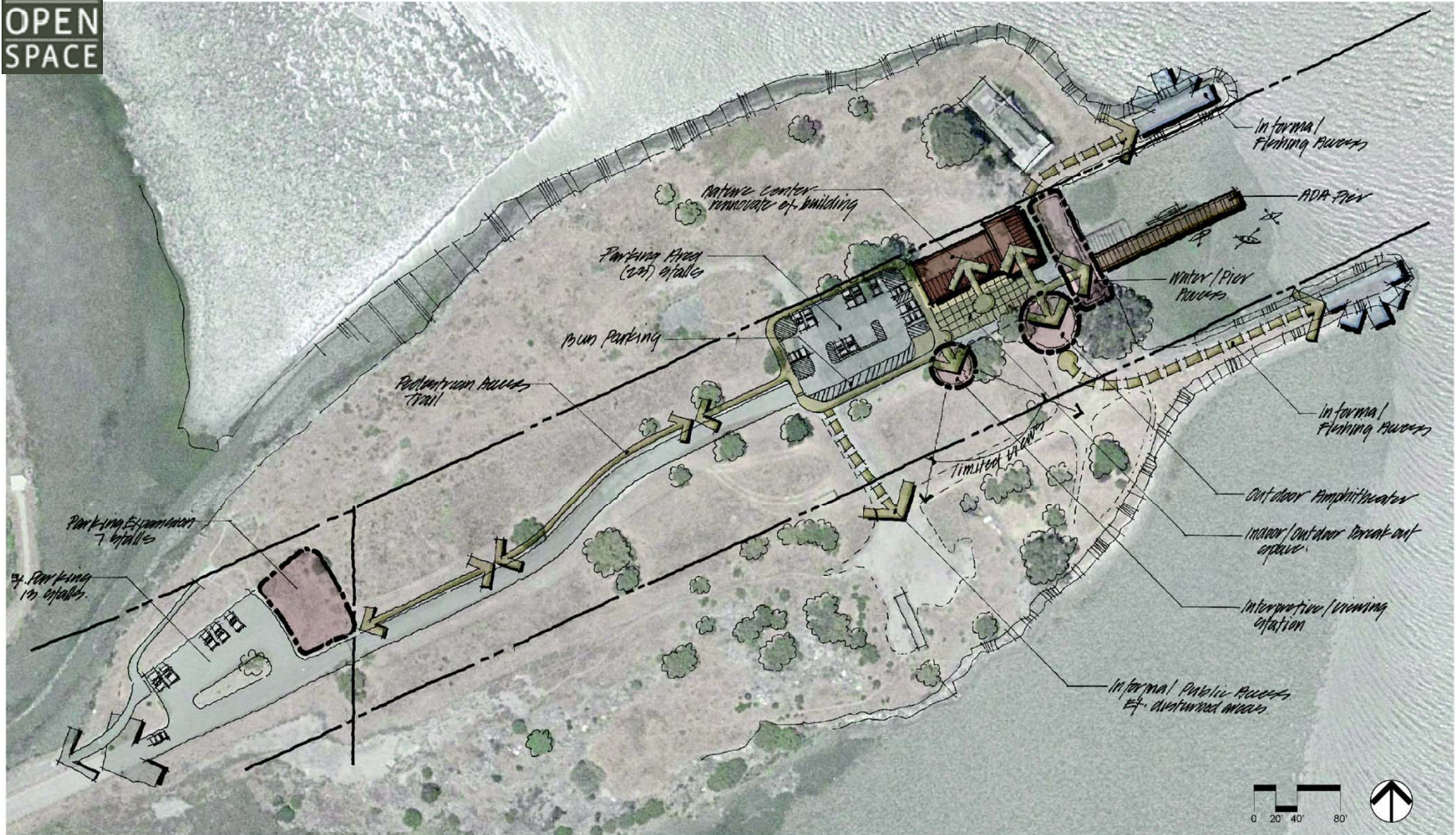
## Attachment A3: Aerial of Cooley Landing (2008)





REGIONAL  
OPEN  
SPACE

# Attachment A4: Concept Plan A (2004)



Cypress Environmental & Land Use Planning

Callander Associates  
Landscape Architecture, Inc.

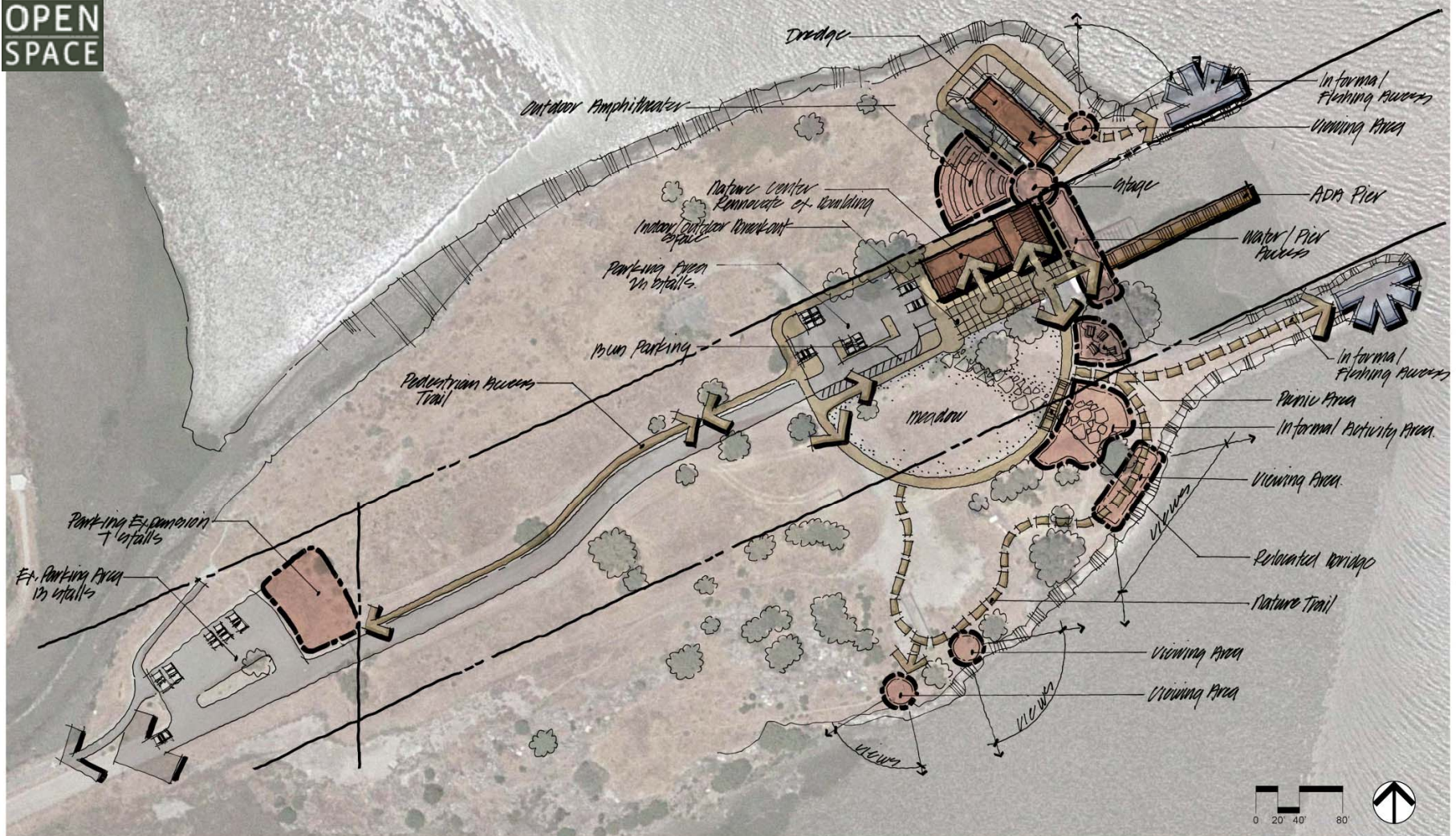
November 30, 2004

## Cooley Landing

City of East Palo Alto



# Attachment A5: Concept Plan B (2004)



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Callander Associates  
Landscape Architecture, Inc.

December 14, 2004

## Cooley Landing

City of East Palo Alto