



US Army Corps
of Engineers®

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197

Project: Rosewood Sand Hill Hotel and Office Development

NUMBER: 29719S

DATE: May 22, 2006 RESPONSE REQUIRED BY: June 22, 2006

PROJECT MANAGER: Holly Costa

PHONE: 415-977-8438

Email: Holly.N.Costa@usace.army.mil

1. INTRODUCTION: The Stanford Management Company, through its agent, Olberding Environmental Inc. (1390 Willow Pass Road, Suite 370, Concord, California 94520-7975) has applied for a U.S. Army Corps of Engineers (Corps) permit to place fill into jurisdictional wetlands and waters in association with the proposed Rosewood Sand Hill Hotel and Office Development Project. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

2. PROPOSED PROJECT:

Project Site: The project site is an approximately 21-acre parcel, located at the southeastern corner of Highway 280 and Sand Hill Road. The property is located on Stanford University lands, in the City of Menlo Park, San Mateo County, California.

Project Description: As shown in the attached drawings, the applicant plans to construct an approximately 120-room luxury hotel, five residential hotel villas, and 100,000 square feet of office space in five buildings. The site is owned by Stanford University and the hotel would be operated by Rosewood Hotels and Resorts.

The property consists of a triangular shaped parcel, which is surrounded by roadways and existing commercial development. Sand Hill Road defines the northern border and Highway 280 defines the southwestern border. Commercial office buildings and associated parking lots are located to the east of the property. The property primarily supports non-

native annual grassland habitat. The property is thickly vegetated with non-native grasses and broad leaf species. There are no structures on the property.

An ephemeral drainage swale originates along the southern border of the site, allowing stormwater to flow along the base of the Highway 280 embankment to a storm drain culvert located in the northwestern corner of the property. This feature appears to drain the majority of the property, including roadway runoff, in a south to north direction. Hydrology within this feature is derived from storm water, road runoff and development runoff. A second drainage feature on the property consists of a broad flattened swale which is vegetated with a thick growth of emergent wetland species dominated by cattails. This drainage originates from a ditch along Sand Hill Road and flows south to intersect the culvert near the interchange of Highway 280 and Sand Hill road. Both onsite wetlands and waters of the U.S. converge to form a single drainage beneath Highway 280, which is then tributary to San Francisquito Creek downstream.

Purpose and Need: The basic purpose of this project is to create an integrated complex of office space, overnight and extended-stay accommodations and associated amenities. The overall need for this project is to provide office and hotel accommodations for employees and guests of Stanford University.

Impacts: The project will permanently impact 0.91 acre of Corps jurisdictional waters and wetlands (0.03 acre other waters and 0.88 acre wetlands).

Mitigation: Permanent construction impacts for wetlands and waters of the U.S. associated with the project are proposed to be mitigated at a 2:1 ratio offsite at the Portola Valley Mitigation Site. Approximately 0.91 acre of existing jurisdictional habitat would be mitigated through the creation and preservation of 1.36 acres of new wetland habitat. Additional mitigation would consist of the planting of approximately 0.46 acre of riparian habitat surrounding the created wetlands to enhance biological functions provided at the mitigation site. The goal of the mitigation site is to create habitat with a greater species abundance, diversity and density than that found at the locations where permanent construction impacts to wetlands and waters would occur. It is expected that the created wetland site would meet the success criteria in a short period of time due to its location relative to existing hydrology sources and because it is located in an area containing appropriate topography and soils.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California 94105-2197.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service

(NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat. The proposed project will not impact any known threatened or endangered species or designated critical habitat.

Magnuson-Stevens Fisheries Conservation and Management Act: The NMFS and several interagency fisheries councils have designated specific water bodies as Essential Fish Habitat (EFH) in accordance with the Magnuson-Stevens Fisheries Conservation and Management Act. There are no EFH concerns with this proposed project.

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612 by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office

under the guidelines and it was determined that the proposed project is not water dependent.

Coastal Zone Management Act of 1972 (CZMA): Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project is consistent with the State's Coastal Zone Management Program, if applicable. The proposed project is not within the Coastal Zone.

National Historic Preservation Act of 1966 (NHPA): Based on a review of survey data on file with various City, State and Federal agencies, no historic or archeological resources are known to occur in the project vicinity. If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

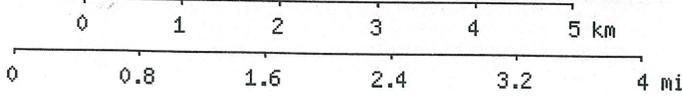
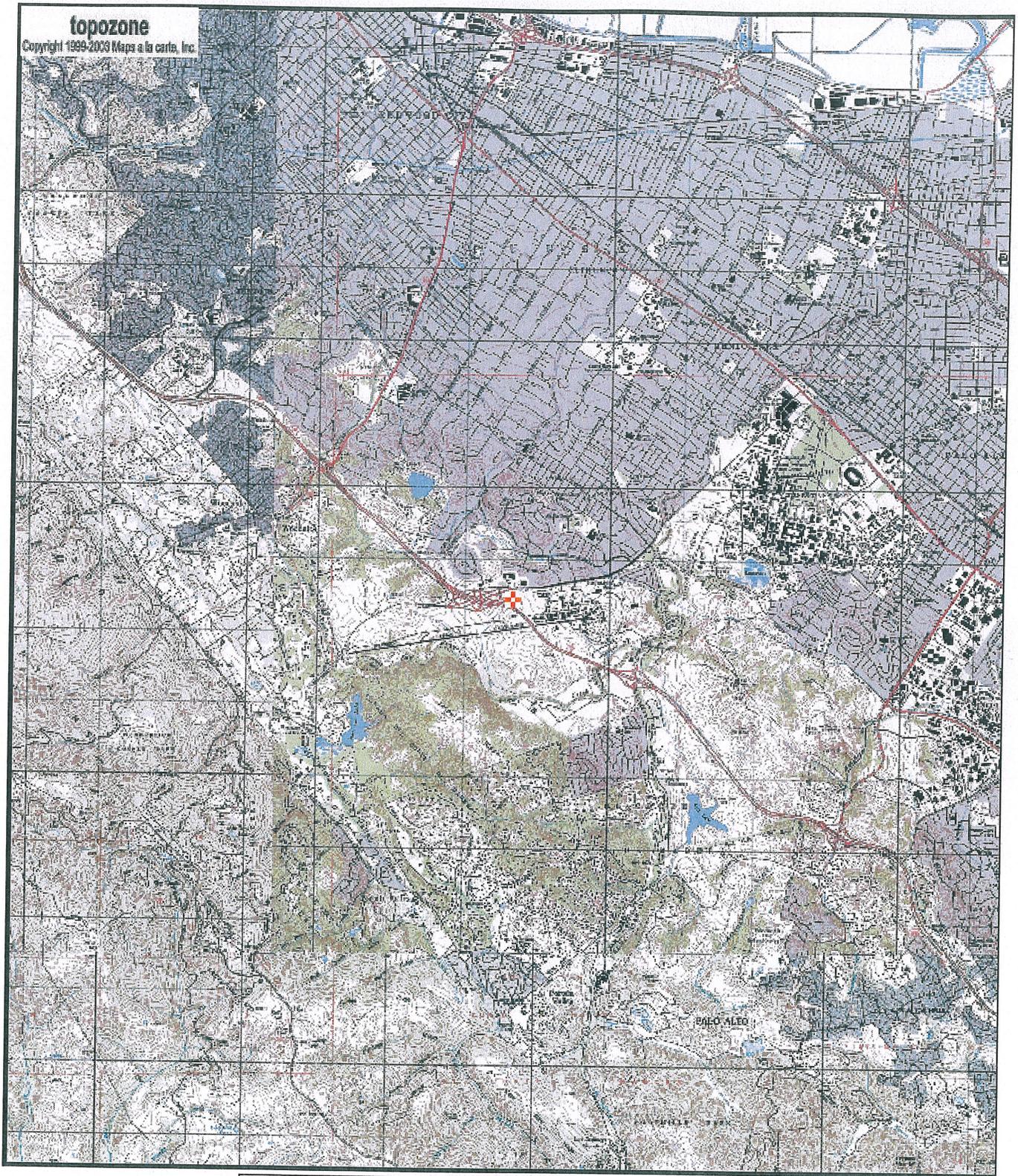
4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials,

Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

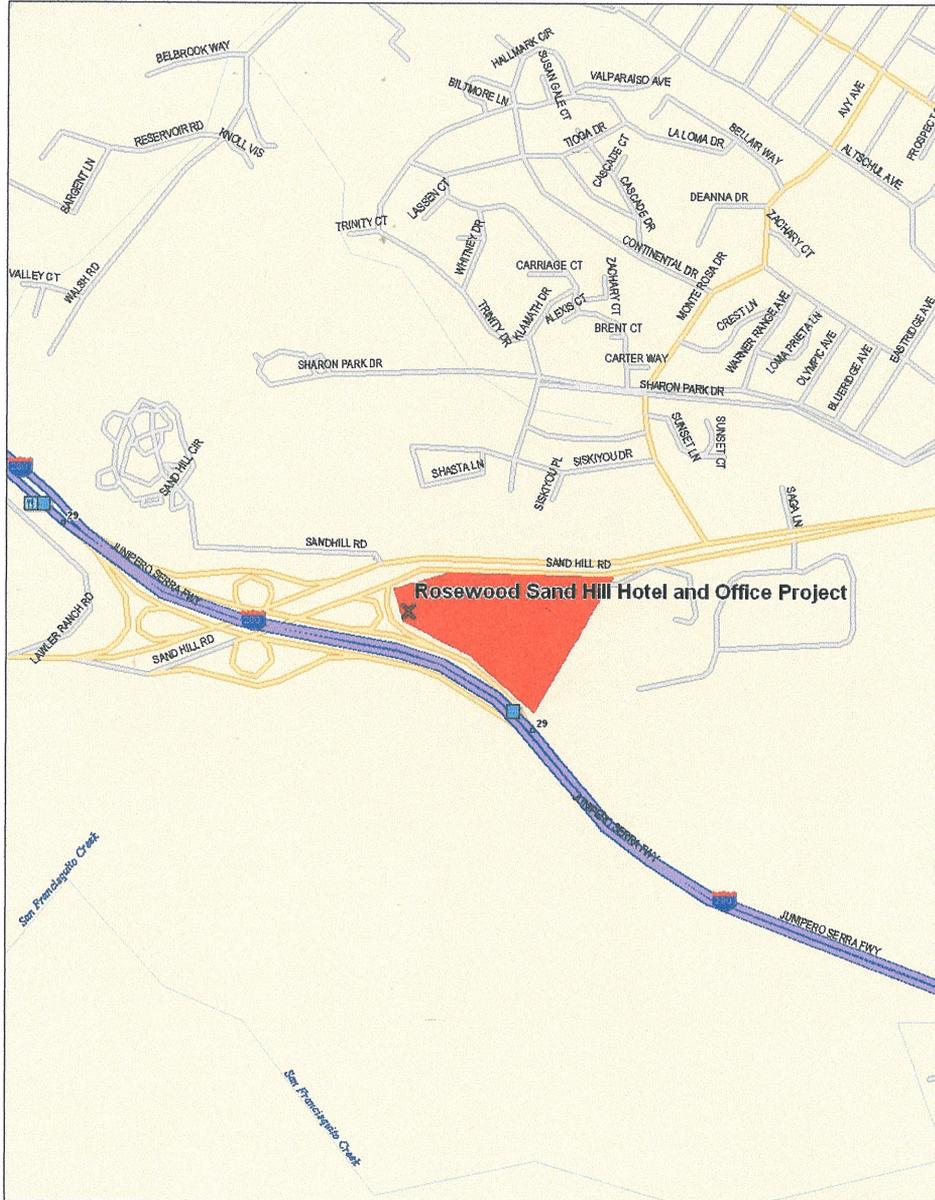
6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California 94105-2197. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting Holly Costa of our office at telephone 415-977-8438 or E-mail: Holly.N.Costa@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.

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Map center is UTM 10 569509E 4141730N (WGS84/NAD83)
Palo Alto quadrangle
Projection is UTM Zone 10 NAD83 Datum

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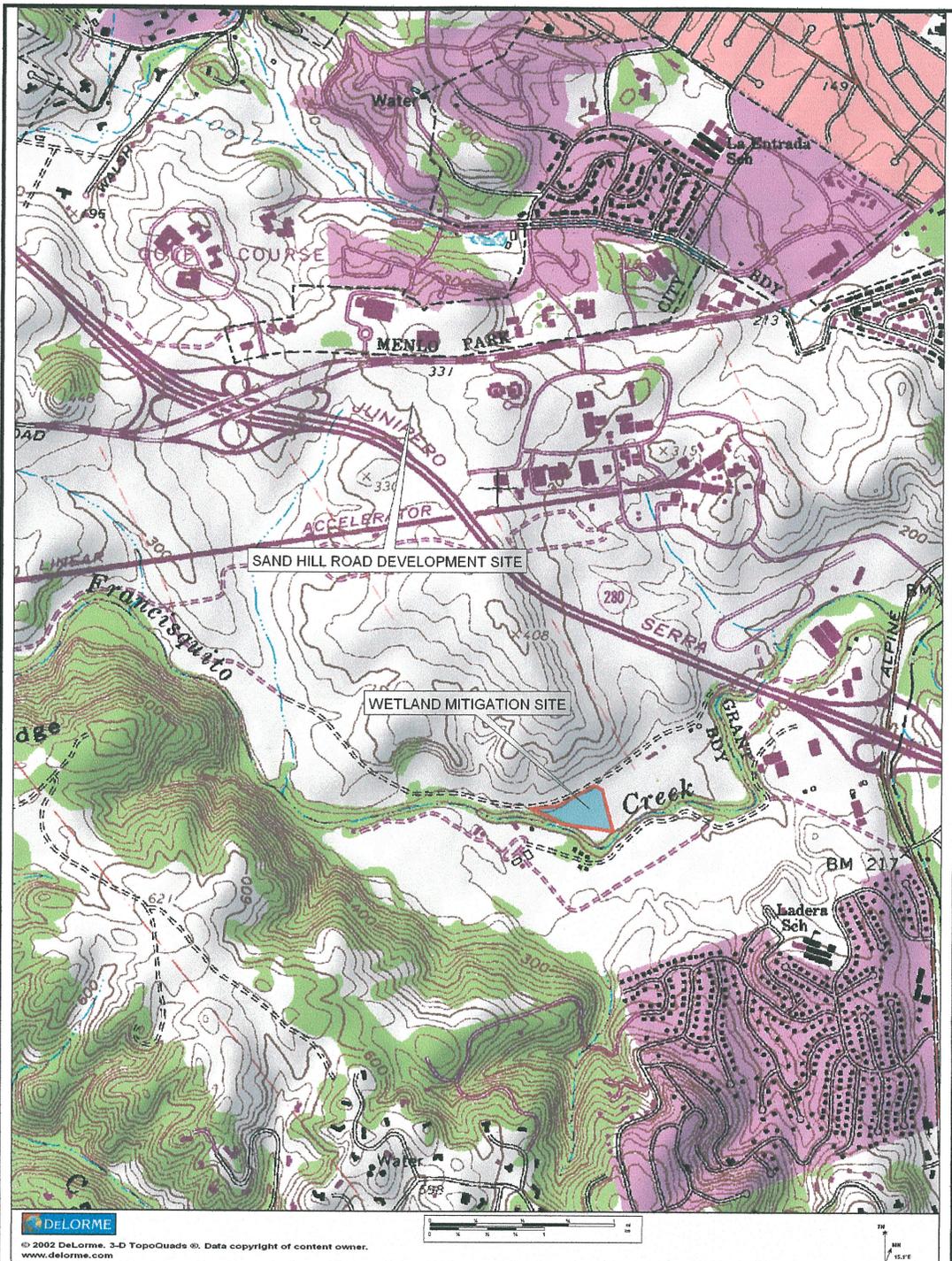
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Olberding Environmental, Inc.
3127 Vistamont Drive, Suite 100
San Jose, CA 95118
Phone: (408)448-2322

Figure 2
Vicinity Map of The Rosewood
Sand Hill Hotel and Office
Project
Menlo Park, California

This document is not intended for detail design work.



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Figure 7
Mitigation Vicinity Map
USGS Quadrangle Map Palo Alto
Rosewood Sand Hill Hotel and
Office Project
Menlo Park, California