

RESOLUTION NO. 070382

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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A RESOLUTION TO: 1) APPROVE AND ADOPT THE SAN BRUNO MOUNTAIN HABITAT CONSERVATION PLAN AMENDMENT #5 REVISED OPERATING PROGRAM FOR THE NORTHEAST RIDGE RESIDENTIAL DEVELOPMENT; AND 2) CERTIFY THAT THE FINAL MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PLAN ARE COMPLETE, CORRECT, ADEQUATE AND PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, BY APPROVING FINDINGS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PLAN

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the County CEQA Guidelines provide that the County must certify that a Mitigated Negative Declaration prepared for a project that may have significant environmental effects has been completed in compliance with CEQA; and;

WHEREAS, a Mitigated Negative Declaration was prepared and circulated for a 20 day public review period from August 12 to August 31, 2009;

WHEREAS, the Board of Supervisors has held a public hearing on September 22, 2009 and received verbal and written comment on the Mitigated Negative Declaration, which were made part of the record of comments on the Mitigated Negative Declaration; and revisions to the conditions of approval were made, and;

WHEREAS, Public Resources Code Section 21081.6 requires that when a

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public agency adopts findings pursuant to Public Resources Code Section 21081 (concerning potential significant environmental impacts that will be generated by a project being approved), the public agency must adopt a Mitigation Monitoring and Reporting Plan (MMRP) for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment,

WHEREAS, the Board of Supervisors received and the Board of Supervisors has heard, and has been presented with and is familiar with all of the information in the administrative record, has reviewed and considered the information in the Mitigated Negative Declaration and responses to comments for completeness and compliance with CEQA, the State Guidelines and the County's CEQA Guidelines, and has independently reviewed and analyzed the Mitigation Monitoring and Reporting Plan.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors, based on the foregoing facts and circumstances, and the administrative record, which includes the public written and verbal testimony received on the Mitigated Negative Declaration that the Board of Supervisors find and determine that:

1. The San Bruno Mountain Habitat Conservation Plan Amendment #5 Revised Operating Program for the Northeast Ridge Residential Development is approved and adopted.

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2. The San Bruno Mountain Habitat Conservation Plan Amendment #5 Final Mitigated Negative Declaration, dated August 2009, consists of the following:
 - a. The Initial Study and Negative Declaration.
 - b. Comments and letters received.
 - c. Responses to comments.
 - d. The Final Mitigation Monitoring and Reporting Plan.
3. The Final Mitigated Negative Declaration is certified complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines.
4. That on the basis of the Initial Study and comments thereto, that there is no substantial evidence that the project will, if subject to the mitigation measures contained in the Mitigated Negative Declaration, have a significant effect on the environment.
5. That the Mitigated Negative Declaration reflects the independent judgment of the County Board of Supervisors.
6. That the mitigation measures identified in the Mitigated Negative Declaration, agreed to by the County Parks Department, placed as conditions on the project, and identified as part of the public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.

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7. That the mitigation measures identified in the Final Mitigated Negative Declaration shall be required conditions of approval.
8. That the Mitigation Monitoring and Reporting Plan is adopted.

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Regularly passed and adopted this 22nd day of September, 2009.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

RICHARD S. GORDON

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

NONE



President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



Marie L. Peterson, Deputy
Clerk of the Board of Supervisors

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