

RESOLUTION NO. .

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

RESOLUTION AUTHORIZING: A) THE CERTIFICATION OF THE FLOOD COUNTY PARK LANDSCAPE PLAN’S FINAL REVISED ENVIRONMENTAL IMPACT REPORT AND ERRATA; B) ADOPTION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACTS AND A STATEMENT OF OVERRIDING CONSIDERATION; C) ADOPTION OF THE MITIGATION MONITORING AND REPORTING PLAN; AND D) APPROVAL OF THE FLOOD COUNTY PARK LANDSCAPE PLAN

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

WHEREAS, Flood County Park (“Flood”), a County-owned and operated park located within the City of Menlo Park, is surrounded primarily by single family residences, and has a San Francisco Public Utilities Commission (“SFPUC”) right-of-way for water pipelines traversing the center of the park in an east-west direction; and

WHEREAS, in 2014, the County’s Parks Department determined that Flood warranted a complete overhaul due to aging facilities and infrastructure, and in 2015 prepared a Landscape Plan following extensive public engagement; and

WHEREAS, the goals of the Landscape Plan include updating failing park features, preserving mature trees, meeting area demands for sports facilities, and providing a variety of active and passive recreation opportunities for all park visitors; and

WHEREAS, in April 2016, the County of San Mateo’s Parks and Recreation Commission (the “Commission”) approved the proposed Landscape Plan and directed staff to initiate the environmental impact analysis; and

WHEREAS, the Parks Department thereafter prepared the May 2018 Final Environmental Impact Report, which consisted of the September 2017 Draft Environmental Impact Report and responses to comments, in accordance with the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* (“CEQA”), which analyzed the potential environmental impacts of the project; and

WHEREAS, at its August 5, 2018 meeting, the Commission received a presentation and public comment on the Landscape Plan and May 2018 Final EIR and, following extensive public testimony, the Commission voted 4-0 to recommend that the Board of Supervisors adopt a resolution: (1) authorizing approval of the Flood County Park Landscape Plan, and (2) certifying the May 2018 Final EIR and by adopting the CEQA Findings of Facts and a Statement of Overriding Considerations; and

WHEREAS, because members of the public expressed concerns regarding the May 2018 Final EIR, including projected growth in park usage resulting from proposed improvements and noise generated on-site from concurrent park events, County staff determined that additional environmental review was warranted and tasked the project consultant with revising the May 2018 Final EIR accordingly; and

WHEREAS, the Department prepared a Draft Revised EIR that: (1) evaluated potential impacts associated with air quality, greenhouse gas emissions, noise, traffic, wildfire, energy, and project alternatives, and (2) incorporated the September 2017 Draft EIR and May 2018 Final EIR as appendices; and

WHEREAS, the anticipated impact on traffic flow at the intersection of Bay Road and Ringwood Avenue, which is adjacent to Flood and which is within the sole authority and jurisdiction of the City of Menlo Park, will not be mitigated to a less-than-significant

level as congestion currently exists at this intersection such that future congestion levels cannot be solely attributed to the project; and

WHEREAS, as the traffic impacts at the intersection of Bay Road and Ringwood Avenue will not be mitigated to a less-than-significant level, a Statement of Overriding Considerations is required to certify the environmental impact report; and

WHEREAS, the traffic noise on Ringwood Avenue is projected to increase during Saturday peak use (midday, noon to 4pm) by 2 decibels from the existing ambient noise measured at 66.7 decibels, which is in excess of the 1 decibel threshold, but will not be mitigated to a less-than-significant level, a Statement of Overriding Considerations is required to certify the environmental impact report ; and

WHEREAS, in accordance with CEQA, the Parks Department prepared the Final Revised Environmental Impact Report, consisting of the Draft Revised EIR and responses to comments, to analyze the potential environmental impacts of the project; and

WHEREAS, the Final Revised EIR concludes that most of the potential environmental impacts are less than significant or will be reduced to a less-than-significant level through the discussed mitigation measures; and

WHEREAS, an Errata to the Final Revised EIR clarifies and corrects non-material information in the Final Revised EIR for the Landscape Plan but does not introduce new or more severe adverse environmental effects, and does not address feasible alternatives to the project or mitigation measure beyond those considered in the Draft Revised and/or the Final Revised EIR; and

WHEREAS, the San Mateo County Board of Supervisors conducted a duly-noticed public hearing on November 5, 2019, at which it considered the Flood County Park Landscape Plan, the Final Revised EIR, and the comments and input of the interested public and stakeholders; and

WHEREAS, the Board of Supervisors has balanced the economic, legal, social, technological, and other benefits of the modified project against the same, previously disclosed unavoidable environmental risks that may result, and finds that the specific economic, legal, social, technological, and other benefits of the modified project outweigh the unavoidable adverse environmental effects.

NOW, THEREFORE, BE IT RESOLVED, by the San Mateo County Board of Supervisors as follows:

1. In accordance with Section 15091 of the CEQA Guidelines for significant effects of the project, the Board of Supervisors hereby adopts the CEQA Statement of Findings of Facts and Statement of Overriding Considerations, as well as the Mitigation Monitoring and Reporting Plan, attached hereto as Exhibits A and B, respectively; and
2. After balancing the economic, legal, social, technological, and other benefits of the modified project against the same against the previously disclosed unavoidable environmental risks that may result, the Board finds that the specific economic, legal, social, technological, and other benefits of the modified project outweigh the unavoidable adverse environmental effects such that the adverse environmental effects of the project continue to be

“acceptable,” and therefore adopts the Statement of Overriding Considerations contained within Exhibit A; and

3. After considering the Final Revised EIR and in conjunction with making these findings, the Board of Supervisors has eliminated or substantially lessened these significant effects where feasible, and has determined that remaining significant effects are still found to be unavoidable under Section 15901 and acceptable under Section 15093, and finds that the analysis is adequate, supported by substantial evidence in the record, and reflects the independent judgement and analysis of the Board of Supervisors, and hereby adopts the Final Revised Environmental Impact Report in accordance with the requirements of CEQA; and
4. These findings are made by the Board of Supervisors and are supported by substantial evidence in the record, which is summarized within; and
5. The County of San Mateo Parks Department and affected parties shall be bound by the mitigation measures set forth in the Mitigation Monitoring and Reporting Plan (Exhibit B), which the Board of Supervisors finds are fully enforceable conditions on the modified project; and
6. A Notice of Determination shall be filed by the County of San Mateo Parks Department immediately after final approval of the project; and
7. Pursuant to CEQA Guidelines Section 15095, County of San Mateo Parks Department staff are directed as follows:
 1. A copy of the CEQA Findings of Facts shall be retained in the project files; and

2. A copy of the Revised Final Environmental Impact Report (consisting of the Draft Revised EIR, Final Revised EIR, and Errata) and Findings of Facts shall be retained in the project files; and
3. A copy of the Final Revised Environmental Impact Report and CEQA Findings of Facts shall be provided to CEQA “responsible” agencies.

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