



## RESOLUTION 54-2009

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CAMBRIA COMMUNITY SERVICES DISTRICT APPROVING THE FISCALINI RANCH PRESERVE PROJECT, INCLUDING THE REVISED COMMUNITY PARK PLAN DATED NOVEMBER 10, 2009 AND MAKING FINDINGS IN ACCORDANCE WITH THE REQUIREMENTS OF CEQA

WHEREAS, the Cambria Community Services District (CCSD) is the Lead Agency under the California Environmental Quality Act (CEQA), and is responsible for preparing the Master Environmental Impact Report (EIR) for the Fiscalini Ranch Preserve project (the "project"); and

WHEREAS, a Final Master EIR for the proposed project, which consists of implementation of the adopted *East West Ranch Management Plan and Conservation Easement* (RRM Design group, 2003), which was adopted by the CCSD on April 24, 2003, and a proposed Community Park Master Plan, dated 2007, has been certified by the Board of Directors; and

WHEREAS, public comments on the original proposed Community Park Plan (dated 2007) received during the Draft EIR review period indicated the public's desire for a project smaller in scope, with fewer components; and

WHEREAS, grant funding from the State of California and other potential grant funding for parks and recreation facilities has been greatly reduced due to nationwide economic conditions; and

WHEREAS, the CCSD in responding to these concerns, developed a Revised Community Park Plan dated August 26, 2009, which significantly reduces the environmental impacts and cost of developing a community park on the East Fiscalini Ranch Preserve; and

WHEREAS, the Project Description (Exhibit A) and identified mitigation measures included in the attached Statement of Findings (Exhibit B) would clearly lessen the environmental impacts of the project and would not result in any new significant environmental impacts; and

WHEREAS, at the October 22, 2009 CCSD Board of Directors Meeting, the Board reviewed the Final Master EIR and Revised Community Park Plan (dated August 26, 2009) and requested certain changes be included and brought back to the November 16, 2009 Board meeting for review; and

WHEREAS, additional changes were also made by CCSD staff that are to be included; and

WHEREAS, Public Resources Code Section 21081.6 requires the lead agency, when making the findings required by Public Resources Code Section 21081(1)(a), to adopt a reporting or monitoring program for the changes to the project which it has approved, in order to ensure compliance during project implementation.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE CAMBRIA COMMUNITY SERVICES DISTRICT DOES HEREBY:

1. Approve the Fiscalini Ranch Preserve Project, to include the Project Description dated November 10, 2009, which includes the Revised Community Park Plan dated November 10, 2009, and as further set forth in Exhibit A, attached hereto and made a part hereof;
2. Find that changes or alterations have been incorporated into the project to mitigate or avoid significant impacts to the greatest degree practicable. These changes or alterations include mitigation measures and project modifications outlined herein and set forth in more detail in the Fiscalini Ranch Preserve certified Final Master EIR. In accordance with the requirements of Section 15091 of the State CEQA Guidelines, the Board hereby adopts the Statement of Findings for the West Ranch Project as identified in the Fiscalini Ranch Preserve Master EIR and the Revised Community Park Plan dated November 10, 2009, which Statement of Findings is attached hereto as Exhibit B and made a part hereof;
3. Adopt the Mitigation Monitoring Program set forth in Chapter VIII of the certified Final Master EIR, which includes all of the mitigation measures identified in the Final Master EIR and adopted and incorporated into the project, and has been designed to ensure compliance during development of the proposed project;
4. Find that new information added to the EIR is not considered significant as defined by Section 15088.5 of the CEQA Guidelines, and does not require recirculation of the EIR for the following reasons:
  - A. New information added to the EIR clarifies or amplifies impact discussions based on substantial evidence in the record, including information provided by the public, CCSD staff, and Friends of the Fiscalini Ranch Preserve (FFRP). Disclosure of biological observations is included in the Final EIR in order to recognize information provided by FFRP biologists, community volunteers, and docents (refer to Chapter V.D. of the EIR). This new information clarifies or amplifies biological resource impacts identified in the Draft Master EIR. Due to the nature of the project site, and amount of time that may pass before subsequent projects are implemented, review of the environmental setting (including updated biological surveys) will be required as a part of reconsideration of the certified Final Master EIR, and initial study of subsequent projects. Additional mitigation measures have been included in the certified Final Master EIR based on further consultation with CCSD staff, FFRP representatives, and review of public comments. These mitigation measures are proposed to either clarify mitigation measures or further

reduce identified impacts identified in the Draft Master EIR. Insignificant modifications and additions to the EIR are provided based on updates to County and CCSD plans and policies, which occurred following public circulation of the Draft Master EIR, and prior to preparation of the Final Master EIR;

- B. No new significant environmental impacts would result from the project or from a new mitigation measure proposed to be implemented;
  - C. There is no substantial increase in the severity of an environmental impact as a result of the project modification;
  - D. The CCSD has adopted a revised project alternative (Revised Community Park Master Plan, November 10, 2009) and identified mitigation measures, which would clearly lessen the environmental impacts of the project. The revised project alternative would not result in any new significant environmental impact; and,
  - E. The Final certified Master EIR is adequate, presents conclusions based on evidence in the whole of the record, and allowed for meaningful public review and comment.
5. All significant environmental effects identified in the certified Final Master EIR and all documents associated therewith have been reduced to an acceptable level in that all significant environmental effects that can feasibly be avoided have been eliminated or substantially reduced; and,
6. The CCSD as lead agency hereby specifies that the CCSD General Manager is the custodian of the documents and other material which constitute the record of proceedings upon which this decision is based. The location where these materials are located is the CCSD office at 1316 Tamson Drive, Suite 201, Cambria, CA 93428.

PASSED AND ADOPTED this 16<sup>th</sup> day of November 2009.

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Gregory W. Sanders  
President, Board of Directors

ATTEST:

APPROVED AS TO FORM:

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Kathy A. Choate  
District Clerk

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Tim Carmel  
District Counsel