

RESOLUTION 22-38

**A RESOLUTION OF THE GOVERNING BOARD OF THE
SANTA CLARA VALLEY OPEN SPACE AUTHORITY
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING
PROGRAM FOR THE MALECH ROAD PUBLIC ACCESS IMPROVEMENT PROJECT**

WHEREAS, the Santa Clara Valley Open Space Authority (Authority) manages and provides opportunities for recreation on its open space preserves to connect people to nature; and,

WHEREAS, the Authority intends to open Coyote Ridge Open Space Preserve to public access. The proposed Malech Road Public Access Improvement Project (project) would provide necessary infrastructure to support public access, education, and interpretation for the public including a parking lot, bike parking, central gathering area, vault toilet, hiking and interpretive trails, and interpretive signage; and,

WHEREAS, the Authority prepared an Initial Study (IS) and Mitigated Negative Declaration (MND) pursuant to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.) and CEQA Guidelines (Code Regulations Sections 15000 et seq.); and,

WHEREAS, a Notice of Intent (NOI) to adopt an MND was distributed on December 14, 2021, to the California Office of Planning and Research's State Clearinghouse (CEQAnet), Santa Clara County, San Jose Post Record, interested agencies, neighbors to the project site, and individuals who have signed up to receive project updates through the Authority's project web page. The NOI notified parties of the availability and 32-day public review period of the MND from December 14, 2021, to January 14, 2022. A hard copy of the full IS/MND was available at the Authority's Administrative Office at 33 Las Colinas Lane, San Jose, CA 95119; and,

WHEREAS, the MND identified potentially significant impacts to Biological Resources, Cultural Resources, Geology and Soils, and Tribal Cultural Resources and found that the mitigation for the proposed project would avoid or mitigate these impacts to a level of less-than-significant by adoption and implementation of the Mitigation Monitoring and Reporting Program (MMRP); and,

WHEREAS, the Board of Directors has reviewed and considered the IS, MND (including all comments received thereon), and MMRP for the project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors adopts a Mitigated Negative Declaration for the project and associated Mitigation Monitoring and Reporting Program.

BE IT FURTHER RESOLVED that the Board further directs that the General Manager is hereby authorized and directed, on behalf of the Authority and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Santa Clara Valley Open Space Authority

PASSED, APPROVED AND ADOPTED this 14th day of April 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kalvin Gill, Chairperson
Santa Clara Valley Open Space Authority

APPROVED AS TO FORM:

ATTEST:

William P. Parkin, Legal Counsel

Kellie Guerra, Clerk of the Board