

RESOLUTION 22-39

**A RESOLUTION OF THE GOVERNING BOARD OF THE
SANTA CLARA VALLEY OPEN SPACE AUTHORITY
APPROVING AN ENVIRONMENTAL CHECKLIST AND ADDENDUM TO THE SANTA CLARA VALLEY
HABITAT PLAN FINAL ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT AND
ADOPTING RELATED FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM**

WHEREAS, the Santa Clara Valley Habitat Plan Final Environmental Impact Report/Environmental Impact Statement (Habitat Plan EIR/EIS) was certified by the Santa Clara County Board of Supervisors on October 9, 2012. The Habitat Plan provides for the acquisition and management of a Reserve System that will contribute to the recovery of species covered by the Habitat Plan; and,

WHEREAS, the Santa Clara Valley Open Space Authority (Authority) acquired Coyote Ridge Open Space Preserve, which is enrolled in the Habitat Plan Reserve System, for the purposes of resource protection and providing public access, education, and interpretation; and,

WHEREAS, the Authority proposes the Coyote Ridge Open Space Preserve Public Access Improvement Project to provide public access, education, and interpretation, which is consistent with the Habitat Plan EIR/EIS; and,

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, the Authority prepared an Environmental Checklist to evaluate the site and activity to determine whether potential environmental effects were covered in the Habitat Plan EIR/EIS; and,

WHEREAS, pursuant to CEQA Section 21166 and CEQA Guidelines Sections 15162, 15163, 15164, and 15168, the Authority prepared an Addendum to the Habitat Plan EIR/EIS to further evaluate changed circumstances since the certification of the Habitat Plan EIR/EIS in 2012; and,

WHEREAS, the project analyzed under the Environmental Checklist and Addendum consists of an approximately 7.5-mile trail network, including 1 mile of newly-constructed trail, three rest areas, two scenic overlooks, one small operational vehicle pullout, and interpretive and wayfinding signage; and,

WHEREAS, the Addendum identified additional special-status wildlife species with the potential to occur in the project area that were not evaluated in the Habitat Plan EIR/EIS; and,

WHEREAS, the Environmental Checklist evaluates whether the project, including the changed circumstance of the potential for special-status wildlife species to occur in the project area, would result in significant impacts that would be substantially more severe than those covered in the Habitat Plan EIR/EIS and/or would result in any new significant impacts that were not covered in the Habitat Plan EIR/EIS; and,

WHEREAS, the Environmental Checklist and Addendum to the Habitat Plan EIR/EIS verified that the proposed project, where circumstances have not changed, is within the scope of the Habitat Plan EIR/EIS, and, where circumstances have changed, the new circumstances would not result in any new or substantially more severe significant impacts than those identified in the Habitat Plan EIR/EIS.

Santa Clara Valley Open Space Authority

WHEREAS, as further described in the Environmental Checklist and Addendum, the implementation of the project would not result in new significant effects on the environment beyond those already identified in the previously certified Habitat Plan EIR/EIS, nor will the project result in an increase in the severity of significant effects identified in the Habitat Plan EIR/EIS, and identified mitigation measures would continue to reduce each of those significant effects to a less-than-significant level; and,

WHEREAS, the related mitigation measures are described in the Environmental Checklist and Addendum; and,

WHEREAS, an associated Mitigation Monitoring and Reporting Program (MMRP) was prepared that incorporates the mitigation measures from the previously certified Habitat Plan EIR/EIS; and,

WHEREAS, a statement of Findings was prepared in connection with the project to summarize the analysis and explain the project conclusions as they relate to the impacts on the environment; and,

WHEREAS, the Authority is the lead agency on the project and the Board of Directors is the decision-making body for the proposed CEQA approval and adoption to undertake the project; and,

WHEREAS, the Board of Directors has reviewed and considered the Habitat Plan EIR/EIS and the Environmental Checklist and Addendum, including the related MMRP and the Findings for the project, and intends to take action in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approves an Environmental Checklist and Addendum to the Habitat Plan EIR/EIS for the proposed project, the MMRP and adopts the Findings of the Environmental Checklist and Addendum for the project.

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.

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