

1 [Affirming the Approval of a Final Mitigated Negative Declaration For the Sharp Park Safety,
2 Infrastructure Improvement, and Habitat Enhancement Project]

3 **Motion affirming the approval of a final mitigated negative declaration under the**
4 **California Environmental Quality Act by the Planning Commission for the Sharp Park**
5 **Safety, Infrastructure Improvement, and Habitat Enhancement Project.**

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7 WHEREAS, The Planning Commission has approved a final mitigated negative
8 declaration (FMND) for the Sharp Park Safety, Infrastructure Improvement, and Habitat
9 Enhancement Project located at Sharp Park in the City of Pacifica in San Mateo County under
10 the California Environmental Quality Act (CEQA), the CEQA Guidelines, and San Francisco
11 Administrative Code Chapter 31. The project would be implemented in two locations within
12 Sharp Park that combined total less than an acre, (approximately 35,000 noncontiguous
13 square feet (sf)), within Sharp Park, which is 417 acres. The majority of work would be located
14 in the southwest corner of the existing golf course, near Horse Stable Pond (HSP). One
15 segment of an existing golf cart path is proposed to be realigned as part of this project. This
16 golf cart path segment is located to the northeast of Laguna Salada (LS) and to the southwest
17 of Lakeside Avenue. The proposed project involves: (1) construction of a perennial pond,
18 approximately 1,600 sf in size, located approximately 400 to 500 feet southeast of HSP; (2)
19 realignment of a portion of an existing golf cart path located west of the fairway for golf course
20 hole number 14 and east of the tee box for golf course hole number 15; (3) removal of
21 sediment and emergent vegetation within HSP and the connecting channel that links HSP
22 with LS; (4) construction of steps and a maintenance walkway approximately 4.6 feet in width
23 at the existing HSP pumphouse; and (5) replacement of an existing wooden retaining wall with
24 a concrete retaining wall at the existing HSP pumphouse; and

1 WHEREAS, By letter to the Clerk of the Board received on February 21, 2014, Brent
2 Plater, on behalf of Wild Equity Institute (Appellant), appealed the Planning Commission's
3 January 16, 2014, approval of the FMND in which the Planning Commission upheld the
4 Planning Department's preliminary mitigated negative declaration on appeal to that body. On
5 January 23, 2014, at its regularly scheduled hearing, the Recreation and Park Commission
6 approved the proposed project and adopted findings and a mitigation monitoring and reporting
7 program under CEQA; and

8 WHEREAS, In his February 21, 2014 letter, Mr. Plater purported to file his appeal also
9 on behalf of the Sierra Club's San Francisco Bay Chapter, the Center for Biological Diversity,
10 the National Parks Conservation Association, Nature in the City, Save the Frogs!, and Golden
11 Gate Audubon; however, this Board concurs with the Planning Department's determination in
12 its Appeal Timeliness Determination, dated February 25, 2014, that, because those entities
13 did not appeal the preliminary mitigated negative declaration to the Planning Commission,
14 they do not have standing to appeal the FMND to this Board.

15 WHEREAS, On March 25, 2014, this Board held a duly noticed public hearing to
16 consider the appeal of the FMND filed by Appellant and, following the public hearing, affirmed
17 the Planning Commission's approval of the FMND; and

18 WHEREAS, In reviewing the appeal of the FMND, this Board reviewed and considered
19 the FMND, the appeal letter, the responses to concerns document that the Planning
20 Department prepared, the other written records before the Board of Supervisors and all of the
21 public testimony made in support of and opposed to the FMND appeal. Following the
22 conclusion of the public hearing, the Board of Supervisors affirmed the Planning
23 Commission's approval of the FMND for the project based on the written record before the
24 Board of Supervisors as well as all of the testimony at the public hearing in support of and
25 opposed to the appeal. The written record and oral testimony in support of and opposed to the

1 appeal and deliberation of the oral and written testimony at the public hearing before the
2 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
3 the FMND is in the Clerk of the Board of Supervisors File No. 140174 and is incorporated in
4 this motion as though set forth in its entirety; now, therefore be it

5 MOVED, That the Board of Supervisors of the City and County of San Francisco
6 hereby adopts as its own and incorporates by reference in this motion, as though fully set
7 forth, the FMND; and, be it

8 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
9 record before it there are no substantial project changes, no substantial changes in project
10 circumstances, and no new information of substantial importance that would change the
11 conclusions set forth in the FMND; and, be it

12 FURTHER MOVED, That after carefully considering the appeal of the FMND, including
13 the written information submitted to the Board of Supervisors and the public testimony
14 presented to the Board of Supervisors at the hearing on the FMND, this Board concludes that
15 the project qualifies for a FMND and that no fair argument supported by substantial evidence
16 in the record has been presented that the project as proposed would result in any significant
17 impact on the environment.

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