

File No. 140177

Committee Item No. _____

Board Item No. 22

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date _____
Date March 25, 2014

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: John Carroll Date March 20, 2014
Completed by: _____ Date _____

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

3 **Motion directing the Clerk of the Board to prepare findings reversing the Planning**
4 **Commission's approval of a final mitigated negative declaration under the California**
5 **Environmental Quality Act for the Sharp Park Safety, Infrastructure Improvement, and**
6 **Habitat Enhancement Project.**

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

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Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee or as Special Order at Board.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

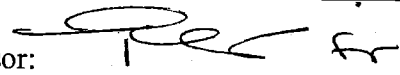
Clerk of the Board

Subject:

Preparation of Findings to Reverse the Approval of a Final Mitigated Negative Declaration For the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project

The text is listed below or attached:

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission's approval of a final mitigated negative declaration under the California Environmental Quality Act for the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

