



## RESOLUTION 55-2009

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CAMBRIA COMMUNITY SERVICES DISTRICT APPROVING THE FISCALINI RANCH PRESERVE PROJECT 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; 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 the Board of Directors has determined that it should proceed with the project; 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 adopted, 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 as further set forth in Exhibit D, attached hereto and made a part hereof;
2. Finds that changes or alterations have been incorporated into the project to mitigate or avoid significant effects on the environment 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 certified Fiscalini Ranch Preserve Final Master EIR. In addition to making a finding for each significant impact, if the lead agency approves a project with unavoidable significant environmental effects, the Lead Agency is required by CEQA to prepare a Statement of

Overriding Considerations in accordance with Section 15093 of the CEQA Guidelines.

In accordance with the requirements of Section 15091 and 15093 of the CEQA Guidelines, the Board hereby adopts the attached Statement of Findings and Findings of Overriding Consideration for the Fiscalini Ranch Preserve Project, which Statement of Findings and Findings of Overriding Considerations is attached hereto as Exhibit C and made a part hereof;

3. Adopts 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 certified Final Master EIR and adopted and incorporated into the project, and has been designed to ensure compliance during construction of the proposed project;
4. Finds 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, Cambria Community Services District 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 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 Master EIR, and initial study of subsequent projects. Additional mitigation measures have been included in the Final 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 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 EIR, and prior to preparation of the Final EIR;

B. No new significant environmental impacts would result from the project or from a new mitigation measure proposed to be implemented;

C. A substantial increase in the severity of an environmental impact would not occur; and,

D. The certified Final Master EIR is adequate, presents conclusions based on evidence in the whole of the record, and allowed for meaningful public review and comment; and,

5. 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.

The Board of Directors of the Cambria Community Services District does hereby resolve as follows:

PASSED AND ADOPTED this 22<sup>nd</sup> day of October 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