

Resolution No.

**County of Sonoma
Santa Rosa, CA 95403**

Date: 10/20/2009

Resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, County of Sonoma, State of California, Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Taylor Mountain Interim Public Access Permit Program (“the Project”); Determining the Project is Consistent with the 2020 General Plan; Approving the Taylor Mountain Interim Public Access Permit Program; Authorizing the Interim General Manager to Pursue an Application with the City of Santa Rosa for Vacation of a Portion of Kawana Terrace and an Encroachment Permit along Kawana Terrace, to Pursue a License Agreement with the Sonoma County Water Agency (SCWA), and to Execute an Agreement Between the District and LandPaths to coordinate the Project; and Authorizing Additional Negotiations as Needed to Implement the Project.

Whereas, the Sonoma County Agricultural Preservation and Open Space District (“District”) initiated development of the Taylor Mountain Interim Public Access Permit Program (“the Project”) for protected lands at the southern edge of Santa Rosa; and

Whereas, the Project proposes permits to provide public access onto the Taylor Mountain property (“the Property”) during the interim period while a Master Plan is developed; and

Whereas, the Project identifies public access trails to accommodate various users, including hikers, bicyclists and equestrians; and

Whereas, the Project is designed in such a manner so as to protect the sensitive biological, hydrologic, scenic and cultural resources on the property, and to allow continued agricultural use of the property; and

Whereas, in accordance with the California Environmental Quality Act (CEQA), the District has prepared an Initial Study and proposed Mitigated Negative Declaration for the Project; and

Whereas, on October 14, 2008 the District posted a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (NOI) for thirty (30) days at the County Clerk’s office, submitted the Initial Study and proposed Negative Declaration to the State Clearinghouse and affected public agencies, notified the public that the document was available for public review, and complied with all requirements of CEQA and State and local guidelines; and

Whereas, in response to public comment, the District revised the Project and in

Resolution #

Date: 10/20/2009

Page 2

accordance with the California Environmental Quality Act (CEQA), recirculated the Initial Study and proposed Mitigated Negative Declaration for the Project; and

Whereas, on August 24, 2009 the District posted a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (NOI) for thirty (30) days at the County Clerk's office, submitted the Recirculated Initial Study and proposed Negative Declaration to the State Clearinghouse and affected public agencies, notified the public that the document was available for public review, and complied with all requirements of CEQA and State and local guidelines; and

Whereas, the comments received during the public review period did not affect the conclusions of the proposed Mitigated Negative Declaration that there are no potentially significant environmental effects that cannot be reduced to a less-than-significant level with incorporated mitigation measures; and

Whereas, the Board has considered the comments received during the public review period along with the Recirculated Initial Study and Mitigated Negative Declaration prior to Project approval and finds that there is no substantial evidence in the record that the Project as mitigated will have a significant effect on the environment; and

Whereas, the Project identifies capital improvements that allow for low-intensity public outdoor recreation during an interim period while ensuring the protection of the Property's natural, cultural and scenic resources; and

Whereas, the Project identifies the need to obtain with the City of Santa Rosa to vacate a portion of Kawana Terrace and obtain an encroachment permit, and to obtain a license agreement from the Sonoma County Water Agency; and

Whereas, additional negotiations may be needed to implement the Project; and

Whereas, LandPaths has been training and coordinating a Volunteer Patrol and leading public outings on the Property, and are qualified to coordinate and manage the Interim Public Access Permit component of the Project.

Now, Therefore, Be It Resolved, that this Board of Directors finds, determines, declares and orders as follows:

1. The foregoing findings and determinations are true and correct.
2. The Mitigated Negative Declaration and Mitigation Monitoring Program for the Taylor Mountain Interim Public Access Permit Program are adopted. The Board certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA and State and local guidelines, and finds that the Mitigated Negative Declaration and Mitigation Monitoring Program reflect the independent judgment and analysis of the Board.
3. The Taylor Mountain Interim Public Access Permit Program is found to be consistent with the 2020 Sonoma County General Plan.

4. The Taylor Mountain Interim Public Access Permit Program, as presented on October 20, 2009, is approved.

5. The District's Interim General Manager is directed to file a Notice of Determination for the Project in accordance with CEQA and State and local guidelines.

6. The District's Interim General Manager is authorized to pursue applications with the City of Santa Rosa for road vacation and an encroachment permit, with the Sonoma County Water Agency for a license agreement, and to execute a contract with LandPaths for coordination of the Interim Public Access Permit Program for Taylor Mountain, in an amount not to exceed \$84,374.

7. The District's Interim General Manager is authorized to enter into additional negotiations as needed to implement the Interim Public Access Permit Program.

8. The Clerk of the Board of Directors is designated as the custodian of the record of the proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100, Santa Rosa, California 95403.

Directors:

Brown:	Kerns:	Zane:	Carrillo:	Kelley:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.

Resolution No.

**County of Sonoma
Santa Rosa, CA 95403**

Date: 10/20/2009

Concurrent Resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District and the Board of Supervisors of the County of Sonoma, State of California, Authorizing and Directing the District's Interim General Manager and Regional Parks Director to Execute a Park Management and Planning Agreement, and a Construction Contract Administration Services Agreement.

Whereas, the Sonoma County Agricultural Preservation and Open Space District ("District") acquired the Taylor Mountain property in January 2006; and .

Whereas, the District has been coordinating with the Sonoma County Regional Parks Department ("Regional Parks"), the City of Santa Rosa, and LandPaths to provide public access to the Taylor Mountain property; and

Whereas, the District has developed and the District's Board has approved, an Interim Public Access Permit Program for the Taylor Mountain property that will provide public access onto the property during the interim period while a Master Plan is developed; and

Whereas, pursuant to a Park Management and Planning Agreement and a Construction Contract Administration Services Agreement developed by staff and County Counsel ("Agreements"), Sonoma County Regional Parks Department ("Regional Parks") would perform park management and planning services and construction contract administration services; and

Whereas, pursuant to the Agreements, the District would compensate Regional Parks to perform the park management and planning agreement for \$30,000 for the first fiscal year and for additional amounts in future years based on mutual agreement, and the construction contract and administration services agreement for a not-to-exceed amount of \$200,000.

Now, Therefore, Be It Resolved, that the Board of Directors and Board of Supervisors hereby finds, determines, declares and orders as follows:

1. The foregoing recitals are true and correct.
2. The District's Interim General Manager and Regional Parks Director are authorized and directed to execute the Park Management and Planning Agreement and the Construction Contract Administration Services Agreement.

Supervisors:

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Page 2

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