

RESOLUTION NO. I-2014-010

A RESOLUTION OF THE IMPLEMENTATION BOARD OF THE SANTA CLARA VALLEY HABITAT AGENCY MAKING CERTAIN FINDINGS IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR IMPLEMENTATION OF THE BLUE OAK RANCH RESERVE PROJECT, FOR WHICH AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION WAS PREPARED BY THE UNIVERSITY OF CALIFORNIA, BERKELEY IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the University of California, Berkeley has applied to the Santa Clara Valley Habitat Agency for an agreement with the Agency conferring participating special entity status and a certificate of inclusion pursuant to the Santa Clara Valley Habitat Plan for its Blue Oak Ranch Reserve Project, hereinafter referred to as the "Project"; and

WHEREAS, the California Environmental Quality Act of 1970, as amended, (CEQA) requires that, in the approval of a project for which a mitigated negative declaration has been prepared, the decision-making body shall review said mitigated negative declaration and make certain findings regarding the significant effects on the environment identified in the mitigated negative declaration; and

WHEREAS, such Project was the subject of an Initial Study and Mitigated Negative Declaration entitled, "University of California Blue Oak Ranch Reserve Multi-use Facilities and Infrastructure Project Initial Study and Mitigated Negative Declaration dated August 2013" prepared by the University of California, Berkeley (the "University") as the lead agency under CEQA and that Mitigated Negative Declaration (the "MND"), together with a certain Mitigation Monitoring and Reporting Program (the "MMRP"), was adopted by the University of California, Berkeley Chancellor on September 19, 2013; and

WHEREAS, the Implementation Board does hereby certify that, acting as a responsible agency for the Project under CEQA, it has considered and approved the information contained in such MND; and

WHEREAS, prior to the adoption of this Resolution, the Executive Officer of the Santa Clara Valley Habitat Agency was given an opportunity to review and comment on the Initial

Study and MND for the Project in accordance with the requirements of CEQA, together with state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study and MND concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an Initial Study/Mitigated Negative Declaration that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program ("MMRP") to ensure compliance with the mitigation measures during project implementation; and

WHEREAS, the University as lead agency prepared and adopted a MMRP for the Project; and

WHEREAS, the Santa Clara Valley Habitat Agency has reviewed the MND and MMRP adopted by the University as the lead agency for the Project under CEQA, and concurs in the analysis and conclusions set forth in said MND; and

WHEREAS, the Santa Clara Valley Habitat Agency is a responsible agency for a portion of the proposed Project as described in this Resolution; and

WHEREAS, the MND and MMRP for the Project is, by this reference, incorporated into this Resolution as if fully set forth herein;

NOW THEREFORE BE IT RESOLVED BY THE IMPLEMENTATION BOARD OF THE SANTA CLARA VALLEY HABITAT AGENCY AS FOLLOWS:

THAT THE IMPLEMENTATION BOARD does hereby make the following findings: (1) it has independently reviewed and analyzed the MND, together with the MMRP, and other information in the record and has considered the information contained therein, prior to acting upon or approving the portion of the Project before the Implementation Board for consideration, (2) the MND together with the MMRP prepared for the Project have been completed in compliance with CEQA and in a manner that is consistent with state and Agency guidelines implementing CEQA, and (3) the MND together with the MMRP represents the independent

judgment and analysis of the Santa Clara Valley Habitat Agency as a responsible agency for a portion of the Project. The Implementation Board designates the Executive Officer at the Santa Clara Valley Habitat Agency Office at 535 Alkire Ave., Ste. 100, Morgan Hill, California 95037 as the custodian of documents and records of proceedings on which this decision is based.

THAT THE IMPLEMENTATION BOARD does hereby adopt the MND, including the Mitigation Monitoring and Reporting Program, prepared for the Project. The MND is: (1) on file in the Office of the Executive Officer at the Santa Clara Valley Habitat Agency at 535 Alkire Ave., Ste. 100, Morgan Hill, California 95037, and (2) available for inspection by any interested person.


PASSED AND ADOPTED by the Implementation Board of the Santa Clara Valley Habitat Agency on this 15th day of May, 2014 by the following vote:

AYES: Wasserman, Tucker, Siebert, Crabtree, Herrera, Rogers, Courtney, Schmidt
LeZotte, Fitzwater

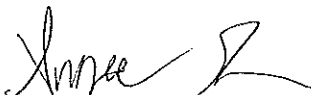
NOES: None

ABSENT: Leroe-Munoz

DISQUALIFIED: None


MIKE WASSERMAN
Chair, Implementation Board
Santa Clara Valley Habitat Agency

ATTEST:


ANGIE GARCIA
Deputy Secretary
Santa Clara Valley Habitat Agency

CERTIFICATION

I, ANGIE GARCIA, DEPUTY SECRETARY OF THE SANTA CLARA VALLEY HABITAT AGENCY, do hereby certify that the foregoing is a true and correct copy of Resolution No. I-2014-010, adopted by the Santa Clara Valley Habitat Agency at its regular meeting held on the 15th day of May 2014.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE:

5/28/14


ANGIE GARCIA, Deputy Secretary