

MARIN COUNTY PLANNING COMMISSION
RESOLUTION NO. _____

A RESOLUTION RECOMMENDING THAT
THE MARIN COUNTY OPEN SPACE DISTRICT BOARD OF DIRECTORS CERTIFY
THE CASCADE CANYON AND WHITE HILL OPEN SPACE PRESERVES
FINAL ENVIRONMENTAL IMPACT REPORT

- I. WHEREAS, in September 2000, the Marin County Open Space District (District) completed a draft plan to manage the 497-acre Cascade Canyon Open Space Preserve, which is located north and west of the Town of Fairfax, and the 390-acre White Hill Open Space Preserve, which abuts the northern boundary of the Cascade Canyon Preserve. The plan's primary goal is to protect and enhance the biological, geologic, hydrologic, and scenic values of the Preserves. Its secondary goals are to improve public use of the Preserves, reduce the threat of wildfire, and minimize impacts to the surrounding community. The plan implements these goals through nine programs that manage biological resources, wildfire threats, trails, public use, and signs and information. The plan also includes programs for enforcing District codes and monitoring the implementation of the plan; and
- II. WHEREAS, on May 18, 2004, the District sent the Draft EIR, "Notice of Completion," and notice of public hearing on the Draft EIR to members of the Planning Commission, Board of Supervisors, State Clearinghouse, state and local agencies, special districts, surrounding property owners, and other parties. The District published the "Notice of Completion" and notice of public hearing in a newspaper of general circulation to begin the 45-day public review and comment period on the adequacy of the Draft EIR. The public review and comment period ended on July 9, 2004; and
- III. WHEREAS, on June 21, 2004, the Marin County Planning Commission conducted a public hearing to receive testimony on the adequacy of the Draft EIR. Interested parties presented oral and written comments at the hearing. Following the close of the public hearing, the Commission directed the District to prepare a Final EIR and "Response to Comments" after the close of the comment period; and
- IV. WHEREAS, on June 23, 2004, the former Marin County Parks, Open Space, and Cultural Commission conducted a public hearing and receive oral and written testimony; and
- V. WHEREAS, on July 9, 2004, the public review and comment period on the Draft EIR closed, and written comments were received on the Draft EIR until 4:00 p.m. on that date; and

- VI. WHEREAS, on July 21, 2005, the District distributed the Final EIR, Response to Comments, a notice of distribution of the Final EIR, and notice of a public meeting before the Planning Commission to members of the Planning Commission, Board of Supervisors, State Clearinghouse, state and local agencies, EIR commentors, and other interested parties. The District published the notice of distribution of the Final EIR and notice of the public meeting before the Planning Commission in a newspaper of general circulation to begin a 10-day public review and comment period on the Final EIR ending on August 1, 2005; and
- VII. WHEREAS, the 10-day comment period on the Final EIR closed on August 1, 2005, and written comments were received on the Final EIR until 4:30 p.m. on that date; and
- VIII. WHEREAS, on August 8, 2005, the Marin County Planning Commission conducted a public meeting to consider a recommendation to the District Board of Directors to certify the Final EIR. The District provided to the Commission a Final EIR, Response to Comments, and a staff report recommending certification of the Final EIR; and
- IX. WHEREAS, the Marin County Planning Commission has reviewed and considered the information in the Draft EIR, Final EIR, Response to Comments, Final EIR Appendices, and EIR administrative record, for adequacy, completeness, and compliance with CEQA, State CEQA Guidelines, and County Environmental Review Procedures.

NOW, THEREFORE, BE IT RESOLVED, that the Marin County Planning Commission makes the following findings:

- 1. Notice of the Planning Commission hearing on the Draft EIR and meeting to certify the Final EIR was given as required by law and the actions were conducted pursuant to State CEQA Guideline Sections 15088, 15088.5, 15089, 15090; and
- 2. All individuals, groups, and agencies desiring to comment were given adequate opportunity to submit oral and written comments on the Draft EIR and to submit written comments on the adequacy of the Final EIR for certification. These opportunities for comment meet or exceed the requirements of CEQA and the County Environmental Review procedures; and
- 3. The Management Plan's Final Environmental Impact Report consists of the Final EIR, appendices (including a draft mitigation monitoring program), and Response to Comments; and
- 4. All comments submitted during the public review and comment period on the Draft EIR, the public hearings on the adequacy of the Draft EIR conducted by the Planning Commission and the former Parks, Open Space, and Cultural Commission, and the public review and comment period on the Final EIR were responded to adequately; and
- 5. The Planning Commission was presented with all of the information in the administrative record, testimony, and EIR documents for the project Final EIR, and the Commission has reviewed and considered this information and the Final EIR; and
- 6. The District has completed the Final EIR in compliance with the intent and requirements of CEQA and the State CEQA Guidelines, and the County EIR process, and reflects the independent judgment of the County of Marin. The Parks and Open Space Commission has considered and will continue to consider the information contained in the Final EIR

prior to making recommendation to the District Board of Directors regarding the project or any of the project options or alternatives.

NOW, THEN LET IT BE FURTHER RESOLVED that the Marin County Planning Commission recommends that the Marin County Open Space District Board of Directors certify the Final Environmental Impact Report for the Cascade Canyon and White Hill Open Space Preserves Management Plan as adequate and complete in compliance with CEQA, the State CEQA Guidelines and the County Environmental Review Procedures, and is adequate and complete for consideration in making a decision on the merits of the project.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the County of Marin, State of California, on the 8th day of August 2005, by the following vote to-wit:

AYES:

NOES:

ABSENT:

STEVE THOMPSON, CHAIRPERSON
MARIN COUNTY PLANNING COMMISSION

Attest:

Jessica Woods
Recording Secretary