



Midpeninsula Regional
Open Space District

R-12-85
Meeting 12-29
August 22, 2012

AGENDA ITEM 5

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Issuance of Owner's Letter of Concurrence for Peninsula Open Space Trust to Construct the Audrey C. Rust Commemorative Site at Russian Ridge Open Space Preserve

LEGISLATIVE, FUNDING AND PUBLIC AFFAIRS COMMITTEE RECOMMENDATIONS

1. Authorize the General Manager to issue an Owner's Letter of Concurrence to San Mateo County to allow Peninsula Open Space Trust to construct the Audrey C. Rust Commemorative Site as part of the Mindego Gateway at Russian Ridge Open Space Preserve.
2. Authorize the General Manager to issue a Permit to Enter to Peninsula Open Space Trust (POST) and its authorized agents for construction of the Audrey C. Rust Commemorative Site as part of the Mindego Gateway at Russian Ridge Open Space Preserve.

SUMMARY

POST is seeking an Owner's Letter of Concurrence from the Midpeninsula Regional Open Space District (District) to facilitate the timely receipt of San Mateo County permits and subsequent construction of the Audrey C. Rust Commemorative Site (Commemorative Site), to be located at the Mindego Gateway of Russian Ridge Open Space Preserve (Preserve). The Mindego Gateway Project (Project), a partnership between the District and POST, will ultimately provide public access to the Mindego Hill area of the Preserve. The Commemorative Site honoring the work of former POST president Audrey C. Rust is planned to be constructed in September/October 2012. Other features of the Mindego Gateway Project, including a new staging area and trails, will be completed in 2013. Staff has concluded, based on the environmental review, that the project will have no significant effect on the environment as mitigated.

DISCUSSION

On June 13, 2012, the Board took action on three items relating to the Mindego Gateway Project: 1) adoption of the Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (MMP) in accordance with the California Environmental Quality Act (CEQA); 2) approval of an amendment to the Use and Management Plan for Russian Ridge Open Space Preserve to construct a commemorative site, a 20-stall paved parking lot, a multi-use trail connecting the staging area to the Ancient Oaks Trail, and a hiking/equestrian trail to the peak of Mindego Hill, and approval to close a section of Mindego Ridge Trail to bicycles; and 3) authorized the General Manager to approve amendments to the Williamson Act Contracts pertaining to the

Project parcels, as well as future Williamson Act contract amendments, as possible and needed, to allow open space uses and supporting facilities that are compatible with agricultural operations.(see Report R-12-37).

During summer 2011, the District Board approved the Mindego Gateway Project as a new Key Project (Report R-11-82), approved the design guidelines for the Audrey C. Rust Commemorative Site (to be designed and constructed by POST) (Report R-11-76), and authorized contracts with consultants to plan and design the staging area and trail connections and complete the CEQA documentation (Reports R-11-82, 86, and 87).

A Letter of Concurrence is required by San Mateo County as part of the Commemorative Site grading and building permit approval process for projects where the party acquiring permits is not the landowner. Through the letter of concurrence, the District acknowledges that POST can acquire permits to complete the Commemorative Site at the former Silva property, within the Mindego area of the Preserve.

FISCAL IMPACT

POST's construction of the Commemorative Site will not result in any direct fiscal impacts to the District. Per the purchase agreement for the POST (Silva) property, "If such rights (to develop a recognition site for Audrey Rust on the property) are exercised by POST, any and all costs associated with the design, planning, permits, construction, installation, repair, maintenance, and replacement of such Recognition Site shall be borne by POST."

BOARD COMMITTEE REVIEW

The Legislative, Funding, and Public Affairs Committee has reviewed and accepted the final Commemorative Site design, which aligns with the Board-approved design guidelines, as well as the Commemorative site signage design and content.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. POST was also notified of this item.

CEQA COMPLIANCE

The Commemorative Site is a component of the Mindego Gateway Project at Russian Ridge Open Space Preserve. The Project Mitigated Negative Declaration and Mitigation Monitoring Program, completed in accordance with the California Environmental Quality Act (CEQA), was approved by the Board in June 2012.

NEXT STEPS

If authorized by the Board, the General Manager will issue an Owner's Letter of Concurrence to San Mateo County on August 28, 2012. POST will then complete the permitting process with the County of San Mateo, which includes issuance of the grading and building permits. Issuance of County permits is contingent upon a separate, but related County Board of Supervisors' approval of a Williamson Act Amendment to the existing contract that affects the former Silva property to allow open space uses. The Williamson Act Amendment is scheduled to go before

the County Board of Supervisors on September 11 2012. The District will continue to work with POST to prepare for the construction phase of the project, which is anticipated to begin in September 2012 and end by October 15, 2012. If approval of the Williamson Act amendment is delayed, or POST is unable to obtain permits, construction of the project may also be delayed until the 2013 construction season.

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