

STATEMENT OF FINDINGS AND FACTS

The findings and determinations contained herein are prepared in accordance with CEQA and the State CEQA Guidelines. The findings are based on the competent and substantial evidence, both oral and written, contained in the entire record of proceeding relating to the proposed project and Revised EIR. The findings and determinations constitute the independent findings and determinations of the Board of Supervisors in all respects and are fully and completely supported by substantial evidence in the record as a whole. Any findings made herein must be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings. If a finding fails to cross-reference or incorporate by reference any other part of these findings, it must be deemed to have been made if it appears in any portion of these findings or elsewhere in the record. These findings are only a summary of information in the record which supports the findings and all other information in support of the findings are incorporated herein by reference.

Pursuant to CEQA and the CEQA Guidelines, no findings are required for those impacts which are identified as less than significant in the Initial Study or EIR (Public Resources Code Section 21081; CEQA Guidelines Section 15091). So, these findings only address significant impacts of the proposed project.

Under CEQA, lead agencies must adopt findings before approving a project for which an EIR is required. (See Public Resources Code, Section 21081; CEQA Guidelines, Section 15091.) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions: (1) that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, Section 15091, subd. (a)(1).); (2) that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, Section 15091, subd. (a)(2).); or (3) that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (CEQA Guidelines, Section 15091, subd. (a)(3).) Public Resources Code Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines Section 15364 adds another factor: “legal” considerations.” (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal. App. 3d 410, 417.) “[F]easibility” under CEQA encompasses desirability “to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of*

Oakland (1993) 23 Cal.App.4th 704, 715.) CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, Section 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency adopts a Statement of Overriding Considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, Sections 15093, 15043, subd. (b); see also Public Resources Code, Section 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (Goleta II, 52 Cal. 3d at p. 576.)

The analysis and conclusions of the Revised EIR, including but not limited to the responses to comments, are modified as set forth herein. As modified, the Revised EIR and responses to comments are incorporated herein by this reference, and are hereby adopted as part of the findings. These findings constitute the best efforts to set forth the evidentiary and policy bases for the Board of Supervisor's decision to approve the project in a manner consistent with the requirements of CEQA. Below are the required findings under CEQA for each significant environmental impact of the proposed project.

SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE REDUCED TO LESS-THAN-SIGNIFICANT LEVELS

The Revised EIR's analysis of the Landscape Plan identified one significant and unavoidable impact related to traffic noise.

All other potential impacts will be either less than significant or will be reduced to a less-than-significant level with incorporation of proposed mitigation measures pursuant to the criteria contained in Appendix G of the CEQA Guidelines and relevant agency thresholds. It is hereby determined that any remaining significant and unavoidable adverse impacts are acceptable for the reasons specified in the Statement of Overriding Considerations below, pursuant to Public Resources Code Section 21081.

NOISE

Traffic Noise (Impact N-4)

The Landscape Plan will have a significant and unavoidable impact on traffic noise generated by vehicle trips associated with the operation of the proposed recreational elements during Saturday peak hours. Based on the conservative (high) estimate of new vehicle trips, it is anticipated that the increase of Saturday peak hour vehicle trips during the summer from the project relative to existing traffic on Ringwood Avenue

south of Bay Road during will exceed the applicable Federal Transit Administration noise increase standard of 1 dBA L_{eq} .

Along Ringwood Avenue, existing ambient noise was measured at 66.7 dBA L_{eq} during midday Saturday hours. This noise level falls within the range of 65-74 dBA L_{eq} , in which the Federal Transit Administration standard of a 1 dBA L_{eq} increase in traffic noise applies. It is estimated that during peak use of Flood County Park on summer weekends, traffic noise on Ringwood Avenue will increase by 2 dBA L_{eq} . This increase in traffic noise on Ringwood Avenue would exceed the applicable standard of 1 dBA L_{eq} .

Mitigation Measure:

No mitigation is feasible to substantially reduce increases in traffic noise associated with the Landscape Plan during Saturday peak hours. Restricting the weekend use of athletic fields at Flood County Park would reduce traffic noise, but this option would not fulfill the project objective to meet demand for active recreation facilities in San Mateo County

Findings:

Specific economic, legal, social, technological or other considerations, including considerations identified in the Statement of Overriding Considerations, as noted in the Resolution certifying the Revised EIR, make infeasible mitigation measures or Project alternatives identified in the Revised EIR. The traffic noise impact at Ringwood Avenue south of Bay Road will be significant and unavoidable.

Facts in Support of Findings:

Existing noise levels at Ringwood Avenue were measured at 66.7 dBA L_{eq} during midday Saturday hours. This noise level falls within the range of 65-74 dBA L_{eq} , in which the Federal Transit Administration standard of a 1 dBA L_{eq} increase in traffic noise applies. Based on the 2019 Traffic Impact Study, which provides conservative (high) estimates of trip generation, it was assumed that the Landscape Plan would add 212 vehicle trips during Saturday peak hours to Ringwood Avenue south of Bay Road associated with organized athletic events at the proposed athletic fields and with continued growth in passive recreational use under the Landscape Plan. The increase of 212 vehicle trips would result in a 2 dBA L_{eq} increase in roadway noise. A traffic memorandum prepared by W-Trans in September 2020 found that the Landscape Plan would generate approximately 17 percent more Saturday peak-hour trips than estimated in the 2019 Traffic Impact Study. The revised estimate of trip generation does not alter the EIR's estimate of a 2 dBA L_{eq} increase in roadway noise. This increase would not be perceptible to most people but would exceed the 1 dBA L_{eq} noise threshold established by the Federal Transit Administration. However, the high (conservative) volume of trips is only anticipated during the summer on weekends and was analyzed as a worst-case scenario.

If trips on Ringwood Avenue were reduced by restricting weekend use of the athletic fields at Flood County Park, this impact would be reduced. However, this restriction on athletic use is not considered a feasible mitigation measure because it would not fulfill the project objective to meet demand for active recreation facilities in San Mateo County. Therefore, it is conservatively assumed that reduction in vehicle trips would be

infeasible. There are no other mitigation measures available to reduce this impact. Because mitigation would be infeasible, the impact from traffic noise on Ringwood Avenue south of Bay Road will remain significant and unavoidable.

SIGNIFICANT IMPACTS REDUCED TO LESS THAN SIGNIFICANT THROUGH MITIGATION

AESTHETICS

Impact AES-1

While Bay Road is not a designated scenic route, its segment adjacent to Flood County Park does have a scenic character because of mature overhanging trees and northward views of open space and mature trees on the park. The Landscape Plan will preserve almost all trees along Bay Road, as well as the scenic, fragmented adobe wall at the property line. Therefore, the Landscape Plan will not adversely affect scenic views from Bay Road.

The Landscape Plan also will preserve existing trees within the 100-foot buffer of residences on Del Norte Avenue, including a redwood grove near the existing tennis courts. Tree removal in the body of the park will not substantially affect the privacy of adjacent residences. However, tree removal to the west of the 100-foot buffer, where a multi-use field will be constructed, and in the southern meadow area, where the soccer/lacrosse field will be installed, could be visible from residents on Bay Road and Del Norte Avenue. In addition, it is assumed that a 20-to-30-foot tall net could border the soccer/lacrosse and multi-use fields to retain balls on the field and protect the safety of adjacent residents. Because of its height, this netting may be a prominent feature from the perspective of residents. Tree removal and netting will have a potentially significant impact on residential views.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Original EIR.

Mitigation Measure AES-1:

If the County installs athletic netting around the proposed soccer/lacrosse field or the multi-use ballfield/soccer/lacrosse field, this netting shall have a neutral color (e.g., forest green, black, gray) that blends in with the natural environment at Flood County Park.

Mitigation Measure BIO-2(a):

The County shall replace County-defined significant trees that are removed from Flood County Park at 1:1 ratio. Suitable replacement trees shall be similar species deemed suitable by the Planning Director.

Facts in Support of the Findings:

The Landscape Plan will not involve substantial tree removal that could adversely affect scenic views from nearby roadways. Although the removal of mature trees in the body of the park could alter residential views toward Flood County Park, trees will be

preserved within the 100-foot buffer of residences on Del Norte Avenue, and implementation of Mitigation Measure BIO-2(a) will require the replacement of significant trees removed from the park, which will restore tree cover over the long term. Implementation of Mitigation Measure AES-1 will reduce the obtrusiveness of netting that could border the soccer/lacrosse field or the multi-use field. Therefore, in the long term, the Landscape Plan's potentially significant impact on residential views will be reduced to a less-than-significant level through implementation of mitigation measures.

Impact AES-2

Site preparation for new recreational facilities in Phase I of the Landscape Plan will involve the removal of mature trees that serve as scenic resources for visitors to Flood County Park. Based on the Tree Report prepared by Gates + Associates (2020), it is estimated that up to 70 trees will be removed during Phase I, out of the 72 total trees that the County expects to remove while implementing the Landscape Plan. Although the County will preserve the largest signature oak trees at the park, tree removal will include a grove of oak trees and other species at the proposed soccer/lacrosse field and mature Ligustrum (privet) trees and strawberry trees at the edge of the proposed reconstructed ballfield/multi-use field. It is estimated that tree removal during Phase I will include up to 40 significant trees with a circumference of at least 38 inches. Ground disturbance during construction also could encroach on the root zone of remaining mature trees, impairing their health. Phases II and III will involve the removal of trees at a lesser scale than in Phase I.

The demolition of the adobe Restroom D building also will remove a scenic historic feature in the built environment. However, this building is only one of several extant adobe structures that serve as scenic resources at Flood County Park, and is structurally unsalvageable. The Landscape Plan will preserve the remaining adobe buildings. The most prominent adobe structure, the administrative office building at the heart of the park, will be preserved. Therefore, Phase I will not have a substantial adverse effect on scenic features in the built environment.

The Landscape Plan will have a potentially significant impact on scenic resources due to the loss of mature trees and the adobe Restroom D building.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Original EIR.

Mitigation Measure BIO-2(a):

The County shall replace County-defined significant trees that are removed from Flood County Park at 1:1 ratio. Suitable replacement trees shall be similar species deemed suitable by the Planning Director.

Mitigation Measure BIO-2(b):

The following measures to avoid and protect trees shall apply to individual recreational elements of all proposed Phase I, II, and III improvements:

- a. The County shall monitor significant trees with critical root zones (CRZs) impacted by construction activities (canopies and roots) during construction for signs of distress. The CRZ is defined as the area of soil around a tree trunk where roots are located that provide stability and uptake of water and minerals required for tree survival by the ISA's Best Management Practices – Managing Trees During Construction handbook.
- b. Excavation/Trenching shall avoid CRZs to the greatest extent feasible. The following measures shall be applied when excavation and trenching occurs near significant trees:
 - Where appropriate tunneling shall be used to preserve roots two inches in diameter, and wherever possible underground lines shall occupy common trenches.
 - When root cutting occurs, exposed major roots (greater than two inches in diameter or within five feet of the trunk) shall not be ripped by construction equipment. Roots shall be cleanly cut and made at right angles to the roots.
 - A Certified Arborist shall be present if more than 30 percent of the root zone is impacted or roots greater than two inches or within five feet of the trunk will be cut, to document impacts to the CRZ.
 - Absorbent tarp or heavy cloth fabric shall cover new grade cuts and be overlain by compost or woodchip mulch.
- c. The County shall stage construction equipment outside of the CRZs and apply precautions, such as steel traffic plates and fencing, to protect sensitive root zones.
- d. The County shall install protective fencing around significant trees prior to any earthwork and remain until all work is complete, or until adjacent construction activity no longer threatens tree health. Fencing shall be six foot high chain link fencing (or comparable material) and installed at the outermost edge of the CRZ, or eight feet from the trunk of the heritage tree, whichever is greatest. Signs stating "Tree Protection Zone – Keep Out" shall be posted on the fence.
- e. Pruning for clearance, if needed, shall be done to prevent damage to branches with large equipment. All above-ground pruning shall be in accordance with the Tree Pruning Guidelines (International Society of Arboriculture) and/or the ANSI A300 Pruning Standard (American National Standard for Tree Care Operations) and adhere to the most recent edition of ANSI Z133.1. Pruning cuts or damaged bark shall be cut clean to heal. No tree seal or paint shall be used after pruning.

Facts in Support of the Findings:

Although implementation of the Landscape Plan will result in the loss of clusters of scenic trees, Mitigation Measures BIO-2(a) and BIO-2(b) will minimize adverse effects by replanting of mature scenic trees and avoidance of such trees during construction. These measures will preserve the park's collection of scenic trees over the long term. Therefore, the project will have a less than significant impact on scenic resources after mitigation.

BIOLOGICAL RESOURCES

Impact BIO-1

Any new recreational facilities that extend into previously undisturbed or undeveloped areas, such as restrooms and gathering plazas, will have the potential to temporarily or permanently disturb or remove habitat, such as trees or shrubs, if present. The removal of trees, shrubs, and structures could result in direct impacts to nesting birds, including special-status birds, if birds are nesting in the park or its immediate vicinity during construction activities. Tree removal also could directly affect roosting bats if present, while increased noise could indirectly affect roosting bats. The Landscape Plan will have a potentially significant impact on nesting birds and roosting bats.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Original EIR.

Mitigation Measure BIO-1(a):

This mitigation measure shall apply to all proposed Phase I, II, and III recreational elements.

- a. If possible, trees and shrubs that would be impacted by construction activities shall be removed during the non-nesting season (typically between September 1 and January 31).
- b. If trees and shrubs are removed during the nesting season (February 1 to August 31), all suitable nesting habitat within the limits of work shall be surveyed by a qualified biologist prior to initiating construction-related activities. A pre-construction survey shall be conducted within five days prior to the start of work. If no nests are observed, construction activities shall be initiated within five days. If more than five days pass and construction has not been initiated, another survey will be required.
- c. If, during the nesting season, an active nest is discovered in trees or shrubs to be removed, the vegetation shall be protected using orange construction fence or the equivalent. The protective fencing shall be placed around the vegetation at the following distance(s) depending on species and upon recommendation from a qualified biologist: 100-250 feet from the drip line of the vegetation for passerines and non-raptors; and 300-500 feet from the drip line of the vegetation for raptors. No parking, storage of materials, or work would be allowed within this area until the end of the nesting season or until the young have fledged, as determined by a qualified biologist.

Mitigation Measure BIO-1(b):

This mitigation measure shall apply to construction under the Landscape Plan that involves tree removal.

- a. A qualified biologist shall conduct a pre-construction survey for roosting bats at least two weeks prior to, but not more than 30 days prior to, the start of construction. The pallid bat could potentially roost in hollow trees. The survey shall be conducted

within 200 feet of all planned construction activities within two weeks prior to any removal of trees (particularly trees 12 inches in diameter or greater at 4.5 feet above grade with loose bark or other cavities).

- b. A buffer zone of 100 feet that excludes construction activities or other disturbances shall be established around active bat roosts.
- c. If active maternity roosts or non-breeding bat hibernacula are found in trees scheduled to be removed, relocation or other measures shall be determined in consultation with the County of San Mateo and/or CDFW, as appropriate, and a qualified biologist.

Facts in Support of the Findings:

Implementation of Mitigation Measures BIO-1(a) and BIO-1(b) during all phases of the Landscape Plan will reduce potential impacts to special-status species to a less-than-significant level by protecting nesting birds and roosting birds that may occur on-site.

Impact BIO-2

The construction of Phase I improvements will require the removal of protected trees, primarily where athletic fields will be reconstructed and built. Based on the Tree Report prepared for the project site by Gates + Associates (2020), it is estimated that up to 70 trees will be removed during Phase I, including up to 40 significant trees with a circumference of at least 38 inches. The construction of Phase II and III improvements will involve the removal of several trees. Once landscape plans for individual recreational improvements are finalized, the exact number, types, and locations of trees to be removed from Flood County Park can be determined. However, the Landscape Plan will result in a loss of protected trees.

Construction of recreational improvements also could have indirect adverse effects on heritage trees not planned for removal. Disturbance of greater than 30 percent of the critical root zone (CRZ) may affect the tree's long-term health and structural stability. Trees with canopies and/or CRZ that are impacted by more than 30 percent may require replacement. Therefore, the Landscape Plan will have a potentially significant impact from the removal of protected trees and disturbance of remaining protected trees during construction.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Original EIR.

Mitigation Measure BIO-2(a):

The County shall replace County-defined significant trees that are removed from Flood County Park at 1:1 ratio. Suitable replacement trees shall be similar species deemed suitable by the Planning Director.

Mitigation Measure BIO-2(b):

The following measures to avoid and protect trees shall apply to individual recreational elements of all proposed Phase I, II, and III improvements:

- a. The County shall monitor significant trees with CRZs impacted by construction activities (canopies and roots) during construction for signs of distress. The CRZ is defined as the area of soil around a tree trunk where roots are located that provide stability and uptake of water and minerals required for tree survival by the ISA's Best Management Practices – Managing Trees During Construction handbook.
- b. Excavation/Trenching shall avoid CRZs to the greatest extent feasible. The following measures shall be applied when excavation and trenching occurs near significant trees:
 - Where appropriate tunneling shall be used to preserve roots two inches in diameter, and wherever possible underground lines shall occupy common trenches.
 - When root cutting occurs, exposed major roots (greater than two inches in diameter or within five feet of the trunk) shall not be ripped by construction equipment. Roots shall be cleanly cut and made at right angles to the roots.
 - A Certified Arborist shall be present if more than 30 percent of the root zone is impacted or roots greater than two inches or within five feet of the trunk will be cut, to document impacts to the CRZ.
 - Absorbent tarp or heavy cloth fabric shall cover new grade cuts and be overlain by compost or woodchip mulch.
- c. The County shall stage construction equipment outside of the CRZs and apply precautions, such as steel traffic plates and fencing, to protect sensitive root zones.
- d. The County shall install protective fencing around significant trees prior to any earthwork and remain until all work is complete, or until adjacent construction activity no longer threatens tree health. Fencing shall be six foot high chain link fencing (or comparable material) and installed at the outermost edge of the CRZ, or eight feet from the trunk of the significant tree, whichever is greatest. Signs stating "Tree Protection Zone – Keep Out" shall be posted on the fence.
- e. Pruning for clearance, if needed, shall be done to prevent damage to branches with large equipment. All above-ground pruning shall be in accordance with the Tree Pruning Guidelines (International Society of Arboriculture) and/or the ANSI A300 Pruning Standard (American National Standard for Tree Care Operations) and adhere to the most recent edition of ANSI Z133.1. Pruning cuts or damaged bark shall be cut clean to heal. No tree seal or paint shall be used after pruning.

Facts in Support of the Findings:

Implementation of Mitigation Measures BIO-2(a) and BIO-2(b) will provide for the replacement of significant trees at 1:1 ratio with tree species specified as significant trees, and for the protection of the root zone of protected trees that are retained under the Landscape Plan. These measures will reduce the potential impact to protected trees to a less-than-significant level.

CULTURAL RESOURCES

Impact CUL-1

Flood County Park is eligible for listing as a historical resource under the CRHR. Five extant adobe buildings serve as contributing elements to the park's status as an eligible historical resource: the ranger's house, adobe maintenance building, electrical building, administrative office building, and Restroom D. The Landscape Plan will preserve four of these five adobe buildings, while demolishing the small Restroom D building that is adjacent to the existing tennis courts because it is structurally unsalvageable. Although demolition of Restroom D will result in the partial loss of historic characteristics at Flood County Park, the remaining four adobe buildings will still be able to convey the park's significant associations with the WPA program and architecture.

The project also proposes to seismically retrofit the adobe administrative office building, which is centrally located at Flood County Park and is a key contributing element to the park's historic significance. Although this action will ensure that the building is seismically safe and withstands damage from earthquakes, if insensitively completed it has the potential to negatively affect significant characteristics of the building, which could result in its material impairment. Therefore, the Landscape Plan's impacts to historical structures will be potentially significant.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Original EIR.

Mitigation Measure CUL-1(a):

Prior to issuance of a demolition permit, the County shall ensure that documentation of the building proposed for demolition is completed in the form of a Historic American Building Survey (HABS)-like documentation that shall comply with the Secretary of the Interior's *Standards for Architectural and Engineering Documentation* (National Park Service [NPS] 1990). The documentation shall generally follow the HABS Level III requirements and include digital photographic recordation, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's *Professional Qualification Standards for History and/or Architectural History* (NPS 1983). The original archival-quality documentation shall be offered as donated material to the County of San Mateo Parks Department where it would be available for current and future generations. Archival copies of the documentation also shall be submitted to the San Mateo County Libraries and the San Mateo County History Museum where they would be available to local researchers. Completion of this mitigation measure shall be monitored and enforced by the lead agency.

Mitigation Measure CUL-1(b):

The seismic retrofit of the adobe administrative office building shall be consistent with the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (Standards), thereby avoiding significant adverse direct or indirect impacts to

historical resources. An architectural historian or historic architect meeting the Secretary of the Interior's Professional Qualifications Standards shall be retained prior to the start of the seismic retrofit to review proposed plans and provide input to the County to avoid any direct or indirect physical changes to the building. The findings and recommendations of the architectural historian or historic architect shall be documented in a Standards Project Review Memorandum, at the schematic design phase. This memorandum shall analyze all project components for compliance with the Standards. Should design modifications be necessary to bring projects into compliance with the Standards, the memorandum shall document those recommendations. The document shall be subsequently submitted to County of San Mateo Parks Department for review and comment.

Facts in Support of the Findings:

Mitigation Measures CUL-1(a) and CUL-1(b) will ensure historical documentation of the demolition of the adobe restroom and seismic retrofitting of the office building that follows the Standards. A project that follows the Standards generally shall be considered as mitigated to a level of less than a significant impact on the historical resource (CEQA Guidelines Section 15064.5[b][3]). While the Standards present guidelines for four treatments (Preservation, Rehabilitation, Restoration, and Reconstruction), Rehabilitation is perhaps most frequently used as it provides the greatest flexibility for making alterations to a historic property in accommodating a compatible and contemporary use. Incorporation of the mitigation measures detailed above will reduce impacts to historical resources to less than significant.

Impact CUL-2

The 24.5-acre project site has been previously developed and contains buildings and infrastructure such as parking lots, pavement, and landscaping. It is likely that surface soils have been scattered across the surface of the site during previous construction, grading, and landscaping, and that recreational improvements are unlikely to occur at soil depths below those which have been previously disturbed. No archaeological resources or human remains were identified within the project site. However, it is possible that ground-disturbing activities during all project phases, such as utility connections and grading for recreational facilities, could disturb unanticipated archaeological resources or human remains. Therefore, the Landscape Plan will have a potentially significant impact on archaeological resources.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Original EIR.

Mitigation Measure CUL-2(a):

If archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the

discovery proves to be significant under CEQA and cannot be avoided by the proposed project, additional work such as data recovery excavation may be warranted to mitigate any significant impacts to historical resources.

Mitigation Measure CUL-2(b):

If human remains are found, State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner shall be notified immediately. If the human remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Facts in Support of the Findings:

Impacts to archaeological resources will be less than significant with implementation of Mitigation Measures CUL-2(a) through CUL-2(c) which will require evaluation and appropriate treatment of encountered archaeological resources or human remains.

Impact CUL-3

The construction of recreational improvements will involve disturbance of soils and rocks that may have paleontological sensitivity. Excavation for new utility connections during Phase I of the Landscape Plan could disturb the soil to a depth of an estimated five feet. Ground-disturbing activities in geologic units with high paleontological sensitivity have the potential to damage or destroy paleontological resources that may be present below the ground surface. Due to the documented presence of Pleistocene fossils in sediments mapped as Holocene within Silicon Valley (Santa Clara County), there is some potential for fossils to be uncovered on the project site. Therefore, construction activities will have a potentially significant impact from damage or destruction of fossils.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Original EIR.

Mitigation Measure CUL-3:

In the event of a fossil discovery by construction personnel, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. The qualified paleontologist shall be an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least one year (SVP 2010). If the qualified paleontologist determines that the fossil(s) is (are) scientifically significant, the find shall be recovered under his/her supervision. The

paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist.

Facts in Support of the Findings:

Implementation of Mitigation Measure CUL-3 will protect fossils if discovered on-site, reducing the impact to paleontological resources to a less-than-significant level.

NOISE

Impact N-3

The operation of recreational facilities built in Phase I of the Landscape Plan will add new sources of noise at Flood County Park. Whereas existing ballfields at the park are currently not open for programmed athletic use, the new multi-use field (also referred to as a ballfield/soccer/lacrosse field) and soccer/lacrosse field will be available for organized athletic activities that generate noise. Specific noise sources associated with athletic practices and games include shouting and conversations by players, coaches, referees, and spectators, and whistles to control play. Other potential sources are air horns used by fans and sound amplification equipment to broadcast music or play-by-play commentary. These noise sources will be intermittent during athletic events, adding to background ambient noise from passive recreational use of the park, nearby traffic, aircraft overflights, and residential activities.

Noise from the proposed soccer/lacrosse field will occur as close as approximately 150 feet from the front yards of residences on Bay Road to the southwest, 350 feet from the backyards of single-family residences on Del Norte Avenue to the southeast, and 475 feet from the backyards of residences on Hedge Road to the northwest. Soccer and lacrosse activity at the multi-use field will generate noise as close as approximately 175 feet from residences on Hedge Road to the northwest, 240 feet from residents at Haven Family House on Van Buren Road to the northeast, and 300 feet from residences on Del Norte Avenue to the southeast.

Athletic events generating noise at the multi-use field and soccer/lacrosse field could take place concurrently. Under this scenario, the nearest residences on Del Norte Avenue will be exposed to estimated average noise levels of up to 57 dBA L_{eq} . The nearest residences on Hedge Road also will be exposed to combined noise levels of up to 60 dBA L_{eq} . Combined noise levels from two soccer games, or from a soccer and lacrosse game, will exceed existing ambient noise levels on residential streets by up to 4 dBA L_{eq} . The average healthy ear can barely perceive an increase of up to 3 dBA L_{eq} in noise levels and an increase of 5 dBA L_{eq} is readily perceptible. In addition to increasing average noise levels, athletic activities will generate short-term spikes in noise, such as impulse noise, that may annoy or disturb residents. Sources of impulse noise may include shouting, whistles, and air horns. Sound amplification equipment also

could broadcast commentary or music at high volume, although the Parks Department generally does not allow the use of sound amplification equipment even with procurement of a special event permit.

Noise generated by the use of athletic facilities could cause discomfort or annoyance to people of normal sensitivity in the area. Without explicit allowable hours for athletic events, early-morning and late-evening events also could disturb the peace and quiet of neighbors. Therefore, the Landscape Plan will have a potentially significant impact from on-site operational noise.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Revised EIR.

Mitigation Measure N-3(a):

Sound amplification equipment at organized athletic games and practices and at the amphitheater shall only be allowed with the procurement of a special event permit in accordance with County of San Mateo Parks Department procedures. The County shall notify all groups using the proposed multi-use field, soccer/lacrosse field, and amphitheater of this requirement. The County shall prohibit the use of air horns at any park events. County staff shall periodically patrol the park during organized athletic events and performances to verify that park users are not operating air horns and are not operating sound amplification equipment without an approved Special Event Permit.

Special Event Permits are required for any use of a space beyond what is considered typical use. This could include such activities as: bounce houses, amplified sound, large events (walks, runs) and those that require additional staffing or support from other agencies. Depending on the scale of the event, notification may be posted in park kiosks, on the Parks Department website or by using other communication vehicles.

Mitigation Measure N-3(b):

To minimize noise that may disturb neighbors of Flood County Park, the County shall restrict athletic practices and games at the park to the hours of 9 A.M. to 8 P.M.

Facts in Support of the Findings:

Implementation of Mitigation Measure N-3(a) will prohibit the use of equipment that generates especially loud impulse noise during organized athletic events and performances without approval of a special event permit. In addition, implementation of Mitigation Measure N-3(b) will restrict the timing of athletic events to prevent noise during normally quiet early-morning or late-evening hours. Although events at Flood County Park will still incrementally increase average ambient noise levels, these measures will prevent the most adverse effects from loud equipment or the timing of events at new recreational facilities, reducing the impact from on-site operational noise to a less-than-significant level.

TRANSPORTATION AND CIRCULATION

Impact T-5

Existing bicycle facilities, including bike lanes on Bay Road, Ringwood Avenue, Middlefield Road, and Willow Road, together with shared use of minor streets, provide adequate access for bicyclists to Flood County Park. Planned separated bikeways and bike lanes on Marsh Road and a planned extension of existing bike lanes on Willow Road, northward to Bay Road, would provide additional access to the site. Although bicyclists will easily be able to access the site, the Landscape Plan does not identify any bicycle parking or storage facilities in the park. This lack of dedicated bicycle parking may result in unsafe storage for bicyclists traveling to the park.

The Landscape Plan is not expected to generate noticeable increases in pedestrian/bicyclist traffic or pedestrian/bicyclist travel patterns in the vicinity of Flood County Park. However, new pedestrian trips to the park may be subject to unsafe conditions because of a gap in the existing sidewalk on the north side of Bay Road between Del Norte Avenue and Ringwood Avenue. At this gap, pedestrians must walk along the roadway shoulder or in the bike lane. Therefore, the Landscape Plan could have adverse effects on pedestrians. This impact will be potentially significant.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Revised EIR.

Mitigation Measure T-5(a):

The County shall install a minimum of six bicycle racks near the proposed gathering plaza.

Mitigation Measure T-5(b):

The County shall install signage in a central location in Flood County Park that informs visitors of an alternative pedestrian route around the segment of Bay Road between Del Norte Avenue and Sonoma Avenue which lacks a sidewalk. This signage shall include a map of the alternative pedestrian route on Del Norte Avenue, Oakwood Place, and Sonoma Avenue.

Facts in Support of the Findings:

Installation of bicycle storage and pedestrian signage will improve access to the park for bicyclists and pedestrians and reduce safety hazards for these users. Therefore, impacts related to public transit, bicycle, and pedestrian facilities will be less than significant after mitigation.

Impact T-6

Maximum parking demand during peak summer days under the Landscape Plan was estimated using the maximum anticipated visitor projections. The user capacity of the park and the assumed vehicle occupancy by amenity was used to derive the maximum parking demand for each recreational element of the Landscape Plan. The estimated typical peak parking demand for the proposed project is 380 parking spaces, which

would exceed the existing on-site parking supply of 320 spaces. However, the Landscape Plan will add an additional 49 parking spaces at the park, resulting in a new total of 369 on-site parking spaces.

Although the estimated peak parking demand of 380 parking stalls will exceed the supply of 369 parking stalls by 11 spaces, it is anticipated that the parking supply will typically be adequate to accommodate peak parking demand under the Landscape Plan, even during busy summer days. In addition, when scheduling events at athletic fields, reserved picnic sites, and the preserved adobe administration building, the County will ensure that anticipated attendance does not exceed the parking capacity at Flood County Park. However, parking demand could still potentially exceed the capacity during very large scheduled events, leading to spillover parking on nearby residential streets.

In 2020, the County eliminated Flood County Park's entrance fee for vehicles, which will reduce the incentive for visitors to park on residential streets. In addition, the Landscape Plan will provide a convenient and free drop-off and pick-up location in the park and encourage enforcement of on-street parking restrictions. This practice will minimize pick-up and drop-off activity near the Iris Lane gate to Flood County Park. However, off-site parking could still occur, resulting in a reduced parking capacity for residents on local streets. The impact on parking availability will be potentially significant.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Revised EIR.

Mitigation Measure T-6:

The County shall inform park visitors of on-street parking restrictions on nearby residential streets and shall post this information in a clearly visible location on-site. The County also shall coordinate with the City of Menlo Park to reduce parking in the adjacent neighborhoods, including proactive communication when peak use of Flood County Park is anticipated (i.e., on weekday evenings and on weekend days when all picnic areas are reserved and all athletic fields are scheduled for concurrent use) and encouraging increased targeted enforcement of on-street parking restrictions.

Facts in Support of the Findings:

With implementation of mitigation measures to discourage on-street parking, the Landscape Plan will have a less than significant impact related to parking capacity.

TRIBAL CULTURAL RESOURCES

Impact TCR-1

No tribal cultural resources listed on, or eligible for listing on, the California Register of Historical Resources or a local register or significant tribal cultural resources were identified within the project site as a result of the cultural resources records search, Sacred Lands Files search, Native American scoping, and pedestrian survey. However, ground-disturbing activities during all phases of the Landscape Plan have the potential to uncover previously unidentified buried archaeological resources, which could

potentially be considered tribal cultural resources. Therefore, the Landscape Plan will have a potentially significant impact on such resources.

Findings:

Changes or alterations have been required in, or incorporated into, the Landscape Plan which will avoid or substantially lessen the significant environmental effects identified in the Revised EIR.

Mitigation Measure TCR-1:

In the event that archaeological resources of Native American origin are identified during construction of recreational improvements proposed in the Landscape Plan, the qualified archaeologist will consult with the County to begin or continue Native American consultation procedures. If, in consultation with the County, a discovery is determined to be a tribal cultural resource and thus significant under CEQA, the County shall avoid the resource if feasible. If the resource cannot be avoided, the County shall prepare and implement a mitigation plan in accordance with State guidelines and in consultation with Native American groups.

Facts in Support of the Findings:

Mitigation Measure TCR-1 will protect unanticipated tribal cultural resources at the park, reducing this potential impact to less than significant.

PROJECT ALTERNATIVES

The Revised EIR included three alternatives to the Landscape Plan: the No Project Alternative, the Reduced Athletic Programming Alternative, and the Multi-Use Field Alternative. The County hereby concludes that the Revised EIR sets forth a reasonable range of alternatives to the Landscape Plan that address the significant impacts of the project, so as to foster informed public participation and informed decision making. The County finds that the alternatives identified and described in the Revised EIR were considered and further finds them to be infeasible for the specific economic, social, or other considerations set forth below pursuant to Public Resources Code section 21081(c).

No Project Alternative

This alternative assumes that the Landscape Plan is not implemented and that the County continues operating and maintaining Flood County Park in its current condition. No existing elements would be removed or demolished, and no new structures or recreational elements would be constructed. It is assumed that, for safety reasons, the existing ballfield would remain indefinitely closed for use.

Findings:

Because the No Project Alternative would maintain Flood County Park in its current condition and would not involve construction of new athletic facilities or additional vehicle trips, it would have no impact related to an increase in traffic noise. This would avoid the Landscape Plan's significant and unavoidable impact on traffic noise. Mitigation to restrict the timing of programmed athletic events would be unnecessary.

The No Project Alternative also would avoid the project's potentially significant impacts related to aesthetics, biological resources, cultural resources, and tribal cultural resources. This alternative would not alter existing residential views, visual resources, or cultural and paleontological resources. By maintaining the park in its current condition, this alternative would not require mitigation to reduce aesthetic, cultural resource, and tribal cultural resources impacts to less than significant. Without the construction of recreational improvements, the No Project Alternative would have no impact on nesting birds or roosting bats from vegetation removal. Mitigation measures to protect biological resources would be unnecessary.

The continuation of existing conditions at Flood County Park may result in infrequent disturbance of neighbors from the use of sound amplification equipment at the park, occasional shortages in on-street parking capacity from park visitors, and safety concerns for bicyclists and pedestrians. Mitigation measures to limit sound amplification, install bicycle storage on-site, and post signage on Bay Road for pedestrians would still be applicable. Nevertheless, the No Project Alternative's overall impacts would be lower than those of the Landscape Plan.

The No Project Alternative also would not achieve most objectives of the project. Although it would optimize preservation of oak woodland, this alternative would not repair or update park features, meet demand for additional active recreation facilities in San Mateo County, or provide a greater variety of uses for a range of user groups. For these reasons, the County rejects the No Project Alternative.

Reduced Athletic Programming Alternative

The Reduced Athletic Programming Alternative focuses on revising the programming of the recreational facilities to reduce traffic during weekday P.M. peak hours. This alternative would introduce the same new recreational facilities as planned for in the Landscape Plan, and in the same phases of construction, but would prohibit the organized use of athletic fields on weekdays during afternoon peak hours (4-6 P.M.). This alternative is intended to limit active recreational use that contributes to existing traffic congestion during the afternoon rush hour. The multi-use field and soccer/lacrosse field would remain available for informal, non-programmed use at this time.

Findings:

This alternative would substantially reduce new vehicle trips during weekday P.M. peak hours by prohibiting organized athletic events, which would further reduce the project's incremental increase in weekday traffic volumes on nearby roadways, under existing plus project conditions. However, reducing vehicle trips during weekday P.M. peak hours would not affect trips to and from Flood County Park during Saturday peak hours, which would still increase ambient noise by at least 1 dBA L_{eq} . Therefore, this alternative would not avoid the Landscape Plan's significant and unavoidable impact on noise-sensitive receptors.

Because the alternative would involve the same scale, location, and duration of construction, and the same recreational improvements as the Landscape Plan, its other impacts related to aesthetics, biological resources, cultural resources, transportation

and circulation, and tribal cultural resources would remain less than significant after mitigation.

The Reduced Athletic Programming Alternative would meet the project objectives to repair and update park features, to provide a variety of use for a range of user groups, and to optimize preservation of oak woodland. However, by closing athletic fields to programmed use during weekday late afternoons, it would not meet demand for active recreation facilities to the same extent as would the Landscape Plan. Therefore, the County rejects this alternative.

Multi-Use Field Alternative

The Multi-Use Field Alternative would introduce a new multi-use athletic field in the location of the existing ballfield, while eliminating the Landscape Plan's new soccer/lacrosse field. A multi-use field would cater to baseball, softball, soccer, and lacrosse without the need for additional separate athletic fields. This field would fit approximately within the dimensions of the existing ballfield, with an estimated width of 400 feet and a length of 360 feet. The Multi-Use Field Alternative would retain all other planned recreational elements in the Landscape Plan.

Findings:

The Multi-Use Field Alternative would incrementally reduce new vehicle trips because the multi-use field would accommodate fewer simultaneous athletic events. This would further reduce the project's incremental increase in traffic volumes on nearby roadways, under existing plus project conditions. However, trips to and from Flood County Park during Saturday peak hours would still increase traffic noise by more than 1 dBA L_{eq} . Therefore, this alternative would not avoid the Landscape Plan's significant and unavoidable impact on noise-sensitive receptors.

While the project would plan for construction of a separate soccer/lacrosse field an estimated 350 feet away from residents on Del Norte Avenue, this alternative would eliminate that new athletic facility. Similar to the Landscape Plan, this alternative would add a multi-use field that caters to baseball, softball, soccer, and lacrosse. The soccer and lacrosse uses at this field would be located approximately 240 feet from residences at the Haven Family House on Van Buren Road and 300 feet from residences on Del Norte Avenue. By eliminating the proposed separate soccer/lacrosse field, average noise from lacrosse and soccer games would decrease. However, impulse noise from whistles, sound amplification equipment, or air horns at either athletic events or the amphitheater could still disturb nearby residents. Therefore, mitigation would still be required to reduce the impact from on-site operational noise to a less-than-significant level. Because this alternative would involve similar construction activities and recreational improvements, other impacts related to aesthetics, biological resources, cultural resources, transportation and circulation, and tribal cultural resources would remain less than significant with mitigation.

This alternative would meet all four project objectives: to repair and update park features, to meet demand for active recreational facilities in San Mateo County, to provide a variety of use for a range of user groups, and to optimize preservation of oak woodland. It would meet demand for active recreational facilities to a lesser degree than

would the project because the multi-use field would have less capacity to host simultaneous athletic events. Therefore, the County rejects this alternative.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines requires that an environmentally superior alternative be identified among the selected alternatives. While the No Project Alternative would be environmentally superior in the technical sense that contribution to the aforementioned impacts would not occur, the No Project Alternative would also fail to achieve all of the Project's objectives.

Out of the remaining alternatives (excluding the No Project Alternative), the Reduced Athletic Programming Alternative would be the most environmentally superior relative to the project. This alternative would substantially reduce vehicle trips associated with athletic activity, thereby reducing the significant and unavoidable impact on traffic noise for sensitive receptors. However, this impact would still be significant and unavoidable under cumulative traffic scenarios for weekday P.M. peak hours and Saturday peak hours. This alternative would partially meet the project objectives but would not make athletic fields available on weekday late afternoons. Therefore, it would not meet demand for active recreation facilities to the same extent as would the project.

The Multi-Use Field Alternative also would be environmentally preferable to the project, although it would not avoid the project's significant and unavoidable impact on traffic noise. Without construction of the soccer/lacrosse field, this alternative would reduce people's exposure to operational noise. However, this alternative would not realize all of the project objectives to the same extent as the Landscape Plan.

Findings:

The County finds that out of the remaining alternatives (excluding the No Project Alternative), the Reduced Athletic Programming Alternative is the environmentally superior alternative. However, as discussed above, the County finds that this alternative would only partially meet the project objectives, since it would not satisfy demand for active recreation facilities to the same extent as would the Landscape Plan. Therefore, the County rejects the Reduced Athletic Programming Alternative.

STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance the benefits of a project against its significant unavoidable impacts when determining whether to approve a project. If the benefits of the project outweigh its unavoidable adverse environmental effects, those effects may be considered acceptable (CEQA Guidelines, Section 15093(a)). CEQA requires the agency to state in writing the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the final EIR or elsewhere in the administrative record (CEQA Guidelines, Section 15093(b)). As set forth in the Findings above, the project will result in a significant and unavoidable impact related to traffic noise, even after incorporation of all feasible mitigation measures. The County further finds that this significant and unavoidable impact is outweighed by the project's benefits, each of which, independently of the others, constitutes overriding consideration warranting approval of the project. Those social and environmental benefits are as follows:

SOCIAL BENEFITS

1. The Landscape Plan will meet demand for active recreational facilities in San Mateo County by providing a new multi-use field for baseball, softball, soccer, and lacrosse; a separate soccer/lacrosse field; a basketball court; and a pump track at Flood County Park.
2. The Landscape Plan will repair and update many features and core infrastructure components that a 2015 assessment of Flood County Park identified as in need of major repair or replacement. These include a new multi-use field in place of the existing out-of-service ballfield, replacement of the sand volleyball court, two new tennis courts, two new children's playgrounds, a rehabilitated adobe administrative office building, renovations to picnic areas and an adobe restroom, and new utility lines.
3. The Landscape Plan will provide a variety of uses for a range of user groups, including a pump track, two children's playgrounds, and other features targeted for youth.
4. The provision of athletic fields at Flood County Park will facilitate bicycling and walking to practices and games by local residents of Menlo Park and Atherton, instead of motor vehicle trips to more distant existing fields.

ENVIRONMENTAL BENEFITS

1. The Landscape Plan will locate new recreational facilities at Flood County Park so as to optimize preservation of heritage oak trees that contribute to the area's visual character.
2. The Landscape Plan will preserve existing adobe structures that contribute to the park's eligibility as an historic resource, to the extent feasible, and will rehabilitate the adobe administrative office building in accordance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*.

3. The Landscape Plan will convert the existing out-of-service ballfield into a multi-use field and add a new soccer/lacrosse field, which could shorten trips by local active recreational users who would no longer have to travel to most distant sites to access quality athletic fields. This effect could incrementally reduce vehicle miles traveled in San Mateo County.

4. The Landscape Plan includes mitigation measures, enforceable through the MMRP, that protect biological resources, cultural resources, and tribal cultural resources.

On balance, the County finds that there are specific considerations associated with the project that serve to override and outweigh the project's significant unavoidable effects. Therefore, pursuant to CEQA Guidelines Section 15093(b), these adverse effects are considered acceptable.