

# memorandum

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TO	BOARD OF SUPERVISORS	FROM	EMA-Parks and Recreation
SUBJECT	Penitencia Creek- EIR and Project Initiation	DATE	11-1-79

APPROVED BY THE BOARD OF SUPERVISORS

OF SANTA CLARA COUNTY NOV 26 1979

DONALD M. RAINS, Clerk of the Board

BY Valerie A. Sweeney  
Deputy Clerk

Prepared by Charles Forwood  
 Reviewed by David Christy  
 Submitted by Paul Johnson

RECOMMENDED ACTION

It is recommended that your Honorable Body:

1. Certify that the Final Environmental Impact Report for Penitencia Creek Master Plan has been completed in accordance with CEQA and the State Guidelines; that the EIR has been reviewed, and that there will be no significant environmental effects in implementing the Park Master Plan.
2. Authorize the Parks and Recreation Department to initiate development of Penitencia Creek Park by utilizing the current Various Minor Engineering Projects contract to perform site grading and related drainage work on the County owned parcel at the corner of Maybury Road and Jackson Avenue. A location map of this site is appended. Estimated cost for this work is \$60,000 and funding has been budgeted in the Parks Capital Improvement Projects Account #1164-4883.

REASONS FOR RECOMMENDATION

The draft EIR has been available and circulated for review by the public and concerned agencies for the required periods. All comments received have been incorporated into the final EIR, which is now to be certified.

Local concerned citizens in The Penitencia Creek area are anxious to have improvement work initiated on the park. The proposed site grading is necessary to contour the ground to the required configuration. Tree planting is scheduled for January to take advantage of the rainy season. Plantings proposed are native varieties which require little care or water once established. However, since no irrigation systems are planned for this area, it is necessary that plants be installed during the winter period so they can root with minimum maintenance. The grading work must be commenced right away if this January planting schedule is to be accomplished.

*AIC to EMA/Parks & Recreation*

*RS*  
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## BACKGROUND

The master plan for Penitencia Creek Park was adopted by your Honorable Body in 1977. Subsequently, various properties within the proposed park boundaries have been acquired by the County for this purpose. A consultant was employed in 1979 to compile data and prepare The Environmental Impact Report which is submitted for your certification. There have been no adverse comments received on the circulated draft EIR.

## CONSEQUENCES OF NEGATIVE ACTION

Implementation of Park design and construction cannot proceed without certification of the final EIR. The scheduled plant-in cannot be conducted on the site this winter unless the grading project is authorized.

## STEPS FOLLOWING APPROVAL

Parks and Recreation shall file required Notice of Determination on The Environmental Impact Report and coordinate the initiation of the site grading project.