

A RESOLUTION OF THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG) BOARD OF DIRECTORS CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE 2040 METROPOLITAN TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (SCH#2015121080) AND COUNTY RTPs AND ADOPTING FINDINGS OF FACT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; A STATEMENT OF OVERRIDING CONSIDERATIONS; AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy ("Project") proposes and encompasses the planning foundation for transportation improvements and regional growth throughout the Monterey Bay region through 2040; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (Public Res. Code, §21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs. §15000 et seq.), AMBAG is the lead agency for the Project; and

WHEREAS, AMBAG has overseen, in coordination with the Santa Cruz County Regional Transportation Commission, the Transportation Agency for Monterey County and San Benito County Council of Governments, the preparation of the Environmental Impact Report for each County's Regional Transportation Plan; and

WHEREAS, AMBAG was designated County RTP EIR lead agency by the Santa Cruz County Regional Transportation Commission, San Benito County Council of Governments and the Transportation Agency for Monterey County; and

WHEREAS, AMBAG prepared a Program Environmental Impact Report ("EIR") (SCH#2015121080) and provided full disclosure and programmatic analysis of the significant environmental effects of the Project; and

WHEREAS, AMBAG issued a Notice of Preparation ("NOP") of a Draft EIR on December 21, 2015 and circulated the NOP for an extended period of 30 days pursuant to State CEQA Guidelines §§15082(a), 15103 and 15375; and

WHEREAS, pursuant to State CEQA Guidelines §15206 and §15082, AMBAG publicly noticed and held four public scoping meetings in January 2016 for the purpose of soliciting comments from the public and potential responsible and trustee agencies, including details about the scope and content of the environmental information related to the responsible and trustee agencies' areas of statutory responsibility, as well as the significant environmental issues, reasonable alternatives and mitigation measures that the responsible and trustee agencies would need to have analyzed in the Draft EIR; and

WHEREAS, a Draft EIR was completed and released for public review on December 4, 2017, and AMBAG initiated a 64-day public comment period by filing a Notice of Completion and Notice of Availability with the State Office of Planning and Research; and

WHEREAS, pursuant to Public Resources Code §20192, AMBAG also provided a Notice of Availability to all organizations and individuals who had previously requested such notice and published a Notice of Availability for the Draft EIR on or about December 4, 2017, in various newspapers of general circulation. In addition, AMBAG placed copies of the Draft EIR at the offices of AMBAG and on its website; and

WHEREAS, during the 64-day comment period, AMBAG consulted with and requested comments from responsible and trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines §15086; and

WHEREAS, during the official public review period for the Draft EIR, AMBAG received 13 written comment letters, and additional comments were provided verbally at the public hearing on the Draft EIR on January 30, 2018, which are included in the Final EIR; and

WHEREAS, AMBAG evaluated all comments on significant environmental issues received during the comment period on the Draft EIR and prepared written responses to these comments, which are included in the Final EIR; and

WHEREAS, AMBAG prepared the Final EIR, consisting of: (1) the Final EIR volume, which is a complete revision of the Draft EIR; and (2) all appendices to the Final EIR (Appendices A-F), including Appendix F, which consists of comments received on the Draft EIR, a list of persons, organizations and public agencies commenting of the Draft EIR, responses to significant environmental issues raised in the review and consultation process and other information; and

WHEREAS, pursuant to Public Resources Code §21092.5 and CEQA Guidelines §15088, AMBAG provided proposed written responses to all agencies, organizations and individuals that submitted comments on the Draft EIR at least ten days prior to certification of the Final EIR; and

WHEREAS, AMBAG made the Final EIR publicly available on its website on May 23, 2018; and

WHEREAS, the Final EIR satisfies all the requirements of CEQA and the State CEQA Guidelines; and

WHEREAS, the Final EIR sufficiently analyzes both the feasible mitigation measures intended to avoid or substantially lessen the Project's significant environmental impacts and a reasonable range of alternatives intended to avoid or substantially lessen these effects, in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by AMBAG pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole, and not based solely on the information provided in this Resolution; and

WHEREAS, the AMBAG Board of Directors, at a regular session assembled on June 13, 2018, considered the significant environmental impacts of the 2040 MTP/SCS, including, but not limited to, the Final EIR, written and oral testimony given at meetings and hearings, and submission of testimony from the public, organizations and regulatory agencies; and

WHEREAS, no comments made in the public hearings conducted by AMBAG, or any additional information submitted to AMBAG, have produced significant new information requiring Draft EIR recirculation under State CEQA Guidelines §15088.5; and

WHEREAS, AMBAG has prepared CEQA Findings in compliance with Public Resources Code §§21081 and 21081.5 and CEQA Guidelines Section §15091 for every significant impact of the 2040 MTP/SCS identified in the EIR and for each alternative evaluated in the EIR, including an explanation of the rationale for each finding (attached hereto as Attachment A); and

WHEREAS, the 2040 MTP/SCS will have significant unavoidable impacts that cannot be reduced to less than significant levels, and AMBAG has prepared a Statement of Overriding Considerations in compliance with Public Resources Code §21081 and CEQA Guidelines §15093 (attached hereto as Attachment A), which concludes that specific economic, legal, social, technological and other benefits of the 2040 MTP/SCS outweigh the significant and unavoidable impacts identified in the EIR; and

WHEREAS, AMBAG has prepared a Mitigation Monitoring and Reporting Program in compliance with Public Resources Code §21081.6 and CEQA Guidelines §15097 (included as Attachment B) to ensure compliance with the mitigation measures identified in the Final EIR during project implementation and operation; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, prior to taking action on the Project, the AMBAG Board of Directors has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the Final EIR, and all oral and written evidence presented to it during all meetings and hearings;

NOW THEREFORE

BE IT RESOLVED by the AMBAG Board of Directors that the foregoing recitals are true and correct and incorporated by this reference; and

BE IT FURTHER RESOLVED that the AMBAG Board of Directors finds that the Final EIR consists of: (1) the Final EIR; and (2) all appendices to the Final EIR (Appendices A-F), including Appendix F, which consists of comments and recommendations received on the Draft EIR, a list of persons, organizations and public agencies commenting of the Draft EIR, AMBAG responses to significant environmental issues raised in the review and consultation process, and other information; and

BE IT FURTHER RESOLVED that, pursuant to CEQA Guidelines § 15090, the AMBAG Board of Directors certifies that the Final EIR (SCH# 2013061052) has been completed in compliance with the CEQA (Public Resource Code §21000 et seq.), that the Final EIR and the information contained within it was presented to and reviewed and considered by the AMBAG Board of Directors prior to approving the Project, and that the Final EIR reflects the independent judgment and analysis of AMBAG; and

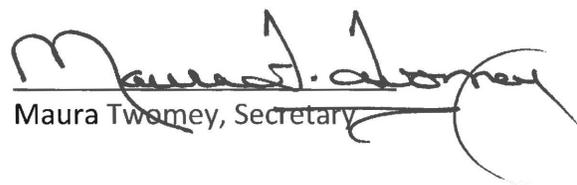
BE IT FURTHER RESOLVED that the AMBAG Board of Directors makes and adopts the Findings required in CEQA Guidelines §15091, which are attached hereto as Attachment A and incorporated fully by this reference; and

BE IT FURTHER RESOLVED that the AMBAG Board of Directors adopts the Statement of Overriding Considerations as required by CEQA Guidelines §15093, which is attached hereto as Attachment A and incorporated fully by this reference; and

BE IT FURTHER RESOLVED that the AMBAG Board of Directors adopts the Mitigation Monitoring and Reporting Program as required by CEQA Guidelines §15097, which is included as Attachment B and incorporated fully by this reference.

PASSED AND ADOPTED this 13th day of June 2018.


Jerry Muenzer, President


Maura Twomey, Secretary