

BEFORE
THE COMMISSIONERS OF
THE MADERA COUNTY TRANSPORTATION COMMISSION
COUNTY OF MADERA, STATE OF CALIFORNIA

RESOLUTION CERTIFYING THE
FINAL PROGRAM ENVIRONMENTAL
IMPACT REPORT (PEIR)
FOR THE 2022 REGIONAL
TRANSPORTATION PLAN/SUSTAINABLE
COMMUNITY STRATEGY

Resolution No.: 22-12

WHEREAS, the Madera County Transportation Commission is a Regional Transportation Planning Agency and a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, federal planning regulations require Metropolitan Planning Organizations to prepare and adopt a long range Regional Transportation Plan (RTP) for their region; and

WHEREAS, Senate Bill (SB) 375 (Steinberg, 2008) requires that Metropolitan Planning Organizations prepare a Sustainable Communities Strategy (SCS) as part of the 2022 RTP that demonstrates how the region will reduce the greenhouse gas emissions (GHG) from automobiles and light trucks to achieve, if there is a feasible way to do so, the applicable greenhouse gas emission reduction targets approved by the California Air Resources Board (ARB); and

WHEREAS, MCTC determined a Program Environmental Impact Report (PEIR) for the 2022 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) assessing environmental effects related to the development of the 2022 RTP/SCS should be prepared; and

WHEREAS, in accordance with State CEQA Guidelines section 15082, on March 1, 2021, MCTC sent to the Office of Planning and Research and each responsible and trustee agency a Notice of Preparation (NOP) stating that a Program Environmental Impact Report (State Clearinghouse Number # 2021030268) would be prepared; and

WHEREAS, three comment letters were received in response to the NOP during the 30-day NOP review period; and

WHEREAS, pursuant to Public Resources Code section 21083.9 and State CEQA Guidelines sections 15082(c) and 15083, MCTC held a duly noticed Scoping Meeting on March 18, 2021, to solicit comments on the scope of the environmental review of the proposed Project; and

WHEREAS, a Draft PEIR was prepared addressing comments received; and

WHEREAS, in accordance with State CEQA Guidelines section 15085, a Notice of Completion was prepared and filed with the Office of Planning and Research on June 29, 2022; and

WHEREAS, as required by State CEQA Guidelines section 15087, MCTC provided Notice of Availability of the Draft EIR to the public in the manner required by CEQA at the same time that MCTC sent Notice of Completion to the Office of Planning and Research, on June 29, 2022; and

WHEREAS, during the 55-day public comment period required by State CEQA Guidelines section 15087, copies of the Draft PEIR and technical appendices were available for review and inspection at MCTC office and on MCTC website; and

WHEREAS, during the 55-day public comment period, MCTC consulted with and requested comments from all responsible agencies, other governmental and trustee agencies having discretionary approval or jurisdiction by law over natural resources affected by the Project, the County of Madera, affected transportation agencies, and other interested persons and agencies; and

WHEREAS, MCTC received four written comment letters on the Draft PEIR, including an acknowledgement from the State Clearinghouse that MCTC has complied with CEQA environmental review requirements; and

WHEREAS, pursuant to Public Resources Code section 21092.5, MCTC provided copies of its responses to commenting public agencies at least ten (10) days prior to MCTC's consideration of the certification of the Final PEIR; and

WHEREAS, on July 20, 2022, commencing at 3:00 p.m. during the MCTC Governing Board Meeting at 2001 Howard Rd., Madera CA, 93637, the MCTC Governing Board conducted a noticed public hearing at which time all persons wishing to testify in connection with the Project were heard, and said application was fully studied; and

WHEREAS, all comments on the PEIR concerning environmental issues that were received during the public review period were evaluated by MCTC Staff and a written response was prepared in accordance with the requirements of CEQA Guideline, section 15088. Both the comments and responses thereto are included in the Final PEIR; and

WHEREAS, the Final PEIR contains the elements required by CEQA, including, but not limited to:

- a) Identification, description and discussion of all potential significant environmental effects of the proposed project, both direct and indirect, both short term and long term.
- b) A description of mitigation measures proposed to minimize potentially significant environmental effects of the proposed project identified in the Final PEIR.
- c) A description of those potentially significant environmental effects which cannot be avoided or which can be mitigated, but not reduced to a level of insignificance.
- d) A description of a range of reasonable alternatives to the proposed project and evaluation of the comparative merits and potentially significant environmental effects of the alternatives, including the "no project" alternative.
- e) A discussion of cumulative impacts, in accordance with the requirements of CEQA Guidelines section 15130.
- f) A list of all Federal, State and local agencies or other organizations and private individuals consulted in preparing the PEIR, and the firm preparing the PEIR; and

WHEREAS, written CEQA findings identifying potentially significant impacts and addressing proposed mitigation for those impacts are attached hereto as Exhibit "A"; and

WHEREAS, the CEQA Statement of Overriding Considerations, setting forth the benefits of the Project each of which individually outweighs each and every one of the Project's significant and unavoidable impacts, and the basis for that determination is attached hereto also as Exhibit "A"; and

WHEREAS, the Mitigation Monitoring and Reporting Program setting forth the mitigation measures to which MCTC shall bind itself in connection with the Project, is attached hereto as Exhibit "B"; and

WHEREAS, prior to taking action, MCTC Policy Board has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the PEIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the PEIR reflects the independent judgment of MCTC Policy Board and is fully adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, MCTC has not received any comments or additional information that constituted substantial new information of substantial importance requiring recirculation under Public Resources Code section 21092.1 and State CEQA Guidelines section 15088.5; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied by MCTC in the PEIR, which is sufficiently detailed so that all of the

potentially significant environmental effects of the Project have been adequately evaluated; and

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

NOW, THEREFORE, BE IT RESOLVED, by MCTC at a session assembled on August 31, 2022, and based on the foregoing facts and circumstances as follows:

1. MCTC hereby finds that the recitals set forth above are true and correct and are incorporated herein as substantive findings of this Resolution.
2. Based on all of the evidence in the record as a whole and as presented at the hearing, including but not limited to the PEIR, written and oral testimony given at meetings and hearings, and the submission of testimony from the public, organizations, and regulatory agencies, MCTC finds that the environmental impacts associated with the Project are either: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified Mitigation Measures. MCTC's CEQA findings, attached hereto as Exhibit "A," are hereby adopted by the Board.
3. MCTC finds that it has reviewed and considered the Final EIR in evaluating the proposed RTP/SCS, that the Final EIR is an accurate and objective statement that fully complies with CEQA, and that the Final EIR reflects the independent judgment of MCTC Board. Based on the record as a whole, MCTC hereby certifies the Final EIR.
4. MCTC finds that the Statement of Overriding Consideration, attached hereto as part of Exhibit "A", accurately summarizes the project's significant and unavoidable impacts and benefits to the community. MCTC finds that each and every one of the Project benefits individually outweigh each and every one of the Project's significant and unavoidable impacts, and MCTC hereby adopts the Statement of Overriding Considerations.
5. MCTC finds that the Mitigation Monitoring Program, attached hereto as Exhibit "B", is an adequate Mitigation Monitoring Program pursuant to Public Resources Code section 21081.6. MCTC hereby adopts the Mitigation Monitoring Program set forth in Attachment "B".
6. The documents and materials associated with the Project and the PEIR that constitute the record of proceedings on which these findings are based are located at MCTC, 2001 Howard Rd., Madera CA, 93637. The Custodian of Record is Patricia Taylor, Executive Director.

BE IT FURTHER RESOLVED, that the MCTC Board directs MCTC staff to file a Notice of Determination with the California State Clearinghouse and with the Madera

County Clerk, as required by CEQA, within five (5) working days of any Board approval of the RTP/SCS.

BE IT FURTHER RESOLVED, that the Madera County Transportation Commission also finds that the 2022 RTP/SCS meets the SB 375 GHG reduction targets of 10% below 2005 per capita emissions levels by 2020 and 16% below 2005 per capita emissions levels by 2035.

THE FOREGOING RESOLUTION was passed and adopted by the Madera County Transportation Commission this 31st day of August 2022 by the following vote:

Commissioner Wheeler	_____
Commissioner Palmer	_____
Commissioner Gallegos	_____
Commissioner Rodriguez	_____
Commissioner Frazier	_____
Commissioner Poythress	_____

Chairman, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission

I hereby certify that the foregoing is a true copy of a resolution of the Madera County Transportation Commission duly adopted at a regular meeting thereof held on the 31st day of August 2022.

Signed: _____
Executive Director