AMBAG Board of Directors Agenda

Association of Monterey Bay Area Governments
P.O. Box 2453, Seaside, California 93955-2453
Phone: (831) 883-3750
Fax: (831) 883-3755
Email: info@ambag.org

Meeting Via GoToWebinar
DATE: June 15, 2022
TIME: 6:00 PM

Please register for the AMBAG Board of Directors meeting at
https://attendee.gotowebinar.com/register/7191053858756174096

On September 16, 2021, Governor Newsom signed AB 361 into law**.** The provisions enacted by AB 361 provide flexibility to meet remotely during a proclaimed emergency and will sunset on January 1, 2024. The AMBAG Board of Directors meeting will be conducted via GoToWebinar as established by Resolution 2022-14 adopted by the AMBAG Board of Directors on May 25, 2022. The AMBAG Board of Directors will participate in the meeting from individual remote locations. Members of the public will need to attend the meeting remotely via GoToWebinar. We apologize in advance for any technical difficulties.

Persons who wish to address the AMBAG Board of Directors on an item to be considered at this meeting are encouraged to submit comments in writing at info@ambag.org by Tuesday, June 14, 2022. The subject line should read "Public Comment for the June 15, 2022 Board of Directors Meeting." The agency clerk will read up to 3 minutes of any public comment submitted.

To participate via GoToWebinar, please register for the June 15, 2022 AMBAG Board of Directors meeting using the following link: https://attendee.gotowebinar.com/register/7191053858756174096

You will be provided dial-in information and instructions to join the meeting.

If you have any questions, please contact Ana Flores, Clerk of the Board at aflores@ambag.org or at 831-883-3750 Ext. 300.

1. CALL TO ORDER

2. ROLL CALL

3. ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA
(A maximum of three minutes on any subject not on the agenda)

4. ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA

5. COMMITTEE REPORTS

A. Executive/Finance Committee
Recommended Action: INFORMATION
- President Brown

Receive oral report.

B. Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council (SAC) Meeting
Recommended Action: DIRECT
- Director McAdams

The next meeting is scheduled on June 17, 2022. The agenda will be provided at the meeting.

6. EXECUTIVE DIRECTOR'S REPORT
Recommended Action: INFORMATION
- Maura Twomey, Executive Director

Receive a report from Maura Twomey, Executive Director.

7. CONSENT AGENDA
Recommended Action: APPROVE
Note: Actions listed for each item represents staff recommendation. The Board of Directors may, at its discretion, take any action on the items listed in the consent agenda.

A. Draft Minutes of the May 25, 2022 AMBAG Board of Directors Meeting
- Ana Flores, Clerk of the Board

Approve the draft minutes of the May 25, 2022 AMBAG Board of Directors meeting. (Page 5)

B. Draft Minutes of the May 11, 2022 AMBAG Board of Directors Meeting
- Ana Flores, Clerk of the Board

Approve the draft minutes of the May 11, 2022 AMBAG Board of Directors meeting. (Page 9)

C. AMBAG Regional Clearinghouse Monthly Newsletter

- Miranda Taylor, Planner

Accept the clearinghouse monthly newsletter. (Page 15)

D. AMBAG Sustainability Program Update

- Amaury Berteaud, Special Projects Manager

Accept the AMBAG Sustainability Program update. (Page 21)

E. Resolution in accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom

- Maura Twomey, Executive Director

Adopt a Resolution 2022-15 in accordance with AB 361 regarding the Ralph M. Brown Act and finding of imminent risk to health and safety of in-person meetings as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom. (Page 25)

F. Extension of Legal Services Contract

- Errol Osteraa, Director of Finance & Administration

Approve a one year extension of the current contract for legal services and authorize the Executive Director to negotiate and execute the contract. (Page 27)

G. Revised Procurement Policies and Procedures Manual

- Diane Eidam, Retired Annuitant

Adopt the Procurement Policies and Procedures. (Page 33)

H. Financial Update Report

- Errol Osteraa, Director of Finance & Administration

Accept the financial update report which provides an update on AMBAG's current financial position and accompanying financial statements. (Page 35)

8. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND POSSIBLE ACTION

9. PLANNING

A. Final 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy and Environmental Impact Report
Recommended Action: PUBLIC HEARING / APPROVE

- Heather Adamson, Director of Planning

1. Hold public hearing; (Page 41)

2. Approve Resolution No. 2022-16 (Attachment 1) certifying the Final Environmental Impact Report prepared for the 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (SCH#2020010204) 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; (Page 45)

3. Approve Resolution No. 2022-17 (Attachment 2) finding the Sustainable Communities Strategy achieves the regional greenhouse gas reduction targets, adopting the Final 2022 Regional Growth Forecast, and adopting the 2045 Metropolitan Transportation Plan, including its Sustainable Communities Strategy. (Page 225)

B. Draft 6th Cycle Regional Housing Needs Allocation Plan: Appeals Received and Schedule Public Hearing
Recommended Action: APPROVE
- Heather Adamson, Director of Planning

AMBAG has received two appeals on the Draft 6th Cycle Regional Housing Needs Allocation (RHNA) Plan. The 45-day comment period on appeals received concludes on July 22, 2022. The Board is asked to schedule a public hearing to hear the appeals on August 10, 2022. The public hearing will be held as part of AMBAG's effort to prepare a Final RHNA Plan for the AMBAG region in accordance with state law. (Page 229)

10. ADJOURNMENT

REFERENCE ITEMS:

A. 2022 Calendar of Meetings (Page 251)
B. Acronym Guide (Page 253)

NEXT MEETING:

Date: August 10, 2022
Location: GoToWebinar
Executive/Finance Committee Meeting: 5:00 PM
Board of Directors Meeting: 6:00 PM

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. If you have a request for disability-related modification or accommodation, including auxiliary aids or services, contact Ana Flores, AMBAG, 831-883-3750, or email aflores@ambag.org at least 48 hours prior to the meeting date.

DRAFT MINUTES OF THE PROCEEDINGS
OF THE BOARD OF DIRECTORS OF THE
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

May 25, 2022

1. CALL TO ORDER

The Board of Directors of the Association of Monterey Bay Area Governments, President, Kristen Brown presiding, convened at 5:02 p.m. Wednesday, May 25, 2022 via GoToWebinar.

2. ROLL CALL

AMBAG Board of Directors

PRESENT:

Agency	Representative	Agency	Representative
Capitola	Kristen Brown	County of San Benito	Bea Gonzales
Carmel-by-the-Sea	Karen Ferlito	County of Santa Cruz	Greg Caput
Del Rey Oaks	Kim Shirley	County of Santa Cruz	Manu Koenig
Gonzales	Scott Funk		
Greenfield	Lance Walker		
King City	Carlos Victoria		
San Juan Bautista	John Freeman		
Santa Cruz	Sandy Brown		
Scotts Valley	Derek Timm		
Seaside	Jon Wizard		
Soledad	Anna Velazquez		
Watsonville	Eduardo Montesino		
ABSENT:			
Hollister	Rick Perez	**Ex-Officio Members:**	
Marina	Lisa Berkley	3CE	Catherine Stedman
Monterey	Ed Smith	Caltrans, District 5	Scott Eades
Pacific Grove	Jenny McAdams	MBARD	Richard Stedman
Salinas	Steve McShane	MPAD	LisAnne Sawhney
Sand City	Mary Ann Carbone	MST	Lisa Rheinheimer
County of Monterey	Mary Adams	SBtCOG	Mary Gilbert
County of Monterey	John Phillips	SCCRTC	Guy Preston
County of San Benito	Betsy Dirks	SC METRO	John Urgo
		TAMC	Todd Muck

Others Present: Gina Schmidt, GIS Coordinator; Miranda Taylor, Planner; Amaury Berteaud, Special Projects Manager; Heather Adamson, Director of Planning; Maura Twomey, Executive Director; and Ana Flores, Clerk of the Board.

3. ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

There were no oral or written communications from the public.

4. ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA

There were no oral communications from the Board.

5. Resolution in accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom

Resolution 2022-14 was adopted.

Motion made by Director Funk seconded by Director Ferlito to approve Resolution 2022-14 in accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom. Motion passed unanimously.

6. ADJOURNMENT

The Board of Directors meeting adjourned at 5:12 PM.

_____
Kristen Brown, President

_____
Maura F. Twomey, Executive Director

DRAFT AMBAG SPECIAL BOARD OF DIRECTORS MEETING ATTENDANCE & VOTING RECORD
BOARD MEETING DATE: May 25, 2022

		Attendance (X= Present; AB= Absent) Voting (Y= Yes; N=No; A=Abstain)	
MEMBER	**AMBAG REP**	**Attendance**	**Item #5**
Capitola	Kristen Brown	X	Y
Carmel-by-the-Sea	Karen Ferlito	X	Y
Del Rey Oaks	Kim Shirley	X	Y
Gonzales	Scott Funk	X	Y
Greenfield	Lance Walker	X	Y
Hollister	Rick Perez	AB	N/A
King City	Carlos Victoria	X	Y
Marina	Lisa Berkley	AB	N/A
Monterey	Ed Smith	AB	N/A
Pacific Grove	Jenny McAdams	AB	N/A
Salinas	Steve McShane	AB	N/A
San Juan Bautista	John Freeman	X	Y
Sand City	Mary Ann Carbone	AB	N/A
Santa Cruz	Sandy Brown	X	Y
Scotts Valley	Derek Timm	X	Y
Seaside	Jon Wizard	X	Y
Soledad	Anna Velazquez	X	Y
Watsonville	Eduardo Montesino	X	Y
County-Monterey	Mary Adams	AB	N/A
County-Monterey	John Phillips	AB	N/A
County-Santa Cruz	Manu Koenig	X	Y
County-Santa Cruz	Greg Caput	X	Y
County-San Benito	Betsy Dirks	X	N/A
County-San Benito	Bea Gonzales	X	Y

(* = Board Member(s) arrived late or left early, therefore, did not vote on the item. Please refer the minutes)

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DRAFT MINUTES OF THE PROCEEDINGS
OF THE BOARD OF DIRECTORS OF THE
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

May 11, 2022

1. CALL TO ORDER

The Board of Directors of the Association of Monterey Bay Area Governments, President, Kristen Brown presiding, convened at 6:01 p.m. Wednesday, May 11, 2022 via GoToWebinar.

2. ROLL CALL

AMBAG Board of Directors

PRESENT:

Agency	Representative	Agency	Representative
Capitola	Kristen Brown	County of Monterey	Mary Adams
Del Rey Oaks	Kim Shirley	County of Monterey	John Phillips
Gonzales	Scott Funk	County of San Benito	Bea Gonzales
Greenfield	Lance Walker	County of Santa Cruz	Greg Caput
Hollister	Rick Perez		
King City	Carlos Victoria	**Ex-Officio Members:**	
Marina	Lisa Berkley	Caltrans, District 5	Orchid Monroy-Ochoa
Monterey	Alan Haffa	MBARD	Richard Stedman
Salinas	Steve McShane	TAMC	Mike Zeller
San Juan Bautista	John Freeman		
Santa Cruz	Sandy Brown		
Scotts Valley	Derek Timm		
Seaside	Jon Wizard		
Watsonville	Eduardo Montesino		
ABSENT:			
Carmel-by-the-Sea	Karen Ferlito	**Ex-Officio Members:**	
Pacific Grove	Jenny McAdams	3CE	Catherine Stedman
Sand City	Mary Ann Carbone	SCCRTC	Guy Prestion
Soledad	Anna Velazquez	SC Metro	John Urgo
County of Santa Cruz	Manu Koenig	MPAD	LisAnne Sawhney
County of San Benito	Betsy Dirks	MST	Lisa Rheinheimer
		SBtCOG	Mary Gilbert

Others Present: John Baker, CPUC; Evan Jacobs; Amaury Berteaud, Special Projects Manager; Heather Adamson, Director of Planning; Bhupendra Patel, Director of Modeling; Miranda Taylor, Planner; Diane Eidam; Gina Schmidt, GIS Coordinator; Maura Twomey, Executive Director; and Ana Flores, Clerk of the Board.

3. ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

There were no oral communications from the public.

4. ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA

There were no oral communications from the Board.

5. COMMITTEE REPORTS

A. Executive/Finance Committee

President Brown reported that the Executive/Finance Committee approved the consent agenda that included 1) Resolution 2022-5 regarding the Ralph M. Brown Act and finding of imminent risk to health and safety of in-person meetings as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom; 2) the minutes of the April 13, 2022 meeting; 3) list of warrants as of February 28, 2022; and 4) accounts receivable as of February 28, 2022. The Executive/Finance Committee also received a report on the financials from Maura Twomey, Executive Director.

B. Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council (SAC) Meeting

President Brown stated that Director McAdams was not able to be in attendance and will report at the SAC item at the June meeting.

6. EXECUTIVE DIRECTOR'S REPORT

Maura Twomey, Executive Director announced that AMBAG's submission entitled Activity Based Model for Smaller and Medium Regions has been selected for presentation at the Transportation Research Board Technical conference in August 2022. Dr. Bhupendra Patel, Director of Modeling, will be presenting on behalf of AMBAG.

7. CONSENT AGENDA

A. Draft Minutes of the April 6, 2022 AMBAG Board of Directors Meeting

The draft minutes of the April 6, 2022 AMBAG Board of Directors meeting were approved.

A. Draft Minutes of the April 11, 2022 AMBAG Board of Directors Meeting

The draft minutes of the April 11, 2022 AMBAG Board of Directors meeting were approved.

C. AMBAG Regional Clearinghouse Monthly Newsletter

The AMBAG Clearinghouse monthly newsletter was accepted.

D. AMBAG Sustainability Program Update

The Sustainability Program update was accepted.

E. Resolution in accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom

Resolution 2022-10 was adopted.

F. Revised 2022 Calendar of Meetings

The revised 2022 calendar of meetings was approved.

G. Coordinated Public Transit-Human Services Transportation Plan Update

The updated on the Coordinated Public Transit-Human Services Transportation Plan was received.

H. Regional Early Action Planning Grants 2.0 Program Advanced Application

Resolution 2022-11 was adopted.

I. Amendment to the Agreement for Environmental Consultant Services with Rincon Consultants, Inc.

The Board authorized the Executive Director to amend the existing agreement with Rincon Consultants, Inc. for an additional $6,250 for consultant services related to the preparation of the environmental impact report for the 2045 MTP/SCS.

J. Financial Update Report

The financial update report was accepted.

Motion made by Director Caput seconded by Director Phillips to approve the consent agenda. The motion passed unanimously.

8. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND POSSIBLE ACTION

None.

9. ADMINISTRATION

A. Draft FY 2022-23 Monterey Bay Region Overall Work Program (OWP) and Budget

Bhupendra Patel, Director of Modeling gave a presentation on the draft FY 2022-23 OWP and Budget. The FY 2022-2023 OWP is 1) a federally required document to receive federal funds; 2) covers all AMBAG work programs and activities; 3) used as a project management tool by staff; 4) implements 2021 Federal Planning Emphasis Areas; and 5) implements the AMBAG Board adopted priorities; a) Modeling and Research, b) Planning and Forecasts; c) Sustainable Development Strategies; and d) Collaborative Planning and Implementation. The FY 2022-23 funding highlights are 1) balanced budget pursuant to AMBAG by-laws; 2) no change to the total member dues; 3) revenues

by source are (a) Federal: $3,066,855; (b) State: $16,390,632; and (c) Local: $403,358. The draft FY 2022-23 expenditure highlights include 1) maintaining current year staff level; 2) includes a 4% COLA; 3) increase in professional services due to REAP and three new grant funded projects; 4) General Fund expenditures include costs that are not eligible for Federal reimbursement (a) interests and fees; and (b) cash match to meet federal/state grant requirements; and 5) use of toll credits to match federal funds, preserves General Fund. Brief discussion followed.

Motion made by Director Caput, seconded by Director McShane to approve the draft FY 2022-23 Monterey Bay Region OWP and budget. Motion passed unanimously.

10. PLANNING

A. Available Water Supply to Meet the 6th Cycle Regional Housing Needs Allocation

Heather Adamson, Director of Planning reported on the RHNA process. Ms. Adamson stated that State law requires AMBAG to develop a methodology to allocate a portion of RHNA to every local government in the AMBAG region. AMBAG approved the 6th Cycle RHNA methodology on April 13, 2022 and directed staff to release the draft RHNA plan. The draft 6th RHNA plan was released on April 22, 2022 and it initiated a 45 -day appeal period which allows member jurisdictions or HCD to appeal for a revision of the share of the regional housing need proposed to be allocated. The close of the comment/appeal period ends on June 6, 2022. Ms. Adamson reported that the City of Monterey send a letter to the AMBAG Board of Directors on March 17, 2022 regarding an update on its immediate need for water in order to meet is RHNA allocation. The City of Monterey requests that 1) AMBAG request an update from the various water agencies about the water supply and the ability for the region to obtain this water by 2023; and 2) AMBAG pass a resolution requesting these agencies provide this water by 2023 and that the State Water Resources Control Board immediately lift the Cease and Desist Order. Lengthy discussion followed.

Motion made by Director Haffa, seconded by Caput to approve Resolution 2022-13 requesting that Monterey One Water, Monterey Peninsula Water Management District, and California American Water provide water supply to meet AMBAG's 6th Cycle Regional Housing needs Allocation and that the State Water Resources Control Board immediately lift its Cease and Desist Order. Motion passed with Director Berkely abstaining and Directors Adams, Phillips, and Gonzales voting No.

11. ADJOURNMENT

The Board of Directors meeting adjourned at 6:34 PM.

_____

Kristen Brown, President

_____

Maura F. Twomey, Executive Director

DRAFT AMBAG BOARD OF DIRECTORS MEETING ATTENDANCE & VOTING RECORD
BOARD MEETING DATE: May 11, 2022

		Attendance (X= Present; AB= Absent) Voting (Y= Yes; N=No; A=Abstain)			
MEMBER	**AMBAG REP**	**Attendance**	**Item #7**	**Item #9.A**	**Item #10.A**
Capitola	Kristen Brown	X	Y	Y	Y
Carmel-by-the-Sea	Karen Ferlito	AB	N/A	N/A	N/A
Del Rey Oaks	Kim Shirley	X	Y	Y	Y
Gonzales	Scott Funk	X	Y	Y	Y
Greenfield	Lance Walker	X	Y	Y	Y
Hollister	Rick Perez	X	Y	Y	Y
King City	Carlos Victoria	X	Y	Y	Y
Marina	Lisa Berkley	X	Y	Y	A
Monterey	Alan Haffa	X	Y	Y	Y
Pacific Grove	Jenny McAdams	AB	N/A	N/A	N/A
Salinas	Steve McShane	X	Y	Y	Y
San Juan Bautista	John Freeman	X	Y	Y	Y
Sand City	Mary Ann Carbone	AB	N/A	N/A	N/A
Santa Cruz	Sandy Brown	X	Y	Y	Y
Scotts Valley	Derek Timm	X	Y	Y	Y
Seaside	Jon Wizard	X	Y	Y	Y
Soledad	Anna Velazquez	AB	N/A	N/A	N/A
Watsonville	Eduardo Montesino	X	Y	Y	Y
County-Monterey	Mary Adams	X	Y	Y	N
County-Monterey	John Phillips	X	Y	Y	N
County-Santa Cruz	Manu Koenig	AB	N/A	N/A	N/A
County-Santa Cruz	Greg Caput	X	Y	Y	Y
County-San Benito	Betsy Dirks	AB	N/A	N/A	N/A
County-San Benito	Bea Gonzales	X	Y	Y	N

(* = Board Member(s) arrived late or left early, therefore, did not vote on the item. Please refer the minutes)

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MEMORANDUM

TO:	**AMBAG Board of Directors**
FROM:	**Maura F. Twomey, Executive Director**
RECOMMENDED BY:	**Miranda Taylor, Planner**
SUBJECT:	**AMBAG Regional Clearinghouse Monthly Newsletter**
MEETING DATE:	**June 15, 2022**

RECOMMENDATION:

It is recommended that the Board of Directors accept the May 2022 Clearinghouse monthly newsletter.

BACKGROUND/DISCUSSION:

Since March 12, 1984, under adopted State Clearinghouse Procedures, the Association of Monterey Bay Area Governments (AMBAG) was designated the regional agency responsible for clearinghouse operations in Monterey, San Benito and Santa Cruz Counties. These procedures implement Presidential Executive Order 12372 as interpreted by the "State of California Procedures for Intergovernmental Review of Federal Financial Assistance and Direct Development Activities." They also implement the California Environmental Quality Act of 1970 as interpreted by CEQA Guidelines.

The purpose of the Clearinghouse is to provide all interested parties within the Counties of Monterey, San Benito and Santa Cruz notification of projects for federal financial assistance, direct federal development activities, local plans and development projects and state plans that are proposed within the region. These areawide procedures are intended to be coordinated with procedures adopted by the State of California.

FINANCIAL IMPACT:

There is no direct financial impact. Staff time for monitoring clearinghouse activities is incorporated into the current AMBAG Overall Work Program and budget.

P.O. Box 2453 Seaside, CA 93955-2453 [ph] 831.883.3750 [fax] 831.883.3755 http://www.ambag.org info@ambag.org

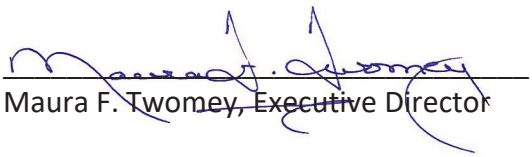
COORDINATION:

Notices for the Clearinghouse are sent by lead agencies to AMBAG. Interested parties are sent email notifications twice a month with the newsletter attached.

ATTACHMENT:

1. Monthly Newsletter - Clearinghouse items May 1– May 31, 2022.

APPROVED BY:



Maura F. Twomey, Executive Director

AMBAG REGIONAL CLEARINGHOUSE

The AMBAG Board of Directors will review these items on June 15, 2022

Association of Monterey Bay Area Governments PO Box 2453 Seaside CA 93955 | 831.883.3750

ENVIRONMENTAL DOCUMENTS

20220504 **US 101/ SR 25 Improvement Project- Phase 1**

Santa Clara Valley Transportatio
Ann Calnan
(408) 321-5976

Notice of Availability Final Environmental Impact Report

Phase One of the U.S. 101/SR 25 Improvements Project (Monterey Road to State Route 129) will improve connectivity between US 101 and SR 25; Improve traffic operations along US 101 and SR 25 with added ramp storage and signals; Enhance safety within the interchange area by reducing ramp backups onto southbound US 101 and provide improved access for safer merges; Support the overall future interchange reconfiguration, including a Santa Teresa Boulevard connection, US 101 and SR 25 widening, and SR 152 improvements between US 101 and SR 156 Along SR 25, the Phase 1 Project begins near post mile (PM) 2.1, just west of the Union Pacific Railroad (UPRR) crossing, and continues to PM 2.6, at the terminus of SR 25 at US 101. Along US 101, project improvements begin at PM 2.6, south of SR 25, and continue to PM 4.2, near Mesa Road.
The Phase 1 Project includes key elements such as constructing a new SR 25 overcrossing above US 101, north of the existing SR 25 overcrossing; demolishing the existing SR 25 overcrossing; Constructing new US 101/SR 25 interchange on-and off-ramps; Installing new traffic signals at the US 101 ramp termini with SR 25; Realigning northbound US 101 to the west toward the median; Realigning SR 25 starting at the new overcrossing structure and conform with the existing alignment just west of the UPRR crossing; Removing access to southbound US 101 from Castro Valley Road and Mesa Road; Installing a bike path adjacent to the southbound US 101 off-ramp between Castro Valley Road and SR 25; Modifying access to the Wu property (Assessor's Parcel Number [APN] 810-35-008) by providing a new local roadway connection to the property from Castro Valley Road; Removing direct access to US 101 from private properties within the project footprint; Installing ramp metering equipment at the southbound US 101 on-ramp and loop detectors for traffic counts on US 101 near the southbound and northbound on-ramps.

Project Location:

Santa Clara County

Parcel: NA

Public hearing information:

https://us02web.zoom.us/j/84710367234

6/2/2022 5:30 PM

Public review period ends **Monday, July 29, 2013.**

20220501 **Moss Landing Commercial Park LLC**

County of Montery
Anna Quenga
(831) 755-5175

Notice of Intent (NOI) Mitigated Negative Declaration (MND)

General Development Plan and an after the fact Coastal Development Permit allowing the establishment of commercial cannabis activities within existing buildings.

Project Location:

Monterey County

Parcel: 133172013000

Public hearing information:

Online

7/27/2022 9:00 AM

Public review period ends **Monday, June 6, 2022**

20220502 **Love Davic S & Jayne D Trs**

County of Monterey
Fionna Jensen
(831) 796-6407

Notice of Intent (NOI) Mitigated Negative Declaration (MND)

Combined Development Permit consisting of a Coastal Administrative Permit and Design Approval to allow the construction of a 5,067 square foot two-story single-family dwelling with a 782 square foot attached garage; a Coastal Administrative Permit and Design Approval to allow construction of a 425 square foot detached guesthouse; a Coastal Development Permit to allow development within 750 feet of known archaeological resources; a Coastal Development Permit to allow development within 100 feet of an environmentally sensitive habitat area; a Coastal Development Permit to allow development on slopes exceeding 30 percent; and a Coastal Development Permit to allow development within 50 feet of a coastal bluff.

Project Location:

Monterey County

Parcel: 243331003000

Public hearing information:

Online

Public review period ends **Wednesday, June 8, 2022**

20220503 **2022 Regional Transportation Plan & Sustainable Communities Strategy**

Tulare County Association of Go
Gabriel Gutierrez
(559) 623-0465

Notice of Public Hearing Draft Environmental Impact Report* (DEIR)

The TCAG 2022 RTP/SCS will guide the development of the Regional and Federal Transportation Improvement Programs (RTIP and FTIP) as well as other transportation programming documents and plans throughout the Tulare County region. Specifically, the project will update the region's goals and policies for meeting current and future mobility needs and identify programs, actions, and a revised plan of projects intended to address these needs consistent with adopted goals and policies. As the MPO for the Tulare County region, TCAG is required to prepare an SCS or Alternative Planning Strategy (APS) that demonstrates how GHG reduction targets will (or, in the case of an APS, can) be met through integrated land use, housing, and transportation planning. TCAG will identify multiple potential growth scenarios to meet the goals of SB 375.

Project Location:

Tulare County

Parcel: NA

Public hearing information:

ONLINE

Public review period ends **Tuesday, July 5, 2022**

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More detailed information on these projects is available by calling the contact person for each project or through AMBAG at (831) 883-3750. Comments will be considered by the AMBAG Board of Directors in its review. All comments will be forwarded to the applicants for response and inclusion in the project application. If substantial coordination or conflict issues arise, the Clearinghouse can arrange meetings between concerned agencies and applicants.

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MEMORANDUM

TO:	**AMBAG Board of Directors**
FROM:	**Maura F. Twomey, Executive Director**
RECOMMENDED BY:	**Amaury Berteaud, Special Projects Manager**
SUBJECT:	**AMBAG Sustainability Program Update**
MEETING DATE:	**June 15, 2022**

RECOMMENDATION:

It is recommended the Board of Directors accept this report.

BACKGROUND/ DISCUSSION:

AMBAG Sustainability Program Elements

Energy Efficiency Program Development

AMBAG is a founding member of the Rural and Hard to Reach (RHTR) working group, which was created in 2015 to promote the deployment of energy efficiency resources to California's rural communities. In the past two years AMBAG staff has been working with other RHTR members to create a Regional Energy Network (REN). Regional Energy Networks are entities which submit business plans to the California Public Utilities Commission (CPUC) to obtain ratepayer funds and implement energy efficiency programs.

In June 2021, RHTR partners executed a memorandum of understanding for the development of the RuralREN and started the process of writing a strategic energy efficiency business plan. On February 16, 2022, RHTR partners organized a workshop of the California Energy Efficiency Coordinating Council (CAEECC) to present the concept of the RuralREN and gather feedback on the business plan. A motion for the creation of the RuralREN as well as the RuralREN 2023-2031 strategic business plan was submitted to the CPUC on March 4, 2022. On March 17, 2022 Chief Administrative Law Judge Simon issued a decision for the RuralREN Motion and strategic business plan to be considered as part of a new application proceeding being created to consider the 2024-2031 strategic business plans for all existing energy efficiency portfolio administrators.

Representatives from the RuralREN attended the pre-hearing conference for the proceeding held on May 17, 2022 and the Chief Administrative Law Judge is expected to issue a ruling on the schedule and scope of the proceeding within the coming weeks. This ruling will determine the schedule on which the RuralREN motion will be considered and is a critical step in the regulatory process.

Central California Energy Watch Program implementation in Monterey County
The AMBAG Sustainability Program is acting as a sub-consultant to the San Joaquin Valley Clean Energy Organization (SJVCEO) to implement the Central California Energy Watch (CCEW) program in Monterey County. AMBAG staff is conducting outreach to public sector agencies and school districts to inform them about the program, drive program enrollment, and provide energy efficiency technical assistance services. Current efforts are focused on enrolling public agencies and working with jurisdictions as well as school districts to support energy benchmarking and energy auditing.

Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study
On December 6, 2021, the California Department of Conservation awarded AMBAG a $250,000 Sustainable Agricultural Lands Conservation (SALC) program planning grant to fund the creation of a Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study.

The Monterey Bay Natural and Working Lands Climate Mitigation and Resiliency Study project seeks to create an inventory of natural and working lands carbon stock in the AMBAG region and forecast its evolution based on different climate change and land use scenarios, as well as the implementation of different adaptation and mitigation strategies. This project will empower the Monterey Bay region to consider the health of natural and working lands as a part of long-range planning as well as provide an opportunity for cities and counties to further integrate natural and working land GHG mitigation strategies as part of their climate action planning process.

In the past month AMBAG released a request for proposals (RFP) for a consultant to work on this project. The RFP responses are due by July 8, 2022 and AMBAG staff hopes to onboard consultant by the end of the summer.

School Districts
The State of California released funding through the Proposition 39: California Clean Energy Jobs Act to help schools implement energy efficiency and conservation. To receive this funding, the school district had to comply with the Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines. These guidelines include requirements such as completing energy benchmarks of school facilities, identifying potential energy projects, creating efficiency metrics related to the projects, submitting a funding application to the California Energy Commission called an Energy Expenditure Plan, completing annual reports and submitting a final project completion report. On May 13, 2020, the California Energy Commission extended the Proposition 39

program by one year because of the ongoing COVID-19 pandemic. The deadline to complete projects was extended to June 30, 2021, and the deadline for final project completion reports was extended to June 30, 2022.

AMBAG staff is working with seven school districts to complete their final project completion reports. As part of this process AMBAG staff is gathering benchmarking data and creating the necessary reports to obtain California Energy Commission staff approval.

Greenhouse Gas Inventories and Climate Action Planning

AMBAG staff works to complete Greenhouse Gas (GHG) Inventories for all AMBAG jurisdictions. Staff completed Community-wide GHG Inventories for all jurisdictions in 2005, 2009, 2010, 2015, 2018, and 2019, as well as a baseline Municipal GHG Inventories for all AMBAG jurisdictions in 2005. AMBAG staff has also been able to use the inventories to create a regional roll-up inventory and assist jurisdictions with climate action planning activities.

As part of MOU with AMBAG, Central Coast Community Energy has allocated funding for AMBAG to develop 2018, 2019, and 2020 Community-wide GHG Inventories for all its member jurisdictions in calendar year 2020, 2021, and 2022. This has allowed AMBAG to continue providing GHG inventories to our jurisdictions and enabled continued climate action on the central coast. In the past month AMBAG staff completed data entry on the ClearPath platform in order to calculate the 2020 GHG emissions for each jurisdiction.

ALTERNATIVES:

There are no alternatives to discuss as this is an informational report.

FINANCIAL IMPACT:

The budget is fully funded under the AMBAG-3CE MOU, a sub consultant agreement with the SJVCEO, a SALC planning grant, and SB1 Planning Funds. All funding is programmed in the FY 2021-22 Overall Work Program and Budget.

COORDINATION:

AMBAG staff is coordinating with 3CE, the SJVCEO, as well as local jurisdictions and local community stakeholders.

APPROVED BY:

Maura F. Twomey, ~~Executive~~ Director

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A RESOLUTION
OF THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS BOARD OF DIRECTORS ADOPTING A RESOLUTION REGARDING THE RALPH M BROWN ACT AND FINDING OF IMMINENT RISK TO HEALTH AND SAFETY OF IN-PERSON MEETING AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

WHEREAS, the proclaimed state of emergency remains in effect; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government code Section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body determines that meeting in person would present imminent risk to the health and safety of attendees, and further requires that certain findings be made by the legislative body every (30) days; and,

WHEREAS, California Department of Public Health ("CDPH") and the federal Centers for Disease Control and Prevention ("CDC") caution that the Delta and Omicron variants of COVID-19, currently the dominant strains of COVID-19 in the country, are more transmissible than prior variants of the virus, may cause severe illness, and that even fully vaccinated individuals can spread the virus (https://cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html); and,

WHEREAS, other variants of COVID-19 exist, and it is unknown at this time whether other variants may result in a new surge in COVID-19 cases; and,

WHEREAS, the CDC has established a "Community Transmission" metric with 4 tiers designated to reflect a community's COVID-19 case rate and percent positivity; and,

WHREAS, Monterey County and San Benito County currently have a Community Transmission metric of "high" and Santa Cruz County currently has a Community Transmission metric of "medium"; and,

WHEREAS, due to the current pandemic situation, the CDC recommends that all persons, regardless of vaccination status, wear a mask based on your personal preference, informed by your personal level of risk. The public may choose to wear a mask or respirator that offers greater protection in certain situations, such as when you are with people at higher risk for severe illness, or if you are at higher risk for severe illness; and

WHEREAS, the Board of Directors for the Association of Monterey Bay Area Governments (AMBAG) is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,

WHEREAS, AMBAG has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of AMBAG's various legislative bodies subject to the Brown Act; and,

WHEREAS, in the interest of the public health and safety, as affected by the emergency cause by the spread of COVID-19, the AMBAG Board of Directors deems it necessary to find that meeting in person for meetings of all AMBAG related legislative bodies as well as subcommittees of the board of Directors subject to the Ralph M. Brown Act, would present imminent risk to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing as provided in subdivisions (e) of Government Code section 54953; and,

WHEREAS, all teleconference meetings of the AMBAG Board of Directors, AMBAG Executive/Finance Committee, as well as all subcommittees of the Board of Directors shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953;

NOW, THEREFORE, BE IT RESOLVED that the AMBAG Board of Directors does hereby approve as follows:

1. The AMBAG Board of Directors finds that meeting in person for meeting of all AMBAG related legislative bodies subject to the Ralph M. Brown Act would present imminent risk to the health or safety of attendees.

2. This finding applies to all AMBAG related legislative bodies subject to the Brown Act, including but not limited to, the AMBAG Board of Directors meeting; the AMBAG Executive/Finance Committee; the RAPS, Inc. Board of Directors meeting, and any other standing committees.

3. Staff is directed to return to the Board of Directors no later than thirty (30) days after the adoption of this resolution, or by next Board of Directors meeting (whichever comes first), with an item for the Board to consider making the findings required by AB 361 in order to continue meeting under its provisions.

4. The AMBAG Executive Director and AMBAG Counsel are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

PASSED AND ADOPTED this 15th day of June 2022.

_____
Kristen Brown, President

_____
Maura F. Twomey, Executive Director

MEMORANDUM

TO:	**AMBAG Board of Directors**
FROM:	**Maura F. Twomey, Executive Director**
RECOMMENDED BY:	**Errol Osteraa, Director of Finance and Administration**
SUBJECT:	**Extension of Legal Services Contract**
MEETING DATE:	**June 15, 2022**

RECOMMENDATION:

Staff recommends that the Board of Directors approve a one year extension of the current contract for legal services and authorize the Executive Director to negotiate and execute the contract.

BACKGROUND/DISCUSSION:

The Association of Monterey Bay Area Governments (AMBAG) has a continuing need to retain a law firm to provide general counsel and other specialized legal services. Legal services have been provided by the law firm of Perry and Freeman since April 2003. This has provided AMBAG with an ongoing resource related to legal matters. The contract is set to expire on June 30, 2022.

The firm's expertise in matters related to the AMBAG region, has greatly assisted the agency over the years. It is in the best interest of AMBAG to maintain the continuity of legal counsel at this time. Therefore, staff recommends that the Board extend the contract with Perry and Freeman for one year, through June 30, 2023.

FINANCIAL IMPACT:

Legal services are currently provided to AMBAG for $1,125 per month.

P.O. Box 2453 Seaside, CA 93955-2453 [ph] 831.883.3750 [fax] 831.883.3755 http://www.ambag.org info@ambag.org

ALTERNATIVES:

1. Extend the current legal services contract for one year at its current levels.
2. Solicit legal services beginning July 1, 2022 through a Request for Proposals (RFP).

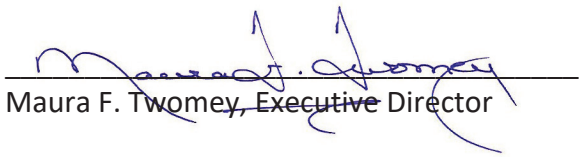
COORDINATION:

The Law Office of Perry and Freeman was contacted to discuss contract terms.

ATTACHMENT:

1. Agreement for legal services contract with the law firm of Perry and Freeman.

APPROVED BY:



Maura F. Twomey, ~~Executive~~ Director

Attachment 1

AGREEMENT FOR LEGAL SERVICES BETWEEN THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS AND THE LAW OFFICES OF PERRY AND FREEMAN

THIS AGREEMENT, made and entered into this 1st day of July, 2022, by and between the ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS, a Metropolitan Planning Organization (MPO) and joint powers authority, hereinafter referred to as "AMBAG", and THE LAW OFFICES OF PERRY AND FREEMAN, hereinafter referred to as "Attorney", both of whom understand as follows:

A. Term: The term of this Agreement commenced on July 1, 2022, and shall continue until June 30, 2023, unless terminated pursuant to paragraph I. of this Agreement or extended by mutual agreement of AMBAG and Attorney.

B. Compensation. Attorney will provide ordinary legal services to the AMBAG for a retainer of $1,125.00 per month. Extraordinary legal services, with the exception of litigation, shall be charged at the rate of $270.00 per hour. Litigation services shall be charged at the rate of $325.00 per hour. Extraordinary legal services shall require prior approval of the Executive Director while litigation services shall require prior approval of the Board of Directors.

C. Ordinary Services. Ordinary legal services shall include legal advice and legal opinions to AMBAG and its Executive Director in the regular course of business and concerning all such matters as administrative procedures, AMBAG board actions, and shall include attendance at AMBAG meetings as requested. Attorney is to be responsible for assisting in the drafting and preparing ordinary contracts and agreements, and engaging in whatever legal research, study and review necessary to properly advise and protect the interests of AMBAG.

D. Extraordinary Legal Services. Extraordinary legal services shall include the preparation of complex legal documents, and complex legal opinions.

E. Litigation Services. Litigation services shall include litigation services not covered under paragraph D. Attorney shall notify and receive authorization from the Board of Directors prior to rendering litigation legal services.

F. AMBAG Obligations. For the provision of legal services, AMBAG shall provide any and all documents and materials necessary to carry out the terms of this agreement as requested by Attorney.

G. Reimbursement of Costs. In addition, Attorney shall be reimbursed for all out-of-pocket expenses and costs advanced or paid on behalf of the AMBAG, including court reporter fees and charges, court costs, costs of outside investigators or experts pertaining to AMBAG litigation, long-distance telephone calls and long-distance facsimile (fax) transmissions, mileage reimbursement on the same basis as other AMBAG employees, if requested by Attorney.

H. Miscellaneous. AMBAG recognizes that Perry and Freeman is a private law practice currently located in Carmel-by-the-Sea, California, and intends to retain that office as their principal place of business.

AMBAG recognizes the Attorney also serves as the City Attorney for the City of Seaside. Should a conflict of interest arise for Attorney among AMBAG and/or the City of Seaside AMBAG shall retain outside legal counsel to represent the City of Seaside and AMBAG's interest and the expense of such outside legal counsel shall be borne by the City of Seaside and AMBAG respectively.

I. Termination. This Agreement may be terminated by either party at any time without cause upon thirty (30) days written notice.

IN WITNESS WHEREOF, AMBAG has caused this agreement to be signed and executed on its behalf by its Board of Directors, and duly attested by its representative, Steve McShane, Maura F. Twomey and the Attorney has signed and executed this agreement in duplicate originals the day and year first herein above written.

AMBAG:

By:

_____ _____

Maura F. Twomey Date
AMBAG Executive Director

ATTORNEY:

_____ _____

Donald G. Freeman Date
Perry and Freeman

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MEMORANDUM

TO: **AMBAG Board of Directors**

FROM: **Maura F. Twomey, Executive Director**

SUBJECT: **Revised Procurement Policies and Procedures Manual**

MEETING DATE: **June 15, 2022**

RECOMMENDATION:

Adopt the Revised Procurement Policies and Procedures Manual.

BACKGROUND/DISCUSSION:

The draft Procurement Policies and Procedures Manual is attached for Board action at this meeting. The draft Procurement Policies and Procedures Manual was updated to reflect changes in required state and federal regulations.

FINANCIAL IMPACT:

None.

COORDINATION:

None.

ATTACHMENT:

1. AMBAG's Draft Procurement Policies and Procedures Manual (separately enclosed)

APPROVED BY:

Maura F. Twomey, Executive Director

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MEMORANDUM

TO:	**AMBAG Board of Directors**
FROM:	**Maura F. Twomey, Executive Director**
RECOMMENDED BY:	**Errol Osteraa, Director of Finance and Administration**
SUBJECT:	**Financial Update Report**
MEETING DATE:	**June 15, 2022**

RECOMMENDATION:

Staff recommends that the Board of Directors accept the Financial Update report.

BACKGROUND/ DISCUSSION:

The enclosed financial reports are for the 2021-2022 Fiscal Year (FY) and are presented as a consent item. The attached reports contain the cumulative effect of operations through March 31, 2022, as well as a budget-to-actual comparison. Amounts in the Financial Update Report are unaudited.

FINANCIAL IMPACT:

The Balance Sheet for March 31, 2022, reflects a cash balance of $2,849,903.05. The accounts receivable balance is $529,406.44, while the current liabilities balance is $661,482.96. AMBAG has sufficient current assets on hand to pay all known current obligations.

AMBAG's Balance Sheet as of March 31, 2022, reflects a positive Net Position of $26,350.42. This is due to the Profit and Loss Statement reflecting an excess of revenue over expense of $181,034.33. Changes in Net Position are to be expected throughout the fiscal year (FY), particularly at the beginning due to collection of member dues which are received in July and the timing of various year-end adjustments required after our financial audit.

The following table highlights key Budget to Actual financial data:

Budget to Actual Financial Highlights
For Period July 1, 2021 through March 31, 2022

Expenditures	Budget Through March 2022	Actual Through March 2022	Difference
Salaries & Fringe Benefits	$ 1,836,191.00	$ 1,654,413.06	$ 181,777.94
Professional Services	$ 5,700,797.00	$ 1,680,625.79	$ 4,020,171.21
Lease/Rentals	$ 68,250.00	$ 60,885.75	$ 7,364.25
Communications	$ 18,600.00	$ 13,233.55	$ 5,366.45
Supplies	$ 83,550.00	$ 15,456.71	$ 68,093.29
Printing	$ 12,525.00	$ 1,875.18	$ 10,649.82
Travel	$ 52,650.00	$ 1,354.38	$ 51,295.62
Other Charges	$ 257,279.00	$ 279,858.77	$ (22,579.77)
Total	$ 8,029,841.00	$ 3,707,703.19	$ 4,322,138.81
Revenue			
Federal/State/Local Revenue	$ 8,073,497.00	$ 3,888,737.52	$ 4,184,759.48
Note: AMBAG is projecting a surplus, therefore budgeted revenues do not equal expenses.			

Revenues/Expenses (Budget to Actual Comparison):

The budget reflects a linear programming of funds while actual work is contingent on various factors. Therefore, during the fiscal year there will be fluctuations from budget-to-actual.

Professional Services are under budget primarily due to the timing of work on projects performed by contractors. Work is progressing on the 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). This work is not performed in a linear fashion while the budget reflects linear programming. In addition, the Regional Early Action Planning Housing Program (REAP) provides $7,931,330 in funding of which a large portion will pass through to partner agencies. It is in its early stages.

Since AMBAG funding is primarily on a reimbursement basis, any deviation in expenditure also results in a corresponding deviation in revenue. Budget-to-actual revenue and expenditures are monitored regularly to analyze fiscal operations and propose amendments to the budget if needed.

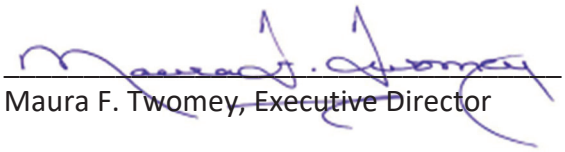
COORDINATION:

N/A

ATTACHMENTS:

1. Balance Sheet as of March 31, 2022
2. Profit and Loss: July 1, 2021 – March 31, 2022
3. Cash Activity for April 2022

APPROVED BY:



Maura F. Twomey, Executive Director

AMBAG

Balance Sheet - Attachment 1

As of March 31, 2022

	March 31, 2022
Assets	
Current Assets	
Cash and Cash Equivalents	
Mechanics Bank - Special Reserve	300,649.37
Mechanics Bank - Checking	432,032.26
Mechanics Bank - REAP Checking	2,113,034.33
Petty Cash	500.00
LAIF Account	3,687.09
Total Cash and Cash Equivalents	2,849,903.05
Accounts Receivable	
Accounts Receivable	529,406.44
Total Accounts Receivable	529,406.44
Other Current Assets	
Due from PRWFPA/RAPS	120.00
Prepaid Items	11,212.45
Total Other Current Assets	11,332.45
Total Current Assets	3,390,641.94
Long-Term Assets	
Net OPEB Asset	96,473.00
FY 2002-2003 Housing Mandate Receivable	82,186.00
Allowance for Doubtful Accounts	(16,437.20)
Deferred Outflows - Actuarial	533,833.49
Deferred Outflows - PERS Contribution	272,963.59
Total Long-Term Assets	969,018.88
Capital Assets	
Capital Assets	319,089.93
Accumulated Depreciation	(193,569.11)
Total Capital Assets	125,520.82
Total Assets	**4,485,181.64**

	March 31, 2022
Liabilities & Net Position	
Liabilities	
Current Liabilities	
Accounts Payable	525,654.82
Employee Benefits	135,828.14
Mechanics Bank - Line of Credit	0.00
Total Current Liabilities	661,482.96
Long-Term Liabilities	
Deferred Inflows - Actuarial	258,986.95
Net Pension Liability (GASB 68)	1,888,153.69
OPEB Liability	398.04
Deferred Revenue	1,649,809.58
Total Long-Term Liabilities	3,797,348.26
Total Liabilities	4,458,831.22
Net Position	
Beginning Net Position	(154,683.91)
Net Income/(Loss)	181,034.33
Total Ending Net Position	26,350.42
Total Liabilities & Net Position	**4,485,181.64**

AMBAG

Profit & Loss - Attachment 2

July - March 2022

		July - March 2022	July - March 2022
Income			
	AMBAG Revenue		174,498.18
	Cash Contributions		246,678.67
	Grant Revenue		3,299,764.00
	Non-Federal Local Match		167,796.67
	Total Income		3,888,737.52
Expense			
	Salaries		1,053,881.27
	Fringe Benefits		600,531.79
	Professional Services		1,680,625.79
	Lease/Rentals		60,885.75
	Communications		13,233.55
	Supplies		15,456.71
	Printing		1,875.18
	Travel		1,354.38
	Other Charges:		
	BOD Allowances	9,350.00	
	Workshops/Training	1,259.97	
	GIS Licensing/CCJDC Support	13,608.00	
	REAP Travel/Classes/Events	2,608.83	
	SB1/MTIP/MTP/SCS/OWP/Public Participation Expenses	14,921.07	
	Recruiting	784.95	
	Model Expenses	217.12	
	Dues & Subscriptions	16,039.26	
	Depreciation Expense	24,644.08	
	Maintenance/Utilities	576.81	
	Insurance	27,796.62	
	Interest/Fees/Tax Expense	255.39	
	Total Other Charges		112,062.10
	Non-Federal Local Match		167,796.67
Total Expense			3,707,703.19
Net Income/(Loss)			**181,034.33**

AMBAG
Cash Activity - Attachment 3
For April 2022

Monthly Cash Activity	July-21	August-21	September-21	October-21	November-21	December-21	January-22	February-22	March-22	April-22	May-22	June-22	TOTAL
1. CASH ON HAND													
[Beginning of month]	4,140,366.44	4,161,723.11	3,647,705.41	3,625,765.50	3,443,520.63	3,425,278.73	3,135,121.91	3,380,246.29	3,007,758.00	2,849,903.05	0.00	0.00	
2. CASH RECEIPTS													
(a) AMBAG Revenue	108,597.78	107,565.48	14,000.18	61,432.23	707,415.96	6,068.12	41,911.38	56,039.07	7,427.28	6,665.50	0.00	0.00	1,117,122.98
(b) Grant Revenue	180,907.52	21,585.44	193,707.79	0.00	0.00	0.00	378,169.08	309,021.44	198,259.93	234,123.72	0.00	0.00	1,515,774.92
(c) REAP Advance Payment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(d) Borrowing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3. TOTAL CASH RECEIPTS	289,505.30	129,150.92	207,707.97	61,432.23	707,415.96	6,068.12	420,080.46	365,060.51	205,687.21	240,789.22	0.00	0.00	2,632,897.90
4. TOTAL CASH AVAILABLE	4,429,871.74	4,290,874.03	3,855,413.38	3,687,197.73	4,150,936.59	3,431,346.85	3,555,202.37	3,745,306.80	3,213,445.21	3,090,692.27	0.00	0.00	
5. CASH PAID OUT													
(a) Payroll & Related *	185,064.62	189,829.59	172,248.66	197,590.98	179,470.13	213,078.25	161,573.75	188,552.45	188,530.41	174,395.73	0.00	0.00	1,850,334.57
(b) Professional Services	18,658.78	334,934.61	32,380.92	30,636.83	531,139.86	65,623.12	5,800.19	518,521.81	157,896.98	57,051.60	0.00	0.00	1,752,644.70
(c) Capital Outlay	0.00	77,185.31	10,389.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	87,574.44
(d) Lease/Rentals	12,500.53	6,550.66	6,942.40	7,112.08	6,642.99	6,326.00	979.73	12,913.50	6,663.78	6,382.00	0.00	0.00	73,013.67
(e) Communications	1,922.95	1,378.55	1,376.91	1,610.99	1,389.15	1,170.80	1,608.83	2,145.52	1,410.09	1,172.49	0.00	0.00	15,186.28
(f) Supplies	145.65	881.31	4,507.02	4,732.31	435.45	1,158.52	986.17	1,647.37	855.91	13,116.04	0.00	0.00	28,465.75
(g) Printing	0.00	0.00	0.00	0.00	0.00	1,191.20	0.00	0.00	683.98	0.00	0.00	0.00	1,875.18
(h) Travel	38.04	0.00	138.80	289.85	0.00	66.94	50.17	80.00	815.72	524.65	0.00	0.00	2,004.17
(i) Other Charges	49,818.06	32,408.59	1,664.04	1,704.06	6,580.28	7,610.11	3,957.24	13,688.15	6,685.29	11,608.32	0.00	0.00	135,724.14
(j) Loan Repayment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6. TOTAL CASH PAID OUT	268,148.63	643,168.62	229,647.88	243,677.10	725,657.86	296,224.94	174,956.08	737,548.80	363,542.16	264,250.83	0.00	0.00	3,946,822.90
7. CASH POSITION	4,161,723.11	3,647,705.41	3,625,765.50	3,443,520.63	3,425,278.73	3,135,121.91	3,380,246.29	3,007,758.00	2,849,903.05	2,826,441.44	0.00	0.00	

MEMORANDUM

TO:	**AMBAG Board of Directors**
FROM:	**Maura F. Twomey, Executive Director**
RECOMMENDED BY:	**Heather Adamson Director of Planning**
SUBJECT:	**Final 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy and Environmental Impact Report**
MEETING DATE:	**June 15, 2022**

RECOMMENDATION:

The Board of Directors is asked to:

1. Hold public hearing;

2. Approve Resolution No. 2022-16 (Attachment 1) certifying the Final Environmental Impact Report prepared for the 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (SCH#2020010204) 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;

3. Approve Resolution No. 2022-17 (Attachment 2) finding the Sustainable Communities Strategy achieves the regional greenhouse gas reduction targets, adopting the Final 2022 Regional Growth Forecast, and adopting the 2045 Metropolitan Transportation Plan, including its Sustainable Communities Strategy.

BACKGROUND:

The 2045 MTP/SCS is the blueprint for a regional transportation system that further enhances our quality of life, promotes sustainability, and offers more mobility options for people and goods. The MTP/SCS is built on an integrated set of public policies, strategies, and investments to maintain, manage, and improve the transportation system so it meets the diverse needs of our changing region through 2045.

DISCUSSION:

Final Environmental Impact Report

Attachment 1 is the resolution certifying the Final EIR prepared for the 2045 MTP/SCS and adopting the Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (Attachments A and B to the resolution).

The Final EIR consists of: (1) the Final EIR volume, which is a complete revision of the Draft EIR (which consists of the original Draft EIR and the Partially Recirculated Draft EIR); and (2) all appendices to the Final EIR (Appendices A-H), including Appendix H, 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.

The Final EIR incorporates changes made to the Draft EIR as a result of comments received during the public review periods for the original Draft EIR and Partially Recirculated Draft EIR, and minor changes made to the Draft 2045 MTP/SCS. Changes made to the Draft EIR did not result in any new significant impacts not addressed in the Draft EIR, increase the severity of significant impacts identified in the Draft EIR.

Pursuant to Public Resources Code §21081(a) and CEQA Guidelines §15091, AMBAG has prepared findings of fact for every significant impact identified in the EIR and for each alternative evaluated in the EIR. The findings are set forth in Attachment A to the CEQA Resolution (Attachment 1).

Even after adoption of all feasible mitigation measures, the 2045 MTP/SCS will have significant impacts that cannot be fully mitigated to less than significant levels. AMBAG has prepared a Statement of Overriding Considerations in compliance with Public Resources Code §21081(b) and CEQA Guidelines §15093, which finds that specific economic, legal, social, technological, and other benefits of the 2045 MTP/SCS outweigh the significant and unavoidable impacts identified in the EIR. The Statement of Overriding Considerations is set forth in Attachment A to the CEQA Resolution (Attachment 1).

Additionally, AMBAG has prepared a Mitigation Monitoring and Reporting Program in compliance with Public Resources Code §21081.6 and CEQA Guidelines §15097 to ensure compliance with the mitigation measures identified in the EIR during project implementation. The Mitigation Monitoring and Reporting Program is set forth in Attachment B to the CEQA Resolution (Attachment 1).

2022 Regional Growth Forecast

In November 2020, the Board of Directors accepted the Draft 2022 Regional Growth Forecast for planning purposes. More information regarding the Final 2022 Regional Growth Forecast is included in Appendix A of the 2045 MTP/SCS.

Final 2045 MTP/SCS

At its April 13, 2022, meeting, the Board accepted the comments and responses and proposed modifications to the Draft 2045 MTP/SCS. The changes were incorporated into the Final 2045 MTP/SCS.

Attachment 2 is the resolution finding that the SCS achieves the greenhouse gas reduction targets established by CARB, and adopting the 2045 MTP/SCS and the Final 2022 Regional Growth Forecast.

Next Steps

Following the above Board actions, staff will submit the Final 2045 MTP/SCS to Caltrans, Federal Highway Administration and Federal Transit Administration. The Final 2045 MTP/SCS also will be submitted to CARB to confirm the preliminary determination by its staff that implementation of the SCS would achieve the regional GHG reduction targets.

The 2045 MTP/SCS, including Appendices as well as the Final EIR and its Appendices, are available on the AMBAG website at www.ambag.org. Jump drives containing all documents are available by contacting AMBAG at (831) 883-3750.

ALTERNATIVES:

The Board could choose not to certify the Final EIR, not to adopt findings, not to adopt the MMRP, and could choose not to adopt the 2045 MTP/SCS. AMBAG staff does not recommend this alternative because it would delay the adoption of the 2045 MTP/SCS and potentially cause delay or loss of transportation funding to the AMBAG region.

FINANCIAL IMPACT:

Planning activities for the 2045 MTP/SCS are funded with FHWA PL, FTA 5303 and SB 1 planning funds and are programmed in the FY 2021-22 Overall Work Program and Budget.

COORDINATION:

All MTP/SCS planning activities are coordinated with the MTP/SCS Executive Steering Committee and Staff Working Group which includes participation from Caltrans District

5, Monterey Salinas Transit, Santa Cruz Metropolitan Transit District, Santa Cruz County Regional Transportation Commission, San Benito County Council of Governments, and the Transportation Agency for Monterey County, as well as the Planning Directors Forum and the RTPAs Technical Advisory Committees which includes the local jurisdictions.

ATTACHMENTS:

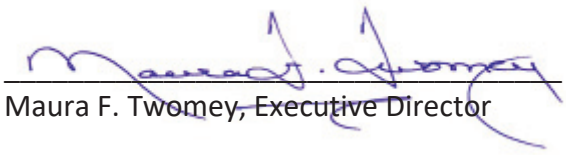
1. Resolution No. 2022-16 certifying the Final Environmental Impact Report prepared for the 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (SCH#2020010204) and County RTPs and adopting Findings of Fact pursuant to the California Environmental Quality Act; a Statement of Overriding Considerations; and a Mitigation Monitoring and Reporting Program; (Page 45)

    A. Attachment A: CEQA Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (Page 51)

    B. Attachment B: Mitigation Monitoring and Reporting Program (Page 149)

2. Approve Resolution No. 2022-17 finding the Sustainable Communities Strategy achieves the regional greenhouse gas reduction targets, adopting the Final 2022 Regional Growth Forecast, and adopting the 2045 Metropolitan Transportation Plan, including its Sustainable Communities Strategy. (Page 225)

APPROVED BY:



Maura F. Twomey, Executive Director

A RESOLUTION OF THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG) BOARD OF DIRECTORS CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE 2045 METROPOLITAN TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (SCH#2020010204) 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 2045 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 2045; 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# 2020010204) 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 January 15, 2020 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 three public scoping meetings in January 2020 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 November 22, 2021, and AMBAG initiated a 70-day public comment period by filing a Notice of Completion and Notice of Availability with the Governor's 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 November 22, 2021, 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 70-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 9 written comment letters, and additional comments were provided verbally at the public hearings on the Draft EIR on January 12, 2022 and January 19, 2022, which are included in the Final EIR; and

WHEREAS, a Partially Recirculated Draft EIR was released for public review on April 15, 2022, and AMBAG initiated a 46 -day public comment period by filing a Notice of Completion and Notice of Availability with the State Governor's Office of Planning and Research; and

WHEREAS, the Notice of Availability for the Partially Recirculated Draft EIR was made available in substantially the same manner as the Draft EIR Notice of Availability; and

WHEREAS, AMBAG evaluated all comments on significant environmental issues received during the comment periods on the Draft EIR Partially Recirculated 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-H), including Appendix H, which consists of comments received on the Draft EIR and Partially Recirculated Draft EIR, a list of persons, organizations and public agencies commenting of the Draft EIR and Partially Recirculated 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 June 3, 2022 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 15, 2022, considered the significant environmental impacts of the 2045 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 information added to the Draft EIR, comments made in the public hearings conducted by AMBAG, or any additional information submitted to AMBAG, have produced significant new information requiring further 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 2045 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 in Attachment 1A); and

WHEREAS, the 2045 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 in Attachment 1A), which concludes that specific economic, legal, social, technological or other benefits of the 2045 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 (attached hereto as Attachment 1B) to ensure compliance with the mitigation measures identified in the Final EIR during project implementation and operation; and

RESOLUTION NO. 2022-16

WHEREAS, on this date, the AMBAG Board of Directors held a duly noticed public hearing prior to considering certifying the Final EIR; and adopting the CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; and

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

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

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-H), including Appendix H, 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 #2020010204) 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 1A 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 1A 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 attached hereto as Attachment 1B and incorporated fully by this reference.

PASSED AND ADOPTED this 15th day of June 2022.

Kristen Brown, President

Maura Twomey, Secretary

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CEQA FINDINGS OF FACT, STATEMENT OF OVERRIDNG CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING PROGRAM

I. INTRODUCTION TO CEQA FINDINGS

These Findings of Fact are made pursuant to the California Environmental Quality Act (Pub. Res. Code Section 21000 et seq., "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, Section 15000 et seq.) by the Board of Directors of Association of Monterey Bay Area Governments (AMBAG), as the lead agency for the 2045 Metropolitan Transportation Plan and Sustainable Communities Strategy ("2045 MTP/SCS," or the "project"). These Findings of Fact pertain to the Final Environmental Impact Report ("EIR") SCH #2020010204 prepared for the 2045 MTP/SCS.

A. PROJECT DESCRIPTION SUMMARY

The proposed project by the Association of Monterey Bay Area Governments (AMBAG) is the 2045 Metropolitan Transportation Plan and Sustainable Communities Strategy (MTP/SCS), which is a long-range planning document required by both State and Federal law and is an update of the 2040 AMBAG MTP/SCS. It contains a compilation of Regional Transportation Plans (RTPs) for Monterey, San Benito and Santa Cruz Counties and is used to achieve a coordinated and balanced regional transportation system. The plan is organized into seven chapters, plus an executive summary, as follows: Chapter 1 – Vision, Chapter 2 – Transportation Investments, Chapter 3 – Financial Plan, Chapter 4 – Sustainable Communities Strategy, Chapter 5 – Outcomes, Chapter 6 – Public Participation, Chapter 7 – Glossary. Of the seven chapters of the 2045 MTP/SCS, Chapters 1, 2, 3 and 4 are those with the potential to create physical changes to the environment.

AMBAG has prepared the Sustainable Communities Strategy (SCS) as part of the MTP, pursuant to the requirements of California Senate Bill 375 as adopted in 2008. The SCS sets forth a forecasted development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, reduces greenhouse gas (GHG) emissions from passenger vehicles and light duty trucks to achieve the regional GHG reduction targets set by the California Air Resources Board (CARB).

The 2045 MTP/SCS is based on a preferred land use scenario that consists of an intensified land use distribution approach that concentrates the forecasted population and employment growth in urban areas. The transportation network includes additional highway, local street improvements, active transportation and transit investments to serve a more concentrated urban growth pattern. Transportation system improvement projects identified in the 2045 MTP/SCS include: highway/roadway projects; bus rapid transit and rail projects; active transportation (bicycle and pedestrian projects); transportation demand management, transportation system management and intelligent transportation system (ITS) projects; and aviation projects.

The 2045 MTP/SCS would be implemented with several other existing AMBAG programs designed to reduce adverse impacts to transportation resources, air quality, GHG emissions and energy. These are described in Section 2.6, Relationship with Other Plans and Programs, of the Final EIR, and

include the AMBAG Sustainability Program, Electric Vehicle Infrastructure for the Monterey Bay Area, Complete Streets Planning and Design Guidelines, Rideshare, Bike to School Day and Bike to Work Day Program, Safe Routes to Schools Program, Regional Ecological Framework Project, Zero Emission Electric Motorcycle Pilot Project, Freeway Service Patrol and Motorist Assistance Program, and Seniors and Accessible Transportation Services.

The primary objective of the 2045 MTP/SCS is to comply with applicable regulatory requirements, including California Transportation Commission Guidelines and SB 375 regional GHG reduction targets. AMBAG's specific objectives for the 2045 MTP/SCS are to additionally ensure that the transportation system planned for the AMBAG region accomplishes the following:

- Serves regional goals, objectives, policies, and plans.
- Responds to community and regional transportation needs.
- Promotes energy efficient, environmentally sound modes of travel and facilities and services.
- Promotes equity and efficiency in the distribution of transportation projects and services.

B. TYPE OF EIR

The 2045 MTP/SCS EIR is a Program EIR. A Program EIR is prepared for a series of actions that can be characterized as one project. An advantage of a Program EIR is that it allows the lead agency to consider broad policy alternatives and "program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts." (CEQA Guidelines Section 15168(b)(4).) The Program EIR can serve as a first-tier document for later CEQA review of individual projects included in the program. These project-specific CEQA reviews can focus on project-specific impacts and mitigation measures, and need not repeat the broad analyses contained in the Program EIR. As discussed by the California Supreme Court, "it is proper for a lead agency to use its discretion to focus a first-tier EIR on only the…program, leaving project-specific details to subsequent EIRs when specific projects are considered." (*In re Bay Delta* (2008) 43 Cal. 4th 1143, 1174-1175).

C. PROCEDURAL COMPLIANCE WITH CEQA

AMBAG published a Draft EIR on November 22, 2021, and a Final EIR on May 19, 2022, in compliance with CEQA requirements. AMBAG prepared the Draft and Final EIRs in accordance with CEQA and the CEQA Guidelines. As allowed for in CEQA Guidelines Section 15084(d)(2), AMBAG retained a consultant to assist with the preparation of the environmental documents. AMBAG, acting as lead agency, has directed, reviewed and edited as necessary all material prepared by the consultant, and such material reflects AMBAG's independent judgment. In general, the preparation of the EIR included the following key steps and public notification efforts:

A 30-day scoping process began with AMBAG's issuance of the Notice of Preparation (NOP) of an EIR. The NOP was filed with the State Clearinghouse on January 15, 2020, which started a 30-day comment period that ended February 14, 2020. AMBAG noticed and held three EIR scoping meetings during the 30-day NOP comment period to receive perspective and input from agencies, organizations and individuals on the scope and content of the environmental information to be addressed in the EIR. EIR scoping meetings were held on January 22, 2020 in Santa Cruz; January 23,

2020 in Hollister; and on January 29, 2020 in Monterey.

AMBAG issued the Draft EIR on November 22, 2021. The Notice of Availability for the Draft EIR was published in local newspapers (listed below) and distributed to a variety of government agencies, organizations and interested parties, including: local jurisdictions, tribal governments, state and federal agencies, resource agencies, water districts and boards, transportation agencies, community groups and organizations, business organizations, chambers of commerce, universities and school districts, senior/aging organizations, interested parties and members of the public. The Draft EIR was also posted on AMBAG's website and available for review at the AMBAG Office, the Transportation Agency for Monterey County office, and several libraries throughout the AMBAG region.

Notice of Availability Published in Local Papers

- AMBAG, 24580 Silver Cloud Court, Monterey, CA 93940
- Transportation Agency for Monterey County, 55B Plaza Circle, Salinas, CA 93901
- Marina Branch Library, 190 Seaside Circle, Marina, CA 93933
- Greenfield Branch Library, 315 El Camino Real, Greenfield, CA 93927
- Watsonville Public Library, 275 Main Street, Suite 100, Watsonville, CA 95076
- Downtown Santa Cruz Public Library, 224 Church St, Santa Cruz, CA 95060
- Felton Branch Library, 6121 Gushee Street, Felton, CA 95018
- Capitola Branch Library, 2005 Wharf Road, Capitola, CA 95010
- La Selva Beach Branch Library, 316 Estrella Avenue, La Selva Beach, CA 95076
- Council of San Benito County of Governments, 330 Tres Pinos Road, Suite C7, Hollister CA 95023

The Notice of Completion for the Draft EIR was filed with the State Clearinghouse on November 22, 2021. The Draft EIR was available for a 70-day public review period starting November 22, 2021 and ending January 31, 2022. AMBAG hosted online public hearings on the Draft EIR and the Draft 2045 MTP/SCS on January 12, January 19, January 24, and January 27, 2022. These meetings were online due to health concerns of the ongoing COVID-19 pandemic.

After the close of the first comment period on the Draft EIR, AMBAG decided to recirculate a part of Section 6, Other Statutory Considerations, of the Draft EIR, specifically Section 6.4.2(h) (Greenhouse Gas Emissions), Impact GHG-C-1. This decision was made based on the fact that, after completion of the Draft EIR, AMBAG identified a clerical error indicating that the 2045 MTP/SCS would not have a cumulatively considerable contribution to a significant cumulative greenhouse gas (GHG) impact related to exceeding state GHG reduction targets, when in actuality it would. No other sections of the Draft EIR were revised. The Notice of Availability and Notice of Completion for the partially recirculated Draft EIR were made available on April 15, 2022. The partially recirculated Draft EIR was circulated for a comment period extending from April 15, 2022 to May 31, 2022.

Following the close of the second public review period, AMBAG revised the Draft EIR in response to comments received during the public review period on the Draft EIR and the public review period for the partially recirculated Draft EIR and provided written responses addressing all significant

environmental issues raised. Revisions made to the Draft EIR are shown throughout the Final EIR in strikethrough and underline text.

AMBAG published the Final EIR on June 3, 2022. AMBAG provided written responses to all public agencies that commented on the Draft EIR on June 3, 2022, which is at least 10 days prior to certifying the EIR. The AMBAG Board of Directors held a public hearing on June 15, 2022, to consider certification of the Final EIR and approval of the project.

D. INCORPORATION OF FINAL EIR BY REFERENCE

The Final EIR is hereby incorporated by reference into these Findings of Fact. The Final EIR consists of: (1) the Final EIR volume, which is a complete text of the Draft EIR with revisions; and (2) all appendices to the Final EIR, including Appendix H which contains comments on the Draft EIR. Appendix H includes a list of persons, organizations and public agencies commenting of the Draft EIR; and AMBAG's responses to environmental issues raised in Draft EIR comments.

E. REQUIREMENTS FOR CEQA FINDINGS

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant impact:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report. (The concept of infeasibility also encompasses whether a particular alternative or mitigation measure promotes the project's underlying goals and objectives, and whether an alternative or mitigation measure is impractical or undesirable from a policy standpoint. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.))

AMBAG has made one or more of these specific written findings regarding each significant impact associated with the 2045 MTP/SCS. Those findings are presented below, along with a presentation of facts in support of the findings. The AMBAG Board of Directors certifies these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed. These findings are based on substantial evidence contained in the totality of the administrative record before the

AMBAG Board of Directors, including but not limited to the Final EIR "supporting evidence" cited herein.

II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which AMBAG's Findings of Fact are based are located at 24580 Silver Cloud Court, Monterey, California. The custodian of these documents is Heather Adamson. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 Cal. Code Regs. Section 15091(e).

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the project consists of the following documents and other evidence, at a minimum:

The Notice of Preparation (NOP) and all other public notices issued by AMBAG in conjunction with the project.

The Draft and Final EIRs, including appendices and technical studies included or referenced in the Draft and Final EIRs.

All comments submitted by agencies or members of the public during the public comment period on the Draft EIR.

All responses to the written comments included in the Final EIR.

All comments and correspondence submitted to AMBAG with respect to the project.

The Mitigation Monitoring and Reporting Program (MMRP) for the project.

All Findings and resolutions adopted by AMBAG decision makers in connection with the project and all documents cited or referred to therein.

All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by Rincon Consultants, consultants to AMBAG.

All reports, memoranda, documentation, data output files relating to the land use and transportation modeling for the project.

All documents and information submitted to AMBAG by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the project, up through the date the AMBAG Board of Directors approved the project.

Minutes and/or verbatim transcripts of all information sessions, public meetings and public hearings held by AMBAG, in connection with the project.

Any documentary or other evidence submitted to AMBAG at such information sessions, public meetings, and public hearings.

Matters of common knowledge to AMBAG, including, but not limited to federal, State, and local laws and regulations.

Any documents expressly cited in these Findings of Fact, in addition to those cited above.

Any other materials required to be in the Record of Proceedings by Public Resources Code Section 21167.6(e).

III. FINDINGS FOR IMPACTS IDENTIFIED AS INSIGNIFICANT

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 do not require findings of fact for impacts that are less than significant. Nevertheless, for the sake of completeness, the AMBAG Board of Directors hereby finds that the following environmental impacts of the 2045 MTP/SCS either have no impact or are less than significant. Under CEQA, no mitigation measures are required for impacts that are less than significant (CEQA Guidelines Section 15126.4(a)(3)). ***The findings below are for impacts that were analyzed in detail in the EIR, but are less than significant. These findings are based on the detailed discussions of impacts in Chapter 4 of the EIR.***

A. AGRICULTURAL AND FORESTRY RESOURCES

1. **Impact AG-2.** Proposed transportation improvements and land use projects envisioned by the 2045 MTP/SCS would not conflict with existing zoning for forest land, timberland, or timberland production, nor result in the loss of forest land or convert forest land to non-forest uses. Impacts would be less than significant.

    a. **Mitigation** – No mitigation is required.

    b. **Findings and Rationale** – The 2045 MTP/SCS would not conflict with existing zoning for forest land, timberland, or timberland production, and would not result in the loss forest land or convert forest land to non-forest use.

    c. **Supportive Evidence** - Please refer to page 4.2-18 of the Final EIR.

B. AIR QUALITY AND HEALTH IMPACTS/RISKS

1. **Impact AQ-1.** The 2045 MTP/SCS would not conflict with or obstruct implementation of the AQMP. Impacts would be less than significant.

    a. **Mitigation** – No mitigation is required.

    b. **Findings and Rationale** – The 2045 MTP/SCS would not conflict with or obstruct implementation of the Monterey Bay Air Resources District's Air Quality Management Plan.

    c. **Supportive Evidence** - Please refer to pages 4.3-27 and 4.3-28 of the Final EIR.

2. **Imapct AQ-6.** Implementation of the 2045 MTP/SCS would not result in other emissions (such as those leading to odors) adversely impacting a substantial number of people. Impacts would be less than significant.

    a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** – Objectionable odors associated with the construction and operation of the projects from the 2045 MTP/SCS would be temporary and regulated by local governing bodies (i.e., MBARD, counties, and cities). Implementation of the 2045 MTP/SCS would not result in odors or emissions adversely affecting a substantial number of people.

c. **Supportive Evidence** - Please refer to pages 4.3-44 and 4.3-45 of the Final EIR.

B. BIOLOGICAL RESOURCES

1. **Impact BIO-4.** Implementation of transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy. This impact would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – Projects included in the 2045 MTP/SCS would impact biological resources such as trees but must comply with city and county development requirements, including compliance with local policies, ordinances and applicable permitting procedures related to protection biological resources, including trees. Impacts would be less than significant.

   c. **Supportive Evidence** - Please refer to pages 4.4-48 and 4.4-49 of the Final EIR.

2. **Impact BIO-5**. Implementation of transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There would be no impact.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – There are no adopted regional Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State habitat conservation plans within Monterey, San Benito, and Santa Cruz counties at the time of Draft EIR preparation and therefore no conflict with the 2045 MTP/SCS would occur.

   c. **Supportive Evidence** - Please refer to page 4.4-49 of the Final EIR.

C. CULTURAL RESOURCES

1. **Impact CR-3.** Implementation of proposed transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS could disturb human remains. Impacts would be less than significant.

a. **Mitigation –** No mitigation is required.

b. **Findings and Rationale** – Impacts would be less than significant with mandatory compliance with existing State regulations and laws pertaining to human burials and remains.

c. **Supportive Evidence** – Please refer to pages 4.5-23 and 4.5-24 of the Final EIR.

D. ENERGY

1. **Impact E-1**. Future transportation improvement projects and implementation of the land use scenario envisioned by the 2045 MTP/SCS would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be less than significant.
   a. **Mitigation –** No mitigation is required.

   b. **Findings and Rationale** – The 2045 MTP/SCS would not increase overall per capita energy consumption relative to baseline conditions, or otherwise result in use of energy in an inefficient, wasteful, or unnecessary manner. Impacts would be less than significant.

   c. **Supportive Evidence** – Please refer to pages 4.6-15 through 4.6-17 of the Final EIR.

2. **Impact E-2**. the 2045 MTP/SCS would not increase reliance on fossil fuels or decrease reliance on renewable energy sources. This impact would be less than significant.

   a. **Mitigation –** No mitigation is required.

   b. **Findings and Rationale –** The 2045 MTP/SCS includes projects that support alternative energy use and multi-modal transportation. The 2045 MTP/SCS would result in an approximately 13 percent reduction in total energy usage compared to 2020 baseline conditions.

   c. **Supportive Evidence** – Please refer to pages 4.6-17 through 4.6-18 of the Final EIR.

3. **Impact E-3**. The 2045 MTP/SCS would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

   a. **Mitigation –** No mitigation is required.

   b. **Findings and Rationale** – The 2045 MTP/SCS would result in an approximately 13 percent reduction in total energy usage compared to 2020 baseline conditions and is consistent with State and local plans for renewable energy or energy efficiency.

   c. **Supportive Evidence** – Please refer to pages 4.6-19 through 4.6-20 of the Final EIR.

E. GEOLOGY AND SOILS

1. **Impact GEO-1.** Implementation of proposed transportation improvements and future projects included in land use scenario envisioned in the 2045 MTP/SCS would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault, ground shaking, or seismic-related ground failure. Impacts would be less than significant.

    a. **Mitigation** – No mitigation is required.

    b. **Findings and Rationale** – Compliance with existing regulations and design standards, as well as the preparation of site-specific geotechnical reports, would reduce the potential for seismic damage to occur as a result of implementation of 2045 MTP/SCS projects.

    c. **Supportive Evidence** - Please refer to pages 4.7-20 through 4.7-22 of the Final EIR.

2. **Impact GEO-2.** Transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would not cause substantial soil erosion or loss of topsoil. impacts would be less than significant.

    a. **Mitigation** – No mitigation is required.

    b. **Findings and Rationale** – Projects implementing the 2045 MTP/SCS would conform with applicable county codes related to erosion control and the Construction General Permit. Impacts related to erosion and loss of topsoil would be less than significant.

    c. **Supportive Evidence** - Please refer to page 4.7-22 of the Final EIR.

3. **Impact GEO-3.** Implementation of proposed transportation improvements and future projects included in the land use scenario in the 2045 MTP/SCS would be located on potentially unstable soils or in areas of lateral spreading, subsidence, or high liquefaction potential, or areas of expansive soil. Compliance with applicable regulations would reduce impacts to less than significant.

    a. **Mitigation** – No mitigation is required.

    b. **Findings and Rationale** – Projects implementing the 2045 MTP/SCS would conform with the California Building Code, local general plans and building standards, and Caltrans design criteria for transportation projects, where applicable. Impacts would be less than significant.

    c. **Supportive Evidence** - Please refer to pages 4.7-23 and 4.7-24 of the Final EIR.

4. **Impact GEO-4.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS in rural areas may

have soils incapable of adequately supporting septic tanks or alternative wastewater disposal systems. Impacts would be less than significant.

a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** – The 2045 MTP/SCS does not include transportation projects that would require the use of septic tanks or alternative wastewater disposal systems. The few development projects in rural areas requiring septic tanks or alternative wastewater disposal systems would be required to comply with applicable County or City regulations. Impacts would be less than significant.

c. **Supportive Evidence** - Please refer to page 4.7-25 of the Final EIR.

5. **Impact GEO-6.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would not result in the loss of availability of known mineral resources of value or locally-important mineral resource recovery sites. This impact would be less than significant.

a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** – The 2045 MTP/SCS primarily involves transportation improvements infill and transit-oriented development. Development would not be located on sites with known mineral resources. Impacts would be less than significant.

c. **Supportive Evidence** - Please refer to page 4.7-29 of the Final EIR.

F. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

1. **Impact GHG-2.** Operation of the 2045 MTP/SCS would not generate a net increase in GHG emissions by 2045 compared to baseline 2020 conditions. Impacts would be less than significant.

a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** – The 2045 MTP/SCS would result in decreased operational regional GHG emissions compared to 2020 baseline conditions in 2045. Therefore, impacts would be less than significant.

c. **Supporting Evidence** – Please refer to pages 4.8-21 through 4.8-23 of the Final EIR.

2. **Impact GHG-3.** Implementation of the 2045 MTP/SCS would not conflict with regional SB 375 per capita passenger vehicle CO_2 emission reduction targets of 6 percent by 2035 from 2005 levels. Impacts would be less than significant.

a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** –Implementation of the 2045 MTP/SCS would achieve the region's SB 375 emissions reduction targets. Therefore, impacts would be less than significant.

c. **Supporting Evidence** – Please refer to pages 4.8-23 and 4.8-24 of the Final EIR.

G. HAZARDS AND HAZARDOUS MATERIALS

1. **Impact HAZ-1.** Proposed transportation improvement projects and land use projects included in the 2045 MTP/SCS may facilitate the routine transport, use, or disposal of hazardous material, and may result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – Mandatory compliance with existing regulations and programs would minimize the risk associated with these the routine transport, use and disposal of hazardous materials, as well as accident conditions related to these materials. Impacts would be less than significant.

   c. **Supporting Evidence** – Please refer to pages 4.9-21 through 4.9-23 of the Final EIR.

2. **Impact HAZ-2.** Proposed transportation improvement projects and land use projects included in the 2045 MTP/SCS would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – Mandatory compliance with existing regulations and laws would minimize the potential impacts associated with hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or potential future school. Impacts would be less than significant.

   c. **Supporting Evidence** – Please refer to page 4.9-24 of the Final EIR.

3. **Impact HAZ-4.** Transportation improvement projects and land use development included in the proposed 2045 MTP/SCS located within an airport land use plan or within two miles of a public or public use airport would not result in a safety hazard or excessive noise for people residing or working in the project area. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – Compliance with existing federal, state and local regulations and oversight in place that would effectively reduce the inherent hazard associated with

development near airports to an acceptable and safe level. Impacts would be less than significant.

c. **Supporting Evidence** – Please refer to page 4.9-27 of the Final EIR.

4. **Impact HAZ-5**. Land use development and transportation projects included in the 2045 MTP/SCS would not impair implementation or physically interfere with adopted emergency response or evacuation plans. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – Required regular updates to emergency response and evacuation plans would account for development and projects included in the 2045 MTP/SCS, and transportation projects have the potential to improve circulation, including during emergency response. Impacts would be less than significant.

   c. **Supporting Evidence** – Please refer to page 4.9-28 of the Final EIR.

H. HYDROLOGY AND WATER QUALITY

1. **Impact HWQ-1.** Transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would not violate water quality standards or waste discharge requirements, and would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – Construction of projects included in the 2045 MTP/SCS would be required to comply with the federal Clean Water Act, which requires that coverage under a National Pollutant Discharge Elimination System (NPDES) stormwater permit be obtained for construction. Mandatory implementation of the SWPPP would prevent substantial erosion or pollutants from degrading water quality or violating wastewater discharge requirements during project construction. Mandatory compliance with existing stormwater regulations and permit programs would prevent discharge of pollutants from operation of projects. Impacts would be less than significant.

   c. **Supporting Evidence** – Please refer to pages 4.10-19 through 4.10-21 of the Final EIR.

2. **Impact HWQ-2.** Transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that sustainable groundwater management of the basin would be impeded or conflicts with sustainable groundwater management plans would result. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** – Existing regulatory requirements at the local, State, and federal level include measures to minimize any increases in off-site stormwater runoff by encouraging on-site infiltration, which would effectively minimize the potential reduction in groundwater recharge to an acceptable level. In addition, implementation of projects under the 2045 MTP/SCS would not
substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin would be impeded. Therefore, impacts of the proposed 2045 MTP/SCS to groundwater supply and recharge, as well as sustainable groundwater management and sustainable groundwater management plans, would be less than significant.

c. **Supporting Evidence** – Please refer to page 4.10-21 through 4.10-23 of the Final EIR.

3. **Impact HWQ-3.** Transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would not substantially alter existing drainage patterns such that they would substantially increase the rate or amount of surface runoff or create or contribute runoff water which would exceed the capacity of stormwater drainage systems. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale –** Compliance with existing regulations related to stormwater management and nonpoint source pollution control would ensure that alterations of drainage patterns caused by 2045 MTP/SCS transportation and land use projects would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding; contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

   c. **Supporting Evidence –** Please refer to pages 4.10-24 and 4.10-25 of the Final EIR.

4. **Impact HWQ-4.** Transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would not substantially alter drainage patterns in a manner which would impede or redirect floor flows, or risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. This impact would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – Compliance with existing regulations and programs would prevent placement of structures within 100-year floodplain that could redirect flood flows, would prevent development in 100-year floodplains and would prevent significant risks of loss, injury or death resulting from flooding or inundation. Impacts would be less than significant.

c. **Supporting Evidence** – Please refer to pages 4.10-25 through 4.10-27 of the Final EIR.

5. **Impact HWQ-5.** Transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would not conflict with or obstruct implementation of a water quality control plan. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale –** Development under the 2045 MTP/SCS would not substantially degrade water quality or violate water quality standards because compliance with state regulation such as NPDES and MS4 permits would require implementation of BMPs and development to reduce discharge of runoff and maintain water quality. In addition, local ordinances require measures such as erosion control reduce the discharge of pollutants into storm drain systems. Although individual projects included in the 2045 MTP/SCS have the potential to adversely affect water quality at a project specific level, projects would adhere to existing regulations related to water quality. Therefore, impacts related to conflicts with a water quality control plan (the Central Coast RWQCB Basin Plan) would be less than significant.

I. LAND USE

1. **Impact LU-1**. Implementation of proposed transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would not physically divide an established community. This is impact would be less than significant.

   a. **Mitigation –** No mitigation is required.

   b. **Findings and Rationale –** The transportation projects included in the 2045 MTP/SCS generally include improvements to existing roads and transportation facilities, rather than new roads or rail lines through existing or established communities. The land use scenario envisioned in the 2045 MTP/SCS encourages infill development in existing communities, rather than new communities in rural areas where new roads would be required. Therefore, the 2045 MTP/SCS would not physically divide established communities, and impacts would be less than significant.

   c. **Supportive Evidence –** Please refer to pages 4.11-18 and 4.11-19 of the Final EIR.

2. **Impact LU-2.** The 2045 MTP/SCS would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation and result in a physical change to the environment not already addressed in other resource chapters. This impact would be less than significant.

   a. **Mitigation –** Mitigation measures are provided for applicable resources throughout their respective environmental issue area sections of the EIR to reduce impacts. No additional mitigation is required for this impact.

b. **Findings and Rationale –** The SCS land use and transportation projects envisioned within the 2045 MTP/SCS would result in conflicts with land use plans, policies, or regulations. However, the 2045 MTP/SCS would not result in a physical change to the environment that has not already been addressed in the other resource chapters of this EIR. The impacts of any such conflicts are described throughout this section of the EIR.

c. **Supportive Evidence –** Please refer to pages 4.11-19 through 4.11-21 of the Final EIR.

J. POPULATION AND HOUSING

1. **Impact PH-1.** The 2045 MTP/SCS would not induce substantial unplanned population growth, either directly or indirectly. This impact would be less than significant.

   a. **Mitigation –** No mitigation is required.

   b. **Findings and Rationale –** The 2045 MTP/SCS would accommodate forecasted growth through implementation of the envisioned 2045 MTP/SCS land use strategies to intensify density in developed areas, rather than induce unplanned growth. Transportation projects included in the 2045 MTP/SCS would not induce population growth as these projects would be growth accommodating and are generally intended to improve existing transportation networks. The land use and transportation projects in the 2045 MTP/SCS would therefore not result in substantial unplanned population growth. Impacts from implementation of the 2045 MTP/SCS would be less than significant.

   c. **Supportive Evidence –** Please refer to pages 4.13-11 through 4.13-14 of the Final EIR.

2. **Impact PH-2.** Land use and transportation projects included in the 2045 MTP/SCS would temporarily displace existing housing and people but would not necessitate the construction of replacement housing elsewhere. Impacts would be less than significant.

   a. **Mitigation –** No mitigation is required.

   b. **Findings and Rationale –** Land use development included in the 2045 MTP/SCS would temporarily displace existing housing and people as individual housing development sites are redeveloped. However, in the long term, the 2045 MTP/SCS would result in a net increase in housing units in the AMBAG region. Impacts would be less than significant.

   c. **Supportive Evidence –** Please refer to pages 4.13-15 and 4.13-16 of the Final EIR.

K. PUBLIC SERVICES, RECREATION, AND UTILITIES

1. **Impact PSU-2.** The 2045 MTP/SCS would require the provision of new schools, the construction of which would result in substantial physical impacts. Impacts would be less than significant because of state regulations mandating development impact fees.

a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** – The 2045 MTP/SCS would accommodate the growth of population, households, and jobs in the AMBAG region, which would result in increased demand for school services. Future project sponsors would be required by law to pay development impact fees at the time building permits are issued. These fees are used by the applicable school district to mitigate impacts associated with long-term operation and maintenance of school facilities. The fees would be determined at the time of the building permit issuance and would reflect the most current fee amount requested by the school district. Pursuant to Section 65996(3)(h) of the California Government Code (SB 50), payment of these fees "is deemed to be full and complete mitigation of impacts of any legislative or adjudicative act, or both, involving but not limited to, the planning, use, or development of real property, or any change in government organization or reorganization." Impacts of the 2045 MTP/SCS on schools would therefore be less than significant.

c. **Supporting Evidence** – Please refer to page 4.14-38 of the Final EIR.

2. **Impact PSU-6.** Proposed transportation improvements and land use development projects envisioned by the 2045 MTP/SCS would be required to comply with all relevant statues and regulations related to solid waste. This impact would be less than significant.

a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** – Projects envisioned by the 2045 MTP/SCS would comply with the California Green Building Code, SB 1016, and existing applicable federal, State, and local statutes, regulations and policies related to solid waste. Compliance with these relevant statutes, regulations, and policies would result in less than significant impacts.

c. **Supporting Evidence** – Please refer to page 4.14-48 of the Final EIR.

L. TRANSPORTATION

1. **Impact T-1.** The 2045 MTP/SCS would not result in a significant impact due to conflicts with any programs addressing the circulation system. This impact would be less than significant.

a. **Mitigation** – No mitigation is required.

b. **Findings and Rationale** – Implementation of the 2045 MTP/SCS would improve transit ridership and circulation while also improving active transportation modes and facilities, such as constructing new pedestrian and bicycle facilities. The 2045 MTP/SCS also includes roadway projects that would improve circulation. The 2045 MTP would not conflict with programs addressing the circulation system.

c. **Supporting Evidence** – Please refer to pages 4.15-23 through 4.15-26 of the Final EIR.

2. **Impact T-3.** The 2045 MTP/SCS would not substantially increase hazards due to geometric design features or incompatible uses. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – The regional growth pattern of the 2045 MTP/SCS does not define design level features of roadways. Specific transportation projects under the 2045 MTP/SCS would be subject to and expected to follow the design guidelines established by the State or the local jurisdiction with authority over the project, including curve radii on curving road segments, maximum road grade/slope, and minimum separating distance between intersections and driveways.

   c. **Supporting Evidence** – Please refer to pages 4.15-30 and 4.15-31 of the Final EIR.

3. **Impact T-4.** The 2045 MTP/SCS would not result in inadequate emergency vehicle access. Impacts would be less than significant.

   a. **Mitigation** – No mitigation is required.

   b. **Findings and Rationale** – Standard construction procedures for development of a construction management plan would address 2045 MTP/SCS construction activities that could temporarily impair emergency access points. Projects included in the 2045 MTP/SCS would be subject to the design standards of local jurisdictions for new and existing development and roadways to ensure adequate emergency access. Impacts would be less than significant.

   c. **Supporting Evidence** – Please refer to pages 4.15-32 and 4.15-33 of the Final EIR.

IV. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

There are no impacts identified in the Final EIR as significant that could be mitigated to a less than significant level. Remaining findings for significant impacts are discussed in Section V, Findings for Impacts that are Significant and Unavoidable.

V. FINDINGS FOR IMPACTS THAT ARE SIGNIFICANT AND UNAVOIDABLE

The AMBAG Board of Directors, having reviewed and considered the information contained in the Final EIR and the record of proceedings, and pursuant to Public Resources Code Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3), makes the following findings with respect to impacts of the project that are significant and unavoidable. The AMBAG Board of Directors hereby finds that mitigation measures identified in the EIR that have been required in or incorporated into the project would lessen the following significant environmental impacts but not to a less than significant level. These findings are based on the discussion of impacts in the detailed impact analyses in Chapter 4 of the EIR as well as relevant responses to comments in the Final EIR. ***The findings below are for impacts where implementation of the project may result in the following significant, unavoidable environmental impacts, even with the implementation of mitigation measures***:

A. AESTHETICS AND VISUAL RESOURCES

1. **Impact AES-1.** Proposed transportation improvement projects and land use projects envisioned by the 2045 MTP/SCS would have a substantial adverse effect on scenic vistas and substantially damage scenic resources within a state scenic highway. This would be a significant and unavoidable impact.

    a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that would degrade scenic vistas or scenic resources within a state scenic highway, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

        AES-1(a) Discouragement of Architectural Features that Block Scenic Views. Implementing agencies shall, or can and should, design projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. Setbacks and acoustical design of adjacent structures shall be preferentially used as mitigation for potential noise impacts arising from increased traffic volumes associated with adjacent land development. The use of sound walls, or any other architectural features that could block views from the scenic highways or other view corridors, shall be discouraged to the extent possible. Where use of sound walls is found to be necessary, walls shall incorporate offsets, accents and landscaping to prevent monotony. In addition, sound walls shall be complementary in color and texture to surrounding natural features.

AES-1(b) **Tree Protection and Replacement**. New roadways and extensions and widenings of existing roadways shall avoid the removal of existing mature trees to the extent possible. The implementing agency of a particular 2045 MTP/SCS project shall, or can and should, replace any trees lost at a minimum 2:1 basis and incorporate them into the landscaping design for the roadway when feasible. The implementing agency also shall ensure the continued vitality of replaced trees through periodic maintenance.

b. **Findings and Rationale** – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Although the identified mitigation would help reduce impacts related to state-designated scenic highway corridors and scenic resources, individual transportation infrastructure projects as well as land use development included in the 2045 MTP/SCS would still result in obstructions to panoramic views and views of important landscape features or landforms (mountains, oceans, rivers, bays, or important man-made structures) as seen from public viewing areas. Given the extent of planned land use development and the potential for site specific visual obstructions from future land use and transportation projects, impacts related to the obstruction of scenic vistas from public viewing areas and impacts to state-designated scenic highway corridors and scenic resources would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.1-11 through 4.1-13 of the Final EIR.

2. Impact AES-2. Proposed transportation improvement projects and land use projects envisioned by the 2045 MTP/SCS would substantially degrade existing visual character in the AMBAG region. This would be a significant and unavoidable impact.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measure developed for the 2045 MTP/SCS program where applicable for transportation projects that would substantially degrade visual character, and where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement this

measure, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

AES-2 **Design Measures for Visual Compatibility.** The implementing agency shall, or can and should, require measures that minimize contrasts in scale and massing between the project and surrounding natural forms and developments. Strategies to achieve this include:

- Siting or designing projects to minimize their intrusion into important viewsheds;
- Avoiding large cuts and fills when the visual environment (natural or urban) would be substantially disrupted;
- Ensuring that re-contouring provides a smooth and gradual transition between modified landforms and existing grade;
- Developing transportation systems to be compatible with the surrounding environments (e.g., colors and materials of construction material; scale of improvements);
- Protecting or replacing trees in the project area;
- Designing and installing landscaping to add natural elements and visual interest to soften hard edges, as well as to restore natural features along corridors where possible after widening, interchange modifications, re-alignment, or construction of ancillary facilities. The implementing agency shall provide a performance security equal to the value of the landscaping/irrigation installation to ensure compliance with landscaping plans; and
- Designing new structures to be compatible in scale, mass, character and architecture with existing structures.

b. **Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Implementation of Mitigation Measure AES-2 would reduce project-specific impacts to the extent feasible, but the incremental alteration of current rural or semi-rural character to a more suburban environment is considered a significant and unavoidable impact because mitigation measures may not be feasible for all projects. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or

alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence –** Please refer to pages 4.1-14 through 4.1-16 of the Final EIR.

3. **Impact AES-3.** Proposed transportation improvement projects and land use projects envisioned by the 2045 MTP/SCS would create new sources of substantial light or glare that would adversely affect day or nighttime views in the area. This would be a significant and unavoidable impact.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures for transportation projects that would result in light and glare impacts, and where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

AES-3(a) **Roadway Lighting.** Roadway lighting shall be minimized to the extent possible, consistent with safety and security objectives and shall not exceed the minimum height requirements of the local jurisdiction in which the project is proposed. This may be accomplished through the use of hoods, low intensity lighting and using as few lights as necessary to achieve the goals of the project.

AES-3(b) **Lighting Design Measures.** As part of planning, design and engineering for projects, implementing agencies shall, or can and should, ensure that projects proposed near light-sensitive uses avoid substantial spillover lighting. Potential design measures include, but are not limited to, the following:

- Lighting shall consist of cutoff-type fixtures that cast low angle illumination to minimize incidental spillover of light into adjacent properties and undeveloped open space. Fixtures that project light upward or horizontally shall not be used.
- Lighting shall be directed away from habitat and open space areas adjacent to the project site.
- Light mountings shall be downcast and the height of the poles minimized to reduce potential for backscatter into the nighttime sky and incidental spillover of light onto adjacent private properties and undeveloped open space. Light poles will be 20 feet high or shorter. Luminary mountings shall have non-glare finishes.
- Exterior lighting features shall be directed downward and shielded in order to confine light to the boundaries of the subject project. Where more

intense lighting is necessary for safety purposes, the design shall include landscaping to block light from sensitive land uses, such as residences.

AES-3(c) Glare Reduction Measures. Implementing agencies shall, or can and should, minimize and control glare from transportation and infill development projects near glare-sensitive uses through the adoption of project design features such as:

- Planting trees along transportation corridors to reduce glare from the sun;
- Creating tree wells in existing sidewalks;
- Adding trees in new curb extensions and traffic circles;
- Adding trees to public parks and greenways;
- Landscaping off-street parking areas, loading areas and service areas;
- Limiting the use of reflective materials, such as metal;
- Using non-reflective material, such as paint, vegetative screening, matte finish coatings and masonry;
- Screening parking areas by using vegetation or trees;
- Using low reflective glass where feasible;
- Complying with applicable general plan policies or local controls related to glare; and
- Tree species planted to comply with this measure shall provide substantial shade cover when mature. Utilities shall be installed underground along these routes wherever feasible to allow trees to grow and provide shade without need for severe pruning.

b. **Findings and Rationale** – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. In the absence of regulations specifically addressing light and glare impacts, the aforementioned mitigation measures would limit the use of reflective building materials and the potential spillage of light both upward and onto adjacent properties from exterior lighting fixtures. However due to the variety of project-specific circumstances, mitigation measures may not be feasible for all projects. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found

to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence –** Please refer to pages 4.1-16 through 4.1-19 of the Final EIR.

B. AGRICULTURE AND FORESTRY RESOURCES

1. **Impact AG-1.** Proposed transportation improvements and land use projects envisioned by the 2045 MTP/SCS would result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use, or conflict with existing zoning for agriculture or a Williamson Act contract. This would be a significant and unavoidable impact.

   a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that would result in impacts to Important Farmland, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

   AG-1 **Agricultural Land Impact Avoidance and Minimization.** Implementing agencies shall implement measures, where feasible based on project and site specific considerations, that include, but are not limited to those identified below.

   - Require project relocation or corridor realignment, where feasible, to avoid Important Farmland, agriculturally zoned land and/or land under Williamson Act contract;
   - Manage project construction to minimize the introduction of invasive species or weeds that may affect agricultural production on agricultural land adjacent to project sites. Managing project construction may include washing construction equipment before bringing equipment on-site, using certified weed-free straw bales for construction Best Management Practices (BMPs), and other similar measures.
   - Provide buffers, berms, setbacks, fencing, or other project design measures to protect surrounding agriculture, and to reduce conflict with farming that could result from implementation of transportation improvements and/or development included as a part of the MTP/SCS;
   - Achieve compensatory mitigation in advance of impacts through purchase or creation of mitigation credits or the implementation of mitigation projects through Regional Advance Mitigation Planning, as deemed appropriate by permitting agencies; and/or

- Require acquisition of conservation easements on land in the same jurisdiction, if feasible, and at least equal in quality and size to converted Important Farmland, to offset the loss of Important Farmland.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which, as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Implementation of Mitigation Measure AG-1 would require avoidance or compensation for Important Farmland impacts by specific projects included in the 2045 MTP/SCS, thereby reducing the impact of conversion of Important Farmland to non-agriculture use and conflicts with agricultural zoning and Williamson Act contracts. However, the mitigation would not ensure that the future land use development pattern and transportation projects could feasibly relocate or realign to avoid conversion of Farmland, lands zoned for agriculture, and lands under Williamson Act contract to a less than significant level. As a result, the aforementioned mitigation measure would reduce impacts, but impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.2-15 through 4.2-17 of the Final EIR.

C. AIR QUALITY AND HEALTH IMPACTS/RISKS

1. **Impact AQ-2.** Construction of proposed transportation improvements and land use projects envisioned by the 2045 MTP/SCS would result in a cumulatively considerable net increase in PM_{10} or ozone precursor emissions. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in fugitive dust and ozone precursor emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

AQ-2(a) Application of MBARD Feasible Mitigation Measures. For all projects, the implementing agency shall incorporate the most recent MBARD feasible mitigation measures and/or technologies for reducing inhalable particles based on analysis of individual sites and project circumstances. Current MBARD feasible mitigation measures include the following measures. Additional and/or modified measures may be adopted by MBARD prior to implementation of individual projects under the 2045 MTP/SCS. The most current list of feasible mitigation measures at the time of project implementation shall be used.

- Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Prohibit all grading activities during periods of high wind (over 15 miles per hour).
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area.
- Haul trucks shall maintain at least 2'0"of freeboard.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Cover inactive storage piles.
- Install wheel washers at the entrance to construction sites for all exiting trucks.
- Pave all roads on construction sites.
- Sweep streets if visible soil material is carried out from the construction site.
- Limit the area under construction at any one time.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District shall be visible to ensure compliance with Rule 402 (Nuisance).

AQ-2(b) Diesel Equipment Emissions Standards. The implementing agency shall ensure, to the extent feasible, that diesel construction equipment meeting CARB Tier 4 emission standards for off-road heavy-duty diesel engines is used. If use of Tier 4 equipment is not feasible, diesel construction equipment meeting Tier 3 (or if infeasible, Tier 2) emission standards shall be used, and engines shall be retrofitted with CARB Level 3 Verified Diesel

Emissions Control Strategy (VDECS) if available for the equipment. These measures shall be noted on all construction plans and the implementing agency shall perform periodic site inspections.

AQ-2(c) Electric Construction Equipment. The implementing agency shall ensure that to the extent possible, construction equipment utilizes electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Implementation of Measures AQ-2(a) through AQ-2(c) would reduce short-term construction emissions from individual projects and thus reduce the severity of impacts by requiring best practices for dust and exhaust emissions via readily available, lower-emitting diesel equipment, and/or equipment powered by alternative cleaner fuels (e.g., propane) or electricity, as well as on-road trucks using particulate exhaust filters. To the extent that an implementing agency requires an individual project to implement all feasible mitigation measures described above, individual project impacts may be reduced to a less than significant level. However, these mitigation measure may not be feasible or effective for all projects. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.3-28 through 4.3-31 of the Final EIR.

2. Impact AQ-3. Proposed transportation improvements and land use projects envisioned by the 2045 MTP/SCS would result in a cumulatively considerable net increase of PM_{10}. Long-term operational impacts related to PM_{10} emissions would be significant and unavoidable.

a. Mitigation – AMBAG, in partnership with MBARD and implementing agencies, shall implement Mitigation Measure AQ-3(a) to reduce PM_{10} emissions. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement Mitigation Measure AQ-3(b) to reduce PM_{10} emissions, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental

documents may adjust these mitigation measures as necessary to respond to site specific conditions.

AQ-3(a) **PM_{10} Emissions Reduction.** To help reduce regional PM10 emissions, AMBAG and the RTPAs, in partnership with MBARD and implementing agencies, shall:

- Support the use of existing air quality and transportation funds and seek additional funds to continue the implementation of the CARB Carl Moyer Program, which is intended to retrofit and replace trucks and locomotives to reduce particulate matter.
- Incentivize the reduction of mobile PM emissions from mobile exhaust and entrained PM sources such as tire wear, brake wear, and roadway dust through funding.
- Hold forums and workshops to encourage land use projects to incorporate transportation demand management (TDM) strategies as part of the project design to reduce the number of vehicular trips across the transportation network. Potential strategies could include ridesharing, carpooling, subsidized public transit, flexible work hours, and parking management measures.

AQ-3(b) **Long-term Regional Operational Emissions.** Implementing agencies including transportation project sponsors, counties, and cities shall, or can and should, implement long-term operational emissions reduction measures. Such reduction measures include the following:

- Require that all interior and exterior architectural coatings for all developments utilize coatings following MBARD Rule 426, Architectural Coatings.
- Increase building envelope energy efficiency standards in excess of applicable building standards and encourage new development to achieve zero net energy use.
- Install energy-efficient appliances, interior lighting, and building mechanical systems. Encourage installation of solar panels for new residential and commercial development.
- Locate sensitive receptors more than 500 feet of a freeway, 500 feet of urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
- Locate sensitive receptors more than 1,000 feet of a major diesel rail service or railyards. Where adequate buffer cannot be implemented, implement the following:
  - Install air filtration (as part of mechanical ventilation systems or stand-alone air cleaners) to reduce indoor pollution exposure for residents and other sensitive populations in buildings that are close to transportation network improvement projects.
  - Use air filtration devices rated MERV-13 or higher.

- Plant trees and/or vegetation suited to trapping roadway air pollution and/or sound walls between sensitive receptors and the pollution source. The vegetation buffer should be thick, with full coverage from the ground to the top of the canopy. Install higher efficacy public street and exterior lighting.
- Use daylight as an integral part of lighting systems in buildings.
- Use passive solar designs to take advantage of solar heating and natural cooling.
- Install light colored "cool" roofs, cool pavements.
- Install solar and tankless hot water heaters.
- Exclude wood-burning fireplaces and stoves.
- Incorporate design measures and infrastructure that promotes safe and efficient use of alternative modes of transportation (e.g., neighborhood electric vehicles, bicycles) pedestrian access, and public transportation use. Such measures may include incorporation of electric vehicle charging stations, bike lanes, bicycle-friendly intersections, and bicycle parking and storage facilities.
- Incorporate design measures that promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides).

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. If implementing agencies adopt and require the mitigation described above, transportation related PM_{10} emission impacts would be reduced because said measures encourage the use of cleaner vehicles and reduce vehicle trips. However, since the implementation is not project or site specific, reductions cannot be estimated and cannot be guaranteed on a project-by-project basis. Additionally, it is unlikely that an increase in daily PM_{10} emissions above baseline conditions could be fully avoided in 2045, due to factors unrelated to discretionary approvals, such as population growth in the region. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible Since no feasible mitigation measures or alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.3-31 through 4.3-36 of the Final EIR.

3. **Impact AQ-4.** Implementation of the 2045 MTP/SCS would expose sensitive receptors to substantial pollutant concentrations. Impacts would be significant and unavoidable.

   a. **Mitigation** –RTPAs shall, and other transportation project sponsor agencies can and should, implement Mitigation Measure AQ-3(b) to reduce long-term regional operational emissions. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement Mitigation Measure AQ-3(b) to reduce pollutant emissions, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

      AQ-3(b) Long-term Regional Operational Emissions (see mitigation measure above).

   b. **Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Implementation of Measures AQ-3(b) would reduce fugitive dust emissions from individual projects and thus reduce the severity of impacts by requiring best practices for dust and emissions via watering, vegetative covers, reducing travel speed, and covering exposed areas. To the extent that an implementing agency requires an individual project to implement all feasible mitigation measures described above, individual project impact would be reduced to a less than significant level. However, these mitigation measure may not be feasible or effective for all projects. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

   c. **Supportive Evidence –** Please refer to pages 4.3-37 and 4.3-38 of the Final EIR.

4. **Impact AQ-5.** Future growth and development facilitated by the 2045 MTP/SCS land use scenario would expose sensitive receptors to substantial hazardous air pollutant concentrations. Impacts would be significant and unavoidable.

a. Mitigation – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies will adopt it, and partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

AQ-5 **Health Risk Reduction Measures.** Transportation implementing agencies shall, or can and should, implement the following measures:

- Retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with CARB and OEHHA requirements to determine the exposure of nearby sensitive receptors to TAC concentrations.
- If impacts result in increased risks to sensitive receptors above the MBARD significance thresholds, then design features or control measures must be included that will reduce the health risks at the location of the off-site sensitive receptors to a level below the MBARD significance threshold. For example, plant trees and/or vegetation suited to trapping TACs and/or sound walls between sensitive receptors and the pollution source would be recommended. This measure would trap TACs emitted from pollution sources such as highways, reducing the amount of TACs to which residents and other sensitive populations would be exposed.
- AMBAG will partner with MBARD and other implementing agencies to explore a program to retrofit existing residential buildings and other sensitive land uses near freeways or roadways where health risk impacts would exceed MBARD significance thresholds with air filtration devices rated minimum efficiency report value (MERV) 13.
- Implement air pollution reduction strategies as described in Table 1 from the *CARB Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways* technical advisory (2017) when reasonable and feasible for transportation system projects associated with the 2045 MTP/SCS.

In addition, consistent with the general guidance contained in CARB's *Air Quality and Land Use Handbook* (April 2005) and *Technical Advisory on Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways* (April 2017). Appropriate measures shall include one or more of the following methods, as determined by a qualified professional, as applicable. The implementing agency shall incorporate health risk reduction measures based on analysis of individual land use sites and project circumstances. These measures may include:

- Avoid siting new sensitive land uses within 500 feet of a freeway or railway.
- Require development projects for new sensitive land uses to be designed to minimize exposure to roadway-related pollutants to the maximum extent feasible through inclusion of design components including air filtration and physical barriers.
- Do not locate sensitive receptors near the entry and exit points of a distribution center.
- Locate structures and outdoor living areas for sensitive uses as far as possible from the source of emissions. As feasible, locate doors, outdoor living areas and air intake vents primarily on the side of the building away from the freeway or other pollution source. As feasible, incorporate dense, tiered vegetation that regains foliage year-round and has a long-life span between the pollution source and the project.
- Maintain a 50-foot buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year).
- Install, operate, and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets or exceeds the efficiency standard of the MERV 13. The HV system should include the following features: Installation of a high efficiency filter and/or carbon filter-to-filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85 percent supply filters should be used. Ongoing maintenance should occur.
- Retain a qualified HV consultant or Home Energy Rating Systems (HERS) rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources.
- Maintain positive pressure within the building.
- Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.
- Achieve a performance standard of at least four air exchanges per hour of recirculation. Achieve a performance standard of 0.25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized.
- Require project owners to provide a disclosure statement to occupants and buyers summarizing technical studies that reflect health concerns about exposure to highway exhaust emissions.
- Implement feasible attenuation measures needed to reduce potential air quality impacts to sensitive receptors such as air filtration systems.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and

counties, which can and should adopt it**.** Although implementation of the above mitigation would reduce health risks, based on project-specific circumstances, individual sensitive receptors may still be exposed to substantial hazardous air pollutant concentrations that would have significant health risk effects. Therefore, this impact remains significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.3-39 through 4.3-43 of the Final EIR.

D. BIOLOGICAL RESOURCES

1. **Impact BIO-1.** Implementation of transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would have substantial adverse impacts on special-status plant and animal species, either directly or through habitat modifications. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

BIO-1(a) Biological Resources Screening and Assessment. On a project-by-project basis, a preliminary biological resource screening shall, or can and should, be performed as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, the implementing agency shall retain a qualified biologist to conduct a biological resources assessment (BRA) to document the existing biological resources and to determine the potential impacts to those resources. Depending on the results of the BRA, design alterations, further technical studies (i.e., protocol surveys) and/or consultations with the USFWS, CDFW and/or other local, state, and federal agencies may be required. The following mitigation measures [BIO-1(b) through BIO-1(j)] shall be incorporated only as applicable into the BRA for

projects where specific resources are present or may be present and impacted by the project.

BIO-1(b) **Special-Status Plant Species Surveys.** If completion of the project specific BRA determines that special-status plant species have potential to occur on-site, the implementing agency shall require surveys for special-status plants to be completed prior to any vegetation removal, grubbing, or other construction activity of each project (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency for review. If special-status plant species are identified, mitigation measure BIO-1(c) shall apply.

BIO-1(c) **Special-Status Plant Species Avoidance, Minimization and Mitigation.** If state- or federally listed and/or CRPR 1 and 2 species are found during special-status plant surveys [pursuant to mitigation measure BIO-1(b)], then the implementing agency shall require the project to be re-designed to avoid impacting these plant species to the extent feasible. If CRPR 3 and 4 species are found, the biologist shall evaluate to determine if they meet criteria to be considered special-status, and if so, the same process as identified for CRPR 1 and 2 species shall apply.

If special-status plants species cannot be avoided and would be impacted by a project implemented under the 2045 MTP/SCS, the implementing agency shall require all impacts shall be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted to implementing agency overseeing the project for approval.

BIO-1(d) **Endangered/Threatened Animal Species Habitat Assessment and Protocol Surveys.** If the BRA determines that suitable habitat may be present for federally and/or state endangered or threatened animal species, the implementing agency shall require protocol habitat assessments/surveys to be completed in accordance with CDFW and/or USFWS/NMFS protocols prior to issuance of any construction permits/project approvals. Alternatively, in lieu of conducting protocol surveys, the implementing agency may choose to assume presence within the project footprint and proceed with development of appropriate avoidance measures, consultation and permitting, as applicable. If the target species is detected during protocol surveys, or protocol surveys are not conducted and presence assumed based on suitable habitat, mitigation measure BIO-1(e) shall apply.

BIO-1(e) **Endangered/Threatened Animal Species Avoidance and Compensatory Mitigation.** If habitat is occupied or presumed occupied by federal and/or

state listed species and would be impacted by the project, the implementing agency shall require re-design of the project in coordination with a qualified biologist to avoid impacting occupied/presumed occupied habitat to the extent feasible. If occupied or presumed occupied habitat cannot be avoided, the implementing agency shall provide the total acreages for habitat that would be impacted prior to the issuance of construction permits/approvals. The implementing agency shall purchase credits at a USFWS, NMFS and/or CDFW approved conservation bank if available for the affected species and/or provide compensatory mitigation to offset impacts to federal and/or state listed species habitat. Compensatory mitigation shall be provided at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for permanent impacts. Compensatory mitigation may be combined/nested with special-status plant species and sensitive community restoration where applicable. Temporary impact areas shall be restored to pre-project conditions. If on and/or off site mitigation sites are identified the implementing agency shall retain a qualified biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites that are to be conserved for compensation of permanent impacts to federal and/or state listed species. The HMMP shall identify long term site management needs, routine monitoring techniques, techniques and success criteria, and shall determine if the conservation site has restoration needs to function as a suitable mitigation site. The HMMP shall be submitted to the agency overseeing the project for approval.

BIO-1(f) **Endangered/Threatened Animal Species Avoidance and Minimization During Construction.** The implementing agency shall apply the following measures to aquatic and terrestrial species, where appropriate. Implementing agencies shall select from these measures as appropriate depending on site conditions, the species with potential for occurrence and the results of the biological resources screening and assessment (measure BIO-1[a]).

- Pre-construction surveys for federal and/or state listed species with potential to occur shall be conducted where suitable habitat is present by a qualified biologist not more than 48 hours prior to the start of construction activities. The survey area shall include the proposed disturbance area and all proposed ingress/egress routes, plus a 100-foot buffer. If any life stage of federal and/or state listed species is found within the survey area, the qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW. The results of the pre-construction surveys shall be submitted to the implementing agency for review and approval prior to start of construction.
- Ground disturbance shall be limited to the minimum necessary to complete the project. The project limits of disturbance shall be flagged. Areas of special biological concern shall have highly visible orange construction fencing.

- All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic species.
- All projects occurring within or adjacent to sensitive habitats that may support federally and/or state endangered/threatened species shall have a qualified biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS/NMFS or as outlined in project permits, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are begin fully implemented.
- No endangered/threatened species shall be captured and relocated without authorization from the CDFW and/or USFWS/NMFS.
- If pumps are used for dewatering activities, all intakes shall be completely screened with wire mesh not larger than five millimeters to prevent animals from entering the pump system.
- If at any time during construction of the project an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. At that point, a qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW.
- All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills.
- No equipment shall be permitted to enter wetted portions of any affected drainage channel.
- All equipment operating within streambeds (restricted to conditions in which water is not present) shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.
- At the end of each workday, excavations shall be secured with cover or a ramp shall be provided to prevent wildlife entrapment.
- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.

BIO-1(g) Non-Listed Special-Status Animal Species Avoidance and Minimization. Depending on the species identified in the BRA, the implementing agency shall select from among the following to reduce the potential for impacts to non-listed special-status animal species:

- Pre-construction clearance surveys shall be conducted within 14 days prior to the start of construction (including staging and mobilization) to identify all special-status animal species that may occur on-site. All non-listed special-status species shall be relocated from the site. A report of the pre-construction survey shall be submitted to the implementing agency for their review and approval prior to the start of construction.
- A qualified biologist shall be present during all initial ground disturbing activities, including vegetation removal, to recover special-status animal species unearthed by construction activities.
- Upon completion of the project, a qualified biologist shall prepare a final compliance report documenting all compliance activities implemented for the project, including the pre-construction survey results.
- If special-status bat species may be present and impacted by the project, within 30 days of the start of construction a qualified biologist shall conduct presence/absence surveys for special-status bats, in consultation with the CDFW, where suitable roosting habitat is present. If active bat roosts or colonies are present, the biologist shall evaluate the type of roost to determine the next step.
  - If a maternity colony is present, all construction activities shall be postponed within a 250-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed or as recommended by CDFW through consultation. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.
  - If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), alternative roosts, such as bat boxes if appropriate for the species, shall be designed and installed near the project site. The number and size of alternative roosts shall be determined through consultations with the CDFW.
  - If other active roosts are located, exclusion devices such as valves, sheeting or flap-style one-way devices that allow bats to exit but not re-enter roosts discourage bats from occupying the site.

BIO-1(h) **Pre-Construction Surveys for Nesting Birds.** For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the CFGC, the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act shall be conducted by a qualified biologist retained by the implementing agency no more than 10 days prior to vegetation removal activities. A qualified biologist shall conduct preconstruction surveys for raptors. The survey for the presence of bald and golden eagles shall cover all areas within of the disturbance footprint plus a one-mile buffer where access can be secured. The survey area for all other nesting bird and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively. If active nests (nests with eggs or

chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 250 to 500 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. For bald or golden eagle nests identified during the preconstruction surveys, an avoidance buffer of up to one mile shall be established on a case-by-case basis in consultation with the USFWS and CDFW. The size of the buffer may be influenced by the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing and duration of the expected disturbance. The buffer shall be established between February 1 and August 31; however, buffers may be relaxed earlier than August 31 if a qualified ornithologist determines that a given nest has failed or that all surviving chicks have fledged and the nest is no longer in use. A report of these preconstruction nesting bird surveys and nest monitoring (if applicable) shall be submitted to the implementing agency for review and approval prior to the start of construction.

BIO-1(i) **Worker Environmental Awareness Program (WEAP).** Prior to initiation of construction activities, all personnel associated with project construction shall attend WEAP training, conducted by a qualified biologist retained by the implementing agency, to aid workers in recognizing special-status resources and review of the limits of construction and mitigation measures required. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers and other personnel involved with construction of the project.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Compliance with the above mitigation measures would reduce impacts to special-status species and their habitat to less than significant levels because the mitigation measures require pre-project surveys and biological monitoring, focused biological surveys, avoidance or minimization of project related disturbance or loss of special-status species, compensation for disturbed or loss of special-status species habitat and coordination with permitting agencies, as required prior to project implementation. However, it cannot be guaranteed that all future project level impacts to special-status species can be mitigated to a less than significant level for all species. Additionally, complete avoidance is the only mitigation for fully protected species, which may not be feasible under some circumstances. Therefore, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or

other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.4-32 through 4.4-40 of the Final EIR.

2. **Impact BIO-2.** Implementation of transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would result in substantial adverse impacts on sensitive habitats, including sensitive natural communities, and state and federally protected wetlands. This impact would be significant and unavoidable.

   a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

      BIO-2(a) **Aquatic Resources Delineation and Impact Avoidance.** If the results of measure BIO-1(a) indicates projects implemented under the 2045 MTP/SCS occur within or adjacent to wetland, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, RWQCB and/or CCC, a qualified biologist shall complete an aquatic resources delineation in accordance with the requirement set forth by each agency. The result shall be submitted to the implementing agency, USACE, RWQCB, CDFW and/or CCC, as appropriate, for review and approval, and the project shall be designed to minimize impacts to jurisdictional areas to the extent feasible. The delineation shall serve as the basis to identify potentially jurisdictional areas to be protected during construction, through implementation of the avoidance and minimization identified in measure B-2(f).

      BIO-2(b) **Wetlands, Drainages, and Riparian Habitat Restoration.** Impacts to jurisdictional wetlands, drainages, and riparian habitat shall be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist retained by the implementing agency, and shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan shall be developed by a qualified biologist and submittal to the regulatory agency overseeing the project for approval. Alternatively, mitigation shall be accomplished through purchase of credits from an approved wetlands mitigation bank.

BIO-2(c) **Landscaping Plan.** If landscaping is proposed for a specific project, a qualified biologist/landscape architect retained by the implementing agency shall prepare a landscape plan. Drought tolerant, locally native plant species shall be used. Noxious, invasive and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List and/or California Invasive Plant Council Inventory shall not be permitted. Species selected for planting shall be regionally appropriate native species that are known to occur in the adjacent native habitat types.

BIO-2(d) **Sensitive Natural Community Avoidance and Mitigation.** If the results of measure BIO-1(a) indicates projects implemented under the 2045 MTP/SCS would impact sensitive natural communities in addition to riparian habitat which is addressed by Measure BIO-2(b), the implementing agency shall avoid impacts to sensitive natural communities through final project design modifications if feasible. If the implementing agency determines that sensitive natural communities cannot be avoided, impacts shall be mitigated on-site or offsite at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist based on any applicable resource agency guidelines. Temporarily impacted areas shall be restored to pre-project conditions. A Restoration Plan shall be developed by a qualified biologist and submitted to the implementing agency.

BIO-2(e) **Invasive Weed Prevention and Management Program.** Prior to start of construction for each project that occurs within or adjacent to native habitats, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist retained by the implementing agency to prevent invasion of native habitat by non-native plant species. The plan shall be submitted to the implementing agency for review and approval. A list of target species shall be included, along with measures for early detection and eradication.

The plan, which shall be implemented by the implementing agency, shall also include, but not be limited to, the following measures to prevent the introduction of invasive weed species:

- During construction, limit the use of imported soils for fill. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species.
- To minimize colonization of disturbed areas and the spread of invasive species, the contractor shall stockpile topsoil and redeposit the stockpiled soil after construction or transport the topsoil to a permitted landfill for disposal.
- All erosion control materials, including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed.

- Exotic and invasive plant species shall be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project.
- All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas.

BIO-2(f) Wetlands, Drainages, and Riparian Habitat Best Management Practices During Construction. The following best management practices shall be required by the implementing agency for development within or adjacent to wetlands, drainages, or riparian habitat:

- Access routes, staging and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and ancillary construction areas outside of jurisdictional areas.
- To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.
- Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year, or as otherwise directed by the regulatory agencies.
- During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.
- Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project related activities, shall be prevented from contaminating the soil and/or entering wetlands, drainages or riparian habitat.
- All refueling, maintenance and staging of equipment and vehicles shall occur at least 100 feet from bodies of water and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Compliance with the above mitigation measures would reduce impacts to sensitive communities and wetlands to less than significant levels because the mitigation measures require focused biological

surveys, best management practices to avoidance or minimization impacts, compensation for disturbed or loss of sensitive communities and wetlands and coordination with permitting agencies, as required prior to project implementation. However, it cannot be guaranteed that all future project level impacts can be mitigated to a less than significant level for all sensitive habitats. As such, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.4-40 through 4.4-45 of the Final EIR.

3. **Impact BIO-3.** Implementation of transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would substantially interfere with wildlife movement, including fish migration, and/or impede the use of a native wildlife nursery. This impact would be significant and unavoidable.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

BIO-3(a) **Project Design for Wildlife Connectivity**. The implementing agency shall implement the following measures. All projects including long segments of fencing, long linear projects, and lighting shall be designed to minimize impacts to wildlife. Where fencing or other project components is required for public safety concerns, these project components shall be designed to permit wildlife movement by incorporating design features such as:

- A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals;
- A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled;
- If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement, or the fence may be installed with the bottom at least 16 inches above the ground level;

- If fencing or other project components must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures such as overpasses, underpasses, culverts, etc., shall be incorporated into the project design as appropriate; and
- Lighting installed as part of any project shall be designed to be minimally disruptive to wildlife (see mitigation measure AES-3(a) Roadway Lighting for lighting requirements).

BIO-3(b) **Maintain Connectivity in Drainages.** The implementing agency shall implement the following measures. Permanent structures shall be avoided to the extent feasible within any drainage or river that serves as a wildlife migration corridor that would impede wildlife movement. In addition, upon completion of construction within any drainage, areas of stream channel and banks that are temporarily impacted shall be returned to pre-construction contours and in a condition that allows for unimpeded passage through the area once the work has been complete. If water is to be diverted around work sites, a diversion plan shall be submitted to the implementing agency for review and approval prior to issuance of project construction permits/approvals. The diversion shall be designed in a way as to not impede movement while the diversion is in place.

BIO-3(c) **Construction Best Management Practices to Minimize Disruption to Wildlife**. The following construction best management practices shall be incorporated by the implementing agency into all grading and construction plans to minimize temporary disruption of wildlife, which could hinder wildlife movement:

- Designation of a 20 mile per hour speed limit in all construction areas.
- Daily construction work schedules shall be limited to daylight hours only.
- Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition.
- All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week.
- No pets are permitted on project site during construction.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Compliance with the above mitigation measures would reduce impacts to wildlife movement by requiring projects to be designed in a way that maintains connectivity. However, it cannot be guaranteed that movement of terrestrial species will not be impeded at the regional

scale due to the large scale of the 2045 MTP/SCS. Therefore, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence –** Please refer to pages 4.4-45 through 4.4-48 of the Final EIR.

E. CULTURAL RESOURCES

1. **Impact CR-1.** Implementation of proposed transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would cause a substantial adverse change in built environment cultural resources that are historical resources as defined in State CEQA Guidelines Section 15064.5. Impacts would be significant and unavoidable.

   a. **Mitigation –** To minimize impacts to historical resources for transportation projects under AMBAG jurisdiction, working with TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts to historic resources, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG planning region can and should implement these measures, where relevant to land use projects implementing under the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

      CR-1 **Historical Resources Impact Minimization.** Prior to individual project permit issuance, the implementing agency of a 2045 MTP/SCS project involving earth disturbance or construction of permanent above ground structures or roadways shall, or can and should, prepare a map defining the Area of Potential Effects (APE). This map shall indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known historical resources are located within the impact zone. If a structure greater than 45 years in age is within the identified APE, a survey and evaluation of the structure(s) to determine their eligibility for recognition under State, federal, or local historic preservation criteria shall be conducted. The evaluation shall be prepared by an architectural historian, or historical architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. The evaluation shall comply with State CEQA Guidelines section 15064.5(b). Study recommendations shall be implemented, which may include, but would not be limited to, the following:

- Realign or redesign projects to avoid impacts on known historic resources where possible
- If avoidance of a significant architectural/built environment resource is not feasible, additional mitigation options include, but are not limited to, specific design plans for historic districts, or plans for alteration or adaptive re-use of a historical resource that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings
- Comply with existing local regulations and policies that exceed or reasonably replace any of the above measures that protect historic resources

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further find that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Redevelopment or demolition that may be required to implement transportation improvements and/or infill development may result in the permanent loss or damage to historic structures. While implementation of Mitigation Measure CR-1 would reduce impacts to the extent feasible, some project specific impacts may be unavoidable. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.5-19 through 4.5-21 of the Final EIR.

2. Impact CR-2. Implementation of proposed transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would cause a substantial adverse change in the significance of archaeological resources as defined in State CEQA Guidelines Section 15064.5. Impacts would be significant and unavoidable.

a. Mitigation – To minimize impacts to cultural resources for transportation projects under AMBAG jurisdiction, working with TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts to archaeological resources, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG planning region can and should implement these measures, where relevant to land use projects

implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

CR-2(a) **Archaeological Resources Impact Minimization.** Before construction activities, implementing agencies shall, or can and should, retain a qualified archaeologist to conduct a record search at the Northwest Information Center to determine whether the project area has been previously surveyed and whether resources were identified. When recommended by the Information Center, implementing agencies shall, or can and should, retain a qualified archaeologist to conduct archaeological surveys before construction activities. Implementing agencies shall, or can and should, follow recommendations identified in the survey, which may include, but would not be limited to: subsurface testing, designing and implementing a Worker Environmental Awareness Program (WEAP), construction monitoring by a qualified archaeologist, or avoidance of sites and preservation in place. Recommended mitigation measures will be consistent with State CEQA Guidelines Section 15126.4(b)(3) recommendations and may include but not be limited to preservation in place and/or data recovery. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area.

CR-2(b) **Unanticipated Discoveries During Construction.** If evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earthmoving activities (e.g., ceramic shard, trash scatters, lithic scatters), implementing agencies shall, or can and should, halt all ground-disturbing activity proximate to the discovery until a qualified archaeologist (36 CFR Section 61) can assess the significance of the find. If the find is a prehistoric archaeological site, the culturally affiliated California Native American tribe shall be notified. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, a testing plan shall be prepared and implemented. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the implementing agency to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics and other factors, shall recommend additional measures such as the preparation and implementation of a data recovery plan. Recommended mitigation measures will be consistent with State CEQA Guidelines Section 15126.4(b)(3) recommendations and may include but not be limited to preservation in place and/or data recovery. All cultural resources work shall follow accepted professional standards in recording any find

including submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area. If the find is a prehistoric archaeological site, the culturally affiliated California Native American tribe shall be notified and afforded the opportunity to monitor mitigative treatment. During evaluation or mitigative treatment, ground disturbance and construction work may continue in other parts of the project area that are distant enough from the find not to impact it, as determined by the qualified archaeologist.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Implementation of the above measure would reduce impacts to archaeological resources by requiring cultural resource searches and surveys of project areas and providing a procedure for discovered cultural archaeological resources. While implementation of Mitigation Measure CR-2 would reduce impacts to the extent feasible, some project specific impacts may be unavoidable. Therefore, this impact remains significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.5-21 through 4.5-23 of the Final EIR.

F. GEOLOGY AND SOILS

1. **Impact GEO-5.** Implementation of proposed transportation improvements and the land use scenario envisioned by the 2045 MTP/SCS would directly or indirectly destroy a unique paleontological resource or site or unique geological feature. Impacts would be significant and unavoidable.

   a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts to paleontological resources, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement this mitigation measure where relevant to land use projects implementing the 2045 MTP/SCS. Project specific

environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

GEO-5 **Paleontological and Geologic Resources Impact Minimization.** The implementing agency of a 2045 MTP/SCS project involving ground disturbing activities (including grading, trenching, foundation work and other excavations) shall, or can and should, retain a qualified paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for Qualified Professional Paleontologist (SVP 2010), to conduct a Paleontological Resources Assessment (PRA). The PRA shall determine the age and paleontological sensitivity of geologic formations underlying the proposed disturbance area, consistent with SVP Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (SVP 2010) guidelines for categorizing paleontological sensitivity of geologic units within a project area. If underlying formations are found to have a high potential (sensitivity) for paleontological resources and/or could be considered a unique geologic feature, the following measures shall apply:

- Avoidance. Avoid routes and project designs that would permanently alter unique paleontological and geological features. If avoidance practices cannot be implemented, the following measures shall apply.
- Paleontological Mitigation and Monitoring Program. A qualified paleontologist shall prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity. This program shall outline the procedures for construction staff training, paleontological monitoring extent and duration (i.e., in what locations and at what depths paleontological monitoring shall be required), salvage and preparation of fossils, the final mitigation and monitoring report and paleontological staff qualifications.
- Paleontological Worker Environmental Awareness Program (WEAP). Prior to the start of ground disturbance activity, construction personnel shall be informed on the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.
- Paleontological Monitoring. Ground disturbing activity with the potential to disturbed geologic units with high paleontological sensitivity shall be monitored on a full-time basis by a qualified paleontological monitor. Should no fossils be observed during the first 50 percent of such excavations, paleontological monitoring could be reduced to weekly spot-checking under the discretion of the qualified paleontologist. Monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources.
- Salvage of Fossils. If fossils are discovered, the implementing agency shall be notified immediately, and the qualified paleontologist (or paleontological

monitor) shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the paleontologist should 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.

- Preparation and Curation of Recovered Fossils. Once salvaged, 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, along with all pertinent field notes, photos, data and maps.
- Final Paleontological Mitigation and Monitoring Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is within the responsibility and jurisdiction of cities and counties, which can and should adopt it. Implementation of the above mitigation measure would reduce impacts to paleontological resources and unique geologic features by requiring a PRA and mitigation measures for any projects under the 2045 MTP/SCS that may impact such resources. While implementation of Mitigation Measure GEO-4 would reduce impacts to the extent feasible, some project specific impacts may be unavoidable. Therefore, this impact is significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.7-26 through 4.7-28 of the Final EIR.

G. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

1. **Impact GHG-1.** Construction of the transportation improvement projects and development within future land use patterns envisioned by the 2045 MTP/SCS would generate a net increase GHG emissions by 2045 compared to baseline 2020 conditions. Impacts would be significant and unavoidable.

a. Mitigation – For all transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects generating construction GHG emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Implementation of Mitigation Measures AQ-2(b) and AQ-2(c) in Section 4.3, *Air Quality*, of the Final EIR would also reduce GHG emissions from the 2045 MTP/SCS.

GHG-1 **Construction GHG Reduction Measures.** The project sponsor shall incorporate the most recent GHG reduction measures and/or technologies for reducing GHG emissions measures for off-road construction vehicles during construction. The measures shall be noted on all construction plans and the project sponsor shall perform periodic site inspections. Current GHG-reducing measures include the following:

- Use of on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the five-minute idling limit;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- Use of alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, in place of diesel-powered equipment for 15 percent of the fleet, to the extent electric powered equipment is not feasible;
- Use of materials sourced from local suppliers;
- Recycling of at least 75 percent of construction waste materials; and
- Project proponents shall incentivize that construction workers carpool, and/or use electric vehicles to commute to and from the project site.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Implementation of Mitigation Measure GHG-1 would reduce short-term construction emissions from individual projects and thus reduce the severity of impacts by requiring best practices for exhaust emissions via readily available, lower-emitting diesel equipment, and/or equipment powered by alternative cleaner fuels (e.g., propane) or electricity, as well as on-road trucks using particulate exhaust filters. Implementation of Mitigation Measures AQ-2(b) and AQ-2(c)

would also reduce GHG emissions from the 2045 MTP/SCS. However, these mitigation measure may not be feasible or effective for all projects. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.8-20 and 4.8-21 of the Final EIR.

2. **Impact GHG-4.** Implementation of the 2045 MTP/SCS would conflict with the State's ability to achieve SB 32, EOs S-3-05 and B-55-18, and applicable local GHG reduction plan targets and goals. Impacts would be significant and unavoidable.

a. **Mitigation** – For all transportation projects under their jurisdiction, SBtCOG, SCCRTC, and TAMC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects generating construction GHG emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions. Implementation of Mitigation Measures T-2(a) and T-2(b) in Section 4.15, *Transportation*, of the Final EIR would also reduce GHG emissions from the 2045 MTP/SCS.

GHG-4(a) Transportation-Related GHG Reduction Measures. The implementing agency shall incorporate the most recent GHG reduction measures and/or technologies for reducing VMT and associated transportation related GHG emissions. GHG-reducing mitigation measures include the following:

- Installation of electric vehicle charging stations beyond those required by State and local codes
- Utilization of electric vehicles and/or alternatively-fueled vehicles in company fleet
- Provision of dedicated parking for carpools, vanpool, and clean air vehicles
- Provision of new or improved transit amenities (e.g., covered turnouts, bicycle racks, covered benches, signage, lighting) if project site is located along an existing transit route
- Expansion of existing transit routes
- Provision of employee lockers and showers

- Provision of on-site services that reduce the need for off-site travel (e.g., childcare facilities, automatic teller machines, postal machines, food services)
- Provision of alternative work schedule options, such as telework or reduced schedule (e.g., 9/80 or 10/40 schedules), for employees
- Implementation of transportation demand management programs to educate and incentivize residents and/or employees to use transit, smart commute, and alternative transportation options

GHG-4(b) Land Use Project Energy Consumption and Water Use Reduction Measures. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement measures to reduce energy consumption, water use, solid waste generation, and VMT, all of which contribute to GHG emissions. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

- Require new residential and commercial construction to install solar energy systems or be solar-ready
- Require new residential and commercial development to install low flow water fixtures
- Require new residential and commercial development to install water-efficient drought-tolerant landscaping, including the use of compost and mulch
- Require new development to exceed the applicable Title 24 energy-efficiency requirements
- Require new development to be fully electric

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Implementation of project level GHG-reducing measures would reduce GHG emissions, but may not be feasible and cannot be guaranteed on a project by project basis. Additionally, it is speculative at this time to forecast whether project level GHG emission reductions would be sufficient to achieve regionwide reduction in GHG emissions of 40 percent below 1990 levels by 2030. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible

mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.8-25 through 4.8-29 of the Final EIR.

H. HAZARDS AND HAZARDOUS MATERIALS

1. **Impact HAZ-3.** The 2045 MTP/SCS includes land use projects and transportation projects that could occur on sites on the list of hazardous material sites compiled by Government Code Section 65962.5. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in hazardous materials impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

HAZ-3 **Site Remediation.** If an individual project included in the 2045 MTP/SCS is located on or near a hazardous materials and/or waste site pursuant to Government Code Section 65962.5, the implementing agency shall prepare a Phase I ESA in accordance with the American Society for Testing and Materials' E-1527-05 standard. For work requiring any demolition or renovation, the Phase I ESA shall make recommendations for any hazardous building materials survey work that shall be done. All recommendations included in a Phase I ESA prepared for a site shall be implemented. If a Phase I ESA indicates the presence or likely presence of contamination, the implementing agency shall require a Phase II ESA, and recommendations of the Phase II ESA shall be fully implemented. Examples of typical recommendations provided in Phase I/II ESAs include removal of contaminated soil in accordance with a soil management plan approved by the local environmental health department; covering stockpiles of contaminated soil to prevent fugitive dust emissions; capturing groundwater encountered during construction in a holding tank for additional testing and characterization and disposal based on its characterization; and development of a health and safety plan for construction workers.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. With implementation of this mitigation, impacts would be reduced

to less than significant because project sites with hazardous material contamination that are on the list compiled by the Government Code Section 65962.5 would be identified prior to commencement of project construction. Additionally, prior to commencement of construction, measures to remediate contamination, such as containment and disposal of contaminated soil pursuant to federal and state regulations would be required. However, it cannot be guaranteed that all future project level impacts can be mitigated to a less than significant level. Therefore, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.9-25 through 4.9-27 of the Final EIR.

I. NOISE

1. **Impact N-1.** Construction activities associated with transportation projects and land use projects under the 2045 MTP/SCS would generate a substantial temporary increase in ambient noise levels in excess of standards or over existing noise levels, and would generate a substantial absolute noise increase over existing noise levels. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in construction noise impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

N-1 Construction Noise Reduction. To reduce construction noise levels to achieve applicable standards, implementing agencies for transportation and land use projects shall implement the measures identified below where feasible and necessary.

- Implementing agencies of 2045 MTP/SCS projects shall ensure that, where residences or other noise sensitive uses are located within 750 feet of construction sites, appropriate measures shall be implemented to ensure compliance with local ordinance requirements relating to construction noise. Specific techniques may include, but are not limited to: restrictions on

construction timing, use of sound blankets on construction equipment, and the use of temporary walls and noise barriers to block and deflect noise.

- Designate an on-site construction complaint and enforcement manager for projects within 750 feet of sensitive receivers.
- Implementing agencies of the 2045 MTP/SCS shall post phone numbers for the on-site enforcement manager at construction sites along with complaint procedures and who to notify in the event of a problem.
- For any project within 6,000 feet of sensitive receptors that requires pilings, the implementing agencies shall require caisson drilling or sonic pile driving as opposed to impact pile driving, where feasible. This shall be accomplished through the placement of conditions on the project during its individual environmental review.
- Implementing agencies of 2045 MTP/SCS projects shall ensure that equipment and trucks used for project construction utilize the best available noise and vibration control techniques, including mufflers, intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds.
- Implementing agencies of 2045 MTP/SCS projects shall ensure that impact equipment (e.g., jack hammers, pavement breakers and rock drills) used for project construction be hydraulically or electrically powered wherever feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatically powered tools is unavoidable, use of an exhaust muffler on the compressed air exhaust can lower noise levels from the exhaust by up to about 10 dBA. When feasible, external jackets on the impact equipment can achieve a reduction of 5 dBA. Whenever feasible, use quieter procedures, such as drilling rather than impact equipment operation.
- The following timing restrictions shall apply to MTP/SCS project construction activities located within 2,500 feet of a dwelling unit, except where timing restrictions are already established in local codes or policies.
- Construction activities shall be limited to:
  - Monday through Friday: 7 a.m. to 6 p.m.
  - Saturday: 9 a.m. to 5 p.m.
- Implementing agencies of 2045 MTP/SCS projects shall locate stationary noise and vibration sources as far from sensitive receptors as feasible. Stationary noise sources that must be located near existing receptors will be adequately muffled.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Implementation of

required mitigation would reduce impacts from construction noise. However, even with application of Mitigation Measures N-1 construction noise from all 2045 MTP/SCS projects may not be reduced below applicable thresholds and impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.12-13 through 4.12-16 of the Final EIR.

2. Impact N-2. Construction activities associated with transportation projects and land use projects under the 2045 MTP/SCS would generate excessive groundborne vibration levels. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in construction noise impacts, and where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement Mitigation Measure N-1, listed under Impact N-1, and Mitigation Measure N-2, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

N-2 Physical Impacts Due to Vibration. If construction equipment would generate vibration levels exceeding acceptable levels as established by Caltrans (65 VdB to 80 VdB depending on frequency of the event and 0.1 to 0.6 PPV in/sec depending on building type), implementing agencies of the 2045 MTP/SCS shall, or can and should, complete the following tasks:

- Prior to construction, survey the project site for vulnerable buildings, and complete geotechnical testing (preconstruction assessment of the existing subsurface conditions and structural integrity), for any older or historic buildings within 50 feet of pile driving. The testing shall be completed by a qualified geotechnical engineer and qualified historic preservation professional and/or structural engineer.
- Prepare and submit a report to the lead agency that contains the results of the geological testing. If recommended by the preconstruction report implementing agencies shall require ground vibration monitoring of nearby historic structures. Methods and technologies shall be based on the specific conditions at the construction site. The preconstruction assessment shall include a monitoring program to detect ground settlement or lateral

movement of structures in the vicinity of pile-driving activities and identify corrective measures to be taken should monitored vibration levels indicate the potential for building damage. In the event of unacceptable ground movement with the potential to cause structural damage, all impact work shall cease, and corrective measures shall be implemented to minimize the risk to the subject, or adjacent, historic structure.

- To minimize disturbance withing 550 feet of pile-driving activities, implement "quiet" pile-driving technology, such as predrilling of piles and the use of more than one pile driver to shorten the duration of pile driving), where feasible, in consideration of geotechnical and structural requirements and conditions as defined as part of the geotechnical testing, if testing was feasible.
- Use cushion blocks to dampen noise from pile driving.
- Phase operations of construction equipment to avoid simultaneous vibration sources

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors, which can and should adopt it. Implementation of required mitigation would reduce impacts from construction vibration. However, even with application of Mitigation Measures N-1 and N-2, construction vibration from all 2045 MTP/SCS projects may not be reduced below applicable thresholds and impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.12-16 through 4.12-19 of the Final EIR.

3. **Impact N-3.** Implementation of the 2045 MTP/SCS would generate a substantial permanent increase in ambient noise levels in excess of standards or over existing noise levels and generate a substantial absolute noise increase over existing noise levels. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measure developed for the 2045 MTP/SCS program where applicable for transportation projects that result in significant mobile source noise levels, and where feasible and necessary based on project and site specific

considerations. The measure below does not apply to land use projects. Project specific environmental documents may adjust this mitigation measure as necessary to respond to site specific conditions.

N-3 Noise Assessment and Control for Mobile and Point Sources. Sponsor agencies of 2045 MTP/SCS transportation projects shall complete detailed noise assessments using applicable guidelines (e.g., FTA Transit Noise and Vibration Impact Assessment for rail and bus projects and the Caltrans Traffic Noise Analysis Protocol) for roadway projects that may impact noise sensitive receivers. The implementing agency shall ensure that a noise survey is conducted that, at minimum:

- Determines existing and projected noise levels
- Determines the amount of attenuation needed to reduce potential noise impacts to applicable State and local standards
- Identifies potential alternate alignments that allow greater distance from, or greater buffering of, noise-sensitive areas
- If warranted, recommends methods for mitigating noise impacts, including:
- Appropriate setbacks
- Sound attenuating building design, including retrofit of existing structures with sound attenuating building materials
- Use of sound barriers (earthen berms, sound walls, or some combination of the two)

Where new or expanded roadways, rail, or transit projects are found to expose receivers to noise exceeding normally acceptable levels, the implementing agency shall implement techniques as recommended in the project specific noise assessment. The preferred methods for mitigating noise impacts will be the use of appropriate setbacks (design adjustments) and sound attenuating building design, including retrofit of existing structures with sound attenuating building materials where feasible. In instances where use of these techniques is not feasible, the use of sound barriers (earthen berms, sound walls, or some combination of the two) shall be considered. Long expanses of walls or fences shall be interrupted with offsets and provided with accents to prevent monotony. Landscape pockets and pedestrian access through walls should be provided. Whenever possible, a combination of elements shall be used, including solid fences, walls, and landscaped berms. Other techniques such as rubberized asphalt or "quiet pavement" can be used where feasible to reduce road noise for new roadway segments or modifications requiring repaving. The effectiveness of noise reduction measures shall be monitored by taking noise measurements and installing adaptive mitigation measures to achieve applicable standards.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is within the responsibility and jurisdiction of the cities and counties in the AMBAG region, which can and should adopt it. This measure would reduce noise impacts

through requiring noise studies and feasible mitigation measures for land use projects. Implementation of the above mitigation measure would reduce noise from mobile sources. However, even with implementation of Mitigation Measure N-3, mobile source noise from projects implementing the 2045 MTP/SCS may continue to impact nearby noise sensitive receivers and exceed acceptable standards, based on project-specific circumstances. Impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.12-19 through 4.12-23 of the Final EIR.

4. **Impact N-4.** The proposed 2045 MTP/SCS land use scenario would encourage infill development near transit and other transportation facilities, which would generate a substantial increase in ambient noise levels in excess of standards or over existing noise levels. Impacts would be significant and unavoidable.

   a. **Mitigation** – Cities and counties in the AMBAG region can and should implement the following measures, where relevant to land use projects implementing the 2045 MTP/SCS, and where feasible and necessary based on project and site specific considerations. The mitigation measure outlined below does not apply to transportation projects. Project specific environmental documents may adjust this mitigation measure as necessary to respond to site specific conditions.

      N-4 **Noise Mitigation for Land Uses.** If a 2045 MTP/SCS land use project is located in an area with exterior ambient noise levels above local noise standards, the implementing agency can and should ensure that a noise study is conducted to determine the existing exterior noise levels in the vicinity of the project. If the project would be impacted by ambient noise levels, feasible attenuation measures shall be used to reduce operational noise to meet acceptable standards. In addition, noise insulation techniques shall be utilized to reduce indoor noise levels to thresholds set inapplicable State and/or local standards. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads. The noise study and determination of appropriate mitigation measures shall be completed during the project's individual environmental review.

   b. **Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is within the responsibility and jurisdiction of cities and counties, which can and should

adopt it. Implementation of the above mitigation measure would reduce noise for sensitive land uses in areas that exceed noise standards. However, even with implementation of Mitigation Measure N-4 noise from projects implementing the 2045 MTP/SCS may continue to impact nearby noise sensitive receptors and exceed acceptable standards, based on project-specific circumstances. Impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.12-23 and 4.12-24 of the Final EIR.

5. Impact N-5. The proposed 2045 MTP/SCS would result in new truck, bus and train traffic that would generate excessive vibration levels. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that could generate excessive vibration impacts, and where feasible and necessary based on project and site specific considerations. These measures can and should also be implemented for future infill projects near transit pursuant to the 2045 MTP/SCS that would result in vibration impacts. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

N-5 Vibration Mitigation for Transportation Projects. Where local vibration and groundborne noise standards do not apply, implementing agencies of 2045 MTP/SCS projects shall comply with guidance provided by the FTA in the most recent version of the Transit Noise and Vibration Impact Assessment to assess impacts to buildings and sensitive receptors and reduce vibration and groundborne noise. FTA recommended thresholds shall be used except in areas where local standards for groundborne noise and vibration have been established. Methods that would be considered to reduce vibration and groundborne noise impacts include, but are not limited to:

- Rail Traffic
  - Maximizing the distance between tracks and sensitive uses
  - Conducting rail grinding on a regular basis to keep tracks smooth
  - Conducting wheel truing to re-contour wheels to provide a smooth-running surface and removing wheel flats

- Providing special track support systems such as floating slabs, resiliently supported ties, high-resilience fasteners and ballast mats;
- Implementing operational changes such as limiting train speed and reducing nighttime operations.

- Bus and Truck Traffic
  - Constructing of noise barriers
  - Use noise reducing tires and wheel construction on bus wheels
  - Use vehicle skirts (i.e., a partial enclosure around each wheel with absorptive treatment) on freight vehicle wheels

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Implementation of the above mitigation measure would reduce potential impacts to a less than significant level. However, even with implementation of Mitigation Measure N-5, vibration from projects implementing the 2045 MTP/SCS may continue to be excessive, based on project-specific circumstances. Impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.12-24 through 4.12-26 of the Final EIR.

6. **Impact N-6.** Proposed transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would be located in close proximity to existing airports such that applicable exterior and interior noise thresholds would be exceeded. Impacts would be significant and unavoidable.

a. Mitigation – These measures can and should also be implemented for future land use development projects near existing public or public use airports. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

N-6 Noise Mitigation Near Airports. Local lead agencies for all new development proposed to be located within an existing airport influence zone, as defined by the locally adopted airport land use compatibility plan or local general plan, or within two miles of a private use airport, shall require a site specific noise

compatibility study. The study shall consider and evaluate existing aircraft noise, based on specific aircraft activity data for the airport in question, and shall include recommendations for site design and building construction. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads, such as dual paned windows. The noise study and determination of appropriate mitigation measures shall be completed during the project's individual environmental review.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. To the extent that a local agency requires an individual project to implement the feasible mitigation measure described above, the appropriate design and building construction would ensure compliance with relevant plans or codes, and this impact would be reduced to a less than significant level. However, even with implementation of Mitigation Measure N-6 noise from projects implementing the 2045 MTP/SCS may continue to impact nearby noise sensitive receptors and exceed acceptable standards. Impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.12-26 through 4.12-28 of the Final EIR.

J. PUBLIC SERVICES, RECREATION, AND UTILITIES

1. Impact PSU-1. The 2045 MTP/SCS would result in new or expanded governmental facilities, the implementation of which would result in substantial physical impacts. This impact would be significant and unavoidable.

a. Mitigation – Cities and counties in the AMBAG region, as well as other public service providers, can and should implement this measure, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

PSU-1 Increased Public Service Demand. During the CEQA review process for individual facilities, the implementing agency with responsibility for construction of new public service facilities or the expansion of existing

facilities, including those of fire and police services, parks, and other public facilities, can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce significant impacts associated with air quality, noise, transportation, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new public or expanded public service facilities.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is within the responsibility and jurisdiction of cities, counties, and other public service providers, which can and should adopt it. Population growth in the AMBAG region would occur regardless of the potential implementation of the 2045 MTP/SCS. Mitigation Measure PSU-1 would reduce impacts related to the provision of new of physically altered governmental facilities to less than significant with mitigation because it would require implementing agencies to apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. However, due to the variety of project-specific circumstances, these mitigation measures may not be feasible or effective for every project. Therefore, this impact would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.14-35 through 4.14-37 of the Final EIR.

2. Impact PSU-3. The 2045 MTP/SCS would increase the use of existing parks and recreational facilities, resulting in substantial physical deterioration, and would include recreational facilities that would have an adverse physical effect on the environment. This impact would be significant and unavoidable.

a. Mitigation – Cities and counties in the AMBAG region, and recreation agencies, can and should implement the following measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

PSU-3 Impact Reduction from New Recreational Facilities. During project specific design and CEQA review, the cities and counties in the AMBAG region, and

other agencies with responsibility for the construction of new or expanded recreation facilities, can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction of such facilities. The environmental impacts associated with such construction should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce significant impacts associated with air quality, noise, transportation, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction of new or expanded recreation facilities, including recreational trails.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities, counties, and recreation agencies, which can and should adopt it. Implementation of Mitigation Measure PSU-3 would reduce impacts associated with the construction of additional parks and recreation facilities because it would require implementing agencies to apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. However, due to the variety of project-specific circumstances, these mitigation measures may not be feasible or effective for every project. Therefore, this impact would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.14-38 through 4.14-40 of the Final EIR.

3. Impact PSU-4. Proposed transportation improvements and land use projects envisioned by the 2045 MTP/SCS would require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which would cause significant environmental effects. This impact would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that require new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or

telecommunications facilities, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region, and other utility providers, can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

PSU-4(a) **Water and Wastewater Treatment Facilities.** During the CEQA review process for individual facilities, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region and other utility providers with responsibility for the construction of new water or wastewater treatment and collection facilities or the expansion of existing facilities can and should apply necessary mitigation measures to reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality and others that apply to specific construction or expansion of water or wastewater treatment and collection facilities projects.

PSU-4(b) **Stormwater Facilities.** During the CEQA review process for individual facilities, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region and special districts with responsibility for the construction of new stormwater drainage facilities or the expansion of existing facilities to adequately meet projected capacity needs can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of storm water drainage facilities projects.

PSU-4(c) **Stormwater Control Methods.** During the CEQA review process for individual facilities, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following measures where feasible: For transportation projects, incorporate stormwater control, retention, and infiltration features, such as detention basins, bioswales,

vegetated median strips, and permeable paving, early into the design process to ensure such features are analyzed during environmental review. Implement mitigation measures identified for such features on a project specific basis, where feasible and necessary based on project and site-specific considerations.

PSU-4(d) **Electric Power, Natural Gas, or Telecommunications Facilities.** During the CEQA review process, cities, counties, and AMBAG region energy and telecommunications providers and regulatory agencies with responsibility for the construction or approval of new electric power, natural gas, or telecommunications facilities or the expansion of existing facilities to adequately meet projected capacity needs can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of natural gas and electric facilities projects.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them**.** Implementation of Mitigation Measure PSU-4(a) through PSU-4(d) would reduce impacts associated with the construction of additional water and wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities because it would require implementing agencies to apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. However, due to the variety of project-specific circumstances, these mitigation measures may not be feasible or effective for every project. Therefore, this impact would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.14-41 through 4.14-45 of the Final EIR.

4. **Impact PSU-5.** Proposed transportation improvements and land use projects envisioned by the 2045 MTP/SCS would generate solid waste in excess of the capacity of local infrastructure. This impact would be significant and unavoidable.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts related to solid waste, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

PSU-5 **Solid Waste Generation and Disposal.** During the CEQA review process for individual facilities, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region can and should implement, the following measures where feasible:

- Provide an easily accessible area that is dedicated to the collection and storage of non-hazardous recycling materials.
- Maintain or reuse existing building structures and materials during building renovations and redevelopment.
- Use salvaged, refurbished, or reused materials to help divert such items from landfills.
- Divert construction waste from landfills, where feasible, through means such as:
  - Submitting and implementing a construction waste management plan that identifies materials to be diverted from disposal;
  - Establishing diversion targets, possibly with different targets for different types and scales of development;
  - Helping project sponsors and implementing agencies share information on available materials with one another, to aid in the transfer and use of salvaged materials.

b. **Findings and Rationale** – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Implementation of Mitigation Measure PSU-5 would reduce impacts associated with solid waste generation because it would require that land use and transportation projects apply landfill diversion strategies including reusing

building materials, maintaining structures where applicable, and developing construction waste management plans. However, due to the variety of project-specific circumstances, these mitigation measures may not be feasible or effective for every project. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.14-46 and 4.14-47 of the Final EIR.

5. **Impact PSU-7.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would increase water demand in the AMBAG region such that water supplies may be insufficient to serve envisioned development. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that have water supply impacts, where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

PSU-7(a) **General Conservation Measures.** Agencies implementing land use and transportation projects that could increase water demand shall, or can and should, coordinate with relevant water services to ensure demand can be accommodated and identify a water consumption budget. Any existing water conservation measures that reduce demand for potable water, such as reducing water use for landscape irrigation for transportation projects or use of water-conserving fixtures in envisioned land use projects, should be employed. Reclaimed water should be used when possible.

PSU-7(b) **Construction Dust Suppression Water Supply.** Implementing agencies shall, or can and should, ensure that for all 2045 MTP/SCS projects, where feasible, reclaimed and/or desalinated water is used for dust suppression during construction activities. This measure shall, or can and should, be noted on construction plans and shall be spot checked by the implementing agency.

PSU-7(c) **Landscape Watering.** In jurisdictions that do not already have an applicable local regulatory program related to landscape watering, implementing agencies shall, or can and should, design 2045 MTP/SCS projects that would include landscaping shall be designed with drought tolerant plants and drip irrigation. When feasible, native plant species shall be used. In addition, landscaping associated with proposed improvements shall be maintained using reclaimed and/or desalinated water when feasible.

PSU-7(d) **Porous Pavement and Bioswale Installation.** In jurisdictions that do not already have an appropriate local regulatory program related to porous pavement, implementing agencies for a 2045 MTP/SCS project that involves streetscaping, parking, transit and/or land use improvements shall, or can and should, ensure that porous pavement materials are utilized, where feasible, to allow for groundwater percolation. Additionally, if a project would substantially increase impervious surfaces the sponsor shall ensure that bioswales are installed, where feasible, to facilitate groundwater recharge using stormwater runoff from the project site while improving water quality if not already required by the appropriate jurisdiction's local regulatory programs.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Implementation of the above measures would reduce impacts from water supply in the AMBAG region. However, the population growth forecast coupled with existing groundwater over-drafting and regular droughts indicate that demand may outpace supply in certain areas. The land use scenario envisioned by the 2045 MTP/SCS along with 2045 MTP/SCS transportation projects would result in the need for additional water supply, even with the implementation of mitigation measures listed above. Given the overdraft conditions of area groundwater basins and other regional water supply concerns, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.14-48 and 4.14-51 of the Final EIR.

I. TRANSPORTATION

1. **Impact T-2.** The 2045 MTP/SCS would result in an increase to Daily VMT per capita between the baseline 2020 conditions and 2045 conditions. Per capita VMT impacts from implementation of the 2045 MTP/SCS would be significant and unavoidable. The induced travel impact at the regional level would be less than significant.

   a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that would increase the capacity of a roadway, and where feasible and necessary based on project and site specific considerations. For land use projects under their jurisdiction, the cities and counties in the AMBAG region shall implement the following mitigation measure. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

      T-2(a) **Land Use Project VMT Analysis and Reduction.** Regionally, implementing agencies shall require implementation of VMT reduction strategies through transportation demand management (TDM) programs, impact fee programs, mitigation banks or exchange programs, in-lieu fee programs, and other land use project conditions that reduce VMT. Programs shall be designed to reduce VMT from existing land uses, where feasible, and from new discretionary residential or employment land use projects. The design of programs shall focus on VMT reduction strategies that increase travel choices and improve the comfort and convenience of sharing rides in private vehicles, using public transit, biking, or walking. At a project level, implementing agencies shall evaluate VMT as part of project specific CEQA review and discretionary approval decisions for land use projects. Where project level significant impacts are identified, implementing agencies shall identify and implement measures that reduce VMT. Examples include but are not limited to:

      - Provide car-sharing, vanpool, bike sharing, and ride-sharing programs
      - Implement or provide access to commute reduction programs
      - Encourage telecommute programs
      - Incorporate affordable housing into the project
      - Increase density, infill, and transit oriented development
      - Increase mixed uses within the project area
      - Incorporate improved pedestrian connections within the project/neighborhood
      - Incentivize development in low VMT communities
      - Incentivize housing near commercial and offices
      - Increase access to goods and services, such as groceries, schools, and daycare
      - Orient the project toward transit, bicycle, and pedestrian facilities

- Implement complete streets
- Provide traffic calming
- Provide bicycle parking
- Reduce parking requirements
- Separate out parking costs
- Provide parking cash-out programs

T-2(b) **Transportation Project VMT Analysis and Reduction.** Transportation project sponsor agencies shall evaluate transportation projects that involve increasing roadway capacity for their potential to increase VMT. Where project level increases are found to be potentially significant, implementing agencies shall, or can and should, identify and implement measures that reduce VMT. Examples of measures that reduce the VMT associated with increases in roadway capacity include, but are not limited to:

- Tolling new lanes to encourage carpools and fund transit improvements
- Converting existing general purpose lanes to high occupancy vehicle lanes
- VMT banks
- Implementing or funding offsite travel demand management
- Providing a bus rapid transit system
- Improving pedestrian or bicycle networks, or transit service
- Providing transit passes
- Incorporating neighborhood electric vehicle network

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. If implementing agencies adopt and require this mitigation, impacts would be reduced because less VMT would be added to the AMBAG region. However, the implementation of project level VMT-reducing measures such as mixed uses and TOD may not be feasible and cannot be guaranteed on a project by project basis. Regional VMT-reduction programs, such as VMT banks, may also not be feasible as there are no procedures or policies in place to establish such programs. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.15-26 through 4.15-30 of the Final EIR.

J. TRIBAL CULTURAL RESOURCES

1. **Impact TCR-1.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2045 MTP/SCS would cause a substantial adverse change in the significance of a tribal cultural resource. Impacts would be significant and unavoidable.

   a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts to tribal cultural resources, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

      TCR-1 **Tribal Cultural Resources Impact Minimization**. Implementing agencies shall, or can and should, comply with AB 52, which may require formal tribal consultation. If the implementing agency determines that a project may cause a substantial adverse change to a tribal cultural resource, they shall, or can and should, implement mitigation measures identified in the consultation process required under PRC Section 21080.3.2, or shall, or can and should, implement the following measures where feasible to avoid or minimize the project specific significant adverse impacts:

      - Avoidance and preservation of the resources in place, including, but not limited to planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
      - Treating the resource with culturally appropriate dignity considering the tribal cultural values and meaning of the resource, including, but not limited to, the following:
        - Protecting the cultural character and integrity of the resource
        - Protecting the traditional use of the resource
        - Protecting the confidentiality of the resource
        - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places

- Native American monitoring by the appropriate tribe for all projects in areas identified as sensitive for potential tribal cultural resources and/or in the vicinity (within 100 feet) of known tribal cultural resources
- If potential tribal cultural resources are encountered during ground-disturbing activities; work in the immediate area must halt and the appropriate tribal representative(s), the implementing agency, and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find and determine the proper course of action

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. Mitigation Measure TCR-1 would require AB 52 compliance and would result in necessary mitigation being identified through tribal consultation to avoid impacts to tribal cultural resources. These measures would protect the resource's character, traditional use, and confidentiality. With such protection, implementation of the above measure would reduce impacts to tribal cultural resources. However, it cannot be guaranteed that all future project-level impacts can be mitigated and as such, impacts would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.16-6 through 4.16-8 of the Final EIR.

K. WILDFIRE

1. Impact W-1. Proposed transportation improvements and land use projects envisioned by the 2045 MTP/SCS would be located in or near an SRA or very high fire hazard severity zone, and significant risks of loss, injury, or death from wildfires would occur. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts related to wildland fire, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures,

where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

W-1 **Wildfire Risk Reduction.** If an individual transportation or land use project included in the 2045 MTP/SCS is within or less than two miles from an SRA or VHFHSZ, the implementing agency shall require appropriate mitigation to reduce the risk. Examples of mitigation to reduce risk of loss, injury or death from wildlife include, but are not limited to:

- Enforce defensible space regulations to keep overgrown and unmanaged vegetation, accumulations of trash and other flammable material away from structures.
- Provide public education about wildfire risk, fire prevention measures, and safety procedures and practices to allow for safe evacuation and/or options to shelter-in-place.
- Require adherence to the local hazard mitigation plan, as well as the local general plan policies and programs aimed at reducing the risk of wildfires through land use compatibility, training, sustainable development, brush management, public outreach, and service standards for fire departments.
- Ensure sufficient emergency water supply
- Encourage the use of fire-resistant vegetation native to Santa Cruz, Monterey, and San Benito counties and/or the local microclimate of the project site and discourage the use of fire-prone species especially non-native, invasive species.
- Require a fire safety plan be submitted to and approved by the local fire protection agency. The fire safety plan shall include all the fire safety features incorporated into the project and the schedule for implementation of the features. The local fire protection agency may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase of the project.
- Prohibit certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service for the project site location. Example activities that should be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings.
- Require fire extinguishers to be on site during construction of projects. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction personnel shall receive training on the proper methods of using a fire extinguisher.
- Encourage the use of external sprinklers for new development mapped within Very High Fire Hazard Severity Zones.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2045 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt them. With implementation of this mitigation, the risk of loss of structures and transportation infrastructure and the risk of injury or death due to wildfires would be reduced. These measures would make structures and transportation infrastructure more fire resistant and less vulnerable to loss in the event of a wildfire. These measures would also reduce the potential for construction of 2045 MTP/SCS projects to inadvertently ignite a wildfire. However, it is possible that mitigation measures will not prevent a significant risk of wildfires or fully protect people and structures from the risks of wildfires in all cases. Thus, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.17-14 through 4.17-19 of the Final EIR.

VI. FINDINGS REGARDING ALTERNATIVES

A. LEGAL REQUIREMENTS FOR ALTERNATIVES

Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives…which would substantially lessen the significant environmental effects of such projects." "Feasible" means "capable of being accomplished in a reasonable period of time taking into account economic, environmental, legal, social and technological factors" (CEQA Guidelines Section 15364). The concept of feasibility also encompasses whether a particular alternative promotes the project's underlying goals and objectives, and whether an alternative is impractical or undesirable from a policy standpoint. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.)

The issue of alternatives feasibility arises twice in the CEQA process, once when the EIR is prepared, and again when CEQA findings are adopted. When assessing feasibility in an EIR, the EIR preparer evaluates whether an alternative is "potentially" feasible. Potentially feasible alternatives are suggestions by the EIR preparers which may or may not be adopted by lead agency decision makers. When CEQA findings are made after EIR certification, the lead agency decision making body independently evaluates whether the alternatives are actually feasible, including whether an alternative is impractical or undesirable from a policy standpoint. (See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.)

If a significant impact can be substantially lessened (i.e., mitigated to a less than significant level) by adoption of mitigation measures, lead agency findings need not consider the feasibility of alternatives to reduce that impact. (See *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515.) Nevertheless, Section 7.0 of the EIR and these Findings of Fact do consider the ability of potentially feasible alternatives to substantially reduce all of the project's significant impacts, even those impacts reduced to less-than-significant levels through adoption of mitigation measures.

An EIR must only evaluate reasonable alternatives to a project that could feasibly attain most of the project objectives and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6(a)). In all cases, the consideration of alternatives is governed by the "'rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." (CEQA Guidelines Section 15126.6(f)). In accordance with Section 15126.6(f)(1) of the Guidelines, among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative does not provide substantial advantages over the proposed project; and (1) through the imposition of mitigation measures the environmental effects of a project can be

reduced to an acceptable level, or (2) there are social, economic, technological, or other considerations that make the alternative infeasible. (Pub. Res. Code Section 21002, 21002.1; CEQA Guidelines Section 15092.)

The proposed 2045 MTP/SCS alternatives were selected for review in the EIR because of their potential to avoid or substantially lessen certain project impacts, or because they were required under CEQA Guidelines (e.g., the No project alternative). The alternatives are described in more detail in Chapter7 of the 2045 MTP/SCS Final EIR.

The three alternatives considered for the proposed 2045 MTP/SCS are:

- Alternative 1: No Project Alternative, which is comprised of a land use pattern that reflects existing land use trends and a transportation network comprised of transportation projects that are currently in construction or are funded in the short range Metropolitan Transportation Improvement Program (MTIP);
- Alternative 2: Alternative Transportation Modes, which includes the same land use pattern as the 2045 MTP/SCS and prioritizes pedestrian, bicycle, and transit projects; and
- Alternative 3: Infill and Transit Focus, which includes a more compact land use pattern and increased use of regional and interregional transit. Alternative 3 was determined to be environmentally superior to the proposed 2045 MTP/SCS. However, all of the alternatives are rejected for the reasons stated below in Section VI.C.

B. PROJECT OBJECTIVES

An EIR must only evaluate reasonable alternatives to a project that could feasibly attain most of the project objectives and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6(a)). The primary objective of the 2045 MTP/SCS is to comply with applicable regulatory requirements, including California Transportation Commission Guidelines and SB 375 regional GHG reduction targets. AMBAG's specific objectives for the 2045 MTP/SCS are to additionally ensure that the transportation system planned for the AMBAG region accomplishes the following:

- Serves regional goals, objectives, policies, and plans.
- Responds to community and regional transportation needs.
- Promotes energy efficient, environmentally sound modes of travel and facilities and services.
- Promotes equity and efficiency in the distribution of transportation projects and services.

C. FINDINGS ON ALTERNATIVES EVALUATED IN THE EIR

1. No Project Alternative (Alternative #1)

a. Description – The No Project Alternative assumes that the transportation network would be comprised of committed transportation projects fully programmed through construction included in the AMBAG's Fiscal Years 2020-2021 to 2023-2024 Metropolitan Transportation Improvement Program MTIP only (AMBAG 2021). The growth in population, jobs, and homes would be the same as the growth forecast for the proposed 2045 MTP/SCS. This alternative assumes the same housing and employment growth as the 2045 MTP/SCS, but that growth would occur based on existing land use trends in the

AMBAG region as opposed to more compact development envisioned by the 2045 MTP/SCS.

b. Findings and Rationale – The No Project Alternative would result in a less dense development pattern compared to the 2045 MTP/SCS, with this alternative continuing existing land use trends. Because of the increased land development outside of existing urbanized areas, the No Project Alternative would result in more ground disturbance than the 2045 MTP/SCS. Consequently, compared to the 2045 MTP/SCS, the No Project Alternative would have greater overall impacts to aesthetics and visual resources, agricultural and forestry resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use, noise, transportation, tribal cultural resources, and wildfire. It would have similar impacts as the 2045 MTP/SCS to energy, greenhouse gas emissions, hazards and hazardous materials, population and housing, and public services, recreation, and utilities. Please refer to pages 7-5 through 7-14 of the Final EIR.

The AMBAG Board of Directors finds that specific economic, financial, legal, social, technological or other considerations make the No Project Alternative infeasible and rejects this alternative for the following reasons. The No Project Alternative is legally infeasible because it would not meet federal and state legal requirements for RTPs, and would not meet the SB 375 requirement for preparation of an SCS. Also, it would not reduce any of the project's significant impacts to less than significant levels, would increase many of these impacts, and would not meet basic objectives of the proposed 2045 MTP/SCS listed in Section VI.B.

2. Alternative Transportation Modes Alternative (Alternative #2)

a. Description – The Alternative Transportation Modes Alternative was designed to reduce VMT by providing or promoting alternative transportation modes in advance of or in conjunction with projected population and employment growth in the AMBAG region through 2045. Alternative transportation includes walking, bicycling, and transit. This alternative assumes the same growth in population, jobs, and housing numbers, and the same land use pattern, as the 2045 MTP/SCS. However, unlike the 2045 MTP/SCS, this alternative focuses on prioritizing transportation investments toward all alternative modes of transportation projects first, such as local transit projects and active transportation projects. Active transportation projects would include construction of bicycle lanes and bicycle/pedestrian amenities. The goal of this alternative is to build these projects first and to use as much of the transportation funding available for these alternative transportation modes projects. Under this alternative, investment would be focused on closing transit gaps by enhancing local transit bus service rather than interregional or long-distance services. This alternative includes more than $1.4 billion more funding for active transportation and transit projects than the proposed 2045 MTP/SCS. These include active transportation projects that were not included in the proposed 2045 MTP/SCS as well as additional local bus, bus rapid transit, and light rail

projects. This alternative includes fewer local streets and roads and highway projects than the proposed 2045 MTP/SCS.

b. Findings and Rationale – Alternative 2 would result in the same development pattern as the 2045 MTP/SCS.. As shown in Table 7-7 of the Final EIR, Alternative 2 would result in mostly similar impacts, with some reduced impacts related to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, and tribal cultural resources. Please refer to pages 7-14 through 7-26 of the Final EIR.

The AMBAG Board of Directors finds that specific economic, financial, legal, social, technological or other considerations make the Alternative Transportation Modes Alternative infeasible and rejects this alternative for the following reasons. It would not reduce any of the project's significant impacts to less than significant levels, and would not meet project mobility goals, which help achieve the basic objectives of the proposed 2045 MTP/SCS listed in Section VI.B. Specifically, the Alternative Transportation Modes Alternative would increase truck delay, and substantially increase congested VMT in the AMBAG region. The inability to meet project mobility goals also makes this alternative undesirable from a policy standpoint.

3. Infill and Transit Focus Alternative (Alternative #3)

a. Description – The Infill and Transit Focus Alternative was designed to reduce VMT by locating the places where people work and live within urban centers and close to regional transit. This alternative assumes the same total growth in population, jobs, and housing numbers as the 2045 MTP/SCS, but with more compact and mixed land uses. Overall, this alternative incorporates less dispersed land use and development than the proposed MTP/SCS. This alternative includes a more compact growth footprint and increased use of regional and interregional transit service to generate an increase in regional and interregional transit ridership and corresponding decrease in VMT. For instance, this alternative relies on a higher amount of housing, especially near regional and interregional transit, than the market currently supports. This alternative also assumes increased telecommuting for those industries where telecommuting is feasible, such as in financial and professional services and/or public sector jobs. This alternative assumes more investment ($2.2 billion) in transit infrastructure and services and less investment in local streets, roads, and highways compared to the proposed 2045 MTP/SCS.

b. Findings and Rationale –Alternative 3 is the environmentally superior alternative, assuming all environmental issue areas are weighted equally. Under Alternative 3, land use patterns would be concentrated in infill and TOD areas. Alternative 3 would result in a higher density development pattern than the 2045 MTP/SCS. Alternative 3 could be considered environmentally superior to the 2045 MTP/SCS primarily because, as shown in Table 7-7 of the Final EIR, overall impacts to the following resources would be less: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural

resources, energy, geology and soils, and tribal cultural resources. GHG emissions and VMT would also decrease under this alternative, though this decrease would be negligible (less than a one percent change). Please refer to pages 7-26 through 7-36 of the Final EIR.

The AMBAG Board of Directors finds that specific economic, financial, legal, social, technological or other considerations make the Infill and Transit Focus Alternative infeasible and rejects this alternative for the following reasons. It would not reduce any of the project's significant impacts to less than significant levels, and would not meet project mobility goals, which help achieve the basic objectives of the proposed 2045 MTP/SCS listed in Section VI.B. Specifically, the Infill and Transit Focus Alternative would increase truck delay, and substantially increase congested VMT in the AMBAG region. The inability to meet project mobility goals also makes this alternative undesirable from a policy standpoint. Lastly, Alternative 3 is not feasible because AMBAG does not have land use authority and cannot require local agencies to make major changes to their general plans that would be required in order for Alternative 3 to be implemented.

D. FINDINGS ON ALTERNATIVES CONSIDERED IN THE EIR BUT REJECTED

Section 7.2 of the Final EIR describes two alternatives that were considered but rejected from detailed consideration: an Aggressive VMT Reduction Alternative and a Road Pricing Alternative. The AMBAG Board of Directors adopts and incorporates by reference the specific reasons for rejecting these alternatives contained in Final EIR Section 7.2 as the grounds for rejecting these measures.

VII. FINDINGS REGARDING ALTERNATIVES AND MITIGATION MEASURES PROPOSED IN DRAFT EIR COMMENTS.

Some comments on the Draft EIR suggested additional mitigation measures and/or alternatives to the project. In response to Draft EIR comments, some mitigation measures were revised, including Mitigation Measures BIO-3(a).

However, where the suggestions requested minor modifications or variations in adequate mitigation measures or alternatives or components of alternatives analyzed in the Draft EIR, or requested mitigation measures or alternatives that were too vague or speculative to be addressed, these requests were declined as unnecessary. Similarly, suggestions that were specific to individual transportation improvement projects included in the 2045 MTP/SCS were declined because the EIR is a programmatic-level analysis of the 2045 MTP/SCS in its entirety, and individual projects would undergo separate future environmental review. The AMBAG Board of Directors adopts and incorporates by reference the specific reasons for declining such measures or alternatives contained in the responses to comments in the Final EIR as one ground for rejecting these measures. The responses to comments are provided as Appendix H to the Final EIR.

Additionally, certain alternatives and mitigation measures suggested in Draft EIR comments ostensibly could reduce impacts, but implementation of these mitigation alternatives and mitigation measures would be infeasible. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations make infeasible the following project alternatives and mitigation measures identified in the Final EIR, for the reasons explained below. For supporting evidence, see the responses to comments on these rejected alternatives and mitigation measures set forth in Appendix H to the Final EIR

A. FINDINGS ON COMMENTERS' SUGGESTED PROJECT ALTERNATIVES

1. Campaign for Sensible Transportation: Comment 6.22

This comment states that Alternative 2 and Alternative 3 evaluated in the Draft EIR should be combined into a single alternative that would further reduce GHG emissions and substantially help to meet State GHG reduction goals.

Findings and Rationale – The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations make infeasible the alternative(s) to the project suggested above. It is not possible for AMBAG to develop a feasible alternative to the proposed 2045 MTP/SCS that would achieve the GHG reductions goals of State policies and initiatives, such as SB 32 and EO-S-3-05. See Final EIR Response 6.22 for a detailed explanation of this finding, which is summarized below.

As shown in Table 4.8-2 on page 4.8-17 of the Draft EIR, the majority of GHG emissions in the AMBAG region in 2045, regardless of the potential implementation of the 2045 MTP/SCS, would be from emissions related to land development and growth. AMBAG has no authority to adopt local land use General Plans or land use regulations, or approve local land use

projects that would further reduce GHG emissions. SB 375 specifically provides that nothing in SB 375 supersedes the land use authority of cities and counties, and that cities and counties are not required to change their land use plans and policies, including general plans, to be consistent with MTP/RTP or SCS (Government Code Section 65080(b)(2)(K). Local governments are the main agencies responsible for mitigation of the impacts of land use plans and projects that implement the SCS, and AMBAG has no concurrent authority to mitigate the impacts of land use plans and projects, including GHG emissions impacts, as described on page 4-2 of the Draft EIR.

Regarding mobile source GHG emissions created by increased VMT, it is highly unlikely that any feasible alternative could avoid an increase in VMT above existing conditions in 2045, due to factors unrelated to discretionary approvals, such as population growth in the region. See Section V of these Findings of Fact. Therefore, it is highly unlikely that any feasible alternative could avoid an increase in mobile source GHG emissions above existing conditions in 2045. Implementation of an MTP/SCS alternative that substantially reduces mobile source GHG emissions is also considered infeasible because such an alternative would likely require major changes in land use policies, parking policies, transit funding, road pricing, and vehicle fuels and technology that are beyond AMBAG's ability to implement.

Regarding a new alternative that is a combination of Alternative 2 and Alternative 3, the commenter provides insufficient detail on how these two alternatives should be combined to form a new alternative that would reduce GHG more than either Alternative 2 or Alternative 3, alone. Neither Alternative 2 nor Alternative 3 substantially reduce GHG emissions compared to the proposed project, and so it is unclear how combining the two alternatives would result in substantial reductions in GHG emissions. Additionally, the EIR only need evaluate a range of alternatives, not every conceivable permutation of alternatives. The Final EIR already evaluates Alternative 2 and Alternative 3, and therefore it is unnecessary to evaluate another similar alternative that would be a combination of these two alternatives.

Additionally, using its RTDM, AMBAG modeled a modified version of Alternative 3, referred to as Alternative 3A at the suggestion a different commenter than the Campaign for Sensible Transportation. Although Alternative 3A is a modified version of Alternative 3, the modifications incorporate some aspects of Alternative 2. In other words, Alternative 3A is representative of a combination of Alternative 3 and Alternative 2. As discussed below, Alternative 3A would not substantially decrease GHG emissions. Accordingly, an alternative consisting of a combination of Alternative 2 and Alternative 3 in the Draft EIR would not reduce the significance of GHG impacts as suggested by the commenter. This alternative suggested by the commenter was not analyzed in the EIR because it is similar to alternatives already evaluated in the EIR, fails to meet some objectives of the project, and is not environmentally superior.

2. Land Watch Monterey County: Comment 7.4

This comment suggests several modifications to Alternative 3, including increasing the amount of money allocated toward transportation projects and placing more emphasis on bus rapid transit projects rather than rail projects. The commenter suggests these modifications as a way to achieve reduced VMT impacts compared to the proposed project while also better meeting the 2045 MTP/SCS objective of improving freight mobility.

Findings and Rationale – The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations make infeasible the alternative to the project suggested above. An EIR must discuss alternatives to a project in its entirety but is not required to discuss alternatives to each particular component of a project (see *California Oak Foundation v. Regents of University of California* (2010) 188 Cal.App.4th 227, 276-277). Therefore, an alternative to the 2045 MTP/SCS that would address only freight mobility projects and bus rapid transit is not required by CEQA. In addition, this suggested alternative would was rejected because it would result in greater VMT impacts than the proposed project and other alternatives evaluated in the Draft EIR, is similar to an alternative (Alternative 3) already evaluated in the EIR, and fails to meet some objectives of the project which makes it undesirable on policy grounds. In addition, the funding needed to implement an alternative such as Alternative 3A is infeasible given limits and restrictions on types of investments/improvements funded by transportation funding programs; many transportation funds are limited in scope to funding certain capital investments or modes of transportation.

AMBAG modeled the commenter's suggested modifications to Alternative 3 using its RTDM. For purposes of the Final EIR, AMBAG referred to this potential alternative as "Alternative 3A." Based on the RTDM output, the commenter's suggested Alternative 3A would increase transit ridership by approximately 1.5 percent compared to the proposed project and by approximately 0.2 percent compared to Alternative 3. This is expected given that the suggested modifications emphasizes bus rapid transit projects. However, the suggested modifications in Alternative 3A would also increase daily hours of truck delay compared to the proposed project. The increase would be approximately 197 daily hour of truck delay compared with the proposed project, which would also be a slight decrease of approximately 34 hours compared to Alternative 3. Thus, the commenter's suggested Alternative 3A would not better achieve freight mobility objectives compared with Alternative 3 as it is evaluated in the EIR.

Additionally, compared to both the 2045 MTP/SCS and Alternative 3, the commenter's suggested modifications would increase VMT, thereby slightly increasing the severity of VMT impacts rather than reducing impacts.

Additionally, Alternative 3A would also not substantially decrease GHG emissions, regardless of whether emissions are quantified as a total or per capita. Per capita GHG emissions from the full vehicle fleet would be 12.7 if the 2045 MTP/SCS is implemented and 12.8 if Alternative 3A is implemented, which is a negligible increase of approximately 0.1.

Accordingly, the modifications to Alternative 3 suggested by the commenter, which is presented here as Alternative 3A, would not substantially reduce GHG emissions compared with the proposed project, and impacts would be similar.

3. Jack Nelson: Comment 8.2

This comment states that Alternative 2 and Alternative 3 evaluated in the Draft EIR should be combined into a single alternative that would further reduce GHG emissions and substantially help to meet State GHG reduction goals.

Findings and Rationale – The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations make infeasible the alternative to the project suggested above. Please see Section VII.a1 of these Findings of Fact for an explanation as to why an MTP/SCS alternative that would achieve deep regional reductions in GHG emissions consistent with State GHG reduction goals is infeasible for AMBAG to implement, including through a combination of Alternative 2 and Alternative 3 in the EIR.

B. FINDINGS ON COMMENTERS' SUGGESTED MITIGATION MEASURES

1. Center for Biological Diversity: Comment 4.2

This comment suggests additional mitigation be provided to reduce the adverse impacts of the 2045 MTP/SCS on mountain lions, including by designing projects to allow passage of mountain lions; reducing or eliminating conflicts with mountain lions; directing exterior lights aways from open space areas; limiting noise; securing domestic animals; and reducing the risk of wildfire ignition and spread.

Findings and Rationale – The AMBAG Board of Directors finds that specific economic, legal, social, and technological, or other considerations make infeasible portions of the mitigation measure suggested above. The commenter's suggestion to include mitigation measures that reduce conflicts with mountain lions, including measures to reduce noise conflicts, light pollution conflicts, and conflicts with domestic animals, are closely correlated with circumstances of specific projects, such as the type of lighting proposed for a project or the project location in proximity to mountain lion habitat. The EIR is a programmatic analysis of impacts of the 2045 MTP/SCS and does not provide project level analysis or mitigation measures, generally because individual projects are not yet designed to a level allowing a detailed analysis. Additionally, the EIR already contains mitigation measures that would achieve the same outcome or effects as the suggested mitigation, such as reducing light pollution, preventing excessive noise, and reducing wildlife risks. However, in response to this comment, Mitigation Measure BIO-3(a) on page 4.4-47 of the Draft EIR has been revised to include the following language:

"Vegetative buffers, consisting of California native plant and tree species, shall be installed where feasible to provide a natural noise barrier between roadway projects and sensitive

wildlife habitat, including movement corridors. The buffer shall be maintained in perpetuity to ensure noise levels from the roadway are minimized within adjacent sensitive habitat."

Other components of the comment are outside the control of AMBAG. For example, AMBAG and the RTPAs are unable to control whether domesticated animals are permissible in areas or on property they do not own. Animal husbandry and domestication is generally regulated through local zoning codes and ordinances, which AMBAG does not control or administer.

2. Center for Biological Diversity: Comment 4.16

This comment suggests an additional mitigation measure which requires the lead agency to design projects to include multiple connections between wildlife habitat patches and ensure wildlife passage for projects.

Findings and Rationale – The AMBAG Board of Directors finds that specific economic, legal, social, and technological, or other considerations make infeasible portions of the mitigation measure suggested above. The comment provides insufficient detail to develop additional mitigation measure or measures because the commenter gives no examples or suggestions of mitigation or actions that could be taken to connect habitat patches. However, in response to this comment, the fourth bullet point under Mitigation Measure BIO-3(a) on page 4.4-47 of the Draft EIR has been revised to include the following language:

"If fencing or other project components must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures such as overpasses, underpasses, culverts, etc., shall be incorporated into the project design as appropriate; and…"

VIII. FINDINGS ON RESPONSES TO COMMENTS ON THE DRAFT EIR AND REVISIONS TO THE FINAL EIR

Findings and Rationale – Appendix H of the Final EIR includes the comments received on the Draft EIR and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines Section 15088(b). The Final EIR also incorporates information obtained and produced after the Draft EIR was completed, including additions, clarifications and modifications. The AMBAG Board of Directors has reviewed and considered the Final EIR and all information that was added to the Draft EIR.

The AMBAG Board of Directors finds that responses to comments made on the Draft EIR and revisions to the Final EIR merely clarify, amplify or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate the Draft EIR per CEQA Guidelines Section 15088.5(b). None of the comments made on the Draft EIR or revisions to the Final EIR constitute "significant new information," as defined in CEQA Guidelines Section 15088.5(b), that would trigger Draft EIR recirculation.

IX. FINDINGS ON CUMULATIVE IMPACTS

A. INTRODUCTION

Section 6.4 of Chapter 6 of the Final EIR includes an analysis of direct, indirect and cumulative impacts of the proposed project, as required by CEQA.

The 2045 MTP/SCS addresses cumulative conditions within the AMBAG region by design. The Plan area is comprised of 3.3 million acres and includes three counties and 18 cities. It integrates transportation investments with land use strategies for an entire region of the state that shares, or is connected by, common economic, social, and environmental characteristics. As such, the regional environmental analysis of the 2045 MTP/SCS presented throughout the EIR is essentially a cumulative analysis consistent with CEQA requirements. Furthermore, this Draft EIR contains detailed analysis of regional (cumulative) impacts, which are differentiated from localized impacts that may occur at the county level.

In Chapter 6.4, thresholds of significance for cumulative impacts are the same as those for direct, project-specific impacts, as authorized by CEQA case law. (See *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059.) When project-specific impacts are judged to be significant, the EIR considers them to be "cumulatively considerable" incremental contributions to significant cumulative impacts. (See CEQA Guidelines Section 15130(a).). Mitigation measures adopted for project-specific impacts in Sections IV and V of these Findings of Fact also are feasible measures for mitigating the proposed project's incremental contribution to significant cumulative effects. (See CEQA Guidelines Section 15130(b)(5).)

B. FINDINGS FOR SIGNIFICANT CUMULATIVE IMPACTS FOR WHICH PROJECT'S INCREMENTAL CONTRIBUTION HAS NOT BEEN MITIGATED TO LESS THAN SIGNIFICANT LEVELS

For the following impacts, the AMBAG Board of Directors hereby finds that in Section V of these Findings of Fact, mitigation measures have been identified in the EIR that will reduce the proposed project's incremental contribution to the following significant cumulative impacts, but not to a less than significant (i.e., less than cumulatively considerable) level. The significant impacts and the mitigation measures that will reduce them, but not to a less than cumulatively considerable level are as follows:

1. **Impact AES-C-1.** Development in the Cumulative Impact Analysis Area would affect night sky lighting and degrade existing visual character. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable.

    a. **Mitigation** – Mitigation Measures AES-1(a), AES-1(b), AES-2, and AES-3(a), AES-3(b), and AES-3(c)

    b. **Findings and Rationale** – The combination of forecasted development in the AMBAG region and planned development in neighboring counties will result in a different visual environment than currently exists. The cumulative impacts from development in the cumulative impact analysis on night sky lighting and visual character are considered

significant, and the contribution of the 2045 MTP/SCS to these impacts is cumulatively considerable. Implementation of Mitigation Measures AES-1(a), AES-1(b), AES-2, and AES-3(a), AES-3(b), and AES-3(c) would reduce potential impacts to aesthetic resources. However, even with implementation of mitigation measures, impacts would be significant and would be cumulatively considerable, and therefore significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 6-10 through 6-11 of the Final EIR.

2. **Impact AG-C-1.** Development in the Cumulative Impact Analysis Area would result in conversion of agricultural land to non-agricultural uses. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable.

   a. **Mitigation** – Mitigation Measure AG-1

   b. **Findings and Rationale** – Future development within the cumulative impact analysis area would convert agricultural land to non-agricultural uses and may result in conflicts with agricultural zoning and Williamson Act contracts. In addition, future development adjacent to agricultural land has the potential to result in a loss of farmland due to land use conflicts, which adds to the cumulative conversion of agricultural lands, including areas designated as Important Farmland by the FMMP. Cumulative impacts to agricultural resources would be significant. Implementation of Mitigation Measure AG-1 would reduce the contribution of the proposed 2045 MTP/SCS to cumulative agricultural land impacts. However, the mitigation would not ensure that the future land use development pattern and transportation projects could feasibly relocate or realign to avoid impacts, and impacts would remain significant and unavoidable. The contribution of the proposed 2045 MTP/SCS to cumulative impacts would therefore remain cumulatively considerable post-mitigation, and therefore significant and unavoidable.

   c. **Supportive Evidence** – Please refer to pages 6-11 through 6-12 of the Final EIR.

3. **Impact AQ-C-1.** Development in the Cumulative Impact Analysis Area would result in an increase of regional PM_{10} emissions and would expose sensitive receptors to diesel particulates and toxic air contaminants. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable.

   a. **Mitigation** – Mitigation Measures AQ-1 through AQ-5

   b. **Findings and Rationale** – Future development within the cumulative impact analysis area would generate cumulative construction emissions that could impact air quality. Given existing air pollution conditions in surrounding areas, the 2045 MTP/SCS would have a cumulatively considerable contribution to regional air quality impacts. Implementation of Mitigation Measures AQ-1 through AQ-5 would reduce the contribution to cumulative air quality impacts. However, the 2045 MTP/SCS contribution would remain cumulatively considerable, and therefore significant and unavoidable, after mitigation because PM10 emissions reductions cannot be guaranteed.

c. **Supportive Evidence** – Please refer to pages 6-12 through 6-13 of the Final EIR.

4. **Impact BIO-C-1.** Development in the Cumulative Impact Analysis Area would have substantial adverse impacts on special-status plant and animal species, sensitive natural communities, and interfere with wildlife movement. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable.

   a. **Mitigation** – Mitigation Measures BIO-1 through BIO-5 set requirements for surveys and actions to be taken if biological resources have potential to be impacted by the 2045 MTP/SCS transportation and land use projects.

   b. **Findings and Rationale –** Biological resources impacts resulting from cumulative development within the cumulative impact analysis area would include direct and indirect impacts to sensitive/special-status species or their habitat; impacts to riparian, wetland, or other sensitive natural communities; or interference with wildlife movement. Given the extent of future development anticipated in the cumulative impact analysis area, these cumulative impacts would likely be significant. Due to the potential direct and indirect impacts that may occur as a result of the 2045 MTP/SCS, the proposed 2045 MTP/SCS contribution to this impact would be cumulatively considerable. Mitigation Measures BIO-1 through BIO-5 would reduce impacts, but impacts would remain significant and unavoidable. The contribution of the proposed 2045 MTP/SCS to cumulative impacts would therefore remain cumulatively considerable, and therefore significant and unavoidable, post-mitigation.

   c. **Supportive Evidence** – Please refer to pages 6-13 through 6-14 of the Final EIR.

5. **Impact CR-C-1.** Implementation of the proposed transportation improvements and the land use scenario envisioned under the 2045 MTP/SCS would cause substantial impacts to known and unknown cultural, historical, or archaeological resources. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable.
   a. **Mitigation** – Mitigation Measures CR-1, CR-2(a), and CR-2(b)

   b. **Findings and Rationale** – Cumulative impacts to known and unknown cultural, historical, or archaeological resources would be significant, and the 2045 MTP/SCS contribution to them would be cumulatively considerable. Mitigation Measures CR-1, CR-2(a), and CR-2(b) would reduce impacts associated with 2045 MTP/SCS projects through impact minimization for historical and archaeological resources. However, it cannot be guaranteed that all future project level impacts can be mitigated to a less than significant level. As such, the 2045 MTP/SCS contribution would remain cumulatively considerable, and therefore significant and unavoidable, after mitigation.

   c. **Supportive Evidence** – Please refer to page 6-14 of the Final EIR.

6. **Impact GEO-C-1.** The 2045 MTP/SCS would have cumulatively considerable contributions to significant cumulative impacts related to paleontological resources.

a. **Mitigation** –Mitigation Measure GEO-5.

b. **Findings and Rationale** – The 2045 MTP/SCS could cause a substantial adverse change in or disturb known and unknown paleontological resources and would therefore result in a cumulatively considerable contribution to the significant impact. Mitigation measures outlined in Section 4.7, *Geology and Soils,* would reduce paleontological resource impacts associated with 2045 MTP/SCS projects. However, the 2045 MTP/SCS contribution would remain cumulatively considerable after mitigation because it cannot be guaranteed that all future project level impacts can be mitigated to a less than significant level. As such, the 2045 MTP/SCS contribution to cumulative impacts to paleontological resources would be cumulatively considerable, and therefore significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 6-15 through 6-17 of the Final EIR.

7. **Impact GHG-C-1.** Development in the cumulative impacts analysis area, as well as projects implementing the 2045 MTP/SCS, would generate temporary short-term GHG emissions which would resulting in a significant cumulative impact, and the 2045 MTP/SCS contribution would be cumulatively considerable. Total operational GHG emissions would not result in a significant cumulative impact. Implementation of the 2045 MTP/SCS would have a cumulatively considerable contribution to a significant cumulative impact related to exceeding State GHG reduction targets.

   a. **Mitigation** –Mitigation Measures GHG-1, GHG-4(a), and GHG-4(b)

   b. **Findings and Rationale—** Construction activities associated with transportation improvement projects and future land use projects envisioned by the 2045 MTP/SCS would generate temporary GHG emissions. Construction-related GHG emissions of the 2045 MTP/SCS would be significant, even after implementation of Mitigation Measure GHG-1. Therefore, when construction emissions are combined with other ongoing emissions, the cumulative impact would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable. The transportation projects and land use scenario envisioned in the 2045 MTP/SCS would also generate operational GHG emissions. Implementation of Mitigation Measure GHG-4(a), transportation-related greenhouse gas reduction measures, and Mitigation Measures GHG-4(b), project level energy consumption and water use reduction, would reduce impacts related to GHG emissions. Overall, implementation of the 2045 MTP/SCS would reduce total region wide mobile and land use emissions compared to existing conditions, so the cumulative impact of total GHG emissions would not be significant. Other ongoing land uses and operation of future development in the cumulative impact analysis area would also generate GHG emissions. Combined, the GHG emissions from operational activities in the cumulative impact analysis area could exceed State reduction targets; the resulting cumulative impact would be significant, the 2045 MTP/SCS would have a cumulatively considerable contribution to this cumulative impact, both pre- and post- mitigation, and therefore the cumulative impact would be significant and unavoidable.

c. **Supportive evidence**-- Please refer to pages 6-17 through 6-18 of the Final EIR.

8. **Impact HAZ-C-1.** Development in the cumulative impacts analysis area, as well as projects implementing the 2045 MTP/SCS, could result in hazards and exposure to hazardous materials. the 2045 MTP/SCS would have cumulatively considerable contributions to significant cumulative impacts related to hazards and hazardous materials.

   a. **Mitigation** –Mitigation Measure HAZ-3

   b. **Findings and Rationale** – Land use development envisioned as part of the 2045 MTP/SCS could result in the development of sites listed in environmental databases pursuant to Government Code Section 65962.5. Although development of listed sites would be required to undergo remediation and comply with Mitigation Measure HAZ-3, cumulative impacts related to hazards and hazardous materials would be significant and implementation of the 2045 MTP/SCS would result in cumulatively considerable, and therefore significant and unavoidable, impacts.

   c. **Supportive Evidence** – Please refer to page 6-18 of the Final EIR.

9. **Impact N-C-1.** Development in the cumulative impact analysis area would result in Cumulative significant and unavoidable impacts related to construction and operational noise and excessive noise in proximity to airports. The 2045 MTP/SCS contribution to cumulative impacts would be cumulatively considerable.

   a. **Mitigation** – Mitigation Measures N-1, N-2, N-3, N-4, N-5

   b. **Findings and Rationale** – Construction noise resulting from either the transportation projects or the land use scenario could combine with other ongoing noise or additional construction noise within the AMBAG region, resulting in localized construction noise levels exceeding local standards. Cumulative impacts of construction noise would be significant. Implementation of Mitigation Measure N-1 would reduce some construction noise impacts; however, the 2045 MTP/SCS contribution to the cumulative impact would be cumulatively considerable, and therefore significant and unavoidable.

   c. **Supportive Evidence** – Please refer to pages 6-21 through 6-23 of the Final EIR.

10. **Impact PSU-C-1.** Development in the cumulative impact analysis area would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental effects. The 2045 MTP/SCS contribution to cumulative impacts would be cumulatively considerable.

    a. **Mitigation** – Mitigation Measures PSU-1, PSU-2, PSU-3, PSU-4

b. **Findings and Rationale** – Future transportation improvements and land use projects throughout the cumulative impact analysis area would require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which would cause significant environmental effects. This development would also generate solid waste in excess of the capacity of local infrastructure and increase water demand in the AMBAG region such that water supplies may be insufficient to serve envisioned development. Cumulative impacts to public services, recreation, and utilities would be cumulatively considerable pre- and post-mitgation, and therefore the cumulative impact would be significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 6-24 through 6-25 of the Final EIR.

11. **Impact TRA-C-1.** Development in the cumulative impact analysis area would result in significant and unavoidable increase in daily VMT per capita from baseline 2020 conditions. The 2045 MTP/SCS contribution to cumulative impacts would be cumulatively considerable.

    a. **Mitigation** – No mitigation measures are feasible

    b. **Findings and Rationale** – Per capita VMT in the cumulative impact area would be unlikely to reach 15 percent below existing VMT per capita by 2035 due to increased VMT in the region even without implementation of the 2045 MTP/SCS. The implementation of project-level VMT-reducing measures such as mixed uses and TOD may not be feasible and cannot be guaranteed on a project by project basis. Regional VMT reduction programs, such as VMT banks, may also not be feasible as there are no procedures or policies in place to establish such programs. Thus, cumulative impacts on VMT would be significant and the 2045 MTP/SCS contribution to VMT impacts in adjoining areas would be cumulatively considerable, and therefore significant and unavoidable.

    c. **Supportive Evidence** – Please refer to pages 6-25 through 6-26 of the Final EIR.

12. **Impact TCR-C-1.** Development in the cumulative impact analysis area could result in significant impacts to tribal cultural resources that would result in a significant cumulative impact. The 2045 MTP/SCS contribution to this impact would be cumulatively considerable.

    a. **Mitigation** – Mitigation Measure TCR-1

    b. **Findings and Rationale** – Development in the AMBAG area would increase under the 2045 MTP/SCS by increasing mobility and growth. The increase in growth in previously undisturbed areas contributes to regional impacts on tribal cultural resources. If there may be tribal cultural resources at the location of a project site, tribal consultation in accordance with AB 52 would help ensure protection of tribal cultural resources. However, tribal territory often crosses the boundaries of multiple jurisdictions within and outside of the AMBAG region, and there could be several minor impacts to tribal cultural

resources that together would result in a significant cumulative impact. The cumulative impact would be significant, and the overall contribution of the 2045 MTP/SCS to significant cumulative tribal cultural resources impacts would be cumulatively considerable, and therefore significant and unavoidable, despite implementation of Mitigation Measure TCR-1.

c. **Supportive Evidence** – Please refer to pages 6-26 through 6-27 of the Final EIR.

13. **Impact W-C-1.** Development in the cumulative impact analysis area could be located in or near a state responsibility area or a very high fire hazard severity zone. As significant risk of loss, injury, or death could occur, impacts related to wildfire would be significant. The 2045 MTP/SCS contribution to this impact would be cumulatively considerable.

    a. **Mitigation** – Mitigation Measure W-1

    b. **Findings and Rationale** – The combination of cumulative projects being constructed concurrently could substantially increase the frequency of fire in the area above natural conditions. Cumulative impacts would be significant. Implementation of Mitigation Measure W-1 would minimize the contribution to this cumulative impact. However, the overall cumulative increase in fire frequency would continue to be substantial and impacts for risks exacerbated by construction and from the aftermath of wildfires would remain cumulatively considerable, and therefore significant and unavoidable.

    c. **Supportive Evidence** – Please refer to pages 6-27 through 6-28 of the Final EIR.

X. STATEMENT OF OVERRIDING CONSIDERATIONS

The AMBAG Board of Directors adopts and makes this statement of overriding considerations concerning the project's unavoidable significant impacts to explain why the project's benefits override and outweigh its unavoidable impacts.

The EIR has identified and discussed significant effects that may occur as a result of the project. As set forth in these CEQA Findings, AMBAG has made a reasonable and good faith effort to eliminate or substantially mitigate the significant impacts resulting from the project and has made specific findings on each of the project's significant impacts and on mitigation measures and alternatives. With implementation of the mitigation measures discussed in the EIR, many of the project's effects cannot be mitigated to a level of less than significant. Even with implementation of all feasible mitigation, the project will result in significant and unavoidable impacts as follows:

1. Implementation of the 2045 MTP/SCS would alter views of scenic vistas or substantially damage scenic resources along designated scenic corridors, including state scenic highways. (Impact AES-1)
2. Implementation of the 2045 MTP/SCS would substantially degrade existing visual character in the AMBAG region. (Impact AES-2)
3. Implementation of the 2045 MTP/SCS would create new sources of substantial light and

glare that would adversely affect day or nighttime views in the area. (Impact AES-3)

4. Implementation of the 2045 MTP/SCS could directly or indirectly convert Important Farmland to non-agricultural uses or conflict with agricultural zoning or Williamson Act contracts. (Impact AG-1)
5. Implementation of the 2045 MTP/SCS would create dust and ozone precursor emissions and violate air quality standards, contribute substantially to existing or projected air quality violations, or result in a cumulatively considerable net increases in PM_{10} or ozone precursor emissions. (Impact AQ-2)
6. Implementation of the 2045 MTP/SCS would increase PM_{10} emissions in the region, which could contribute substantially to a projected air quality violation. (Impact AQ-3)
7. Implementation of the 2045 MTP/SCS land use scenario could expose sensitive receptors to substantial hazardous air pollutant concentrations and objectionable odors. (Impact AQ-4)
8. Implementation of the 2045 MTP/SCS would expose sensitive receptors to substantial hazardous air pollutant concentrations. (Impact AQ-5)
9. Implementation of the 2045 MTP/SCS could adversely impact special-status plant and animal species, either directly or through habitat modifications. (Impact BIO-1)
10. Implementation of the 2045 MTP/SCS could adversely impact natural communities and federally protected wetlands. (Impact BIO-2)
11. Implementation of the 2045 MTP/SCS could impede wildlife movement, including fish migration and/or impede the use of a native wildlife nursery. (Impact BIO-3)
12. Implementation of the 2045 MTP/SCS would cause a substantial adverse change in or disturb known and unknown historical resources. (Impact CR-1)
13. Implementation of the 2045 MTP/SCS would cause a substantial adverse change in or disturb known and unknown archaeological resources. (Impact CR-2)
14. Implementation of the 2045 MTP/SCS would directly or indirectly destroy a unique paleontological resource or site or unique geological feature. (Impact GEO-5)
15. Implementation of the 2045 MTP/SCS would generate a net increase GHG emissions by 2045 compared to baseline 2020 conditions. (Impact GHG-1)
16. Implementation of the 2045 MTP/SCS would conflict with the State's ability to achieve the AB 32, SB 32 and EO-S-3-05 GHG emission reduction goals. (Impact GHG-4)
17. Implementation of the 2045 MTP/SCS would involve land use and transportation projects that could occur on sites on the list of hazardous material sites compiled by Government Code Section 65962.5. (Impact HAZ-3).
18. Implementation of the 2045 MTP/SCS would create temporary substantial noise level increases in discrete locations throughout the AMBAG region. Noise levels could exceed standards in local General Plans or noise ordinances. (Impact N-1)
19. Implementation of the 2045 MTP/SCS would create temporary substantial groundborne vibration level increases throughout the AMBAG region. (Impact N-2)
20. Implementation of the 2045 MTP/SCS would generate a substantial permanent increase in ambient noise levels in excess of standards or over existing noise levels and generate a substantial absolute noise increase over existing noise levels. (Impact N-3)
21. Implementation of the 2045 MTP/SCS would encourage infill development near transit and other transportation facilities, which would generate a substantial increase in ambient noise levels in excess of standards or over existing noise levels. (Impact N-4).
22. Implementation of the 2045 MTP/SCS would result in new truck, bus and train traffic that

would generate excessive vibration levels. Impacts would be significant and unavoidable. (Impact N-5)

23. Implementation of the 2045 MTP/SCS would include projects that would be located in close proximity to existing airports such that applicable exterior and interior noise thresholds would be exceeded. (Impact N-6)
24. Implementation of the 2045 MTP/SCS result in new or expanded governmental facilities, the implementation of which would result in substantial physical impacts. (Impact PSU-1)
25. Implementation of the 2045 MTP/SCS increase the use of existing parks and recreational facilities, resulting in substantial physical deterioration, and would include recreational facilities that would have an adverse physical effect on the environment. (Impact PSU-3)
26. Implementation of the 2045 MTP/SCS would require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which would cause significant environmental effects. (Impact PSU-4)
27. Implementation of the 2045 MTP/SCS would generate solid waste in excess of the capacity of local infrastructure. (Impact PSU-5)
28. Implementation of the 2045 MTP/SCS would increase water demand in the AMBAG region such that water supplies may be insufficient to serve envisioned development. (Impact PSU-7)
29. Implementation of the 2045 MTP/SCS result in an increase to Daily VMT per capita between the baseline 2020 conditions and 2045 conditions. (Impact T-2)
30. Implementation of the 2045 MTP/SCS would cause a substantial adverse change in the significance of a tribal cultural resource. (Impact TCR-1)
31. Implementation of the 2045 MTP/SCS would involve transportation and land use projects located in in or near an SRA or very high fire hazard severity zone, and significant risks of loss, injury, or death from wildfires would occur. (Impact W-1)
32. Development in the Cumulative Impact Analysis Area would affect night sky lighting and degrade existing visual character. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable. (Impact AES-C-1)
33. Development in the Cumulative Impact Analysis Area would result in conversion of agricultural land to non-agricultural uses. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable. (Impact AG-C-1)
34. Development in the Cumulative Impact Analysis Area would result in an increase of regional PM10 emissions and would expose sensitive receptors to diesel particulates and toxic air contaminants. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable. (Impact AQ-C-1)
35. Development in the Cumulative Impact Analysis Area would have substantial adverse impacts on special-status plant and animal species, sensitive natural communities, and interfere with wildlife movement. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable. (Impact BIO-C-1)
36. Implementation of the proposed transportation improvements and the land use scenario envisioned under the 2045 MTP/SCS would cause substantial impacts to known and unknown cultural, historical, or archaeological resources. Cumulative impacts would be significant and the contribution of the 2045 MTP/SCS would be cumulatively considerable. (Impact CR-C-1)

37. The 2045 MTP/SCS would have cumulatively considerable contributions to significant cumulative impacts related to paleontological resources. (Impact GEO-C-1)
38. The 2045 MTP/SCS would have cumulatively considerable contributions to short term construction GHG emissions, and to inability to meet long-term State GHG reduction targets. (Impact GHG-C-1)
39. Development in the cumulative impacts analysis area, as well as projects implementing the 2045 MTP/SCS, could result in hazards and exposure to hazardous materials. the 2045 MTP/SCS would have cumulatively considerable contributions to significant cumulative impacts related to hazards and hazardous materials. (Impact HAZ-C-1)
40. Development in the cumulative impact analysis area would result in Cumulative significant and unavoidable impacts related to construction and operational noise and excessive noise in proximity to airports. The 2045 MTP/SCS contribution to cumulative impacts would be cumulatively considerable. (Impact N-C-1)
41. Development in the cumulative impact analysis area would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental effects. The 2045 MTP/SCS contribution to cumulative impacts would be cumulatively considerable. (Impact PSU-C-1)
42. Development in the cumulative impact analysis area would result in significant and unavoidable increase in daily VMT per capita from baseline 2020 conditions. The 2045 MTP/SCS contribution to cumulative impacts would be cumulatively considerable. (Impact TRA-C-1)
43. Development in the cumulative impact analysis area could result in significant impacts to tribal cultural resources that would result in a significant cumulative impact. The 2045 MTP/SCS contribution to this impact would be cumulatively considerable. (Impact TCR-C-1)
44. Development in the cumulative impact analysis area could be located in or near a state responsibility area or a very high fire hazard severity zone. As significant risk of loss, injury, or death could occur, impacts related to wildfire would be significant. The 2045 MTP/SCS contribution to this impact would be cumulatively considerable. (Impact W-C-1)

In accordance with Section 15093 of the CEQA Guidelines, and having reduced the adverse significant environmental effects of the project to the extent feasible, having considered the entire administrative record on the project, and having weighed the benefits of the project against its unavoidable adverse impacts after mitigation, the AMBAG Board of Directors hereby finds that the following legal, economic, social and environmental benefits of the project outweigh its unavoidable adverse impacts and render them acceptable based upon the following considerations. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact:

a. The implementation of 2045 MTP/SCS transportation projects will provide for a comprehensive transportation system of facilities and services that meets the public's need for the movement of people and goods and that is consistent with the social, economic and environmental goals and policies of the region. (See Final EIR Chapter 2.)

b. The SCS will contribute to a reduction in per capita GHG emissions from passenger vehicles and light trucks, helping the Monterey Bay region achieve the regional GHG reduction targets set by the CARB. (See Impact GHG-3.)
c. The project will promote consistency between the California Transportation Plan 2050, the 2045 MTP/SCS, county-level regional transportation plan and other plans developed by cities, counties, districts, Native American tribal governments and state and federal agencies in responding to Statewide and interregional transportation issues and needs. (See Final EIR Chapter 5.)
d. The construction of transportation projects will result in both short-term and long-term economic benefits to the AMBAG region and its residents. Transportation projects will indirectly provide for a number of jobs relating to construction and maintenance. The 2045 MTP/SCS program includes $13.5 billion of transportation investments in the region (see 2045 MTP/SCS Table 3-1) which will result in direct and indirect employment benefits.

XI. MITIGATION MONITORING AND REPORTING PROGRAM

The AMBAG Board of Directors finds that a Mitigation Monitoring and Reporting Program (MMRP) for the 2045 MTP/SCS has been prepared for the project and has been adopted concurrently with these Findings of Fact (Public Resources Code, Section 21081.6(a)(1)).

CEQA requires that an agency adopt an MMRP prior to approving a project that includes mitigation measures. The MMRP for the project has been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines.

The purpose of the MMRP is to ensure the adopted mitigation measures adopted in the Findings of Fact for 2045 MTP/SCS are implemented, in accordance with CEQA requirements. The Findings of Fact adopt feasible mitigation measures to reduce the significant environmental impacts of the 2045 MTP/SCS. The mitigation measures adopted in the 2045 MTP/SCS EIR Findings are listed in Section V of these Findings of Fact.

2045 Metropolitan Transportation Plan/ Sustainable Communities Strategy and Regional Transportation Plans for Monterey, San Benito and Santa Cruz Counties

Mitigation Monitoring and Reporting Program
SCH#2020010204

prepared by

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Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) requires that an agency adopt a Mitigation Monitoring or Reporting Program (MMRP) prior to approving a project that includes mitigation measures to reduce or avoid significant effects on the environment. This document is the MMRP for the 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) and Regional Transportation Plans (RTPs) for Monterey, San Benito and Santa Cruz Counties. This MMRP has been prepared in compliance with the requirements of CEQA, including Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines.

This MMRP lists in tabular format the mitigation measures for each issue area identified in the Final EIR for the 2045 MTP/SCS and RTPs (SCH #2020010204) and proposed for adoption in the CEQA Findings of Fact. This MMRP is designed to ensure adopted mitigation measures are implemented. This MMRP clarifies the process for the Association of Monterey Bay Area Governments (AMBAG) and responsible agencies to ensure these mitigation measures are implemented, and designates responsibility for implementing, monitoring, and reporting mitigation.

AMBAG has lead agency status, and the Transportation Agency for Monterey County (TAMC), Council of San Benito County Governments (SBtCOG), and Santa Cruz County Regional Transportation Commission (SCCRTC) have responsible agency status; and therefore, authority to enforce mitigation measures for projects for which they have discretionary authority. However, AMBAG, TAMC, SBtCOG and SCCRTC do not have authority to require recommended mitigation measures be implemented by other implementing agencies (e.g., Caltrans, counties, cities, transit agencies, etc.) that will be lead agencies for future transportation and land use development projects.

Implementing agencies or project sponsors considering approval of future projects under the 2045 MTP/SCS and RTPs for Monterey, San Benito and Santa Cruz Counties would utilize the EIR as a basis in determining mitigation measures for subsequent activities. Implementing agencies or project sponsors may be one of the following agencies:

- California Department of Transportation (Caltrans)
- Association of Monterey Bay Area Governments (AMBAG)
- Council of San Benito County Governments (SBtCOG)
- Santa Cruz County Regional Transportation Commission (SCCRTC)
- Transportation Agency for Monterey County (TAMC)
- Monterey County and its incorporated cities:
    - Carmel-by-the-Sea
    - Del Rey Oaks
    - Gonzales
    - Greenfield

    - King City
    - Marina
    - Monterey
    - Pacific Grove
    - Salinas
    - Sand City
    - Seaside
    - Soledad
- San Benito County and its incorporated cities:
    - Hollister
    - San Juan Bautista
- Santa Cruz County and its incorporated cities:
    - Capitola
    - Santa Cruz
    - Scotts Valley
    - Watsonville

The Final EIR mitigation measures are programmatic first-tier mitigation that will be implemented by AMBAG and the Regional Transportation Planning Agencies (RTPAs), which consists of SBtCOG, SCCRTC and TAMC. The MMRP for the Program EIR may be used as a tool for incorporating mitigation measures into future second-tier projects, as provided for in CEQA Guidelines Section 15168(c)(3). As such, the mitigation measures can and should be implemented by the above implementing and project sponsor agencies during future project-specific design and second-tier environmental review. When the RTPAs are the direct source of funding for transportation network improvement projects, RTPAs will require as a grant condition the implementation of those 2045 MTP/SCS mitigation measures that are applicable to, and feasible for, the project type being funded. The implementing agency or project sponsor agency for each future project will be responsible for assuring the project-specific mitigation measures it adopts are enforceable and will be responsible for monitoring those mitigation measures.

AMBAG will designate a staff person to serve as Coordinator for overall implementation and administration of the MMRP, and its application to future projects. The Coordinator will prepare an annual progress report on mitigation measure implementation.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
Aesthetics/Visual Resources				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that would degrade scenic vistas or scenic resources within a state scenic highway, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
AES-1 (a) Discouragement of Architectural Features that Block Scenic Views: Implementing agencies shall, or can and should, design projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. Setbacks and acoustical design of adjacent structures shall be preferentially used as mitigation for potential noise impacts arising from increased traffic volumes associated with adjacent land development. The use of sound walls, or any other architectural features that could block views from the scenic highways or other view corridors, shall be discouraged to the extent possible. Where use of sound walls is found to be necessary, walls shall incorporate offsets, accents and landscaping to prevent monotony. In addition, sound walls shall be complementary in color and texture to surrounding natural features. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review.	Confirm that architectural plans and building plans satisfy the design standards, components and materials listed in the mitigation measure. Confirm structures and walls are constructed consistent with plans.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.
AES-1(b) Tree Protection and Replacement. New roadways and extensions and widenings of existing roadways shall avoid the removal of existing mature trees to the extent possible. The implementing agency of a particular 2045 MTP/SCS project shall, or can and should, replace any trees lost at a minimum 2:1 basis and incorporate them into the	Grading and site plans shall avoid the removal of existing mature trees to the extent possible. Place conditions of approval on project to	During project permitting and environmental review for roadway extensions and widening projects.	Monitor survivability of replacement trees periodically following construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
landscaping design for the roadway when feasible. The implementing agency also shall ensure the continued vitality of replaced trees through periodic maintenance. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.	require tree replacement at a minimum 2:1 ratio. Maintain replacement trees to ensure their success.			
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measure developed for the 2045 MTP/SCS program where applicable for transportation projects that would substantially degrade visual character, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement this measure, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
AES-2 Design Measure for Visual Compatibility. The implementing agency shall require measures that minimize contrasts in scale and massing between the project and surrounding natural forms and developments. Strategies to achieve this include: ▪ Siting or designing projects to minimize their intrusion into important viewsheds; ▪ Avoiding large cuts and fills when the visual environment (natural or urban) would be substantially disrupted; ▪ Ensuring that re-contouring provides a smooth and gradual transition between modified landforms and existing grade; ▪ Developing transportation systems to be compatible with the surrounding environments (e.g., colors and materials of construction material; scale of improvements); ▪ Protecting or replacing trees in the project area; ▪ Designing and installing landscaping to add natural elements and visual interest to soften hard edges, as well as to restore natural features along corridors where possible after widening,	Ensure grading plans and landscape plans avoid large cut and fills, provide re-contouring, replace trees and restore vegetation cover. Confirm that architectural plans and building plans incorporate design compatible with surrounding existing structures.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
interchange modifications, re-alignment, or construction of ancillary facilities. The implementing agency shall provide a performance security equal to the value of the landscaping/irrigation installation to ensure compliance with landscaping plans; and ▪ Designing new structures to be compatible in scale, mass, character and architecture with existing structures. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures for transportation projects that would result in light and glare impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
AES-3(a) Roadway Lighting. Roadway lighting shall be minimized to the extent possible, consistent with safety and security objectives and shall not exceed the minimum height requirements of the local jurisdiction in which the project is proposed. This may be accomplished through the use of hoods, low intensity lighting and using as few lights as necessary to achieve the goals of the project. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.	Confirm that site plans satisfy the lighting requirements listed in the mitigation measure. Confirm lights are installed as described and shown on site plans.	During project permitting and environmental review.	Once during plan review. Once at completion of construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
AES-3(b) Lighting Design Measures. As part of planning, design and engineering for projects, implementing agencies shall ensure that projects proposed near light-sensitive uses avoid substantial spillover lighting. Potential design measures include, but are not limited to, the following: ▪ Lighting shall consist of cutoff-type fixtures that cast low-angle illumination to minimize incidental spillover of light into adjacent properties and undeveloped open space. Fixtures that project light upward or horizontally shall not be used. ▪ Lighting shall be directed away from habitat and open space areas adjacent to the project site. ▪ Light mountings shall be downcast and the height of the poles minimized to reduce potential for backscatter into the nighttime sky and incidental spillover of light onto adjacent private properties and undeveloped open space. Light poles will be 20 feet high or shorter. Luminary mountings shall have non-glare finishes. ▪ Exterior lighting features shall be directed downward and shielded in order to confine light to the boundaries of the subject project. Where more intense lighting is necessary for safety purposes, the design shall include landscaping to block light from sensitive land uses, such as residences. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.	Confirm that development and building plans satisfy the lighting requirements listed in the mitigation measure. Confirm lights are installed as described and shown on plans.	During project permitting and environmental review.	Once during plan review. Once at completion of construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
AES-3(c) Glare Reduction Measures. Implementing agencies shall minimize and control glare from transportation and infill development projects near glare-sensitive uses through the adoption of project design features such as: ▪ Planting trees along transportation corridors to reduce glare from the sun; ▪ Creating tree wells in existing sidewalks; ▪ Adding trees in new curb extensions and traffic circles; ▪ Adding trees to public parks and greenways; ▪ Landscaping off-street parking areas, loading areas and service areas; ▪ Limiting the use of reflective materials, such as metal; ▪ Using non-reflective material, such as paint, vegetative screening, matte finish coatings and masonry; ▪ Screening parking areas by using vegetation or trees; ▪ Using low-reflective glass where feasible; and ▪ Complying with applicable general plan policies or local controls related to glare ▪ Tree species planted to comply with this measure shall provide substantial shade cover when mature. Utilities shall be installed underground along these routes wherever feasible to allow trees to grow and provide shade without need for severe pruning. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.	Confirm that development and building plans satisfy the glare reduction requirements listed in the mitigation measure. Confirm measures are installed as described and shown on plans.	During project permitting and environmental review.	Once during plan review. Once at completion of construction.	Implementing agencies/project sponsor.
Agriculture and Forestry Resources				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that would result in impacts to Important Farmland, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
AG-1 Impact Avoidance and Minimization. Implementing agencies shall implement measures, where feasible based on project-and site-specific considerations, that include, but are not limited to those identified below. ▪ Require project relocation or corridor realignment, where feasible, to avoid Important Farmland, agriculturally-zoned land and/or land under Williamson Act contract; ▪ Manage project construction to minimize the introduction of invasive species or weeds that may affect agricultural production on agricultural land adjacent to project sites. Managing project construction may include washing construction equipment before bringing equipment on-site, using certified weed-free straw bales for construction BMPs, and other similar measures; ▪ Provide buffers, berms, setbacks, fencing, or other project design measures to protect surrounding agriculture, and to reduce conflict with farming that could result from implementation of transportation improvements and/or projected land use pattern included as a part of the MTP/SCS; ▪ Maintain and expand agricultural land protections such as urban growth boundaries; ▪ Achieve compensatory mitigation in advance of impacts through purchase or creation of mitigation credits or the implementation of mitigation projects through Regional Advance Mitigation Planning, as deemed appropriate by permitting agencies; ▪ Require acquisition of conservation easements on land in the same jurisdiction, if feasible, and at	Require project relocation or corridor realignment into project-specific design plans or environmental review. Require use of BMPs to minimize invasive species introduction during construction. Require the use of design features to protect surrounding agriculture. Require acquisition of conservation easements at a minimum 1:1 ratio.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
least equal in quality and size to converted Important Farmland, to offset the loss of Important Farmland; and/or ▪ Institute new protection of farmland in the project area or elsewhere through the use of long-term restrictions on use, such as 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.). **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				
Air Quality and Health Impacts/Risks				
For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in fugitive dust and ozone precursor emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
AQ-2(a) Application of MBARD Feasible Mitigation Measures. For all projects, the implementing agency shall incorporate the most recent MBARD feasible mitigation measures and/or technologies for reducing inhalable particles based on analysis of individual sites and project circumstances. Current MBARD feasible mitigation measures include the following measures. Additional and/or modified measures may be adopted by MBARD prior to implementation of individual projects under the 2045 MTP/SCS. The most current list of feasible mitigation measures at the time of project implementation shall be used.	Construction plans shall show MBARD's standard dust control measures; implementing agency shall ensure implementation.	During project permitting and environmental review. Prior to issuance of grading permits; during construction	Once during plan review; periodically during construction	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
▪ Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil and wind exposure. ▪ Prohibit all grading activities during periods of high wind (over 15 mph). ▪ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). ▪ Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area. ▪ Haul trucks shall maintain at least 2'0"of freeboard. ▪ Cover all trucks hauling dirt, sand, or loose materials. ▪ Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land. ▪ Plant vegetative ground cover in disturbed areas as soon as possible. ▪ Cover inactive storage piles. ▪ Install wheel washers at the entrance to construction sites for all exiting trucks. ▪ Pave all roads on construction sites. ▪ Sweep streets if visible soil material is carried out from the construction site. ▪ Limit the area under construction at any one time. ▪ Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District shall be visible to ensure compliance with Rule 402 (Nuisance). **Implementing Agencies** Implementing agencies for AMBAG transportation				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented during construction where appropriate.				
AQ-2(b) Diesel Equipment Emissions Standards. The implementing agency shall ensure, to the maximum extent feasible, that diesel construction equipment meeting CARB Tier 4 emission standards for off-road heavy-duty diesel engines is used. If use of Tier 4 equipment is not feasible, diesel construction equipment meeting Tier 3 (or if infeasible, Tier 2) emission standards shall be used, and engines shall be retrofitted with CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS) if available for the equipment. These measures shall be noted on all construction plans and the implementing agency shall perform periodic site inspections. **Implementing Agencies** Implementing agencies for AMBAG transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented during construction where appropriate.	Construction plans shall ensure that that construction equipment is subject to the CARB Regulation for In-use Off-road Diesel Vehicles and, if feasible, construction equipment meets Tier 4 standards or at least Tier 2 standards with retrofitted Level 3 VDECS, if available; and perform periodic site inspections.	During project permitting and environmental review. Prior to issuance of grading permits; during construction.	Once during project plan review; periodically during construction	Implementing agencies/project sponsor.
AQ-2(c) Electric Construction Equipment. The implementing agency shall ensure that to the extent possible, construction equipment utilizes electricity from power poles rather than temporary diesel power generators and/or gasoline power generators. **Implementing Agencies** Implementing agencies for AMBAG transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented during construction where appropriate.	Construction plans shall ensure that electricity from power poles is used to the extent possible.	During project permitting and environmental review. Prior to issuance of grading permits; during construction	Once during project plan review; periodically during construction	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
AMBAG, in partnership with MBARD and implementing agencies, shall implement Mitigation Measure AQ-3(a) to reduce PM_{10} emissions. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement Mitigation Measure AQ-3(b) to reduce PM_{10} emissions, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
AQ-3(a) PM_{10} Emissions Reduction. To help reduce regional PM_{10} emissions, AMBAG and the RTPAs, in partnership with MBARD and implementing agencies, shall: ▪ Support the use of existing air quality and transportation funds and seek additional funds to continue the implementation of the CARB Carl Moyer Program, which is intended to retrofit and replace trucks and locomotives to reduce particulate matter. ▪ Incentivize the reduction of mobile PM emissions from mobile exhaust and entrained PM sources such as tire wear, brake wear, and roadway dust through funding. ▪ Hold forums and workshops to encourage land use projects to incorporate transportation demand management (TDM) strategies as part of the project design to reduce the number of vehicular trips across the transportation network. Potential strategies could include ridesharing, carpooling, subsidized public transit, flexible work hours, and parking management measures. **Implementing Agencies** AMBAG and the RTPAs in partnership with MBARD, are responsible for implementing this measure. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during operation where appropriate.	Evaluate PM_{10} emissions and ensure reduction of emissions below MBARD standards by reduction measures listed in this mitigation measure or other measures of equivalent effectiveness.	During project permitting and environmental review; during operation.	Once during project-level environmental review; periodically during operation.	Implementing agencies/project sponsor.
AQ-3(b) Long term Regional Operational Emissions Implementing agencies including transportation project sponsors, counties, and cities shall, or can and should, implement long-term operational	Require coatings compliant with MBARD Rule 426.	During project permitting and environmental review. Periodically during operation.	Once during project-level environmental review; periodically during operation.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
emissions reduction measures. Such reduction measures include the following: ▪ Require that all interior and exterior architectural coatings for all developments utilize coatings following MBARD Rule 426, *Architectural Coatings.* ▪ Increase building envelope energy efficiency standards in excess of applicable building standards and encourage new development to achieve zero net energy use. ▪ Install energy-efficient appliances, interior lighting, and building mechanical systems. Encourage installation of solar panels for new residential and commercial development. ▪ Locate sensitive receptors more than 500 feet of a freeway, 500 feet of urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day. ▪ Locate sensitive receptors more than 1,000 feet of a major diesel rail service or railyards. Where adequate buffer cannot be implemented, implement the following: ▫ Install air filtration (as part of mechanical ventilation systems or stand-alone air cleaners) to reduce indoor pollution exposure for residents and other sensitive populations in buildings that are close to transportation network improvement projects. ▫ Use air filtration devices rated MERV-13 or higher. ▪ Plant trees and/or vegetation suited to trapping roadway air pollution and/or sound walls between sensitive receptors and the pollution source. The vegetation buffer should be thick, with full coverage from the ground to the top of	Require energy efficient project design features. Require location of sensitive receptors, and if applicable implement listed mitigation to reduce pollution exposure. Require project design features that encourage alternative modes of transportation and ride sharing.			

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
the canopy. Install higher efficacy public street and exterior lighting ▪ Use daylight as an integral part of lighting systems in buildings. ▪ Use passive solar designs to take advantage of solar heating and natural cooling. ▪ Install light colored "cool" roofs, cool pavements. ▪ Install solar and tankless hot water heaters. ▪ Exclude wood-burning fireplaces and stoves. ▪ Incorporate design measures and infrastructure that promotes safe and efficient use of alternative modes of transportation (e.g., neighborhood electric vehicles, bicycles) pedestrian access, and public transportation use. Such measures may include incorporation of electric vehicle charging stations, bike lanes, bicycle-friendly intersections, and bicycle parking and storage facilities. ▪ Incorporate design measures that promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides). **Implementing Agencies** AMBAG and the RTPAs in partnership with MBARD, are responsible for implementing this measure. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during operation where appropriate.				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects. Cities and				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project-specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.				
AQ-5 Health Risk Reduction Measures Transportation implementing agencies shall, or can and should, implement the following measures: ▪ Retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with CARB and OEHHA requirements to determine the exposure of nearby sensitive receptors to TAC concentrations. ▪ If impacts result in increased risks to sensitive receptors above the MBARD significance thresholds, then design features or control measures must be included that will reduce the health risks at the location of the off-site sensitive receptors to a level below the MBARD significance threshold. For example, plant trees and/or vegetation suited to trapping TACs and/or sound walls between sensitive receptors and the pollution source would be recommended. This measure would trap TACs emitted from pollution sources such as highways, reducing the amount of TACs to which residents and other sensitive populations would be exposed. ▪ AMBAG will partner with MBARD and other implementing agencies to develop a program to retrofit existing residential buildings and other sensitive land uses (as defined by CARB) near freeways or roadways where health risk impacts exceed MBARD significance thresholds with air filtration devices rated minimum efficiency report value (MERV) 13. ▪ Implement air pollution reduction strategies as described in Table 1 from the CARB *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways* technical advisory (2017) when reasonable and feasible for transportation system projects associated with the 2045 MTP/SCS.	Retain air quality consultant to conduct project-level hot spot analysis. Ensure a project-level HRA is prepared by a qualified air quality consultant. Ensure project-level environmental review and site plans incorporate the measures to reduce particulate impacts, as listed in this mitigation measure.	During project permitting and environmental review; during construction as applicable; during operation.	Once during project-level environmental review; periodically during construction; following construction, during operation.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
In addition, consistent with the general guidance contained in CARB's *Air Quality and Land Use Handbook* (April 2005) and *Technical Advisory on Strategies to Reduce Air pollution Exposure Near High-Volume Roadways* (April 2017), appropriate measures shall include one or more of the following methods, as determined by a qualified professional, as applicable. The implementing agency shall incorporate health risk reduction measures based on analysis of individual land use sites and project circumstances. These measures may include: ▪ Avoid siting new sensitive land uses within 500 feet of a freeway or railway. ▪ Require development projects for new sensitive land uses to be designed to minimize exposure to roadway-related pollutants to the maximum extent feasible through inclusion of design components including air filtration and physical barriers. ▪ Do not locate sensitive receptors near the entry and exit points of a distribution center. ▪ Locate structures and outdoor living areas for sensitive uses as far as possible from the source of emissions. As feasible, locate doors, outdoor living areas and air intake vents primarily on the side of the building away from the freeway or other pollution source. As feasible, incorporate dense, tiered vegetation that regains foliage year-round and has a long-life span between the pollution source and the project. ▪ Maintain a 50-foot buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year). ▪ Install, operate, and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets or exceeds the efficiency standard of the MERV 13. The HV system should include the following				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
features: Installation of a high efficiency filter and/or carbon filter-to-filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85 percent supply filters should be used. Ongoing maintenance should occur. ▪ Retain a qualified HV consultant or Home Energy Rating Systems (HERS) rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources. ▪ Maintain positive pressure within the building. ▪ Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air. ▪ Achieve a performance standard of at least four air exchanges per hour of recirculation. Achieve a performance standard of 0.25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized. ▪ Require project owners to provide a disclosure statement to occupants and buyers summarizing technical studies that reflect health concerns about exposure to highway exhaust emissions. ▪ Implement feasible attenuation measures needed to reduce potential air quality impacts to sensitive receptors such as air filtration systems. **Implementing Agencies** AMBAG and the RTPAs in partnership with MBARD, are responsible for implementing this measure. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during operation where appropriate.				
Biological Resources				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
BIO-1(a) Biological Resources Screening and Assessment. On a project by project basis, a preliminary biological resource screening shall, or can and should, be performed as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, the implementing agency shall retain a qualified biologist to conduct a biological resources assessment (BRA) to document the existing biological resources and to determine the potential impacts to those resources. Depending on the results of the BRA, design alterations, further technical studies (i.e., protocol surveys) and/or consultations with the USFWS, CDFW and/or other local, state, and federal agencies may be required. The following mitigation measures [BIO-1(b) through BIO-1(j)] shall be incorporated only as applicable into the BRA for projects where specific resources are present or may be present and impacted by the project. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.	Ensure preliminary biological resource screening to determine whether the project has any potential to impact biological resources and incorporate measures listed in this mitigation measure if impacts are found. Retain a qualified biologist to conduct a biological resources assessment (BRA) if the project would have potential to impact biological resources.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.
BIO-1(b) Special Status Plant Species Surveys. If completion of the project specific BRA determines that special-status plant species have potential to occur on-site, the implementing agency shall require surveys for special-status plants to be	If there is a potential for special-status plant species to occur on site, surveys for special	During project permitting and environmental review; prior to construction but no earlier than one year	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
completed prior to any vegetation removal, grubbing, or other construction activity of each project (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency for review. If special-status plant species are identified, mitigation measure BIO-1(c) shall apply. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review, prior to project construction but no earlier than one year before construction commences.	status plants shall be completed. Ensure a report of the survey is provided to the implementing agency for review.	before construction commences.		
BIO-1(c) Special Status Plant Species Avoidance, Minimization and Mitigation. If state- or federally listed and/or CRPR 1 and 2 species are found during special-status plant surveys [pursuant to mitigation measure BIO-1(b)], then the project shall be re-designed to avoid impacting these plant species to the maximum extent feasible. If CRPR 3 and 4 species are found, the biologist shall evaluate to determine if they meet criteria to be considered special-status, and if so, the same process as identified for CRPR 1 and 2 species shall apply. If special-status plants species cannot be avoided and would be impacted by a project implemented under the 2045 MTP/SCS, all impacts shall be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for each species as a component of habitat restoration. A restoration plan shall be prepared	Ensure redesign of the project to avoid impacting rare plant species if state or federally listed and/or CRPR 1 and 2 species are found. Ensure biologist evaluates CRPR 3 and 4 species to determine whether special-status. If avoidance is not possible, mitigation to fully offset project impacts shall be required pursuant to a qualified biologist.	During project permitting and environmental review; prior to issuance of project construction permits and approvals.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
and submitted to implementing agency overseeing the project for approval. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to issuance of project construction permits and approvals.	Ensure a restoration plan be developed for the project.			
BIO-1(d) Endangered/ Threatened Animal Species Habitat Assessment and Protocol Surveys. If the BRA determines that suitable habitat may be present for federally and/or state endangered or threatened animal species, the implementing agency shall require protocol habitat assessments/surveys to be completed in accordance with CDFW and/or USFWS/NMFS protocols prior to issuance of any construction permits/project approvals. Alternatively, in lieu of conducting protocol surveys, the implementing agency may choose to assume presence within the project footprint and proceed with development of appropriate avoidance measures, consultation and permitting, as applicable. If the target species is detected during protocol surveys, or protocol surveys are not conducted and presence assumed based on suitable habitat, mitigation measure BIO-1(e) shall apply. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to issuance of project construction permits and approvals.	If suitable habitat for federally and/or state endangered or threatened animal species exists, protocol habitat assessments/ surveys shall be completed in accordance with CDFW and/or USFWS/MNFS protocols.	During project permitting and environmental review; prior to commencement of project construction.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
BIO-1 (e) Endangered/ Threatened Animal Avoidance and Compensatory Mitigation. If habitat is occupied or presumed occupied by federal and/or state listed species and would be impacted by the project, the implementing agency shall require re-design of the project in coordination with a qualified biologist to avoid impacting occupied/presumed occupied habitat to the extent feasible. If occupied or presumed occupied habitat cannot be avoided, the implementing agency shall provide the total acreages for habitat that would be impacted prior to the issuance of construction permits/approvals. The implementing agency shall purchase credits at a USFWS, NMFS and/or CDFW approved conservation bank if available for the affected species and/or provide compensatory mitigation to offset impacts to federal and/or state listed species habitat. Compensatory mitigation shall be provided at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for permanent impacts. Compensatory mitigation may be combined/nested with special status plant species and sensitive community restoration where applicable. Temporary impact areas shall be restored to pre-project conditions. If on and/or off site mitigation sites are identified the implementing agency shall retain a qualified biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites that are to be conserved for compensation of permanent impacts to federal and/or state listed species. The HMMP shall identify long term site management needs, routine monitoring techniques, techniques and success criteria, and shall determine if the conservation site has restoration needs to function as a suitable mitigation site. The HMMP shall be	If habitat is occupied by federal and/or state listed species, implementing agency shall require project plans include project-specific mitigation measures to avoid and minimize impacts to habitat for endangered or threatened species. If avoidance is not possible, credits shall be purchased according to the mitigation measure, and a qualified biologist must provide a HMMP.	During project permitting and environmental review; prior to issuance of construction permits and approvals.	In accordance with project HMMP, as applicable.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
submitted to the agency overseeing the project for approval. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be implemented prior to issuance of project construction permits and approvals.				
BIO-1(f) Endangered/Threatened Species Avoidance and Compensatory Mitigation. The following measures shall be applied to aquatic and terrestrial species, where appropriate. Implementing agencies shall select from these measures as appropriate depending on site conditions, the species with potential for occurrence, and the results of the biological resources screening and assessment (measure B-1[a]). ▪ Pre-construction surveys for federal and/or state listed species with potential to occur shall be conducted where suitable habitat is present by a qualified biologist not more than 48 hours prior to the start of construction activities. The survey area shall include the proposed disturbance area and all proposed ingress/egress routes, plus a 100-foot buffer. If any life stage of federal and/or state listed species is found within the survey area, the qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW. The results of the pre-construction surveys shall be submitted to the implementing agency for review and approval prior to start of construction. ▪ Ground disturbance shall be limited to the minimum necessary to complete the project. The project limits of disturbance shall be flagged. Areas of special biological concern shall have highly visible orange construction fencing.	If applicable, project plans shall include project-specific mitigation measures to avoid and minimize impacts to endangered or threatened species.	During project permitting and environmental review; prior to and ongoing throughout project construction.	Periodically through construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
▪ All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic species. ▪ All projects occurring within or adjacent to sensitive habitats that may support federally and/or state endangered/threatened species shall have a qualified biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS/NMFS or as outlined in project permits, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are begin fully implemented. ▪ No endangered/threatened species shall be captured and relocated without authorization from the CDFW and/or USFWS/NMFS. ▪ If pumps are used for dewatering activities, all intakes shall be completely screened with wire mesh not larger than five millimeters to prevent animals from entering the pump system. ▪ If at any time during construction of the project an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. At that point, a qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW. ▪ All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
procedures shall be implemented to prevent spills. ▪ No equipment shall be permitted to enter wetted portions of any affected drainage channel. ▪ All equipment operating within streambeds (restricted to conditions in which water is not present) shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access. ▪ At the end of each work day, excavations shall be secured with cover or a ramp shall be provided to prevent wildlife entrapment. ▪ All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to and ongoing through project construction.				
BIO-1(g) Non-Listed Special Status Animal Species Avoidance and Minimization. Depending on the species identified in the BRA, the following measures shall be selected from among the following to reduce the potential for impacts to non-listed special status animal species: ▪ Pre-construction clearance surveys shall be conducted within 14 days prior to the start of construction (including staging and mobilization) to identify all special-status animal species that may occur on-site. All non-listed special-status species shall be relocated from the site. A report	If applicable, project plans shall include project-specific mitigation measures to reduce impacts to non-listed special status species.	During project permitting and environmental review; prior to, during and after project construction.	During all initial ground disturbance, as applicable.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
of the pre-construction survey shall be submitted to the implementing agency for their review and approval prior to the start of construction. ▪ A qualified biologist shall be present during all initial ground disturbing activities, including vegetation removal, to recover special status animal species unearthed by construction activities. ▪ Upon completion of the project, a qualified biologist shall prepare a final compliance report documenting all compliance activities implemented for the project, including the pre-construction survey results. ▪ If special status bat species may be present and impacted by the project, within 30 days of the start of construction a qualified biologist shall conduct presence/absence surveys for special status bats, in consultation with the CDFW, where suitable roosting habitat is present. If active bat roosts or colonies are present, the biologist shall evaluate the type of roost to determine the next step. ○ If a maternity colony is present, all construction activities shall be postponed within a 250-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed or as recommended by CDFW through consultation. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately. ○ If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), alternative roosts, such as bat boxes if appropriate for the species, shall be designed and installed near the project site. The number and size of alternative roosts installed will depend on the size of the hibernaculum and shall be				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
determined through consultations with the CDFW. ○ If other active roosts are located, exclusion devices such as valves, sheeting or flap-style one-way devices that allow bats to exit but not re-enter roosts discourage bats from occupying the site. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to, during, and after project construction.				
BIO-1(h) Preconstruction Surveys for Nesting Birds For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the CFGC, the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act shall be conducted by a qualified biologist retained by the implementing agency no more than 10 days prior to vegetation removal activities A qualified biologist shall conduct preconstruction surveys for raptors. The survey for the presence of bald and golden eagles shall cover all areas within of the disturbance footprint plus a one-mile buffer where access can be secured. The survey area for all other nesting bird and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively. If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 250 to 500 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest.	If applicable, a survey for nesting birds shall be completed; if necessary, a buffer shall be created.	During project permitting and environmental review; prior to construction activities; during construction activities if required.	Once prior to construction; as needed during construction activities.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
For bald or golden eagle nests identified during the preconstruction surveys, an avoidance buffer of up to one mile shall be established on a case-by-case basis in consultation with the USFWS and CDFW. The size of the buffer may be influenced by the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing and duration of the expected disturbance. The buffer shall be established between February 1 and August 31; however, buffers may be relaxed earlier than August 31 if a qualified ornithologist determines that a given nest has failed or that all surviving chicks have fledged and the nest is no longer in use. A report of these preconstruction nesting bird surveys and nest monitoring (if applicable) shall be submitted to the implementing agency for review and approval prior to the start of construction. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented once prior to commencement of project construct and then during construction activities if needed.				
BIO-1(i) Worker Environmental Awareness Program. Prior to initiation of construction activities, all personnel associated with project construction shall attend WEAP training, conducted by a qualified biologist retained by the implementing agency, to aid workers in recognizing special-status resources and review of the limits of construction and mitigation measures required. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers and other personnel involved with construction of the project.	Construction personnel shall attend WEAP training prior to construction.	During project permitting and environmental review.	Once prior to construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented prior to construction.				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
BIO-2(a) Aquatic Resources Delineation and Impact Avoidance. If the results of measure BIO-1(a) indicates projects implemented under the 2045 MTP/SCS occur within or adjacent to wetland, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, RWQCB and/or CCC, a qualified biologist shall complete an aquatic resources delineation in accordance with the requirement set forth by each agency. The result shall be submitted to the implementing agency, USACE, RWQCB, CDFW and/or CCC, as appropriate, for review and approval, and the project shall be designed to minimize impacts to jurisdictional areas to the extent feasible. The delineation shall serve as the basis to identify potentially jurisdictional areas to be protected during construction, through implementation of the avoidance and minimization identified in measure B-2(f). **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented during permitting and environmental review.	If applicable, a jurisdictional delineation shall be completed and submitted to the applicable agencies listed in this mitigation measure.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
BIO-2(b) Wetlands, Drainages and Riparian Habitat Restoration. Impacts to jurisdictional wetlands, drainages, and riparian habitat shall be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist, and shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan shall be developed by a qualified biologist and submittal to the agency overseeing the project for approval. Alternatively, mitigation shall be accomplished through purchase of credits from an approved wetlands mitigation bank. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.	Ensure, if applicable, project plans mitigate impacts to jurisdictional wetlands and riparian habitats at a ratio to fully offset project impacts, as determined by a qualified biologist. Ensure a mitigation and monitoring plan is developed be developed by a qualified biologist.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.
BIO-2(c) Landscaping Plan. If landscaping is proposed for a specific project, a qualified biologist/landscape architect retained by the implementing agency shall prepare a landscape plan. Drought tolerant, locally native plant species shall be used. Noxious, invasive and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List and/or California Invasive Plant Council Inventory shall not be permitted. Species selected for planting shall be regionally appropriate native species that are known to occur in the adjacent native habitat types. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation	Retain a qualified biologist/landscape architect, if applicable, to prepare a landscaping plan that includes all requirements in this mitigation measure; species shall be regionally appropriate native species found in adjacent native habitats.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
measure shall, or can and should, be applied during permitting and environmental review.				
BIO-2(d) Sensitive Vegetation Community Avoidance and Mitigation. If the results of measure BIO-1(a) indicates projects implemented under the 2045 MTP/SCS would impact sensitive natural communities in addition to riparian habitat which is addressed by Measure BIO-2(b), the implementing agency shall avoid impacts to sensitive natural communities through final project design modifications if feasible. If the implementing agency determines that sensitive natural communities cannot be avoided, impacts shall be mitigated on-site or offsite at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist based on any applicable resource agency guidelines. Temporarily impacted areas shall be restored to pre-project conditions. A Restoration Plan shall be developed by a qualified biologist and submitted to the implementing agency. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.	If applicable, project plans shall include final project design modifications shall be developed to avoid impacts to sensitive vegetation communities. If avoidance is not possible, impacts shall be mitigated at a ratio to fully offset project impacts, as determined by a qualified biologist. Ensure temporarily impacted areas are restored to pre-project conditions. Ensure a qualified biologist develops a Restoration Plan.	During project permitting and environmental review.	Once following construction and then, when applicable, in accordance with the Restoration Plan.	Implementing agencies/project sponsor.
BIO-2(e) Invasive Weed Prevention and Management Program. Prior to start of construction for each project that occurs within or adjacent to native habitats, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist retained by the implementing agency to prevent invasion of native habitat by non-native plant species. The plan shall be submitted to the implementing agency for	Retain a qualified biologist to develop an Invasive Weed Prevention and Management Program if project is in or next to native habitats.	During project permitting and environmental review; prior to construction activities; during construction activities.	Once prior to construction; ongoing during construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
review and approval. A list of target species shall be included, along with measures for early detection and eradication. The plan, which shall be implemented by the implementing agency, shall also include, but not be limited to, the following measures to prevent the introduction of invasive weed species: ▪ During construction, limit the use of imported soils for fill. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species. ▪ To minimize colonization of disturbed areas and the spread of invasive species, the contractor shall stockpile topsoil and redeposit the stockpiled soil after construction or transport the topsoil to a permitted landfill for disposal. ▪ The erosion control/ restoration plans for the project must emphasize the use of sensitive species that are expected to occur in the area and that are considered suitable for use at the project site. ▪ All erosion control materials, including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed. ▪ Exotic and invasive plant species shall be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project. ▪ All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
implemented prior to project construction and during construction activities.				
BIO-2(f) Wetlands, Drainages and Riparian Habitat Best Management Practices During Construction. The following best management practices shall be required for development within or adjacent to wetlands, drainages, or riparian habitat: ▪ Access routes, staging and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and ancillary construction areas outside of jurisdictional areas. ▪ To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project. ▪ Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year, or as otherwise directed by the regulatory agencies. ▪ During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site. ▪ Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project related activities, shall be prevented from contaminating the soil and/or entering wetlands, drainages or riparian habitat. ▪ All refueling, maintenance and staging of equipment and vehicles shall occur at least 100 feet from bodies of water and in a location where a potential spill would not drain directly toward	If applicable, ensure project plans incorporate the best management practices listed in this mitigation measure.	During project permitting and environmental review; prior to construction activities; during construction activities.	Once prior to construction; ongoing during construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented prior to project construction and during construction activities.				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
BIO-3(a) Project Design for Wildlife Connectivity. The implementing agency shall implement the following measures. All projects including long segments of fencing and lighting shall be designed to minimize impacts to wildlife. Where fencing or other project components is required for public safety concerns, these project components shall be designed to permit wildlife movement by incorporating design features such as: ▪ A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals; ▪ A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; ▪ If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be	Project plans for projects with fencing and lighting shall be designed to minimize impacts to wildlife. Project plans shall incorporate wildlife crossing structures, when a crossing is applicable.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
installed at reasonable intervals to allow wildlife movement, or the fence may be installed with the bottom at least 16 inches above the ground level; ▪ If fencing or other project components must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures such as overpasses, underpasses, culverts, etc., shall be incorporated into the project design as appropriate. ▪ Lighting installed as part of any project shall be designed to be minimally disruptive to wildlife (see mitigation measure AES-3(a) Roadway Lighting for lighting requirements). ▪ Vegetative buffers, consisting of California-native plant and tree species, shall be installed where feasible to provide a natural noise barrier between roadway projects and sensitive wildlife habitat, including movement corridors. The buffer shall be maintained in perpetuity to ensure noise levels from the roadway are minimized within adjacent sensitive habitat. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review.				
BIO-3(b) Maintain Connectivity in Drainages. The implementing agency shall implement the following measures. Permanent structures shall be avoided to the extent feasible within any drainage or river that serves as a wildlife migration corridor that would impede wildlife movement. In addition, upon completion of construction within any drainage, areas of stream channel and banks that are temporarily impacted shall be returned to pre-construction contours and in a condition that	Ensure construction plans and building plans avoid placement of permanent structures in drainages or rivers such that wildlife movement would be impeded.	During project permitting and environmental review. Ensure temporary impacts to stream channels are restored after construction is completed.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
allows for unimpeded passage through the area once the work has been complete. If water is to be diverted around work sites, a diversion plan shall be submitted to the implementing agency for review and approval prior to issuance of project construction permits/approvals. The diversion shall be designed in a way as to not impede movement while the diversion is in place. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.	Ensure temporary impacts to stream channels are restored. If applicable, ensure a diversion plan is provided for the project.			
BIO-3(c) Construction Best Management Practices to Minimize Disruption to Wildlife. The following construction best management practices shall be incorporated into all grading and construction plans to minimize temporary disruption of wildlife, which could hinder wildlife movement: ▪ Designation of a 20 mile per hour speed limit in all construction areas. ▪ Daily construction work schedules shall be limited to daylight hours only. ▪ Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition. ▪ All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week. ▪ No pets are permitted on project site during construction. **Implementing Agencies** Implementing agencies for transportation projects	Ensure construction plans incorporate best management practices to minimize disruption to wildlife.	During project permitting and environmental review; prior to issuance of grading and construction permits.	Periodically during construction	Implementing agencies/project sponsor, and onsite construction manager.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction.				
Cultural and Historic Resources				
To minimize impacts to historical resources for transportation projects under AMBAG jurisdiction, working with TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts to historic resources, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG planning region can and should implement these measures, where relevant to land use projects implementing under the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
CR-1 Historical Resources Impact Minimization. Prior to individual project permit issuance, the implementing agency of a 2045 MTP/SCS project involving earth disturbance or construction of permanent above ground structures or roadways shall prepare a map defining the Area of Potential Effects (APE). This map shall indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known historical resources are located within the impact zone. If a structure greater than 45 years in age is within the identified APE, a survey and evaluation of the structure(s) to determine their eligibility for recognition under State, federal, or local historic preservation criteria shall be conducted. The evaluation shall be prepared by an architectural historian, or historical architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. The evaluation shall comply with State CEQA Guidelines section 15064.5(b). Study recommendations shall be implemented, which may include, but would not be limited to, the following:	Prepare a map defining the Area of Potential Effects. Retain an architectural historian, or historical architect, to determine eligibility of structure for recognition under state, federal, or local historic preservation criteria, if applicable.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
▪ Realign or redesign projects to avoid impacts on known historic resources where possible. ▪ If avoidance of a significant architectural/built environment resource is not feasible, additional mitigation options include, but are not limited to, specific design plans for historic districts, or plans for alteration or adaptive re-use of a historical resource that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings. ▪ Comply with existing local regulations and policies that exceed or reasonably replace any of the above measures that protect historic resources. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review.				
To minimize impacts to cultural resources for transportation projects under AMBAG jurisdiction, working with TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts to archaeological resources, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG planning region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
CR-2(a) Archeological Resources Impact Minimization. Before construction activities, implementing agencies shall, or can and should, retain a qualified archaeologist to conduct a record search at the Northwest Information Center to determine whether the project area has been previously surveyed and whether resources were identified. When recommended by the Information Center, implementing agencies shall, or can and	Retain a qualified archaeologist to conduct a record search to determine whether the project area has been previously surveyed and whether	During project permitting and environmental review; prior to construction activities; during construction activities.	Ongoing throughout construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
should, retain a qualified archaeologist to conduct archaeological surveys before construction activities. Implementing agencies shall, or can and should, follow recommendations identified in the survey, which may include, but would not be limited to: subsurface testing, designing and implementing a Worker Environmental Awareness Program (WEAP), construction monitoring by a qualified archaeologist, or avoidance of sites and preservation in place. Recommended mitigation measures will be consistent with State CEQA Guidelines Section 15126.4(b)(3) recommendations and may include but not be limited to preservation in place and/or data recovery. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.	resources were identified. Implement recommendations identified in the survey. Project construction plans shall include required components to stop work if archaeological resources are uncovered.			
CR-2(b) Unanticipated Discoveries During Construction. If evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earthmoving activities (e.g., ceramic shard, trash scatters, lithic scatters), implementing agencies shall, or can and should, halt all ground-disturbing activity proximate to the discovery until a qualified archaeologist (36 CFR Section 61) can assess the significance of the find. If the find is a prehistoric	Place conditions of approval on project to ensure that if archaeological resources are uncovered work is halted until the procedures described in this mitigation	During project permitting and environmental review; prior to construction activities; during construction activities.	Ongoing throughout construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
archaeological site, the culturally affiliated California Native American Tribe shall be notified. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, a testing plan shall be prepared and implemented. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the implementing agency to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics and other factors, shall recommend additional measures such as the preparation and implementation of a data recovery plan. Recommended mitigation measures will be consistent with State CEQA Guidelines Section 15126.4(b)(3) recommendations and may include but not be limited to preservation in place and/or data recovery. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area. If the find is a prehistoric archaeological site, the culturally affiliated California Native American tribe shall be notified and afforded the opportunity to monitor mitigative treatment. During evaluation or mitigative treatment, ground disturbance and construction work may continue in other parts of the project area that are distant enough from the find not to impact it, as determined by the qualified archaeologist. **Implementing Agencies** Implementing agencies for transportation projects	measure have been completed.			

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				
Geology and Soils				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts to paleontological resources, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement this mitigation measure where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
GEO-5 Paleontological and Geologic Resources Impact Minimization. The implementing agency of a 2045 MTP/SCS project involving ground disturbing activities (including grading, trenching, foundation work and other excavations) shall, or can and should, retain a qualified paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for Qualified Professional Paleontologist (SVP 2010), to conduct a Paleontological Resources Assessment (PRA). The PRA shall determine the age and paleontological sensitivity of geologic formations underlying the proposed disturbance area, consistent with SVP Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (SVP 2010) guidelines for categorizing paleontological sensitivity of geologic units within a project area. If underlying formations are found to have a high potential (sensitivity) for paleontological resources and/or could be considered a unique geologic feature, the following measures shall apply: ▪ **Avoidance.** Avoid routes and project designs that would permanently alter unique paleontological and geological features. If avoidance practices	Retain a qualified paleontologist to conduct a PRA. Place conditions of approval on project to ensure , procedures described in this mitigation measure are completed before and throughout construction, if the project area is underlying high sensitivity or unique geologic features.	During project permitting and environmental review; prior to construction activities; during construction activities.	Ongoing throughout construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
cannot be implemented, the following measures shall apply. ▪ **Paleontological Mitigation and Monitoring Program**. A qualified paleontologist shall prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity. This program shall outline the procedures for construction staff training, paleontological monitoring extent and duration (i.e., in what locations and at what depths paleontological monitoring shall be required), salvage and preparation of fossils, the final mitigation and monitoring report and paleontological staff qualifications. ▪ **Paleontological Worker Environmental Awareness Program (WEAP).** Prior to the start of ground disturbance activity, construction personnel shall be informed on the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. ▪ **Paleontological Monitoring.** Ground disturbing activity with the potential to disturbed geologic units with high paleontological sensitivity shall be monitored on a full-time basis by a qualified paleontological monitor. Should no fossils be observed during the first 50 percent of such excavations, paleontological monitoring could be reduced to weekly spot-checking under the discretion of the qualified paleontologist. Monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources. ▪ **Salvage of Fossils.** If fossils are discovered, the implementing agency shall be notified immediately, and the qualified paleontologist (or paleontological monitor) shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the paleontologist should 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. ▪ **Preparation and Curation of Recovered Fossils.** Once salvaged, 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, along with all pertinent field notes, photos, data and maps. ▪ **Final Paleontological Mitigation and Monitoring Report.** Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				
Greenhouse Gas Emissions/Climate Change				
For all transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
generating construction GHG emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Implementation of Mitigation Measures AQ-2(b) and AQ-2(c) in Section 4.3, *Air Quality,* would also reduce GHG emissions from the 2045 MTP/SCS.				
GHG-1 Construction GHG Reduction Measures. The project sponsor shall incorporate the most recent GHG reduction measures and/or technologies for reducing GHG emissions measures for off-road construction vehicles during construction. The measures shall be noted on all construction plans and the project sponsor shall perform periodic site inspections. Current GHG-reducing measures include the following: ▪ Use of on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation; ▪ All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the five-minute idling limit; ▪ Substitute gasoline-powered in place of diesel-powered equipment, where feasible; ▪ Use of alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, in place of diesel-powered equipment for 15 percent of the fleet, to the extent electric powered equipment is not feasible; ▪ Use of materials sourced from local suppliers; ▪ Recycling of at least 75 percent of construction waste materials; and ▪ Project proponents shall incentivize that construction workers carpool, and/or use electric vehicles to commute to and from the project site. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use	Ensure construction plans specify construction equipment is subject to the CARB Regulation for In-use Off-road Diesel Vehicles and, if feasible, construction equipment meets Tier 4 standards; or at least Tier 2 standards; and perform periodic site inspections. Ensure periodic site inspections are conducted.	During project permitting and environmental review.	Once during project plan review; periodically during construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				
For all transportation projects under their jurisdiction, SBtCOG, SCCRTC, and TAMC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects generating construction GHG emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions. Implementation of Mitigation Measures T-2(a) and T-2(b) in Section 4.15, *Transportation*, would also reduce GHG emissions from the 2045 MTP/SCS.				
GHG-4(a) Transportation-Related GHG Reduction Measures. The implementing agency shall incorporate the most recent GHG reduction measures and/or technologies for reducing VMT and associated transportation related GHG emissions. GHG-reducing mitigation measures include the following: ▪ Installation of electric vehicle charging stations beyond those required by State and local codes ▪ Utilization of electric vehicles and/or alternatively-fueled vehicles in company fleet ▪ Provision of dedicated parking for carpools, vanpool, and clean air vehicles ▪ Provision of new or improved transit amenities (e.g., covered turnouts, bicycle racks, covered benches, signage, lighting, sidewalk connectivity, and accessible crosswalks) if project site is located along an existing transit route ▪ Expansion of existing transit routes ▪ Provision of employee lockers and showers ▪ Provision of on-site services that reduce the need for off-site travel (e.g., childcare facilities, automatic teller machines, postal machines, food services) ▪ Provision of alternative work schedule options, such as telework or reduced schedule (e.g., 9/80 or 10/40 schedules), for employees	Place conditions of approval on the requirement of implementation of GHG and/or VMT reduction measures described in this mitigation.	During project permitting and environmental review.	Once during project-level environmental review and discretionary approval decisions for land use projects.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
▪ Implementation of transportation demand management programs to educate and incentivize residents and/or employees to use transit, smart commute, and alternative transportation options **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during operation where appropriate.				
GHG-4(b) Land Use Project Energy Consumption and Water Use Reduction Measures. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement measures to reduce energy consumption, water use, solid waste generation, and VMT, all of which contribute to GHG emissions. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions. ▪ Require new commercial construction to install solar energy systems or be solar-ready ▪ Require new residential and commercial development to install low flow water fixtures ▪ Require new residential and commercial development to install water-efficient drought-tolerant landscaping, including the use of compost and mulch ▪ Require new development to exceed the applicable Title 24 energy-efficiency requirements ▪ Require new development to be fully electric **Implementing Agencies** Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and	Use project-level analysis of energy consumption, solid waste generation, and water use and incorporate mitigation measures as needed to specifications described in measure. Place conditions of approval on the project requiring energy- and water-saving measures.	During project permitting and environmental review.	Once during project-level environmental review and discretionary approval decisions for land use projects. Once prior to issuance of an occupancy permit.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
environmental review and implemented during operation where appropriate.				
Hazards and Hazardous Materials				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in hazardous materials impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
HAZ-3 Site Remediation. If an individual project included in the 2045 MTP/SCS is located on or near a hazardous materials and/or waste site pursuant to Government Code Section 65962.5, the implementing agency shall prepare a Phase I ESA in accordance with the American Society for Testing and Materials' E-1527-05 standard. For work requiring any demolition or renovation, the Phase I ESA shall make recommendations for any hazardous building materials survey work that shall be done. All recommendations included in a Phase I ESA prepared for a site shall be implemented. If a Phase I ESA indicates the presence or likely presence of contamination, the implementing agency shall require a Phase II ESA, and recommendations of the Phase II ESA shall be fully implemented. Examples of typical recommendations provided in Phase I/II ESAs include removal of contaminated soil in accordance with a soil management plan approved by the local environmental health department; covering stockpiles of contaminated soil to prevent fugitive dust emissions; capturing groundwater encountered during construction in a holding tank for additional testing and characterization and disposal based on its characterization; and development of a health and safety plan for construction workers. **Implementing Agencies** Implementing agencies for transportation projects	Where applicable, prepare a Phase I ESA meeting the specifications of this mitigation measure. Place conditions of approval on project requiring incorporation of recommendations of the Phase I ESA, and if applicable, Phase II ESA.	During project permitting and environmental review.	Once prior to issuing grading or demolitions permits; periodically during construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				
Noise				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in construction noise impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.				
▪ **N-1 Construction Noise Reduction.** To reduce construction noise levels to achieve applicable standards, implementing agencies for transportation and land use projects shall implement the measures identified below where feasible and necessary. ▪ Implementing agencies of 2045 MTP/SCS projects shall ensure that, where residences or other noise sensitive uses are located within 750 feet of construction sites, appropriate measures shall be implemented to ensure compliance with local ordinance requirements relating to construction noise. Specific techniques may include, but are not limited to: restrictions on construction timing, use of sound blankets on construction equipment, and the use of temporary walls and noise barriers to block and deflect noise. ▪ Designate an on-site construction complaint and enforcement manager for projects within 750 feet of sensitive receivers. ▪ Implementing agencies of the 2045 MTP/SCS shall post phone numbers for the on-site enforcement manager at construction sites along with complaint procedures and who to notify in the event of a problem.	Ensure consistency with local noise ordinance requirements relating to construction for sensitive uses. Place conditions of approval on project to require construction noise reduction measures detailed in this mitigation.	During project permitting and environmental review; prior to construction; during construction activities.	Ongoing throughout construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
▪ For any project within 6,000 feet of sensitive receptors that requires pilings, the implementing agencies shall require caisson drilling or sonic pile driving as opposed to impact pile driving, where feasible. This shall be accomplished through the placement of conditions on the project during its individual environmental review. ▪ Implementing agencies of 2045 MTP/SCS projects shall ensure that equipment and trucks used for project construction utilize the best available noise and vibration control techniques, including mufflers, intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds. ▪ Implementing agencies of 2045 MTP/SCS projects shall ensure that impact equipment (e.g., jack hammers, pavement breakers and rock drills) used for project construction be hydraulically or electrically powered wherever feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatically powered tools is unavoidable, use of an exhaust muffler on the compressed air exhaust can lower noise levels from the exhaust by up to about 10 dBA. When feasible, external jackets on the impact equipment can achieve a reduction of 5 dBA. Whenever feasible, use quieter procedures, such as drilling rather than impact equipment operation. ▪ The following timing restrictions shall apply to MTP/SCS project construction activities located within 2,500 feet of a dwelling unit, except where timing restrictions are already established in local codes or policies. ▪ Construction activities shall be limited to: o Monday through Friday: 7 a.m. to 6 p.m. o Saturday: 9 a.m. to 5 p.m. ▪ Implementing agencies of 2045 MTP/SCS projects shall locate stationary noise and vibration				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
sources as far from sensitive receptors as feasible. Stationary noise sources that must be located near existing receptors will be adequately muffled. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				
For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in construction noise impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement Mitigation Measure N-1, listed under Impact N-1, and Mitigation Measure N-2, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
N-2 Physical Impacts Due to Vibration. If construction equipment would generate vibration levels exceeding acceptable levels as established by Caltrans (65 VdB to 80 VdB depending on frequency of the event and 0.1 to 0.6 PPV in/sec depending on building type), implementing agencies of the 2045 MTP/SCS shall, or can and should, complete the following tasks: ▪ Prior to construction, survey the project site for vulnerable buildings, and complete geotechnical testing (preconstruction assessment of the existing subsurface conditions and structural integrity), for any older or historic buildings within 50 feet of pile driving. The testing shall be completed by a qualified geotechnical engineer and qualified historic preservation professional and/or structural engineer. ▪ Prepare and submit a report to the lead agency that contains the results of the geological testing.	If applicable, place conditions of approval on project to require construction noise reduction measures detailed in this mitigation.	During project permitting and environmental review; prior to construction; during construction activities.	Ongoing throughout construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
If recommended by the preconstruction report implementing agencies shall require ground vibration monitoring of nearby historic structures. Methods and technologies shall be based on the specific conditions at the construction site. The preconstruction assessment shall include a monitoring program to detect ground settlement or lateral movement of structures in the vicinity of pile-driving activities and identify corrective measures to be taken should monitored vibration levels indicate the potential for building damage. In the event of unacceptable ground movement with the potential to cause structural damage, all impact work shall cease, and corrective measures shall be implemented to minimize the risk to the subject, or adjacent, historic structure. ▪ To minimize disturbance withing 550 feet of pile-driving activities, implement "quiet" pile-driving technology, such as predrilling of piles and the use of more than one pile driver to shorten the duration of pile driving), where feasible, in consideration of geotechnical and structural requirements and conditions as defined as part of the geotechnical testing, if testing was feasible. ▪ Use cushion blocks to dampen noise from pile driving. ▪ Phase operations of construction equipment to avoid simultaneous vibration sources **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measure developed for the 2045 MTP/SCS program where applicable for transportation projects that result in significant mobile source noise levels, and where feasible and necessary based on project and site specific considerations. The measure below does not apply to land use projects. Project specific environmental documents may adjust this mitigation measure as necessary to respond to site specific conditions.				
N-3 Noise Assessment and Control for Mobile and Point Sources. Sponsor agencies of 2045 MTP/SCS transportation projects shall complete detailed noise assessments using applicable guidelines (e.g., FTA Transit Noise and Vibration Impact Assessment for rail and bus projects and the Caltrans Traffic Noise Analysis Protocol) for roadway projects that may impact noise sensitive receivers. The implementing agency shall ensure that a noise survey is conducted that, at minimum: ▪ Determines existing and projected noise levels ▪ Determines the amount of attenuation needed to reduce potential noise impacts to applicable State and local standards ▪ Identifies potential alternate alignments that allow greater distance from, or greater buffering of, noise-sensitive areas ▪ If warranted, recommends methods for mitigating noise impacts, including: ▪ Appropriate setbacks ▪ Sound attenuating building design, including retrofit of existing structures with sound attenuating building materials ▪ Use of sound barriers (earthen berms, sound walls, or some combination of the two) Where new or expanded roadways, rail, or transit projects are found to expose receivers to noise exceeding normally acceptable levels, the implementing agency shall implement techniques as recommended in the project specific noise assessment. The preferred methods for mitigating noise impacts will be the use of appropriate setbacks (design adjustments) and sound	Prior to issuance of grading or building permits, ensure noise assessments have been completed. Place conditions of approval to require implementation of recommendations in project-specific noise assessments.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
attenuating building design, including retrofit of existing structures with sound attenuating building materials where feasible. In instances where use of these techniques is not feasible, the use of sound barriers (earthen berms, sound walls, or some combination of the two) shall be considered. Long expanses of walls or fences shall be interrupted with offsets and provided with accents to prevent monotony. Landscape pockets and pedestrian access through walls should be provided. Whenever possible, a combination of elements shall be used, including solid fences, walls, and landscaped berms. Other techniques such as rubberized asphalt or "quiet pavement" can be used where feasible to reduce road noise for new roadway segments or modifications requiring repaving. The effectiveness of noise reduction measures shall be monitored by taking noise measurements and installing adaptive mitigation measures to achieve applicable standards. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.				
Cities and counties in the AMBAG region can and should implement the following measures, where relevant to land use projects implementing the 2045 MTP/SCS, and where feasible and necessary based on project and site specific considerations. The mitigation measure outlined below does not apply to transportation projects. Project specific environmental documents may adjust this mitigation measure as necessary to respond to site specific conditions.				
N-4 Noise Mitigation for Land Uses. If a 2045 MTP/SCS land use project is located in an area with exterior ambient noise levels above local noise standards, the implementing agency can and should ensure that a noise study is conducted to determine the existing exterior noise levels in the vicinity of the project. If the project would be impacted by ambient noise levels, feasible attenuation measures	If applicable, ensure a noise study is conducted. If the project would be impacted, place conditions of approval on implementation of noise reduction	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
shall be used to reduce operational noise to meet acceptable standards. In addition, noise insulation techniques shall be utilized to reduce indoor noise levels to thresholds set inapplicable State and/or local standards. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads. The noise study and determination of appropriate mitigation measures shall be completed during the project's individual environmental review. **Implementing Agencies** Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.	measures detailed in this mitigation.			
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that could generate excessive vibration impacts, and where feasible and necessary based on project and site specific considerations. These measures can and should also be implemented for future infill projects near transit pursuant to the 2045 MTP/SCS that would result in vibration impacts. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.				
N-5 Vibration Mitigation for Transportation Projects. Where local vibration and groundborne noise standards do not apply, implementing agencies of 2045 MTP/SCS projects shall comply with guidance provided by the FTA in the most recent version of the Transit Noise and Vibration Impact Assessment to assess impacts to buildings and sensitive receptors and reduce vibration and groundborne noise. FTA recommended thresholds shall be used except in areas where local standards for groundborne noise and vibration have been established. Methods that would be considered to reduce vibration and groundborne noise impacts include, but are not limited to: ▪ **Rail Traffic**	Comply with all applicable local and/or FTA vibration and groundborne noise standards.	During project permitting and environmental review.	Ongoing during project operation.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
▫ Maximizing the distance between tracks and sensitive uses ▫ Conducting rail grinding on a regular basis to keep tracks smooth ▫ Conducting wheel truing to re-contour wheels to provide a smooth-running surface and removing wheel flats ▫ Providing special track support systems such as floating slabs, resiliently supported ties, high-resilience fasteners and ballast mats; ▫ Implementing operational changes such as limiting train speed and reducing nighttime operations. ▪ **Bus and Truck Traffic** ▫ Constructing of noise barriers ▫ Use noise reducing tires and wheel construction on bus wheels ▫ Use vehicle skirts (i.e. a partial enclosure around each wheel with absorptive treatment) on freight vehicle wheels **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.				
These measures can and should also be implemented for future land use development projects near existing public or public use airports. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.				
N-6 Noise Mitigation Near Airports. Local lead agencies for all new development proposed to be located within an existing airport influence zone, as defined by the locally adopted airport land use compatibility plan or local general plan, or within two miles of a private use airport, shall require a	If applicable, require a site-specific noise compatibility study. Place conditions of approval on adherence to	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
site specific noise compatibility study. The study shall consider and evaluate existing aircraft noise, based on specific aircraft activity data for the airport in question, and shall include recommendations for site design and building construction. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads, such as dual paned windows. The noise study and determination of appropriate mitigation measures shall be completed during the project's individual environmental review. **Implementing Agencies** Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.	recommendations to site design and building construction, as recommended in the study.			
Public Services, Recreation, and Utilities				
Cities and counties in the AMBAG region, as well as other public service providers, can and should implement this measure, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
PSU-1 Increased Public Service Demand. During the CEQA review process for individual facilities, the implementing agency with responsibility for construction of new public service facilities or the expansion of existing facilities, including those of fire and police services, parks, and other public facilities, can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved	Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of public service facilities.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce significant impacts associated with air quality, noise, transportation, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new public or expanded public service facilities. **Implementing Agencies** Implementing agencies are cities, counties, and/or implementing agencies for land use projects, and other public service providers. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.				
Cities and counties in the AMBAG region, and recreation agencies, can and should implement the following measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
PSU-3 Impact Reduction from New Recreational Facilities. During project specific design and CEQA review, the cities and counties in the AMBAG region, and other agencies with responsibility for the construction of new or expanded recreation facilities, can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction of such facilities. The environmental impacts associated with such construction should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce significant impacts associated with air quality, noise, transportation, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction of new or expanded recreation facilities, including recreational trails.	Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of recreation facilities, including recreational trails.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
Implementing Agencies Implementing agencies for transportation projects, including recreation trails, are cities, counties, and recreation agencies. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that require new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region, and other utility providers, can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
PSU-4(a) Water and Wastewater Treatment Facilities. During the CEQA review process for individual facilities, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region and other utility providers with responsibility for the construction of new water or wastewater treatment and collection facilities or the expansion of existing facilities can and should apply necessary mitigation measures to reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality and others that apply to specific construction or expansion of water or wastewater treatment and collection facilities projects. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor	Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of wastewater treatment and collection facilities.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
agencies. Implementing agencies are cities, counties, and utility agencies for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.				
PSU-4(b) Stormwater Facilities. During the CEQA review process for individual facilities, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region and special districts with responsibility for the construction of new stormwater drainage facilities or the expansion of existing facilities to adequately meet projected capacity needs can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of storm water drainage facilities projects. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies are cities, counties, and utility agencies for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.	Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of stormwater facilities.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
PSU-4(c) Stormwater Control Methods. During the CEQA review process for individual facilities, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following measures where feasible: ▪ For transportation projects, incorporate stormwater control, retention, and infiltration features, such as detention basins, bioswales, vegetated median strips, and permeable paving, early into the design process to ensure such features are analyzed during environmental review. Implement mitigation measures identified for such features on a project specific basis, where feasible and necessary based on project and site specific considerations. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.	Require incorporation of stormwater controls detailed in this measure for the construction and expansion of individual facilities.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.
PSU-4(d) Electric Power, Natural Gas, or Telecommunications Facilities. During the CEQA review process, cities, counties, and AMBAG region energy and telecommunications providers and regulatory agencies with responsibility for the construction or approval of new electric power, natural gas, or telecommunications facilities or the expansion of existing facilities to adequately meet projected capacity needs can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved	Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of electric power, natural gas, or telecommunications facilities.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of natural gas and electric facilities projects. **Implementing Agencies** Implementing agencies are cities, counties, and utility agencies for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts related to solid waste, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
PSU-5 Solid Waste Generation and Disposal. During the CEQA review process for individual facilities, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region can and should implement, the following measures where feasible: ▪ Provide an easily accessible area that is dedicated to the collection and storage of non-hazardous recycling materials. ▪ Maintain or reuse existing building structures and materials during building renovations and redevelopment. ▪ Use salvaged, refurbished, or reused materials to help divert such items from landfills. ▪ Divert construction waste from landfills, where feasible, through means such as: ▫ Submitting and implementing a construction waste management plan that identifies materials to be diverted from disposal;	Place conditions of approval of individual projects on the implementation of mitigation detailed in this measure.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
▫ Establishing diversion targets, possibly with different targets for different types and scales of development; ▫ Helping project sponsors and implementing agencies share information on available materials with one another, to aid in the transfer and use of salvaged materials **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies are cities, counties, and utility agencies for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that have water supply impacts, where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
PSU-7(a) General Conservation Measures. Agencies implementing land use and transportation projects that could increase water demand shall, or can and should, coordinate with relevant water services to ensure demand can be accommodated and identify a water consumption budget. Any existing water conservation measures that reduce demand for potable water, such as reducing water use for landscape irrigation for transportation projects or use of water-conserving fixtures in envisioned land use projects, should be employed. Reclaimed water should be used when possible. **Implementing Agencies** Implementing agencies are cities and counties for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.	Coordinate with water services to ensure demand can be accommodated, identify a water consumption budget, and implement the use of water conservation measures identified in this mitigation.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
PSU-7(b) Construction Dust Suppression Water Supply. Implementing agencies shall, or can and should, ensure that for all 2045 MTP/SCS projects, where feasible, reclaimed and/or desalinated water is used for dust suppression during construction activities. This measure shall, or can and should, be noted on construction plans and shall be spot checked by the implementing agency. **Implementing Agencies** Implementing agencies for transportation and land use projects are RTPAs, transportation project sponsor agencies, and Metropolitan Planning Organizations. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.	Place conditions of approval of individual projects on the implementation of mitigation detailed in this measure.	During project permitting and environmental review; during construction.	Ongoing throughout construction.	Implementing agencies/project sponsor.
PSU-7(c) Landscape Watering. In jurisdictions that do not already have an applicable local regulatory program related to landscape watering, implementing agencies shall, or can and should, design 2045 MTP/SCS projects that would include landscaping shall be designed with drought tolerant plants and drip irrigation. When feasible, native plant species shall be used. In addition, landscaping associated with proposed improvements shall be maintained using reclaimed and/or desalinated water when feasible. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.	If applicable, place conditions of approval on the inclusion of landscaping features described in this mitigation.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.
PSU-7(d) Porous Pavement and Bioswale Installation. In jurisdictions that do not already have an appropriate local regulatory program	If applicable, place conditions of approval on utilization of	During project permitting and environmental review; during construction.	Ongoing throughout construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
related to porous pavement, implementing agencies for a 2045 MTP/SCS project that involves streetscaping, parking, transit and/or land use improvements shall, or can and should, ensure that porous pavement materials are utilized, where feasible, to allow for groundwater percolation. Additionally, if a project would substantially increase impervious surfaces the sponsor shall ensure that bioswales are installed, where feasible, to facilitate groundwater recharge using stormwater runoff from the project site while improving water quality if not already required by the appropriate jurisdiction's local regulatory programs. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.	porous pavement and/or bioswales. Construction plans shall show use of these materials.			
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that would increase the capacity of a roadway, and where feasible and necessary based on project and site specific considerations. For land use projects under their jurisdiction, the cities and counties in the AMBAG region shall implement the following mitigation measure. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
T-2(a) Land Use Project VMT Analysis and Reduction. Regionally, implementing agencies shall require implementation of VMT reduction strategies through transportation demand management (TDM) programs, impact fee programs, mitigation banks or exchange programs, in-lieu fee programs, and other land use project conditions that reduce VMT. Programs shall be designed to reduce VMT from existing land uses, where feasible, and from new discretionary residential or employment land use projects. The design of programs shall focus on VMT reduction	Require the inclusion VMT reduction strategies included in this mitigation measure at a program and project-level.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
strategies that increase travel choices and improve the comfort and convenience of sharing rides in private vehicles, using public transit, biking, or walking. At a project level, implementing agencies shall evaluate VMT as part of project specific CEQA review and discretionary approval decisions for land use projects. Where project level significant impacts are identified, implementing agencies shall identify and implement measures that reduce VMT. Examples include but are not limited to: ▪ Provide car-sharing, vanpool, bike sharing, and ride-sharing programs ▪ Implement or provide access to commute reduction programs ▪ Encourage telecommute programs ▪ Incorporate affordable housing into the project ▪ Increase density, infill, and transit oriented development ▪ Increase mixed uses within the project area ▪ Incorporate improved pedestrian connections within the project/neighborhood ▪ Incentivize development in low VMT communities ▪ Incentivize housing near commercial and offices ▪ Increase access to goods and services, such as groceries, schools, and daycare ▪ Orient the project toward transit, bicycle, and pedestrian facilities ▪ Implement complete streets ▪ Provide traffic calming ▪ Provide bicycle parking ▪ Reduce parking requirements ▪ Separate out parking costs ▪ Provide parking cash-out programs **Implementing Agencies** Implementing agencies for land use projects are cities and counties. Mitigation shall, or can and should, be applied during project permitting and				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
environmental review and implemented during project operation, as applicable.				
T-2(b) Transportation Project VMT Analysis and Reduction . Transportation project sponsor agencies shall evaluate transportation projects that involve increasing roadway capacity for their potential to increase VMT. Where project level increases are found to be potentially significant, implementing agencies shall, or can and should, identify and implement measures that reduce VMT. Examples of measures that reduce the VMT associated with increases in roadway capacity include, but are not limited to: ▪ Tolling new lanes to encourage carpools and fund transit improvements ▪ Converting existing general purpose lanes to high occupancy vehicle lanes ▪ VMT banks ▪ Implementing or funding offsite travel demand management ▪ Providing a bus rapid transit system ▪ Implement bus on shoulder operations during peak congestion periods ▪ Improving pedestrian or bicycle networks, or transit service ▪ Providing transit passes ▪ Incorporating neighborhood electric vehicle network **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Mitigation shall, or can and should, be applied during project permitting and environmental review and implemented during project operation, as applicable.	Evaluate the potential for projects to increase VMT. Where project-level significant impacts are identified, develop and implement mitigation measures to reduce VMT.	During project permitting and environmental review.	Once.	Implementing agencies/project sponsor.
Tribal Cultural Resources				
For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts to				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
tribal cultural resources, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
TCR-1 Tribal Cultural Resources Impact Minimization. Implementing agencies shall, or can and should, comply with AB 52, which may require formal tribal consultation. If the implementing agency determines that a project may cause a substantial adverse change to a tribal cultural resource, they shall, or can and should, implement mitigation measures identified in the consultation process required under PRC Section 21080.3.2, or shall, or can and should, implement the following measures where feasible to avoid or minimize the project specific significant adverse impacts: ▪ Avoidance and preservation of the resources in place, including, but not limited to planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria. ▪ Treating the resource with culturally appropriate dignity considering the tribal cultural values and meaning of the resource, including, but not limited to, the following: ▫ Protecting the cultural character and integrity of the resource ▫ Protecting the traditional use of the resource ▫ Protecting the confidentiality of the resource ▫ Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places ▪ Native American monitoring by the appropriate tribe for all projects in areas identified as sensitive for potential tribal cultural resources	Ensure compliance with AB 52; and when applicable, implement measures identified in this mitigation measure.	During project permitting and environmental review. Additional measures listed should be implemented prior to and during construction.	Ongoing throughout project construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
and/or in the vicinity (within 100 feet) of known tribal cultural resources ▪ If potential tribal cultural resources are encountered during ground-disturbing activities; work in the immediate area must halt and the appropriate tribal representative(s), the implementing agency, and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find and determine the proper course of action **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.				
Wildfire				
For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2045 MTP/SCS program where applicable for transportation projects that result in impacts related to wildland fire, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2045 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.				
W-1 Wildfire Risk Reduction. If an individual transportation or land use project included in the 2045 MTP/SCS is within or less than two miles from an SRA or VHFHSZ, the implementing agency shall require appropriate mitigation to reduce the risk. Examples of mitigation to reduce risk of loss, injury or death from wildlife include, but are not limited to: ▪ Enforce defensible space regulations to keep overgrown and unmanaged vegetation,	If a project is within two miles of an SRA or VHFHSZ, implement mitigation described in this measure, such as maintaining and enforcing defensible space.	During project permitting and environmental review. Additional measures listed should be implemented prior to and during construction.	Ongoing throughout project construction.	Implementing agencies/project sponsor.

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
accumulations of trash and other flammable material away from structures. ▪ Provide public education about wildfire risk, fire prevention measures, and safety procedures and practices to allow for safe evacuation and/or options to shelter-in-place. ▪ Require adherence to the local hazard mitigation plan, as well as the local general plan policies and programs aimed at reducing the risk of wildfires through land use compatibility, training, sustainable development, brush management, public outreach, and service standards for fire departments. ▪ Ensure sufficient emergency water supply ▪ Encourage the use of fire-resistant vegetation native to Santa Cruz, Monterey, and San Benito counties and/or the local microclimate of the project site and discourage the use of fire-prone species especially non-native, invasive species. ▪ Require a fire safety plan be submitted to and approved by the local fire protection agency. The fire safety plan shall include all the fire safety features incorporated into the project and the schedule for implementation of the features. The local fire protection agency may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase of the project. ▪ Prohibit certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service for the project site location. Example activities that should be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings. ▪ Require fire extinguishers to be on site during construction of projects. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
personnel shall receive training on the proper methods of using a fire extinguisher ▪ Encourage the use of external sprinklers for new development mapped within Very High Fire Hazard Severity Zones. **Implementing Agencies** Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.				

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A RESOLUTION OF THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG) BOARD OF DIRECTORS FINDING THE SUSTAINABLE COMMUNITIES STRATEGY ACHIEVES THE REGIONAL GREENHOUSE GAS REDUCTION TARGETS, ADOPTING THE FINAL 2022 REGIONAL GROWTH FORECAST, AND ADOPTING THE 2045 METROPOLITAN TRANSPORTATION PLAN, INCLUDING ITS SUSTAINABLE COMMUNITIES STRATEGY

WHEREAS, AMBAG is the federally designated metropolitan planning organization (MPO), pursuant to Title 23 United States Code Sections 134(a) and (g); and

WHEREAS, Title 23, Part 450 and Title 49 of the Code of Federal Regulations (CFR), require AMBAG as the MPO to prepare and update a long-range Metropolitan Transportation Plan (MTP) every four years; and

WHEREAS, Section 65080(d) of the California Government Code requires AMBAG to prepare and update a Sustainable Communities Strategy (SCS) every four years; and

WHEREAS, AMBAG has coordinated with the Santa Cruz County Regional Transportation Commission, the Transportation Agency for Monterey County and San Benito County Council of Governments, which each prepared a County Regional Transportation Plan; and

WHEREAS, each respective County Regional Transportation Plan is integrated within the 2045 MTP/SCS; and

WHEREAS, from March 2019 through June 2022, through the conduct of a continuing, comprehensive and coordinated transportation planning process in conformance with applicable federal and state requirements, AMBAG developed its latest MTP with a 2045 horizon year, which incorporates an SCS for the Monterey Bay Area region; and

WHEREAS, the 2045 MTP, including its SCS, contains an integrated set of public policies, strategies and investments to maintain, manage and improve the transportation system in the AMBAG region through the year 2045 and calls for development of an integrated intermodal transportation system that facilitates the efficient, economic movement of people and goods; and

WHEREAS, the 2045 MTP/SCS considers, analyzes and reflects, as appropriate, the metropolitan transportation planning process as identified in federal law, including the federal the Moving Ahead for Progress in the 21st Century Act and the Fixing America's Surface Transportation Act, as well as the National Highway System Designation Act of 1995, and is based on reasonably available funding provisions; and

WHEREAS, the 2022 MTP/SCS integrates a Congestion Management Process identifying the most serious congestion problems and evaluating and incorporating, as appropriate, all reasonably available actions to reduce congestion, such as travel demand management and operational management strategies for all corridors with any proposed capacity increase; and

WHEREAS, the North Central Coast Air Basin, within which the AMBAG region is located, meets Federal Criteria Pollutant Ambient Air Quality Standards, is in Attainment Status for these standards, and is therefore exempt from a Clean Air Act conformity analysis; and

WHEREAS, the 2022 Regional Growth Forecast was developed for planning purposes by working with local jurisdictions, and projects growth based on the most recent planning assumptions, including existing land use plans and policies and demographic and economic trends; and

WHEREAS, the Draft 2022 Regional Growth Forecast was accepted by the AMBAG Board of Directors on November 18, 2020, for planning purposes; and

WHEREAS, pursuant to Government Code Section 65080(b)(2)((E) and federal public participation requirements, the 2045 MTP/SCS, was developed through a strategic, proactive, comprehensive public outreach and involvement program, which included: an adopted public participation plan; advertising in local and regional newspapers; distribution of public information materials, such as brochures and newsletters; a dedicated website; nine noticed public hearings to receive testimony on the Draft 2045 MTP/SCS and its Environmental Impact Report; four workshops and public hearings in January 2022 to facilitate public comment on the Draft 2045 MTP/SCS, and interagency coordination and involvement; and

WHEREAS, pursuant to Government Code Section 65080(b)(2)(B), the AMBAG MTP/SCS: (i) identifies the general location of uses, residential densities and building intensities within the region; (ii) identifies areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth; (iii) identifies areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Government Code Section 65584; (iv) identifies a transportation network to service the transportation needs of the region; (v) gathers and considers the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Government Code Section 65080.01; and (vi) considers the state housing goals specified in Sections Government Code 65580 and 65581; and

WHEREAS, pursuant to Government Code Section 65080(b)(2)(G), the SCS considered spheres of influence adopted by the Santa Cruz, Monterey and San Benito County Local Agency Formation Commissions; and

WHEREAS, pursuant to Government Code Section 65080(b)(2)(B)(vii), the SCS set forth a forecasted development pattern for the region, which, when integrated with the transportation network and other transportation measures and polices, will reduce the greenhouse gas emissions from automobiles and light trucks to achieve the regional greenhouse gas emission targets set by the California Air Resources Board (CARB); and

WHEREAS, for the 2045 MTP/SCS, CARB set the per capita greenhouse gas emission reduction targets for automobiles and light trucks for the AMBAG region at 3 percent by 2020 and6 percent by 2035 from a 2005 base year; and

WHEREAS, by separate resolution on this date, the AMBAG Board of Directors certified the Final EIR for the 2045 MTP/SCS, and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, as required by the California Environmental Quality Act (CEQA); and

WHEREAS, on this date, the AMBAG Board of Directors held a duly noticed public hearing prior to considering certifying the Final EIR; adopting the CEQA findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; and adopting the Final 2045 MTP/SCS; and

WHEREAS, prior to taking action on the 2045 MTP/SCS, 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 2045 MTP/SCS achieves the regional greenhouse gas reduction targets established by the CARB and meets the requirements of Senate Bill 375 as codified in Government Code §65080(b) et seq.; and

BE IT FURTHER RESOLVED that the AMBAG Board of Directors does hereby adopt the Final 2022 Regional Growth Forecast and the Final 2045 MTP/SCS for the Monterey Bay Area region.

PASSED AND ADOPTED this 15th day of June 2022.

Kristen Brown, President

Maura Twomey, Secretary

MEMORANDUM

TO:	**AMBAG Board of Directors**
FROM:	**Maura F. Twomey, Executive Director**
RECOMMENDED BY:	**Heather Adamson, Director of Planning**
SUBJECT:	**Draft 6th Cycle Regional Housing Needs Allocation Plan: Appeals Received and Schedule Public Hearing**
MEETING DATE:	**June 15, 2022**

RECOMMENDATION:

AMBAG received two appeals on the Draft 6th Cycle Regional Housing Needs Allocation (RHNA) Plan. The 45-day comment period on appeals began on June 7, 2022 and concludes on July 22, 2022. The Board is asked to schedule a public hearing to hear the appeals on August 10, 2022. The public hearing will be held as part of AMBAG's effort to prepare a Final RHNA Plan for the AMBAG region in accordance with state law.

BACKGROUND:

California State Housing Element Law governs the process for local governments to adequately plan to meet the housing needs of everyone within their communities. The RHNA process is used to determine how many new homes, and the affordability of those homes, each local government must plan for in its Housing Element to meet the housing needs of households of all income levels.

As part of the RHNA process, State law (Government Code 65584 et seq.) requires AMBAG to develop a methodology to allocate a portion of the Regional Housing Need Determination (RHND) to every local government in the AMBAG Region. AMBAG received its 6th Cycle RHND of 33,274 units from HCD in late August 2021 for the planning period beginning June 30, 2023 and ending December 15, 2031.

RHNA Schedule

Key milestones are for development RHNA are shown in Figure 1.

Figure 1: RHNA Schedule	
TARGET SCHEDULE	**TASK**
Spring - Fall 2021	Discussions with Planning Directors Forum on potential RHNA methodology options and factors
Summer – Fall 2021	Potential RHNA methodology options discussed by AMBAG Board
September 8, 2021	HCD presents at AMBAG Board Meeting
January 12, 2022	Approval of draft RHNA methodology by AMBAG Board
January – March 2022	HCD reviews draft methodology
April 13. 2022	Approval of final RHNA methodology by AMBAG Board
April 22, 2022	Release Draft RHNA plan with RHNA allocations by jurisdiction
April 22 – June 6, 2022	Local jurisdictions and HCD may appeal RHNA allocation within 45 days of release of the draft RHNA plan/allocations
May 2022	AMBAG releases final 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) accommodating RHNA
June 7 – July 22, 2022	Local jurisdictions and HCD may comment on appeals within 45 days of the close of the appeal period
June 15, 2022	Adoption of Final 2045 MTP/SCS AMBAG Board
August 10, 2022	AMBAG to hold public hearing on appeals
September 23, 2022	AMBAG makes final determination that accepts, rejects, modifies appeals and issues final proposed allocation plan
October 12, 2022	Adoption of Final 2023-31 RHNA Plan with RHNA allocations by AMBAG Board
December 2023	Jurisdiction's 6th Cycle Housing Elements are due to HCD

RHNA Development Process

The AMBAG Board of Directors approved the final RHNA methodology on April 13, 2022 and directed staff to prepare and release the Draft 2023-2031 6th Cycle RHNA Plan. The Draft 2023-2031 6th Cycle Plan was released on April 22, 2022. The release of the Draft RHNA Plan initiated a 45-day appeal period allowing a member jurisdiction or HCD to appeal for a revision of the share of the regional housing need proposed to be allocated. (Gov. Code, § 65584.05(b).) The close of the appeal period was June 6, 2002. The AMBAG 2023-2031 6th Cycle RHNA Appeals Procedures are included as Attachment 1.

RHNA Appeals

AMBAG received two appeals on the Draft 2023-2031 6th Cycle RHNA Plan which are included as Attachment 2. In addition, AMBAG received comments on the Draft 6th Cycle Plan from the City of Capitola and the County of Monterey (Attachment 3). State law requires a 45-day comment period on any appeals received on the draft Plan. Jurisdictions, HCD and members of the public have until July 22, 2022 to comment on the appeals received. Comments should be sent to hadamson@ambag.org.

AMBAG must conduct a public hearing to consider appeals and comments. A public hearing will be scheduled as part of the AMBAG regularly scheduled Board meeting on August 10, 2022. This public hearing will be held as part of AMBAG's effort to prepare a Final RHNA Plan for the AMBAG region in accordance with state law.

RHNA appeals will be heard by the AMBAG Board of Directors. A Board member must recuse her/himself on the discussion and vote on an appeal affecting her/his jurisdiction. The basic structure for an appeals hearing is for the applicant to make an initial argument, to which AMBAG staff provides a response, followed by a rebuttal from the appellant. If a jurisdiction or HCD appeals another jurisdiction's allocation the procedures allow for the subject of the appeal to respond to the initial arguments and offer a rebuttal after the staff's response.

Following the rebuttal, there is time for public comment in advance of the Board's discussion and vote. Housing element law requires AMBAG to allocate all of the 33,274 units. If an appeal of a jurisdiction's RHNA allocation is successful, AMBAG must redistribute the RHNA units to other local jurisdictions. AMBAG will redistribute units to all local jurisdictions in proportion the jurisdiction's share of the RHND after appeals are determined and prior to the required distribution. Applicants whose appeals are upheld are not excluded from redistribution.

Next Steps

Upon approval from the Board of Directors, AMBAG will hold a public hearing to hear the appeals received on the Draft 6th Cycle RHNA Plan on August 10, 2022.

ALTERNATIVES:

The Board of Directors may choose not to schedule a public hearing on August 10, 2022 to hear appeals. Staff does not recommend this as it would cause AMBAG to not meet our RHNA statutory deadlines for finalizing the RHNA Plan.

FINANCIAL IMPACT:

Planning activities for RHNA are funded with Regional Early Access Planning and Senate Bill 1 planning funds and are programmed in the Fiscal Year 2021-22 Overall Work Program and Budget.

COORDINATION:

All RHNA planning activities are coordinated with the HCD, SBtCOG, and the Planning Directors Forum, which includes all the local jurisdictions within the AMBAG region.

ATTACHMENTS:

1. AMBAG 2023 – 2031 6th Cycle RHNA Appeals Procedures (Page 233)
2. 6th Cycle RHNA Plan Appeals Received
    a) Appeal from the City of Sand City (Page 242)
    b) Appeal from the City of Greenfield (Page 244)
3. 6th Cycle RHNA Plan Comments Received
    a. Comment letter from the City of Capitola (Page 247)
    b. Comment letter from the County of Monterey (Page 249)

APPROVED BY:

Maura F. Twomey, Executive Director

2023-2031 RHNA Cycle Appeals Procedures

Pursuant to Government Code Section 65584.05, any local jurisdiction within the AMBAG region may file an appeal to modify its Draft Regional Housing Needs Allocation (RHNA) Allocation or another jurisdiction's Draft RHNA Allocation included as part of AMBAG Draft RHNA Plan. The California Department of Housing and Community Development (HCD) may also file an appeal to the Draft RHNA Allocation for one or more jurisdictions. No appeal shall be allowed relating to post-appeal reallocation adjustments made by AMBAG, as further described in Section I.I, below. For the purposes of these procedures, the entity filing an appeal is referred to as an "applicant."

This document contains a description of AMBAG's appeals procedures, which derive from applicable provisions of the Government Code. Applicants are encouraged to review the full content of relevant code sections. In any apparent conflict between these procedures and the Code, the Government Code provisions will prevail.

I. APPEALS PROCESS

A. DEADLINE TO FILE

The period to file appeals shall conclude on June 6, 2022, which shall be deemed as the date of receipt by jurisdictions and HCD of the Draft RHNA Plan. To comply with Government Code Section 65584.05(b), a jurisdiction or HCD seeking to appeal a Draft RHNA Allocation must submit an appeal by 5:00 p.m. PDT on June 6, 2022 to hadamson@ambag.org. AMBAG will not accept late appeals.

B. FORM OF APPEAL

The local jurisdiction or HCD shall state the basis and specific reasons for its appeal, including a statement as to why the revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d). Appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology, and supported by adequate documentation. (Gov. Code, § 65584.05(b).) Supporting documents may be submitted by the local jurisdiction as attachments, and all such attachments should be properly labeled and numbered. Applicants should ensure that their appeal satisfies the criteria in the applicable Government Code section.

C. BASES FOR APPEAL

Per Government Code Section 65584.05, a local jurisdiction or HCD shall only be entitled to file an appeal based upon the three circumstances listed below. Appeals based on the "change of circumstance" basis can only be filed by the jurisdiction or jurisdictions where

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the change in circumstance occurred.

Appeals may be brought on one of the following three grounds:

1. Jurisdictional Survey Information – That AMBAG failed to consider survey information submitted by jurisdictions relating to factors outlined in Government Code Section 65584.04(e) to develop the methodology for distributing the existing and projected regional housing need. The survey information guides the methodology's development based upon the issues, strategies, and actions that are include in an Analysis of Impediments to Fair Housing Choice or an Assessment of Fair Housing completed by any city or county or the department that covers communities within the area served by AMBAG and in housing elements adopted pursuant to this article by cities and counties within the area served by AMBAG. (Gov. Code, § 65584.04(b)(2).)

    a. Each jurisdiction's existing and projected jobs and housing relationship.

    b. The opportunities and constraints to development of additional housing in each jurisdiction, including the following:

        i. Lack of capacity for sewer or water service due to federal or state laws, regulations or regulatory actions, or supply and distribution decisions made by a sewer or water service provider other than the local jurisdiction that preclude the jurisdiction from providing necessary infrastructure for additional development during the planning period.

        ii. The availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for infill development and increased residential densities. AMBAG may not limit its consideration of suitable housing sites or land suitable for urban development to existing zoning ordinances and land use restrictions of a locality, but shall consider the potential for increased residential development under alternative zoning ordinances and land use restrictions. The determination of available land suitable for urban development may exclude lands where the Federal Emergency Management Agency (FEMA) or the Department of Water Resources has determined that the flood management infrastructure designed to protect that land is not adequate to avoid the risk of flooding.

        iii. Lands preserved or protected from urban development under existing federal or state programs, or both, designed to protect open space, farmland, environmental habitats, and natural resources on a long-term basis, including land zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts conversion to non-agricultural uses.

iv. County policies to preserve prime agricultural land, as defined pursuant to Government Code Section 56064, within an unincorporated area and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts its conversion to non-agricultural uses.

c. The distribution of household growth assumed for purposes of a comparable period of regional transportation plans and opportunities to maximize the use of public transportation and existing transportation infrastructure.

d. Agreements between a county and cities in a county to direct growth toward incorporated areas of the county and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of the jurisdiction that prohibits or restricts conversion to nonagricultural uses.

e. The loss of units contained in assisted housing developments, as defined in Government Code Section 65583(a)(9), that changed to non-low income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions.

f. The percentage of existing households at each of the income levels listed in Government Code Section 65584(e) that are paying more than 30 percent and more than 50 percent of their income in rent.

g. The rate of overcrowding.

h. The housing needs of farmworkers.

i. The housing needs generated by the presence of a private university or a campus of the California State University or the University of California within any member jurisdiction.

j. The housing needs of individuals and families experiencing homelessness.

k. The loss of units during a state of emergency that was declared by the Governor pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), during the planning period immediately preceding the relevant revision pursuant to Section 65588 that have yet to be rebuilt or replaced at the time of the analysis.

l. The region's greenhouse gas emissions targets provided by the State Air Resources Board pursuant to Section 65080, to be met by the Metropolitan

Transportation Plan/Sustainable Communities Strategy.

m. Any other factors adopted by the council of governments, that further the objectives listed in subdivision (d) of Section 65584, provided that the council of governments specifies which of the objectives each additional factor is necessary to further. The council of governments may include additional factors unrelated to furthering the objectives listed in subdivision (d) of Section 65584 so long as the additional factors do not undermine the objectives listed in subdivision (d) of Section 65584 and are applied equally across all household income levels as described in subdivision (f) of Section 65584 and the council of governments makes a finding that the factor is necessary to address significant health and safety conditions.

n. Information based upon the issues, strategies, and actions that are included, as available in an Analysis of Impediments to Fair Housing Choice or an Assessment of Fair Housing completed by any city or county or the California Department of Housing and Community Development, and in housing elements.

2. Methodology – That AMBAG failed to determine the jurisdiction's share of the regional housing needs in accordance with the information described in the Final RHNA Methodology approved by AMBAG on April 13, 2022, and in a manner that furthers, and does not undermine, the intent of the five objectives listed in Government Code Section 65584(d).

3. Changed Circumstances – That a significant and unforeseen change in circumstance has occurred in the jurisdiction and merits a revision of the survey information previously submitted by the local jurisdiction. Appeals on this basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred. (Gov. Code, § 65584.05(b)(3).)

D. LIMITS ON SCOPE OF APPEAL

Existing law explicitly limits AMBAG's scope of review of appeals. Specifically, AMBAG shall not consider any appeal based upon the following:

1. Any other circumstances other than those described in Section I.C above.

2. A local jurisdiction's existing zoning ordinances and land use restrictions, including but not limited to, the contents of the local jurisdiction's current general plan. Pursuant to Government Code Section 65584.04(e)(2)(B), AMBAG may not limit its consideration of suitable housing sites or land suitable for urban development to existing zoning ordinances and land use restrictions of a locality, but shall consider the potential for increased residential development under alternative zoning ordinances and land use restrictions.

3. Any local ordinance, policy, voter-approved measure or standard limiting residential

development. Pursuant to Government Code Section 65584.04(g)(1), any ordinance, policy, voter-approved measure, or standard of a city or county that directly or indirectly limits the number of residential building permits shall not be a justification for a determination or a reduction in a city's or county's share of regional housing need.

4. Prior underproduction of housing in a jurisdiction from the previous regional housing need allocation. Pursuant to Government Code Section 65584.04(g)(2), prior underproduction of housing in a jurisdiction from the previous housing need allocation, as determined by each jurisdiction's annual production report submitted pursuant to Government Code Section 65400(a)(2)(H) cannot be used as a justification for a determination or reduction in a jurisdiction's share of the regional housing need.

5. Stable population numbers in a jurisdiction. Pursuant to Government Code Section 65584.04(g)(3), stable population growth from the previous regional housing needs cycle cannot be used as a justification for a determination or reduction in a jurisdiction's share of the regional housing need.

E. COMMENTS ON APPEALS

At the close of the appeals period as set forth in I.A., AMBAG shall notify all jurisdictions within the region and HCD of all appeals and shall make all materials submitted in support of each appeal available on its website after the close of the appeals filing period. (Gov. Code, § 65584.05(c).) Members of the public who are interested in receiving notification about submitted appeals can sign up on the AMBAG website.[1] AMBAG will accept comments on submitted appeals from jurisdictions, HCD, and members of the public for 45 days following the end of the appeals filing period. All comments must be filed by 5:00 p.m. PDT on July 22, 2022. AMBAG will not accept late comments. AMBAG will notify jurisdictions, HCD, and members of the public who have signed up on the AMBAG website about comments received following the end of the comment period.

F. HEARING BODY

The AMBAG Board of Directors has the responsibility of considering appeals regarding Draft RHNA Allocations.

G. APPEAL HEARING

AMBAG shall conduct one public hearing to consider all appeals filed and comments received on the appeals no later than August 21, 2022. This public hearing may be continued (over several days if necessary) until all appeals are heard. Notice shall be provided to the appealing jurisdictions, commenting jurisdictions, HCD, and members of the public who have signed up on the AMBAG website in advance of the hearing. Consistent with the requirements of the Brown Act, members of the public may submit

[1] Interested parties may sign up for notifications here: https://ambag.org/contact-us.

written comments in advance of the meeting or provide oral comments at the meeting. Per Government Code Section 65584.05(i), AMBAG may extend the deadline to conduct the appeals hearing by up to thirty (30) days.

Each appeal shall be heard individually before the AMBAG Board of Directors. The AMBAG Board of Directors will take a vote determining the outcome for each appeal application. In the event an individual appeal involves a Board member or alternate's respective jurisdiction, the Board member or Board alternate may not participate in the discussion of or vote on that individual item by the AMBAG Board of Directors.

Due to the ongoing COVID-19 pandemic, RHNA appeals hearings may be conducted via teleconference per the Governor's executive orders or any amendments to the Brown Act. AMBAG staff will apprise the public of any updates to meeting procedures and will include information relevant to public participation in the public noticing of the appeal hearings.

Appeal Hearing Procedures

The hearing shall be conducted to provide applicants and jurisdictions that did not file appeals but are the subject of an appeal with the opportunity to make their case regarding a change in their Draft RHNA Allocation or another jurisdiction's Draft RHNA Allocation. The burden is on the applicants to prove that adjustment of the Allocation is appropriate under the statutory standards set forth in the Government Code. The appeals hearing will adhere to the following procedures:

1. **Initial Arguments**

   Applicants who have filed an appeal for a particular jurisdiction will have an opportunity to present their request and reasons to grant the appeal. The information and arguments presented by the applicant shall be limited to what was presented in the written appeal filed by the applicant. In the event of multiple appeals filed for a single jurisdiction, the subject jurisdiction will present their argument first if it has filed an appeal on its own Draft RHNA Allocation. Applicants may present their cases either on their own, or in coordination with other applicants, but each applicant shall be allotted five (5) minutes each. If the subject jurisdiction did not file an appeal on its own Draft RHNA Allocation, it will be given an opportunity to present after all applicants have provided initial arguments on their filed appeals. Any presentation from the jurisdiction who did not appeal but is the subject of the appeal is limited to five (5) minutes unless it is responding to more than one appeal, in which case the jurisdiction is limited to eight (8) minutes.

   An appealing jurisdiction may choose to have technical staff present its case at the hearing. At a minimum, technical staff should be available at the hearing to answer any questions from the AMBAG Board of Directors.

2. **Staff Response**

After initial arguments are presented, AMBAG staff will present their recommendation to approve or deny the appeal(s) filed for the subject jurisdiction. The staff response is limited to five (5) minutes.

3. Rebuttal

Applicants and the jurisdiction who did not file an appeal but is the subject of the appeal may elect to provide a rebuttal but are limited to the arguments and evidence presented in the staff response. Each applicant and the subject jurisdiction that did not file an appeal on its own Draft RHNA Allocation will be allotted three (3) minutes each for a rebuttal.

4. Extension of Time Allotment

The Board of Directors President may elect to grant additional time for any presentation, staff response, or rebuttal in the interest of due process and equity.

5. Public Comment

Members of the public will have an opportunity to comment on the arguments presented related to the appeal(s) for the subject jurisdiction under consideration. Each speaker will be allotted two (2) minutes to speak, or as adjusted at the discretion of the President.

6. Board of Directors Discussion and Determination

After arguments and rebuttals are presented, the Board of Directors may ask questions of applicants, the subject jurisdiction (if present), and AMBAG staff. The President of the Board of Directors may request that questions from the Board of Directors be asked prior to a discussion among Board members. Any voting Board member may make a motion regarding the appeal(s) for the subject jurisdiction. The Board of Directors will take a vote on the appeal(s) for a subject jurisdiction. The Board of Directors is encouraged to make a single determination on the subject jurisdiction after hearing all arguments and presentations on each subject jurisdiction.

The AMBAG Board of Directors shall generally administer appeal hearings according to these procedures. However, the President of the Board of Directors has the discretion to adjust the procedures as deemed necessary and formal rules of evidence and procedure do not apply. Further, any alleged failure to adhere to these procedures shall not be grounds for overturning a decision.

H. DATA REQUIREMENTS

Pursuant to Government Code Section 65584.05, appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology and supported by adequate documentation. To the extent a local jurisdiction submits

evidentiary documentation to AMBAG in support of its appeal, such data shall meet the following requirements:

1. The data shall be readily available for AMBAG's review and verification. Data should not be constrained for use by proprietary conditions or other conditions rendering them difficult to obtain or process.

2. The data shall be accurate, current, and reasonably free from defect.

3. The data shall be relevant and germane to the local jurisdiction's basis of appeal.

4. The data shall be used to support a logical analysis relating to the local jurisdiction's request for a change to its or another jurisdiction's Draft RHNA Allocation.

I. DETERMINATION OF APPEAL AND POST-APPEAL REALLOCATION OF REGIONAL HOUSING NEEDS

The AMBAG Board of Directors shall: (1) make a final written determination that either accepts, rejects, or modifies each appeal; and (2) issue a proposed final allocation plan. (Gov. Code, § 65584.05(e).)

The AMBAG Board of Directors shall issue a written final determination that considers arguments and comments presented on revising the Draft RHNA Allocation of the subject jurisdiction and make a determination that either accepts, rejects, or modifies the appeal for each subject jurisdiction. Per Government Code Section 65584.05(e)(1), the Board of Directors has the discretion in its final determination on an appeal to require the adjustment of the allocation of a local jurisdiction that is not the subject of an appeal. The final determination shall be in writing and include written findings as to how the determination is consistent with the Government Code. (Gov. Code, § 65584.05(e)(1).)

The final determinations shall be based upon the information and methodology set forth in Government Code Section 65584.04 and whether the revision is necessary to further the objectives listed in Government Code Section 65584(d). The final determination shall include written findings as to how the determination is consistent with Government Code Section 65584.05. The final determinations for all appeals will be ratified by the AMBAG Board of Directors following release of the written final determinations on all filed appeals. The decision of the Board of Directors shall be final, and local jurisdictions shall have no further right to appeal.

In accordance with Government Code Section 65584.05(g)(2), after the conclusion of the appeals process, AMBAG shall issue a proposed final allocation plan. AMBAG shall adjust allocations to local governments based upon the results of the appeals process and distribute the adjustments proportionally to all local jurisdictions, including those jurisdictions who's Draft RHNA Allocation was successfully appealed. For purposes of these procedures, proportional distribution shall be based on the share of regional housing needs

after the appeals are determined and prior to the required redistribution. The redistribution of units successfully appealed could result in increases to the Draft RHNA Allocations for all jurisdictions.

If, consistent with Government Code Section 65584.05(e)(1), the Board of Director's final determination includes adjustments to the allocations of a jurisdiction or jurisdictions that were not the subject of an appeal, these adjustments may be excluded from the cumulative total adjustments to be reallocated proportionally to all jurisdictions in the region.

J. FINAL RHNA PLAN

After AMBAG reallocates units to all local jurisdictions resulting from successful appeals, the Board of Directors shall review and consider adoption of the Final RHNA Plan for AMBAG's 2023-2031 RHNA. This is scheduled to occur in October 2022.

June 2, 2022

Heather Adamson, AICP
AMBAG Director of Planning
24580 Silver Cloud Court
Monterey, CA 93940

sent USPS standard, certified mail, email

RE: Draft 6th Cycle RHNA Plan and Sand City Allotment

Dear Ms. Adamson:

This correspondence is in response to the Draft 6th Cycle (2023-2031) RHNA Plan and the allotment of 260 units in this cycle of the RHNA allocation to the City of Sand City. According to the Department of Finance, the City has a 2022 estimated population of 372 persons. There are approximately 184 dwelling units within the City (8 of which are currently under construction). Requiring a RHNA allocation of 260 that is approximately 141% of the existing number of all existing residential units in the City is patently unreasonable. The allocation to Sand City fails to meet the requirement of Cal. Gov. Code section 65584(d)(1) that the RHNA plan allocates in a manner that is equitable within the region. By comparison, if applied to the City of Monterey, the allocation to Sand City would be equivalent to allocating approximately 42,600 units to the City of Monterey based on its population of approximately 30,218 residents. Instead, your allocation in the draft plan allocates 3,654 units to the City of Monterey.

In addition, the allocation to Sand City ignores additional factors that the methodology requires be observed. For example, you are required to consider "the availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for infill development and increased residential densities…" and "land preserved or protected from urban development under federal or state programs, or both, designed to protect open space… environmental habitats…" (AMBAG Draft 6th Cycle RHNA Plan, April 2022, page 20); Cal Gov. code section 65584(d)(2). Sand City is small in land area (approximately 347 acres), landlocked between other jurisdictions and the Monterey Bay, with development within constrained by the presence of environmentally sensitive species and habitat protected and regulated by both the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife. About half of the City is located west of the Highway 1 freeway

City Hall
1 Pendergrass Way
Sand City, CA
93955

Administration
(831) 394-3054

Planning
(831) 394-6700

FAX
(831) 394-2472

Police
(831) 394-1451

FAX
(831) 394-1038

Incorporated
May 31, 1960

corridor within an appealable Coastal Zone overlay regulated by the City's Local Coastal Plan (LCP); yet subject to appeal to the California Coastal Commission (CCC). The CCC has previously imposed strict limits on coastal development in Sand City due to the Coastal Act's prioritization of public access, coastal recreation, and the preservation of sensitive coastal habitat over that of residential land use.

In addition, a majority of the City has already been re-zoned to either High Density Residential (R-3) or Planned Mixed Use, both enabling high density and multifamily residential development, consistent with Government Code Section 65584(d)(2) for infill and equitable housing opportunities and Government Code Section 65584(d)(3) for an improved relationship between jobs and housing. There are almost no other practical opportunities for re-zoning to accommodate additional residences without impacting the City's primary revenue source, its regional shopping centers.

The City understands the State-wide need for affordable housing and job/housing balance. However, in light of the above constraints and efforts already implemented by the City, it is inconceivable how the City could meet the goals of the current RHNA allocation. The City of Sand City requests AMBAG lower Sand City's allotment to a number that is actually achievable in light of its small size and noted constraints.

Sincerely,

Vibeke Norgaard
City Manager

cc: Mary Ann Carbone, Mayor
Sand City Council Members
Adam Lindgren, City Attorney
Charles Pooler, City Planner

City of Greenfield
PO Box 127 / 599 El Camino Real
Greenfield CA 93937
Phone: 831-674-5591 Fax: 831-674-3149
www.ci.greenfield.ca.us

June 6, 2022

Ms. Heather Adamson, AICP
Director of Planning
Association of Monterey Bay Area Governments
24580 Silver Cloud Court
Monterey, CA 93940
Via email: hadamson@ambag.org

Re: City of Greenfield Comments on Draft 6th Cycle (2023-2031) RHNA Plan

Dear Ms. Adamson:

The City of Greenfield is in a unique position as it prepares to implement Cycle 6 Regional Housing Needs Assessment (RHNA) numbers. On a per capita basis, Greenfield is the highest production jurisdiction in the entire AMBAG region for the production of very low-, low- and moderate-income level RHNA housing goals. Greenfield's filing of its 2021 Annual Progress Report (APR) to the State Housing and Community Development Department (HCD) indicates that Greenfield has met 96.6% of its very low-income housing target, 170.2% of its low-income housing target, and 100% of its moderate-income housing target, with two years remaining in the current Cycle 5 RHNA. The RHNA Progress summary table through 2021, which was submitted to and accepted by HCD staff, is included as Attachment 1 to this letter.

In addition, there are several more housing projects in the planning entitlement and building entitlement process, such that by the conclusion of Cycle 5 RHNA, Greenfield will have far surpassed its RHNA goals, especially with respect to very low-, low-, and moderate-income housing units. In doing so, Greenfield has substantially reduced the amount of appropriately-zoned vacant or underutilized properties, which negatively impacts its ability to accommodate the aggressive housing production targets in the draft Cycle 6 RHNA.

The Housing emergency legislation in Sacramento, such as SB 35 and SB 9 were fueled by jurisdictions who have not built housing in their communities. On the other hand, with respect to AMBAG's methodology for calculating of the Cycle 6 RHNA by jurisdiction, there appears to be no consideration of a jurisdiction's performance on the current RHNA cycle. All AMBAG jurisdictions saw at least a two- or three-fold increase in RHNA goals in Cycle 6, regardless of performance on housing production in Cycle 5. At a minimum, the Cycle 6 RHNA methodology should include an adjustment to the Cycle 6 goals to account for a municipality's exceedance of the Cycle 5 RHNA goals.

The City of Greenfield respectfully requests that the AMBAG methodology for Cycle 6 RHNA goals include an adjustment or credit towards Cycle 6 RHNA production, for any units produced in exceedance of the Cycle 5 RHNA goals. Such a carry-over credit is reasonable and fair, since as stated above, the exceedance of housing production in Cycle 5 RHNA does impact the City's available lands for production of new units in Cycle 6. A carry-over credit applied towards Cycle 6 RHNA would also be in keeping with the interests of the health, safety and welfare of the community. Core infrastructure needs must catch up with this development as the high housing production in Cycle 5 has strained the City's infrastructure and services, particularly with respect to waste-water facilities and water supply. In addition, PG&E has advised the City of future constraints on electrical and natural gas services for the Southern Salinas Valley area. PG&E reports that upgrades to both systems are necessary to support continued development and that such upgrades are likely years out.

The inclusion of a carry-over provision for excess production by income-category would implement an equitable approach to Cycle 6 RHNA goals and apportionments. Municipalities that have exceeded their prior cycle RHNA goals - and have done more than their share in helping address the region and State's housing goals have also strained existing infrastructure. There should be some relief provided for these jurisdictions. Ideally, the carry-over should be applied twice: first, using the latest HCD-accepted Annual Progress Report on housing production in the current RHNA cycle, with overage in housing production by income category credited against the unadjusted Cycle 6 RHNA objectives for that jurisdiction; and second, factored into the adjusted (with carry-over provision) Cycle 6 RHNA goals upon each remaining APR filing – i.e., once the 2022 APR is filed and again once the 2023 APR is filed. Thank you for consideration of these comments and suggestion for improvements for the Cycle 6 RHNA goals.

Please do not hesitate to contact me at pmugan@ci.greenfield.ca.us or 831-304-0333 should you have any questions regarding this letter. Thank you very much for your cooperation.

Sincerely,

Paul C. Mugan
Community Development Director

Paul Wood, CPA
City Manager

cc: Maura Twomey, AMBAG Executive Director
Greenfield City Council

Attachment
1. Greenfield 2022 Annual Progress Report Summary

Jurisdiction	Greenfield	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

		1	2									3	4
Income Level		**RHNA Allocation by Income Level**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total Units to Date (all years)**	**Total Remaining RHNA by Income Level**
Very Low	Deed Restricted	87	4	-	49	-	-	-	-	-	-	84	3
	Non-Deed Restricted		-	-	-	-	-	31	-	-	-		
Low	Deed Restricted	57	27	12	14	-	-	-	-	-	-	97	-
	Non-Deed Restricted		-	-	-	-	-	-	44	-	-		
Moderate	Deed Restricted	66	-	-	-	-	-	-	-	-	-	66	-
	Non-Deed Restricted		22	-	2	-	-	6	36	-	-		
Above Moderate		153	3	2	7	2	5	52	-	-	-	71	82
Total RHNA		363											
Total Units			56	14	72	2	5	89	80	-	-	318	85

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will include units that were permitted since the start of the planning period.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

May 26, 2022

AMBAG Board of Directors
24580 Silver Cloud Ct.
Monterey, CA 93940

Dear AMBAG Board of Directors,

I first want to acknowledge the current housing crisis within our region and the dire need for more affordable housing. Capitola is dedicated to planning for affordable housing and has recently launched our 6th cycle Housing Element update. However, the City of Capitola strongly opposes AMBAG's formula to allocate RHNA housing units. **Capitola believes that not including land area adequate for development makes the current formulas ineffective, inequitable and illogical.**

AMBAG's proposed formula to calculate AFFH units only distributes units based on existing households in a city, which results in smaller densely populated cities being required to accommodate far more units per acre than low density cities.

The following table demonstrates the inconsistent outcomes in the current formula by presenting the proposed number of AFFH units, divided by total land area in high resources cities. Each jurisdiction with RCAA and TCCA averages of 5 or below is shown in green. Jurisdiction with an average of .9 to 1 are shown in blue. If the method was logical, there should be a correlation within each category for units per square mile (excluding counties). However, the method is illogical as evidenced by **Capitola's 401 RCAA units per square mile that is vastly higher than all other jurisdictions**, with the closest jurisdiction trailing by 112 units per square mile.

	RCAA and TCAC Average	2020 Households	Assigned AFFH Units	Total Land Area (Sq. Mile)	AFFH Units per Sq. Mile
Total			11,452		
Monterey County					
Carmel-By-The-Sea	**1.0**	2,129	306	1.06	288.68
Del Rey Oaks	**0.5**	683	49	1.06	.94
Monterey	**0.9**	11,981	1,493	12.27	121.67
Pacific Grove	**1.0**	6,779	974	4.00	243.5
Sand City	**.3**	144	5	2.91	1.72
Unincorporated Monterey	**.5**	33,922	2,337	3,695.00	.63
Santa Cruz County					

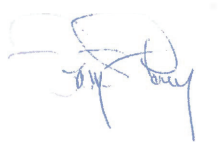
Capitola	**1.0**	4,773	674	1.68	**401.19**
Santa Cruz	**.4**	22,608	1,190	15.83	75
Scotts Valley	**1.0**	4,522	650	4.618	140.75
Unincorporated Santa Cruz	**0.5**	52,156	3,774	578	6.53

Capitola is proud of its planning heritage, the City is built-out with a wide variety of housing opportunities including mixed use, multifamily, mobile homes, and single-family and a 50/50 mix of ownership/rental. Capitola has historically been the most-dense city within the Santa Cruz region. Simply put, our good planning practices of previously developing at higher densities are now the source of our illogically high allocation of RHNA units. To ignore land area adequate for development within the formula is not sound planning. During the housing element update, our residents will be asked to look at future densities much higher than our neighboring jurisdictions within our 1.68 square miles.

The RHNA plan statutory objectives "to ensure the overall size of jurisdiction is considered to assure that large jurisdictions do not get inappropriately small allocations which do not fulfill the needs of their populations, and small jurisdictions do not get inappropriately large allocations that exceed the feasible capacity of developable land" has not been met. The approved AMBAG RHNA formula does not meet this objective.

In closing, the City of Capitola is objecting to the RHNA allocation formula because it does not take into account the actual facts on the ground, the actual amount of land a city has to accommodate new development.

Sincerely,



Sam Storey
Mayor, City of Capitola

MONTEREY COUNTY
HOUSING AND COMMUNITY DEVELOPMENT
Erik V. Lundquist, AICP, Director

HOUSING | PLANNING | BUILDING | ENGINEERING | ENVIRONMENTAL SERVICES
1441 Schilling Place South, 2nd Floor (831)755-5025
Salinas, California 93901-4527 www.co.monterey.ca.us

6 June, 2022

SENT VIA EMAIL ONLY

Heather Adamson
AMBAG
24580 Silver Cloud Court
Monterey, CA 93940

hadamson@ambag.org

Subject: Draft 6th Cycle Regional Housing Needs Allocation (RHNA) Plan 2023-2031

Dear Ms. Adamson,

County of Monterey Housing and Community Development (HCD) is grateful for the opportunity to provide comments on the AMBAG Draft 6th Cycle RHNA Plan 2023-2031.

It is understood that the California Department of Housing and Development (CA HCD) provided AMBAG a total regional determination of 33,274 units, and the methodology for distribution to each jurisdiction begins with the first 6,260 units allocated based on the jurisdiction's anticipated household growth in the RTP/SCS over a four-year planning period. Further, it is understood the methodology allocates the remaining 27,014 units by applying five factors to establish unit distribution to each jurisdiction. The five factors are understood as Jobs (weighted at 14.8 percent), Jobs/Housing Ratio (weighted 31.3 percent), Transit (weighted 3.8 percent), Resiliency (weighted 7.7 percent), and Affirmatively Furthering Fair Housing (AFFH, weighted 42.4 percent). AMBAG's calculation of units distributed across the income groups for Unincorporated Monterey (County of Monterey) is 1,070 (Very Low), 700 (Low), 420 (Moderate), and 1,136 (Above Moderate). The greatest number of units that Unincorporated Monterey is expected to allow occur in the Very Low and Above Moderate income groups.

The chart, AMBAG: PROJECTION PERIOD (8.5 years) in Attachment 2 – HCD Regional Housing Need Determination, under Methodology shows adjustments for Group Quarters Population, Vacancy, Overcrowding, Replacement, and Cost-burden, resulting in the 6th Cycle RHNA of 33,274 units.

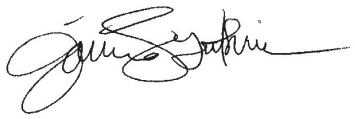
The relationship of the adjustments to the weighted factors is not explained clearly. Understanding that the Cost-burden adjustment results in 1,103 unit increase of Moderate and Above-moderate income households from a 5.76% higher rate than the regional average, this explains a higher unit count in Above Moderate income level; however, this does not explain how the Moderate income level is as low as 420 if both Moderate and Above-moderate income levels are represented in the 5.76% higher rate. Does the AFFH factor weight a greater number of units in the Above Moderate income level, and if so, how is the 42.4% weight factor calculated? Presumably, adjustments for Vacancy, Overcrowding, and Replacement have correlation with the weighted factors of Jobs/Housing Ratio (31.3 percent), indicating that Very Low-income housing options are generally not located where jobs are available? Apparently, assumptions have been made within the calculations that are not indicated in the methodology. A

calculable relationship of the RCAA and TCAC to the weighted factors and adjustments is also not explained clearly.

County HCD appreciates the immense coordination undertaken by AMBAG to develop the RHNA Methodology for meeting the CA HCD statutory objectives.

Thank you again for the opportunity provided County of Monterey HCD to comment on the 6th Cycle RHNA Plan. Please feel free to contact me with any questions at 831.796.6414 or email guthriejs@co.monterey.ca.us

Sincerely,



_____
Jaime Scott Guthrie, AICP, Planner
Housing and Community Development

cc: File REF220034
County of Monterey Clearinghouse

The 2022 AMBAG Board of Directors meeting locations are subject to change and may be held remotely in light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with AB 361.

2022 AMBAG Calendar of Meetings

July 2022	**No Meeting Scheduled**
August 10, 2022	**GoToWebinar** Meeting Time: 6 pm
September 14, 2022	**TBD** Meeting Time: 6 pm
October 12, 2022	**TBD** Meeting Time: 6 pm
November 9, 2022	**TBD** Meeting Time: 6 pm
December 2022	**No Meeting Scheduled**

P.O. Box 2453 Seaside, CA 93955-2453 [ph] 831.883.3750 [fax] 831.883.3755 http://www.ambag.org info@ambag.org

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AMBAG Acronym Guide	
ABM	Activity Based Model
ADA	Americans Disabilities Act
ALUC	Airport Land Use Commission
AMBAG	Association of Monterey Bay Area Governments
ARRA	American Reinvestment and Recovery Act
3CE	Central Coast Community Energy
CAAA	Clean Air Act Amendments of 1990 (Federal Legislation)
Caltrans	California Department of Transportation
CAFR	Comprehensive Annual Financial Report
CalVans	California Vanpool Authority
CARB	California Air Resources Board
CCJDC	Central Coast Joint Data Committee
CEQA	California Environmental Quality Act
CHTS	California Households Travel Survey
CMAQ	Congestion Mitigation and Air Quality Improvement
CPUC	California Public Utilities Commission
CTC	California Transportation Commission
DEIR	Draft Environmental Impact Report
DEM	Digital Elevation Model
DOF	Department of Finance (State of California)
EAC	Energy Advisory Committee
EIR	Environmental Impact Report
FAST Act	Fixing America's Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GHG	Greenhouse Gas Emissions
GIS	Geographic Information System
ICAP	Indirect Cost Allocation Plan
ITS	Intelligent Transportation Systems
JPA	Joint Powers Agreement

LTA	San Benito County Local Transportation Authority
LTC	Local Transportation Commission
MAP-21	Moving Ahead for Progress in the 21st Century Act
MBARD	Monterey Bay Air Resources District
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MPAD	Monterey Peninsula Airport District
MPO	Metropolitan Planning Organization
MST	Monterey-Salinas Transit
MTP	Metropolitan Transportation Plan
MTIP	Metropolitan Transportation Improvement Program
OWP	Overall Work Program
PG&E	Pacific Gas & Electric Company
PPP	Public Participation Plan
RAPS, Inc.	Regional Analysis & Planning Services, Inc.
RFP	Request for Proposal
RHNA	Regional Housing Needs Allocation
RTDM	Regional Travel Demand Model
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SB 375	Senate Bill 375
SBtCOG	Council of San Benito County Governments
SCCRTC	Santa Cruz County Regional Transportation Commission
SCMTD	Santa Cruz Metropolitan Transit District
SCS	Sustainable Communities Strategy
SRTP	Short-Range Transit Plan
STIP	State Transportation Improvement Program
TAMC	Transportation Agency for Monterey County
TAZ	Traffic Analysis Zone
USGS	United States Geological Survey
VMT	Vehicle Miles Traveled
VT	Vehicle Trips