

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

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

Resolution No.: 22-12

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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


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

Commissioner Wheeler	<u>Yes</u>
Commissioner Palmer	<u>Yes</u>
Commissioner Gallegos	<u>Yes</u>
Commissioner Rodriguez	<u>Yes</u>
Commissioner Frazier	<u>Yes</u>
Commissioner Poythress	<u>Yes</u>

  
\_\_\_\_\_  
Chairman, Madera County Transportation Commission

  
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Executive Director, Madera County Transportation Commission

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

Signed:   
\_\_\_\_\_  
Executive Director

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

RESOLUTION ADOPTING THE MADERA COUNTY TRANSPORTATION COMMISSION 2023 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM, THE 2022 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITY STRATEGY, AND THE CORRESPONDING CONFORMITY ANALYSIS

Resolution No.: 22-13

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

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

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

**WHEREAS**, pursuant to SB 375, the applicable ARB per capita GHG emission reduction targets for the Madera County Transportation Commission are 10% below 2005 per capita emissions levels by 2020 and 16% below 2005 per capita emissions levels by 2035; and

**WHEREAS**, pursuant to SB 375, the SCS must: (1) identify the general location of uses, residential densities, and building intensities within the region; (2) identify 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; (3) identify 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; (4) identify a transportation network to service the transportation needs of the region; (5) gather and consider the

best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (1) and (b) of the Government Code Sections 65080 and 65581; and (6) consider the statutory housing goals specified in Sections 65580 and 65581, (7) set forth a forecasted development pattern for the region which when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG reduction targets, and (8) allow the RTP to comply with air quality conformity requirements under the federal Clean Air Act; and

**WHEREAS**, the 2022 RTP/SCS has been prepared in accordance with state guidelines adopted by the California Transportation Commission; and

**WHEREAS**, a 2022 RTP/SCS has been prepared in full compliance with federal guidance; and

**WHEREAS**, federal planning regulations require that Metropolitan Planning Organizations prepare and adopt a short range Federal Transportation Improvement Program (FTIP) for their region; and

**WHEREAS**, projects submitted in the 2023 FTIP must be financially constrained and the financial plan affirms that funding is available; and

**WHEREAS**, the 2023 FTIP has been prepared to comply with Federal and State requirements for local projects and through a cooperative process between the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the State Department of Transportation (Caltrans), principal elected officials of general purpose local governments and their staffs, and public owner operators of mass transportation services acting through the Madera County Transportation Commission forum and general public involvement; and

**WHEREAS**, the 2023 FTIP program listing is consistent with: 1) the 2022 RTP/SCS; 2) the 2022 State Transportation Improvement Program; and 3) the Corresponding Conformity Analysis; and

**WHEREAS**, the 2023 FTIP contains the MPO's certification of the transportation planning process assuring that all federal requirements have been fulfilled; and

**WHEREAS**, the 2023 FTIP meets all applicable transportation planning requirements per 23 Code of Federal Regulations (CFR) Part 450; and

**WHEREAS**, Madera County Transportation Commission has established performance targets that address the performance standards per 23 CFR Part 490, 49 United States Code (U.S.C.) 5326(c), and 49 U.S.C. 5329(d) to use in tracking progress toward attainment of critical outcomes for the region of the MPO; and

**WHEREAS**, Madera County Transportation Commission has integrated into its metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other State transportation plans and transportation processes, as well as any plans developed under 49 U.S.C. Chapter 53 by providers of public transportation, required as part of a performance-based program; and

**WHEREAS**, the MPO must demonstrate conformity per 40 CFR Part 93 for the 2022 RTP/SCS and 2023 FTIP; and

**WHEREAS**, the 2022 RTP/SCS and 2023 FTIP includes a new Conformity Analysis; and

**WHEREAS**, the 2022 RTP/SCS and 2023 FTIP conforms to the applicable SIPs; and

**WHEREAS**, the 2022 RTP/SCS and 2023 FTIP do not interfere with the timely implementation of the Transportation Control Measures; and

**WHEREAS**, the documents have been widely circulated and reviewed by the Madera County Transportation Commission advisory committees representing the technical and management staffs of the member agencies; representatives of other governmental agencies, including State and Federal; representatives of special interest groups; representatives of the private business sector; and residents of Madera County consistent with the public participation process adopted by the Madera County Transportation Commission; and

**WHEREAS**, a public hearing was conducted on July 20, 2022 to hear and consider comments on the 2022 RTP/SCS, 2023 FTIP, and Corresponding Conformity Analysis.

**NOW, THEREFORE, BE IT RESOLVED**, that the Madera County Transportation Commission adopts the 2022 RTP/SCS, 2023 FTIP, and Corresponding Conformity Analysis.

**BE IT FURTHER RESOLVED**, that the Madera County Transportation Commission finds that the 2022 RTP/SCS and 2023 FTIP are in conformity with the requirements of the Federal Clean Air Act Amendments and applicable State Implementation Plans for air quality.

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




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

Commissioner Wheeler	<u>Yes</u>
Commissioner Palmer	<u>Yes</u>
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Commissioner Frazier	<u>Yes</u>
Commissioner Poythress	<u>Yes</u>

  
\_\_\_\_\_  
Chairman, Madera County Transportation Commission

  
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Executive Director, Madera County Transportation Commission

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

Signed:   
\_\_\_\_\_  
Executive Director