

# 2022 Regional Transportation Plan & Sustainable Communities Strategy

## Final Program Environmental Impact Report

Release August 19, 2022



*Your Madera*  
2046



# 2022 Regional Transportation Plan/ Sustainable Communities Strategy Final Program Environmental Impact Report



August 19, 2022

Prepared for:



Patricia Taylor, Executive Director  
2001 Howard Rd, Suite 201  
Madera, CA 93637  
(559) 675-0721, Ext. 1

Prepared by:



Georgiena Vivian, President  
4660 W Jennifer, Suite 105  
Fresno, CA 93722  
(559) 271-1200

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## SECTION 1.0 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Final Program Environmental Impact Report (Final PEIR) must be prepared, certified, and considered by decision-makers prior to taking action on a project. The Final PEIR provides the Madera County Transportation Commission (MCTC) with an opportunity to respond to comments received on the Draft PEIR and to incorporate any changes or additions necessary to clarify and/or supplement the information contained in that document. This Final PEIR, therefore, represents the culmination of all environmental related issues raised during the comment period on the Draft PEIR for the MCTC 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

Comments received and staff response to those comments are contained in Section 2 of this Final PEIR. Section 3 provides a listing of changes, additions, and corrections to that Draft PEIR. Such changes, additions, and corrections are necessary to address revisions resulting from written and/or oral comments on the Draft PEIR and to make other minor clarifications. In addition, this Final PEIR contains the CEQA Findings and Statement of Overriding Considerations (Exhibit A), which identifies the significant, adverse, and unavoidable impacts in the Draft PEIR. Finally, a Mitigation Monitoring and Reporting Program (Exhibit B) is included that identifies the necessary processes that are required to ensure that the mitigation measures recommended in the Draft PEIR are implemented. The MCTC Board of Directors is required to balance the benefits of the proposed Project (2022 RTP/SCS) against its potential unavoidable environmental impacts in determining whether to approve the project.

### 1.1 FORMAT AND SCOPE

This document has been prepared by VRPA Technologies, Inc. (VRPA) to address the required components described above. The 45-day Draft PEIR review and comment period began on June 29, 2022 and ended on August 13, 2022.

The Final PEIR is also composed of the following documents, which are incorporated here by reference:

- ✓ MCTC 2022 Regional Transportation Plan/Sustainable Communities Strategy, Draft Program Environmental Impact Report, June 29, 2022
- ✓ Draft MCTC 2022 Regional Transportation Plan/Sustainable Communities Strategy, June 29, 2022
- ✓ Draft Madera County Conformity Analysis, June 29, 2022
- ✓ Draft MCTC 2023 Federal Transportation Improvement Program (FTIP)
- ✓ MCTC Regional Transportation Plan/Sustainable Communities Strategy, Final Program Environmental Impact Report, August 20, 2022

## 1.2 PROJECT DESCRIPTION

The Project, as defined by CEQA Statutes, Section 21065, is the preparation of the 2022 revision of the RTP/SCS (incorporated by reference). MCTC has prepared the 2022 RTP/SCS as required by Section 65080 et seq., of Chapter 2.5 of the California Government Code, federal guidelines pursuant to new requirements established in the federal surface transportation reauthorization, Bipartisan Infrastructure Law (BIL), “Moving Ahead for Progress in the 21<sup>st</sup> Century” (MAP-21) and the Fixing America’s Surface Transportation (FAST) Acts, Transportation Conformity for the Air Quality Attainment Plan per 40 CFR Part 51 and 40 CFR Part 93, and requirements set forth in *Assembly Bill 32, The California Global Warming Solutions Act of 2006*, and *Senate Bill 375 The Sustainable Communities and Climate Protection Act of 2008*. These acts require that RTPs include only those projects which can be delivered with funds expected to be available (i.e., financially constrained), and that those projects will help attain and maintain air quality standards consistent with the Clean Air Act Amendments of 1991 and other federal mandates noted below. The RTP must also meet Transportation Conformity for the Air Quality Attainment Plan per 40 CFR Part 51 and 40 CFR Part 93 (reference the 2022 RTP). In addition, the RTP must address requirements set forth in Assembly Bill 32, the California Global Warming Solutions Act of 2006. The California Transportation Commission (CTC) has prepared guidelines (adopted by the Commission on January 18, 2017 to assist in the preparation of RTPs pursuant to Section 14522 of the Government Code.

The 2022 RTP/SCS is an update of the 2018 RTP/SCS, which expires in December 2022. This RTP/SCS will be in effect upon its adoption, which is scheduled for August 31, 2022. The 2022 RTP/SCS is similar to the 2018 RTP/SCS in that it includes the Sustainable Communities Strategy as required by Senate Bill 375 – the Sustainable Communities and Climate Protection Act of 2008 and also contains updates to planned improvement projects. As the designated Regional Transportation Planning Agency (RTPA), MCTC is mandated by State and federal law to update the RTP/SCS every four (4) years. For the 2018 RTP/SCS, a Program Environmental Impact Report (PEIR) was prepared and adopted that year.

The Draft PEIR for the 2022 RTP/SCS has been prepared to focus on the evaluation of the environmental effects of the SCS, a required element of the RTP. In addition, the PEIR is also intended to address cumulative and growth inducing impacts and other issues resulting from the RTP/SCS as required by CEQA. The SCS is further described below and is incorporated by reference.

The RTP is used to guide development of the Federal Transportation Improvement Program (FTIP), which MCTC prepares and maintains. The FTIP includes a listing of all transportation-related projects requiring federal funding or other approval by the federal transportation agencies. The FTIP also lists non-federal, regionally significant projects for information and air quality modeling purposes. Projects included in the FTIP are consistent with the RTP and are part of the area’s overall strategy for providing mobility, congestion relief and reduction of transportation-related air pollution in support of efforts to attain federal air quality standards for the region.

The RTP/SCS is used to guide the development of the Regional Transportation Improvement Program (RTIP). The RTIP is the programming document used to plan the construction of regional transportation projects and requires California Department of Transportation (Caltrans) approval. No project-level assessments of environmental impacts are feasible in this Draft PEIR due to the absence of site-specific information and the inability to predict when and if particular projects will receive funding or approval. The RTP/SCS is also used as a transportation planning document by each of the member jurisdictions of MCTC.

The RTP/SCS identifies the region's transportation needs and issues, sets forth an action plan of projects and programs to address the needs consistent with the adopted policies, and documents the financial resources needed to implement the plan. The 2022 RTP/SCS includes updated project lists and updated performance measures. The 2022 RTP is the third to contain an SCS as required by California Senate Bill (SB) 375. SB 375, enacted in 2008, requires that each Metropolitan Planning Organization (MPO) include an SCS that provides an integrated land use and transportation plan for meeting emission reduction targets set forth by the California Air Resources Board (CARB).

The RTP/SCS and Draft PEIR set forth plans of action for the region to pursue and meet identified transportation needs and issues. Planned investments must be consistent with the goals and policies of the Plan and must be financially constrained (meaning that funding is available and has been committed by the appropriate agencies to implement the project). These projects are listed in the Constrained Program of Projects. Results of the modeling process are provided in Chapter 2 and Sections 3.4, 3.6, and 3.17 of the Draft PEIR, as well as the Air Quality Conformity Analysis<sup>1</sup>.

Forecasting methods in the RTP/SCS primarily use the "market-based approach" based on demographic data and economic trends. For best results, the RTP/SCS also uses the "build out" method, providing the best estimates for growth in all areas of the County through the year 2046. Within each element of the RTP/SCS, assumptions are made that guide the goals, policies and actions. Those assumptions include demographic projections, land use forecasts, air quality models, performance indicators, capital and operations costs, cost of alternatives, timeframe (short- and long-term), environmental resources and methodology.

Alternative scenarios are briefly discussed in the 2022 RTP/SCS; they are also addressed and analyzed for their feasibility in Section 4 of the Draft PEIR and in this Final PEIR, as required by CEQA (15126(d), 15125.6(a)). From the Draft PEIR, the alternatives are identified, described, and assessed. The 2022 RTP/SCS only recommends one alternative scenario (Scenario 3), which is the preferred alternative. The

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<sup>1</sup> The Air Quality Conformity Analysis is required by the Clean Air Act and U.S. Environmental Protection Agency transportation conformity regulations for all nonattainment and maintenance areas for transportation-related criteria pollutants. The Conformity Analysis is used to demonstrate that predicted emissions for the RTP pass both the emissions budget and interim emission tests.

2022 RTP/SCS prioritizes development in infill and redevelopment zones, assumes more compact lot sizes in core urban areas, and provides moderate increases to densities in urban areas and slight increases to densities in the remainder of the county, outside of urban cores. Scenario 3 also accelerates investment shift towards zero-emission vehicle infrastructure, public transit, shared ride options, micromobility, and non-motorized transportation strategies

The 2022 RTP/SCS consists of required elements referenced in the enabling legislation and is organized into various sections noted below.

**Chapter 1 Introduction** – Introduces the setting and purpose of the RTP/SCS, the key guiding regulations, previous regional milestones, and preview of the plan contents.

**Chapter 2 Policy Element** – a comprehensive listing of goals, objectives, and strategies that identifies the necessary steps to implement the RTP/SCS.

**Chapter 3 Sustainable Communities Strategy** – A detailing of the collaborative process behind the creation of a planning scenario able to achieve the goals of SB 375 for the Madera region.

**Chapter 4 Action Element** – Describes the regional assumption, transportation system and how needs are addressed across various modes.

**Chapter 5 Financial Element** – Outlines the projected revenues for the region and expenditures to implement the RTP/CS.

**Appendices** – A collection of documents providing supporting information for the contents of the plan.



## SECTION 2.0 COMMENTS AND RESPONSES TO COMMENTS

### 2.1 COMMENTS RECEIVED

Comment letters regarding the Draft 2022 Madera County Transportation Commission (MCTC) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and/or Draft Program Environmental Impact Report (Draft PEIR) were dated/received from the three (3) agencies and organizations noted in Table 2-1.

**TABLE 2-1**  
Comment Letters on the 2022 RTP/SCS and/or Draft PEIR

LETTER/EMAIL NUMBER/AGENCY NAME	LETTER DATE/ DATE RECEIVED
1. California Department of Transportation (Caltrans)	Aug 9, 2022/ Aug 9, 2022
2. Department of California Highway Patrol	Aug 9, 2022/ Aug 9, 2022
3. California Department of Fish and Wildlife	Aug 12, 2022/ Aug 12, 2022

In addition, one (1) in person public hearing regarding the Draft 2022 RTP/SCS and/or Draft PEIR was conducted on July 20, 2022. Oral comments related to the Draft PEIR were not provided by the public or other agency representatives during the public hearing.

### 2.2 COMMENT LETTERS AND RESPONSES TO COMMENTS

Written comments on the Draft PEIR are included below. The letters have been numbered consistent with Table 2-1 in Section 2.1 above. Comments related to the Draft 2022 RTP/SCS can be found in a separate document related to comments and responses to comments on the Draft 2022 RTP/SCS at the following link: [Your Madera 2046 RTP/SCS | Madera County Transportation Commission \(maderactc.org\)](https://www.maderactc.org/YourMadera2046RTP/SCS)

Relevant responses follow each letter using comment numbering for reference.

## Comment Letter 1. California Department of Transportation

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

### California Department of Transportation

DISTRICT 6 OFFICE  
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616  
(559) 981-7373 | FAX (559) 488-4195 | TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



August 9, 2022

DRAFT 2022 RTP/SCS  
DRAFT Program EIR  
REVIEW LETTER

#### **SENT VIA EMAIL**

Dylan Stone  
Madera County Transportation Commission  
2001 Howard Road, Suite 201  
Madera, CA 93637

Dear Mr. Stone:

Thank you for the opportunity to review and provide comments on the Madera County Transportation Commission (MCTC) Draft 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The document is well-written, providing a clear picture of the existing transportation system in Madera County, as well as a clear understanding of current and future needs. Caltrans recognizes the significant effort MCTC put into seeking comments from their constituency and for diligently working to attain air quality targets for the area. By hosting workshops throughout the County including the unincorporated areas, and in conjunction with other community activities, MCTC's public engagement seemed interactive rather than prescriptive. MCTC is commended in providing ongoing transportation activities and ensuring unmet transportation needs are being addressed for the County of Madera and their surrounding communities. Our comments for the Draft 2022 RTP/SCS are as follows:

#### **TRANSPORTATION PLANNING – DISTRICT 6**

MCTC's vision to provide for a "sound multimodal transportation system facilitating a vibrant economy, enhancing the physical and cultural environment, and ensuring a high quality of life for citizens in Madera County," is complementary to Caltrans' vision for the statewide transportation system. Caltrans concurs with MCTC's supposition that the direction and nature of transportation, "can be accomplished by either reinforcing positive opportunities and trends already in place or stimulating change in a new direction to achieve desired outcomes." It is also agreed that the successful execution of that vision requires that Madera County, the cities of Chowchilla and Madera, and MCTC must work together. The stated principles to success (improved quality of life, prosperity, cultural diversity, health and environment) as well as the stated goals and objectives, if followed, will foster a thriving community.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Mr. Dylan Stone, Draft 2022 RTP/SCS and Draft PEIR  
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Page 2

**Sustainable Transportation Planning Grants Comment:**

Caltrans has previously engaged with the County/MCTC and provided feedback on the MCTC Project Prioritization Study, Madera County Active Transportation Plan, and State Route (SR) 233 Corridor Study.

In general, Caltrans concurs with the County's/MCTC continued efforts for a more active transportation network. Caltrans supports active transportation efforts that address safety, Vehicle Miles Traveled (VMT)/GHG reduction, and overall quality of life and public health, especially for underserved communities/communities of need. Caltrans appreciates the coordination the County/MCTC has had with our office and recommends continuous engagement with our office during project implementation.

**Air Quality Comments:**

Federal Transportation Improvement Program (FTIP) Chapter 1, Page 1-4:

This is the third SCS prepared for Madera County to address requirements set forth with the passage of Senate Bill (SB) 375, with the goal of ensuring that the MCTC region can meet its regional greenhouse gas (GHG) reduction targets set by the California Air Resources Board (ARB). In 2018, the ARB issued emission reduction targets to each of the eight (8) Metropolitan Planning Organizations (MPOs) in the San Joaquin Valley, including MCTC. The targets included a percentage reduction of GHG emissions from 2005 of 10% by the year 2020 and a reduction in GHG emissions of 16% by the year 2035.

**Transit Comments:**

MCTC is encouraged to continue to apply for Rural Transit & Intercity Bus - FTA Section 5311 and 5311 (f) funds, Active Transportation Planning Grants, Caltrans Sustainable Transportation Planning Grants and FTA Section 5339 (b) Bus and Bus Facilities Discretionary Program funding opportunities recently made available to further efforts in transit planning projects. Caltrans welcomes continued collaboration with MCTC on new projects that may be eligible under SB1.

**TECHNICAL PLANNING BRANCH – DISTRICT 6:**

**Draft RTP Page 1-11:**

SR 99 Trade Corridor Enhancement Program (TCEP) Grant – The first sentence of the paragraph states CTC unanimously approved recommendations. Based on the title of the paragraph it should also say that the 6-lane project was awarded funding through the TCEP program.

**Draft RTP Page 4-11:**

Description of SR 99 should include the recently opened 6-lane segment from Ave 12 to Ave 17.

**Draft RTP Page 4-13:**

Figure 4-7 doesn't match existing 6-lane conditions through downtown Madera. This Figure was developed before that project was completed. Should update Figure.

“Provide a safe and reliable transportation network that serves all people and respects the environment”

Mr. Dylan Stone, Draft 2022 RTP/SCS and Draft PEIR  
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**Draft RTP Page 4-14:**

Suggest adding language to the front of the Finish The 99 paragraph regarding developing projects in alignment with current Caltrans and Federal priorities while maintaining past priorities as well.

**Draft RTP Page 4-15:**

Suggest removing the phrase "increase capacity" from project descriptions.

**Draft RTP Page 4-16:**

Last sentence of second paragraph should say "project" not "projected".

**Draft RTP Appendix B Page D-2**

Two projects are listed for SR 99/SR 233. We believe one project is proposed to do both improvements. Please clarify if the two projects are for the two phases of the overall.

**SYSTEM PLANNING BRANCH – DISTRICT 6**

**General Comments:**

In the previous Fiscal Year, MCTC participated in Caltrans' effort to update the Corridor Plan for SR 145. At the time, Caltrans had a project on our project list from the 2018 MCTC RTP, to widen SR 145 from 2 to 4 lanes from SR 99 to Yosemite Avenue. This may not be consistent with our vision for the Corridor or with Caltrans' current direction, especially given the Downtown CAPM project, a proposal for a road diet in the City of Madera – our most recent draft Corridor Plan and Summary Chart envisions this segment as a 2-lane facility with Complete Street elements by 2027.

**OFFICE OF TRAFFIC OPERATIONS – DISTRICT 6**

**Draft Program Environmental Impact Report:**

Roundabouts were largely omitted as a mitigation and energy conservation impact strategy. Studies have shown, modern roundabouts can reduce emissions as much as 20-30% compared to a signalized intersection. Roundabouts notably have lower maintenance and electricity costs in comparison to traffic signals and require drivers to consume less fuel. Roundabouts are effective engineering countermeasures for intersection safety and have a proven record of accident reduction. Caltrans encourages their use and we continue to educate stakeholders and community members regarding their benefits.

**General Comments:**

Bicycle and pedestrian facilities were proposed at various locations throughout Madera County, the connectivity between bicycle facilities should be planned, and the connectivity between pedestrian facilities should also be planned.

A VMT Mitigation Bank Program or a VMT Mitigation Impact Fee Program should be established to help reduce VMTs.

Thank you for considering our comments for inclusion in the Final 2022 RTP/SCS. Caltrans will continue to be available to MCTC as a resource in evaluating regional

"Provide a safe and reliable transportation network that serves all people and respects the environment"

1.1

1.2

Mr. Dylan Stone, Draft 2022 RTP/SCS and Draft PEIR  
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issues, population and traffic growth projections and multimodal solutions to accommodate future transportation needs. Caltrans is invested in ensuring that planned projects in the RTP are equitable and sustainable, and are developed in an open and collaborative manner, which MCTC has shown a commitment to. Improving existing motor vehicle traffic, aviation, freight, mass transit, rail planning and promoting Active Transportation Programs with the implementation of complete streets features in planned projects will assist in providing a safe, sustainable, integrated transportation system. These fundamentals will help support transportation infrastructure, and smart growth that lead to Green House Gas (GHG) and VMT reductions for Madera County and the San Joaquin Valley.

If you have any further questions, please contact Nicholas Isla at (559) 981-7373 or email [nicholas.isla@dot.ca.gov](mailto:nicholas.isla@dot.ca.gov).

Sincerely,



DAVID PADILLA, Branch Chief,  
Transportation Planning – North

C: Caltrans-D6 - Michael Navarro, Alec Kimmel, Albert Lee, Eric Olson  
Caltrans-HQ - Jennifer Duran, Kevin Mariant, Gilbert Valencia, Jelani Young,

“Provide a safe and reliable transportation network that serves all people and respects the environment”

**Comment 1.1:** Draft Program Environmental Impact Report: Roundabouts were largely omitted as a mitigation and energy conservation impact strategy. Studies have shown, modern roundabouts can reduce emissions as much as 20-30% compared to a signalized intersection. Roundabouts notably have lower maintenance and electricity costs in comparison to traffic signals and require drivers to consume less fuel. Roundabouts are effective engineering countermeasures for intersection safety and have a proven record of accident reduction. Caltrans encourages their use, and we continue to educate stakeholders and community members regarding their benefits.

**Response 1.1:** Thank you for your comment. Roundabouts are considered to be included as part of the complete streets strategies included in the mitigation measures recommended for vehicle miles traveled impacts. When combined with other complete streets strategies, roundabouts are considered to have the potential to reduce VMT in addition to the other benefits described above.

**Comment 1.2:** A VMT Mitigation Bank Program or VMT Mitigation Impact Fee Program should be established to help reduce VMT.

**Response 1.2:** Thank you for your comment. The recommendation is acknowledged. The process for including VMT fees in existing traffic impact fee programs and/or establishing new VMT mitigation fee programs is considered to be separate from the RTP/SCS, but various agencies within the MCTC region are looking into these strategies.

## Comment Letter 2. Department California Highway Patrol

State of California – Transportation Agency

GAVIN NEWSOM, Governor

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

Madera Area  
3051 Airport Drive  
Madera, California, 93637  
(559) 507-8120  
(800) 735-2929 (TT/TDD)  
(800) 735-2922 (Voice)



August 9, 2022

File No.: 450.13721

Madera County Transportation Commission  
2001 Howard Road, Suite 201  
Madera, CA 93637

RE: SCH# 2021030268

The Madera Area of the California Highway Patrol received the "Notice of Completion" of the Environmental document for the proposed Madera County Transportation Commission (MCTC) 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), for State Clearinghouse (SCH) number 2021030268. After review, we have concerns with the potential impacts this project could have on traffic related calls for service.

Our concerns relate to the construction phase of the proposed infrastructure improvements to multiple sections of State Route 99 within Madera County. The proposed project, to include the realignment, narrowing, and adjustment of traffic lanes throughout the entirety of the construction phase will have a negative impact on Madera Area's operations. There will be a significant increase in traffic congestion, vehicle crashes, and calls for service directly related to this project, which will necessitate the need for additional traffic control measures. During the previous two-year (2019-2021) SR-99 Realignment construction project, the CHP Madera Area provided 2,076 motorist services, issued 2,020 citations, responded to 2,448 calls for service, and investigated 996 crashes, all directly related to the construction project. It should also be noted that 53 of the crashes investigated were DUI related. These numbers are projected to increase.

Working directly with Caltrans and the implementation of COZEEP, in addition to Freeway Service Patrol (FSP) services during this proposed construction project, should help mitigate some of these potential issues and limit the overall traffic impact of this proposed project.

2.1

*Safety, Service, and Security*



*An Internationally Accredited Agency*

Madera County Transportation Commission  
Page 2  
August 3, 2022

If you have any questions regarding these concerns, please contact me at (559) 507-8120.

Sincerely,



H. MADRIGAL, Lieutenant  
Commander



**Comment 2.1:** Our concerns relate to the construction phase of the proposed infrastructure improvements to multiple sections of State Route 99 within Madera County. The proposed project, to include the realignment, narrowing, and adjustment of traffic lanes throughout the entirety of the construction phase will have a negative impact on Madera Area's operations. There will be a significant increase in traffic congestion, vehicle crashes, and calls for service directly related to this project, which will necessitate the need for additional traffic control measures. During the previous two-year (2019-2021) SR-99 Realignment construction project, the CHP Madera Area provided 2,076 motorist services, issued 2,020 citations, responded to 2,448 calls for service, and investigated 996 crashes, all directly related to the construction project. It should also be noted that 53 of the crashes investigated were DUI related. These numbers are projected to increase. Working directly with Caltrans and the implementation of COZEEP, in addition to Freeway Service Patrol (FSP) services during this proposed construction project, should help mitigate some of these potential issues and limit the overall traffic impact of this proposed project.

**Response 2.1:** Thank you for your comment. The MCTC 2022 RTP/SCS PEIR is a program level environmental document. As such, it does not identify the mitigation measures associated with specific improvement projects that are the responsibility of Caltrans and other local agencies. The Draft PEIR does include a list of mitigation measures that implementing agencies should apply when those agencies prepare project level environmental review.

- ✓ In addition, Mitigation Measure **TT 3.17.2-22** on Page 3-470 of the Draft PEIR, notes the following:  
System Monitoring: Local jurisdictions are encouraged to monitor traffic and congestion to determine when and where new transportation facilities are needed in order to increase access and efficiency. Further, the following mitigation measures are also noted in the Draft PEIR on Page 3-474:
  - **TT 3.17.3-1** Implementing agencies should consider safety an objective in the design of RTP projects, and should plan to avoid, improve, or mitigate safety impacts in the course of project-level environmental review.
  - **TT 3.17.3-3** MCTC shall work with local officials to assist with implementation of regional transportation safety and security policies.

## Comment Letter 3. California Department of Fish and Wildlife

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State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



August 12, 2022

Dylan Stone  
Madera County Transportation Commission  
2001 Howard Road Suite 201  
Madera, California 93637  
dylan@maderactc.org

**Subject: 2022 Regional Transportation Plan/Sustainable Communities Strategy  
(RTP/SCS) (Project)  
Draft Program Environmental Impact Report (DEIR)  
SCH No.: 2021030268**

Dear Mr. Stone:

The California Department of Fish and Wildlife (CDFW) received a Programmatic DEIR from the Madera County Transportation Commission (MCTC) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

### CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

*Conserving California's Wildlife Since 1870*

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Dylan Stone  
Madera County Transportation Commission  
August 12, 2022  
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projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

**Nesting Birds:** CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

**Fully Protected Species:** CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. "Take" of any fully protected species is prohibited and CDFW cannot authorize their "take." The fully protected blunt-nosed leopard lizard (*Gambelia sili*), golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*), and white-tailed kite (*Elanus leucurus*) are known to occur in Madera County.

#### PROJECT DESCRIPTION SUMMARY

**Proponent:** Madera County Transportation Commission

**Objective:** The Project is the preparation of the 2022 RTP/SCS. MCTC is in the process of preparing the RTP/SCS as required by Section 65080 et seq., of Chapter 2.5 of the California Government Code, federal guidelines pursuant to new requirements established in the federal surface transportation reauthorization, Bipartisan Infrastructure Law, "Moving Ahead for Progress in the 21<sup>st</sup> Century", and the Fixing America's Surface Transportation Acts, Transportation Conformity for the Air Quality Attainment Plan per 40 CFR Part 51 and 40 CFR Part 93, and requirements set forth in Assembly Bill 32, *The California Global Warming Solutions Act of 2006*, and Senate Bill 375 *The Sustainable Communities and Climate Protection Act of 2008*. The California Transportation Commission has prepared guidelines to assist in the preparation of the RTP/SCS.

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The 2022 RTP/SCS will address all transportation modes including motor vehicles, transit (commuter and local), rail (commuter and interregional), goods movement (rail freight and trucking), bicycle and pedestrian facilities, aviation systems, and transportation systems management programs and projects considering the horizon year of 2046. In addition, the 2022 RTP/SCS will:

- Identify the region's transportation goals, objectives, and policies
- Include the SCS, which demonstrates how the region will meet its GHG reduction target through integrated land use, and housing and transportation planning. Once adopted by MCTC, the SCS becomes an integral part of the RTP
- Set forth an action plan of projects and programs to address the needs consistent with the Policy Element
- Reflect results of the Transportation Conformity Analysis
- Detail the RTP/SCS public outreach process
- Include the Environmental Justice analysis process

**Location:** The Project site is located within the corporate limits of Madera County, California, including two incorporated cities (Chowchilla and Madera) and all unincorporated areas under the jurisdiction of the County of Madera.

**Timeframe:** The RTP/SCS is a long-range plan for all modes of transportation through to the year 2046.

#### COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist MCTC in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. CDFW understands that the MCTC seeks to develop a transportation planning document to guide transportation development projects within Madera County. Given the county-wide implications of this RTP/SCS, CDFW is concerned that subsequent projects (hereafter, "projects") tiering from this Program EIR could impact special-status species including, but not limited to, the State and federally threatened California tiger salamander (*Ambystoma californiense*), the State endangered and fully protected and federally endangered blunt-nosed leopard lizard (*Gambelia sila*), the State threatened Swainson's hawk (*Buteo swainsoni*), the State threatened tricolored blackbird (*Agelaius tricolor*), the State endangered great gray owl (*Strix nebulosa*), the State endangered foothill yellow-legged frog (*Rana boylei*), the State fully protected golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*), the State endangered and fully protected bald eagle (*Haliaeetus leucocephalus*), the State and federally endangered Fresno kangaroo rat (*Dipodomys nitratoides exilis*), the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*), the State threatened and federally proposed endangered Sierra Nevada red fox (*Vulpes vulpes necator*), the State threatened and federally endangered fisher (*Pekania pennanti*), the State and

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federally endangered Harweg's golden sunburst (*Pseudobahia bahiifolia*), the State federally endangered hairy Orcutt grass (*Orcuttia pilosa*), the State endangered and federally threatened succulent owl's clover (*Castilleja campestris var. succulenta*), and the State species of special concern burrowing owl (*Athene cunicularia*), California spotted owl (*Strix occidentalis occidentalis*), and western spadefoot toad (*Spea hammondi*). While this list may not include all special-status species present in Madera County, it does provide a robust source of information as to which species could potentially be impacted.

### **Biotic Resources 3.5.1-4**

Biotic Resources 3.5.1-4 of the DEIR states that "if sensitive plant or wildlife species and non-native habitat are identified within the biological impact area, a Biological Resources Management Plan will be developed to address appropriate avoidance and minimization measures." CDFW recommends the following measures be incorporated into the Biological Resources Management Plan.

California tiger salamander (CTS): CTS have been documented in Madera County (CDFW 2022). CTS breed and develop in vernal and seasonal pools and stock ponds in grassland, woodland, and scrub habitat types. They require upland refuges (i.e., small mammal burrows) when not breeding. Prior to ground-disturbing activities, CDFW recommends that a qualified wildlife biologist assess the project site and vicinity (i.e., up to 1.3 miles, observed CTS dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommends site assessments follow the United States Fish and Wildlife Service (USFWS) "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (2003). CDFW recommends the qualified biologist determine the impacts of project-related activities to all CTS upland and breeding habitat within and/or adjacent to the construction footprint. Because both upland burrow refugia and breeding wetland habitat features suitable for use by CTS are present in Madera County, CDFW advises avoidance for CTS include a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows. If burrow avoidance is not feasible, consultation with CDFW is warranted to determine if the project can avoid take. CDFW agrees with BR 3.5.1-21 that if take cannot be avoided, acquisition of an Incidental Take Permit (ITP) is necessary prior to any ground-disturbing activities to comply with CESA.

Blunt-nosed Leopard Lizard (BNLL): BNLL (*Gambelia sila*) is State and federally endangered and have the potential to occur in Madera County. Full BNLL protocol surveys are recommended on the entirety of project sites which provides potential BNLL habitat. Suitable BNLL habitat includes all areas of grassland and shrub habitat that contains required habitat elements, such as small mammal burrows and open areas for basking. BNLL are also known to utilize open space patches between suitable habitat

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features including disturbed sites and unpaved access roadways. BNLL is fully protected and CDFW cannot authorize take of this species.

CDFW recommend focused surveys following the survey methods titled “*Approved Survey Methodology for the Blunt-nosed Leopard Lizard*” (CDFW 2019) to detect any BNLL that may occur in the Project area. These surveys, the parameters of which were designed to optimize detectability, must be conducted within one year from the start of project activities to reasonably assure CDFW that take of this fully protected species will not occur as a result of project implementation. It is important to note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same survey season, and that within these time periods there are specific date, temperature, and time parameters which must be adhered to; as a result, protocol-level surveys for this species are not synonymous with “pre-construction” surveys often recommended for other wildlife species.

In addition, CDFW advises that all potential burrows, which could be occupied by BNLL, and all individuals observed above-ground be avoided. CDFW recommend suitable burrows within and adjacent to potential habitat for BNLL be avoided by a minimum 50 feet in all areas where ground-disturbing project activities will occur, that an appropriate number of qualified biologists be present during all ground-disturbing project activities to ensure that BNLL above ground are not impacted, and that any individual that may enter the project activity area be allowed to leave unobstructed on its own. In the event that BNLL is detected, consultation with CDFW would be warranted to discuss how to implement the Project and avoid take.

**San Joaquin Kit Fox (SJKF):** SJKF has the potential to occur in Madera County. SJKF populations are known to fluctuate over years and a negative finding from biological surveys in any one year does not necessarily depict absence of kit fox on a site. It is important to note that SJKF may be attracted to any construction area due to the type and level of activity (pipes, excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. CDFW recommends that the exclusion buffers and survey methods found in the USFWS’s “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” (2011) be followed prior to any ground-disturbing activities occurring within the Project site.

**Special Status Plant Species:** There is the potential for multiple special status plant species to occur on or adjacent to the subsequent project sites. CDFW recommends that all project sites be surveyed by a qualified botanist. CDFW advises following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (March 20, 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys

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may be necessary. Further, CDFW advises that a minimum no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s), or specific habitat type(s) required by special status plant species, be delineated around special status plant species. If buffers cannot be maintained, then consultation with CDFW is advised to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State- or federally listed plant species is identified during botanical surveys, then consultation with CDFW and/or the USFWS is recommended to determine the need for an ITP (issued by CDFW) or a Biological Opinion (issued by the USFWS).

### **Biotic Resources 3.5.1-9**

Biotic Resources 3.5.1-9 states that “all vegetation removal and construction activities will occur between August 16<sup>th</sup> and February 14<sup>th</sup> to avoid potential conflicts with nesting birds. If it is not possible to remove vegetation during the time frame, a nest clearance survey will be completed prior to vegetation clearing.”

If project activities occur during the bird nesting season, CDFW recommends protocol-level surveys be conducted prior to any project ground disturbance. CDFW recommends (1) a 0.5-mile no-disturbance buffer for any fully protected, State-threatened and/or State-endangered birds, except that a minimum 300-foot no-disturbance buffer be implemented for active tricolor blackbird nest colonies in accordance with CDFW’s *Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015* (CDFW 2015), (2) a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species, and (3) a 500-foot no-disturbance buffer around the nests of unlisted raptors. Survey protocols can be found at CDFW’s website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). CDFW advises that these nest avoidance buffers be incorporated into the Biological Resources Management Plan.

While BR 3.5.1-9 of the DEIR proposes that the August 16<sup>th</sup> through February 14<sup>th</sup> work period will be used to avoid disturbance to nesting birds, it is also important to note that any project ground-disturbing activities during this period may impact CTS. CTS usually leave their burrows during the first rain events in search of seasonal pools or stock ponds for breeding. Project proponents may need to consider the timing of project activities, the location of the project in proximity to special status species habitat, and/or the need to pursue take authorization.

### **Cumulative Impacts**

CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the project, including those whose impacts are determined to be less

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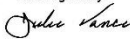
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than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts may need to be analyzed using acceptable methods to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and will need to be focused specifically on the resource, not the project. An appropriate resource study area may need to be identified and utilized for this analysis. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

CDFW appreciates the opportunity to comment on the Project to assist MCTC in identifying and mitigating project impacts on biological resources. If you have any questions, please contact Jim Vang, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3203, or by electronic mail at [Jim.Vang@wildlife.ca.gov](mailto:Jim.Vang@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...

Julie A. Vance  
Regional Manager

Attachment

ec: United States Fish and Wildlife Service  
Patricia Cole; [Patricia\\_Cole@fws.gov](mailto:Patricia_Cole@fws.gov)

Office of Planning and Research  
State Clearinghouse  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

Jim Vang  
California Department of Fish and Wildlife



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## LITERATURE CITED

- California Department of Fish and Game (CDFG). 2003. *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander*. California Department of Fish and Game. 2003.
- CDFG. 2018. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities*. California Department of Fish and Game, March 2018.
- California Department of Fish and Wildlife (CDFW). 2015. Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015. March 19, 2015.
- CDFW, 2019. Approved Survey Methodology for the Blunt-nosed Leopard Lizard. California Department of Fish and Game, October 2019 (Revised). <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=174900&inline>
- CDFW. 2022. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>.
- United States Fish and Wildlife Service. 2011. Standardized Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance. Online: <https://www.fws.gov/media/standardized-recommendations-protection-endangered-san-joaquin-kit-fox-prior-or-during-ground>

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**Attachment 1**

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
 RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM  
 (MMRP)**

**PROJECT: 2022 Regional Transportation Plan/Sustainable  
 Communities Strategy (RTP/SCS)**

**SCH No.: 2021030268**

<b>RECOMMENDED MITIGATION MEASURE</b>	<b>STATUS/DATE/INITIALS</b>
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure: BR 3.5.1-4	
CTS surveys	
CTS take authorization	
BNLL protocol-level surveys	
SJKF survey and avoidance document	
Listed plants surveys	
Listed plants take authorization	
Mitigation Measure: BR 3.5.1-9	
Active bird nest surveys	
<i>During Construction</i>	
Mitigation Measure: BR 3.5.1-4	
CTS avoidance buffer	
BNLL avoidance	
Listed plants avoidance buffer	
Mitigation Measure: BR 3.5.1-9	
Active bird nest avoidance buffer	

**Comment 3.1** Given the county-wide implications of this RTP/SCS, CDFW is concerned that subsequent projects (hereafter, “projects”) tiering from this Program EIR could impact special-status species including, but not limited to, the State and federally threatened California tiger salamander (*Ambystoma californiense*), the State endangered and fully protected and federally endangered blunt-nosed leopard lizard (*Gambelia sila*), the State threatened Swainson’s hawk (*Buteo swainsoni*), the State threatened tricolored blackbird (*Agelaius tricolor*), the State endangered great gray owl (*Strix nebulosa*), the State endangered foothill yellow-legged frog (*Rana boylei*), the State fully protected golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*), the State endangered and fully protected bald eagle (*Haliaeetus leucocephalus*), the State and federally endangered Fresno kangaroo rat (*Dipodomys nitratooides exilis*), the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*), the State threatened and federally proposed endangered Sierra Nevada red fox (*Vulpes vulpes necator*), the State threatened and federally endangered fisher (*Pekania pennanti*), the State and federally endangered Harweg’s golden sunburst (*Pseudobahia bahiifolia*), the State federally endangered hairy Orcutt grass (*Orcuttia pilosa*), the State endangered and federally threatened succulent owl’s clover (*Castilleja campestris* var. *succulenta*), and the State species of special concern burrowing owl (*Athene cunicularia*), California spotted owl (*Strix occidentalis occidentalis*), and western spadefoot toad (*Spea hammondi*). While this list may not include all special-status species present in Madera County, it does provide a robust source of information as to which species could potentially be impacted.

**Response 3.1** Thank you for your comment. Each of the species listed above are listed in Tables 3-42 and 3-43 in the Draft PEIR (reference Pages 3-131 and 3-135).

**Comment 3.2** Biotic Resources 3.5.1-4 of the DEIR states that “if sensitive plant or wildlife species and non-native habitat are identified within the biological impact area, a Biological Resources Management Plan will be developed to address appropriate avoidance and minimization measures.” CDFW recommends the following measures be incorporated into the Biological Resources Management Plan.

California tiger salamander (CTS): CTS have been documented in Madera County (CDFW 2022). CTS breed and develop in vernal and seasonal pools and stock ponds in grassland, woodland, and scrub habitat types. They require upland refuges (i.e., small mammal burrows) when not breeding. Prior to ground-disturbing activities, CDFW recommends that a qualified wildlife biologist assess the project site and vicinity (i.e., up to 1.3 miles, observed CTS dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommends site assessments follow the United States Fish and Wildlife Service (USFWS) “Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander” (2003). CDFW recommends the qualified biologist determine the impacts of project-related activities to all CTS upland and breeding habitat within and/or adjacent to the construction footprint. Because both upland burrow refugia and breeding wetland habitat features suitable for use by CTS are present in Madera County, CDFW advises avoidance for CTS include a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows. If burrow avoidance is not feasible, consultation with CDFW is warranted to determine if the project can avoid take. CDFW agrees with BR 3.5.1-21 that if take cannot be avoided, acquisition of an Incidental Take Permit (ITP) is necessary prior to any ground-disturbing activities to comply with CESA.

Blunt-nosed Leopard Lizard (BNLL): BNLL (*Gambelia sila*) is State and federally endangered and have the potential to occur in Madera County. Full BNLL protocol surveys are recommended on the entirety of

project sites which provides potential BNLL habitat. Suitable BNLL habitat includes all areas of grassland and shrub habitat that contains required habitat elements, such as small mammal burrows and open areas for basking. BNLL are also known to utilize open space patches between suitable habitat features including disturbed sites and unpaved access roadways. BNLL is fully protected and CDFW cannot authorize take of this species.

CDFW recommend focused surveys following the survey methods titled “*Approved Survey Methodology for the Blunt-nosed Leopard Lizard*” (CDFW 2019) to detect any BNLL that may occur in the Project area. These surveys, the parameters of which were designed to optimize detectability, must be conducted within one year from the start of project activities to reasonably assure CDFW that take of this fully protected species will not occur as a result of project implementation. It is important to note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same survey season, and that within these time periods there are specific date, temperature, and time parameters which must be adhered to; as a result, protocol-level surveys for this species are not synonymous with “pre-construction” surveys often recommended for other wildlife species.

In addition, CDFW advises that all potential burrows, which could be occupied by BNLL, and all individuals observed above-ground be avoided. CDFW recommend suitable burrows within and adjacent to potential habitat for BNLL be avoided by a minimum 50 feet in all areas where ground-disturbing project activities will occur, that an appropriate number of qualified biologists be present during all ground-disturbing project activities to ensure that BNLL above ground are not impacted, and that any individual that may enter the project activity area be allowed to leave unobstructed on its own. In the event that BNLL is detected, consultation with CDFW would be warranted to discuss how to implement the Project and avoid take.

**San Joaquin Kit Fox (SJKF):** SJKF has the potential to occur in Madera County. SJKF populations are known to fluctuate over years and a negative finding from biological surveys in any one year does not necessarily depict absence of kit fox on a site. It is important to note that SJKF may be attracted to any construction area due to the type and level of activity (pipes, excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. CDFW recommends that the exclusion buffers and survey methods found in the USFWS’s “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” (2011) be followed prior to any ground-disturbing activities occurring within the Project site.

**Special Status Plant Species:** There is the potential for multiple special status plant species to occur on or adjacent to the subsequent project sites. CDFW recommends that all project sites be surveyed by a qualified botanist. CDFW advises following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (March 20, 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary. Further, CDFW advises that a minimum no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s), or specific habitat type(s) required by special status plant species, be delineated around special status plant species. If buffers cannot be maintained, then consultation with CDFW is advised to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State-

or federally listed plant species is identified during botanical surveys, then consultation with CDFW and/or the USFWS is recommended to determine the need for an ITP (issued by CDFW) or a Biological Opinion (issued by the USFWS).

**Response 3.2** Thank you for your comment. Mitigation Measure BR 3.5.1-4 on Page 3-139 of the Draft PEIR will be revised to include the items noted above in the comment. Specific changes to the mitigation measure are provided in Chapter 3 of this Final PEIR.

**Comment 3.3** Biotic Resources 3.5.1-9 - Biotic Resources 3.5.1-9 states that “all vegetation removal and construction activities will occur between August 16th and February 14th to avoid potential conflicts with nesting birds. If it is not possible to remove vegetation during the time frame, a nest clearance survey will be completed prior to vegetation clearing.”

If project activities occur during the bird nesting season, CDFW recommends protocol-level surveys be conducted prior to any project ground disturbance. CDFW recommends (1) a 0.5-mile no-disturbance buffer for any fully protected, State-threatened and/or State-endangered birds, except that a minimum 300-foot no-disturbance buffer be implemented for active tricolor blackbird nest colonies in accordance with CDFW’s “*Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015*” (CDFW 2015), (2) a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species, and (3) a 500-foot no-disturbance buffer around the nests of unlisted raptors. Survey protocols can be found at CDFW’s website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). CDFW advises that these nest avoidance buffers be incorporated into the Biological Resources Management Plan.

While BR 3.5.1-9 of the DEIR proposes that the August 16th through February 14th work period will be used to avoid disturbance to nesting birds, it is also important to note that any project ground-disturbing activities during this period may impact CTS. CTS usually leave their burrows during the first rain events in search of seasonal pools or stock ponds for breeding. Project proponents may need to consider the timing of project activities, the location of the project in proximity to special status species habitat, and/or the need to pursue take authorization.

**Response 3.3** Thank you for your comment. Mitigation Measure BR 3.5.1-9 on Page 3-140 of the Draft PEIR will be revised to include the items noted above in the comment. Specific changes to the mitigation measure are provided in Chapter 3 of this Final PEIR.

**Comment 3.4** Cumulative Impacts - CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts may need to be analyzed using acceptable methods to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and will need to be focused specifically on the resource, not the project. An appropriate resource study area may need to be identified and utilized for this analysis. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

**Response 3.4** Thank you for your comment. Mitigation Measure BR 1-3 will be added to the list of mitigation measures provided in Chapter 5 of the Draft PEIR on page 5-10 to reflect information noted above in the comment. Mitigation Measure BR 1-3 is reflected in Chapter 3 of this Final PEIR.

## SECTION 3.0 CHANGES, ADDITIONS, AND CORRECTIONS TO THE DRAFT PEIR

### 3.1 INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines allow revisions, clarifications and/ or changes in the Draft PEIR following distribution of the Notice of Availability. CEQA Guidelines section 15088.5 specifically states:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice of its availability . . . “Significant new information” requiring recirculation include, for example, a disclosure showing that:
  - (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
  - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
  - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
  - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
- (c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
- (d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.
- (e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record. New information is “significant” if as a result of the additional information “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect.” *Laurel Heights Improvement Association v. Regents of Univ. of Cal*, 864 P.2d 502, 510 (1993) (*Laurel Heights II*); CEQA Guidelines § 15088.5(a). Recirculation is not mandated when the new information merely clarifies, amplifies, or makes an insignificant modification to an adequate draft EIR. (*Vineyard Area Citizens for*

Responsible Growth v. City of Rancho Cordova, 150 P.3d 709 (2007) (quoting Laurel Heights II, 864 P.2d at 510); see also Marin Mun. Water Dist. v. KG Land California Corp., 235 Cal.App.3d 1652, 1667 (1991) (citing Sutter Sensible Planning v. Board of Supervisors 122 Cal.App.3d 813 (1981)).

This Section of the Final PEIR consists of clarifications and revisions to the Draft PEIR that have resulted from responses to comments received from agencies and the public as well as staff-initiated text revisions. Additional clarifying information has been identified in comments to the Draft PEIR and responded to in Section 2.0 of this Final PEIR. The updates can be grouped into three areas as part of the Final 2022 RTP/SCS development process. The following changes, additions, and corrections to the Draft PEIR are recommended. Such changes, additions, and corrections have been identified to address written, oral or staff comments received on the Draft PEIR. The changes are reflected for each Section of the Draft PEIR where necessary. These modifications resulted from response to written and oral comments received during the Draft EIR public review period as well as staff-initiated changes.

These revisions do not alter the conclusions of the environmental analysis, nor do they show a substantial increase in existing significant impacts. Instead, these edits are mere clarifications and amplifications of the Program EIR's existing analysis and serve to further confirm the analysis and significance conclusions that were already subject to full public review and comment. Accordingly, no new significant environmental impacts have been identified, nor do these revisions constitute significant new information requiring recirculation. Changes are provided in italics.

## 3.2 DRAFT PEIR SECTION 1 - EXECUTIVE SUMMARY

### 1. Section 1.6 SUMMARY OF IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE, Table 1.1, Page 1-18, Biotic Resources, Mitigation Measure 3.5.1-4 – Revise the mitigation measure as follows:

**BR 3.5.1-4** If sensitive plant or wildlife species and non-native habitat are identified within the biological impact area, a Biological Resource Management Plan (BRMP) will be developed to address appropriate avoidance and minimization measures. These measures may include seed collection and salvage measures for sensitive plant species and non-native habitat, silt fencing, exclusion fencing and/or appropriate compensation where impacts cannot be fully avoided. Implementing agencies shall address the special-status species including, but not limited to species listed below.

- ✓ California tiger salamander (CTS): CTS have been documented in Madera County (CDFW 2022). CTS breed and develop in vernal and seasonal pools and stock ponds in grassland, woodland, and scrub habitat types. They require upland refuges (i.e., small mammal burrows) when not breeding. Prior to ground-disturbing activities, CDFW recommends that a qualified wildlife biologist assess



the project site and vicinity (i.e., up to 1.3 miles, observed CTS dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommends site assessments follow the United States Fish and Wildlife Service (USFWS) “Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander” (2003). CDFW recommends the qualified biologist determine the impacts of project-related activities to all CTS upland and breeding habitat within and/or adjacent to the construction footprint. Because both upland burrow refugia and breeding wetland habitat features suitable for use by CTS are present in Madera County, CDFW advises avoidance for CTS include a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows. If burrow avoidance is not feasible, consultation with CDFW is warranted to determine if the project can avoid take. CDFW agrees with BR 3.5.1-21 that if take cannot be avoided, acquisition of an Incidental Take Permit (ITP) is necessary prior to any ground-disturbing activities to comply with CESA.

- ✓ Blunt-nosed Leopard Lizard (BNLL): BNLL (*Gambelia sila*) is State and federally endangered and have the potential to occur in Madera County. Full BNLL protocol surveys are recommended on the entirety of project sites which provides potential BNLL habitat. Suitable BNLL habitat includes all areas of grassland and shrub habitat that contains required habitat elements, such as small mammal burrows and open areas for basking. BNLL are also known to utilize open space patches between suitable habitat features including disturbed sites and unpaved access roadways. BNLL is fully protected and CDFW cannot authorize take of this species.

CDFW recommend focused surveys following the survey methods titled “*Approved Survey Methodology for the Blunt-nosed Leopard Lizard*” (CDFW 2019) to detect any BNLL that may occur in the Project area. These surveys, the parameters of which were designed to optimize detectability, must be conducted within one year from the start of project activities to reasonably assure CDFW that take of this fully protected species will not occur as a result of project implementation. It is important to note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same survey season, and that within these time periods there are specific date, temperature, and time parameters which must be adhered to; as a result, protocol-level surveys for this species are not synonymous with “pre-construction” surveys often recommended for other wildlife species.

In addition, CDFW advises that all potential burrows, which could be occupied by BNLL, and all individuals observed above-ground be avoided. CDFW recommend suitable burrows within and adjacent to potential habitat for BNLL be avoided by a minimum 50 feet in all areas where ground-disturbing project activities will occur, that an appropriate number of qualified biologists be present during all ground-disturbing project activities to ensure that BNLL above ground are not impacted, and that any individual that may enter the project activity area be allowed to leave unobstructed on its own. In the event that BNLL is detected, consultation with CDFW would be warranted to discuss how to implement the Project and avoid take.

- ✓ **San Joaquin Kit Fox (SJKF):** SJKF has the potential to occur in Madera County. SJKF populations are known to fluctuate over years and a negative finding from biological surveys in any one year does not necessarily depict absence of kit fox on a site. It is important to note that SJKF may be attracted to any construction area due to the type and level of activity (pipes, excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. CDFW recommends that the exclusion buffers and survey methods found in the USFWS’s “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” (2011) be followed prior to any ground-disturbing activities occurring within the Project site.
- ✓ **Special Status Plant Species:** There is the potential for multiple special status plant species to occur on or adjacent to the subsequent project sites. CDFW recommends that all project sites be surveyed by a qualified botanist. CDFW advises following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (March 20, 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary. Further, CDFW advises that a minimum no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s), or specific habitat type(s) required by special status plant species, be delineated around special status plant species. If buffers cannot be maintained, then consultation with CDFW is advised to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State- or federally listed plant species is identified during botanical surveys, then consultation with CDFW and/or the USFWS is recommended to determine the need for an ITP (issued by CDFW) or a Biological Opinion (issued by the USFWS).

**2. Section 1.6 SUMMARY OF IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE, Table 1.1, Page 1-19, Biotic Resources, Mitigation Measure 3.5.1-9 – Revise the mitigation measure as follows:**

**BR 3.5.1-9** All vegetation (including tall grasses) will be removed between August 16<sup>th</sup> and February 14<sup>th</sup>, if possible, to avoid potential conflicts with nesting birds. If it is not possible to remove vegetation during that time frame, a nest clearance survey will be completed prior to vegetation clearing. Any detected nests will be mapped and provided with an appropriate buffer as recommended by a qualified biologist. Construction activities within the buffer area will not be allowed until after September 15 or until fledglings have abandoned the nest. If project activities occur during the bird nesting season, CDFW recommends protocol-level surveys be conducted prior to any project ground disturbance. CDFW recommends (1) a 0.5-mile no-disturbance buffer for any fully protected, State-threatened and/or State-endangered birds, except that a minimum 300-foot no-disturbance buffer be implemented for active tricolor blackbird nest colonies in accordance with CDFW’s “*Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015*” (CDFW 2015), (2) a minimum no-disturbance buffer of 250 feet around

active nests of non-listed bird species, and (3) a 500-foot no-disturbance buffer around the nests of unlisted raptors. Survey protocols can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). CDFW advises that these nest avoidance buffers be incorporated into the Biological Resources Management Plan.

While this mitigation measure proposes that the August 16th through February 14th work period will be used to avoid disturbance to nesting birds, it is also important to note that any project ground-disturbing activities during this period may impact CTS. CTS usually leave their burrows during the first rain events in search of seasonal pools or stock ponds for breeding. Project proponents may need to consider the timing of project activities, the location of the project in proximity to special status species habitat, and/or the need to pursue take authorization.

### 3.3 DRAFT PEIR SECTION 3 - ENVIRONMENTAL SETTING, IMPACTS, MITIGATION MEASURES & LEVEL OF SIGNIFICANCE

#### 1. Section 3.5 Biotic Resources, Environmental Impacts, Mitigation Measures, and Significance After Mitigation, Page 3-139, Mitigation Measure 3.5.1-4 – Revise the mitigation measure as follows:

**BR 3.5.1-4** If sensitive plant or wildlife species and non-native habitat are identified within the biological impact area, a Biological Resource Management Plan (BRMP) will be developed to address appropriate avoidance and minimization measures. These measures may include seed collection and salvage measures for sensitive plant species and non-native habitat, silt fencing, exclusion fencing and/or appropriate compensation where impacts cannot be fully avoided. Implementing agencies shall address the special-status species including, but not limited to species listed below.

- ✓ California tiger salamander (CTS): CTS have been documented in Madera County (CDFW 2022). CTS breed and develop in vernal and seasonal pools and stock ponds in grassland, woodland, and scrub habitat types. They require upland refuges (i.e., small mammal burrows) when not breeding. Prior to ground-disturbing activities, CDFW recommends that a qualified wildlife biologist assess the project site and vicinity (i.e., up to 1.3 miles, observed CTS dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommends site assessments follow the United States Fish and Wildlife Service (USFWS) "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (2003). CDFW recommends the qualified biologist determine the impacts of project-related activities to all CTS upland and breeding habitat within and/or adjacent to the construction footprint. Because both upland burrow refugia and breeding wetland habitat features suitable for use by CTS are present in Madera County, CDFW advises avoidance for CTS include a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows. If burrow avoidance is not feasible, consultation with CDFW is warranted to determine if the project can avoid take. CDFW agrees with BR 3.5.1-21 that if take cannot be avoided, acquisition of an

Incidental Take Permit (ITP) is necessary prior to any ground-disturbing activities to comply with CESA.

- ✓ **Blunt-nosed Leopard Lizard (BNLL):** BNLL (*Gambelia sila*) is State and federally endangered and have the potential to occur in Madera County. Full BNLL protocol surveys are recommended on the entirety of project sites which provides potential BNLL habitat. Suitable BNLL habitat includes all areas of grassland and shrub habitat that contains required habitat elements, such as small mammal burrows and open areas for basking. BNLL are also known to utilize open space patches between suitable habitat features including disturbed sites and unpaved access roadways. BNLL is fully protected and CDFW cannot authorize take of this species.

CDFW recommend focused surveys following the survey methods titled “*Approved Survey Methodology for the Blunt-nosed Leopard Lizard*” (CDFW 2019) to detect any BNLL that may occur in the Project area. These surveys, the parameters of which were designed to optimize detectability, must be conducted within one year from the start of project activities to reasonably assure CDFW that take of this fully protected species will not occur as a result of project implementation. It is important to note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same survey season, and that within these time periods there are specific date, temperature, and time parameters which must be adhered to; as a result, protocol-level surveys for this species are not synonymous with “pre-construction” surveys often recommended for other wildlife species.

In addition, CDFW advises that all potential burrows, which could be occupied by BNLL, and all individuals observed above-ground be avoided. CDFW recommend suitable burrows within and adjacent to potential habitat for BNLL be avoided by a minimum 50 feet in all areas where ground-disturbing project activities will occur, that an appropriate number of qualified biologists be present during all ground-disturbing project activities to ensure that BNLL above ground are not impacted, and that any individual that may enter the project activity area be allowed to leave unobstructed on its own. In the event that BNLL is detected, consultation with CDFW would be warranted to discuss how to implement the Project and avoid take.

- ✓ **San Joaquin Kit Fox (SJKF):** SJKF has the potential to occur in Madera County. SJKF populations are known to fluctuate over years and a negative finding from biological surveys in any one year does not necessarily depict absence of kit fox on a site. It is important to note that SJKF may be attracted to any construction area due to the type and level of activity (pipes, excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. CDFW recommends that the exclusion buffers and survey methods found in the USFWS’s “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” (2011) be followed prior to any ground-disturbing activities occurring within the Project site.

- ✓ **Special Status Plant Species:** There is the potential for multiple special status plant species to occur on or adjacent to the subsequent project sites. CDFW recommends that all project sites be surveyed by a qualified botanist. CDFW advises following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (March 20, 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary. Further, CDFW advises that a minimum no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s), or specific habitat type(s) required by special status plant species, be delineated around special status plant species. If buffers cannot be maintained, then consultation with CDFW is advised to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State- or federally listed plant species is identified during botanical surveys, then consultation with CDFW and/or the USFWS is recommended to determine the need for an ITP (issued by CDFW) or a Biological Opinion (issued by the USFWS).

**2. Section 3.5 Biotic Resources, Environmental Impacts, Mitigation Measures, and Significance After Mitigation, Page 3-140, Mitigation Measure 3.5.1-9 – Revise the mitigation measure as follows:**

**BR 3.5.1-9** All vegetation (including tall grasses) will be removed between August 16<sup>th</sup> and February 14<sup>th</sup>, if possible, to avoid potential conflicts with nesting birds. If it is not possible to remove vegetation during that time frame, a nest clearance survey will be completed prior to vegetation clearing. Any detected nests will be mapped and provided with an appropriate buffer as recommended by a qualified biologist. Construction activities within the buffer area will not be allowed until after September 15 or until fledglings have abandoned the nest. If project activities occur during the bird nesting season, CDFW recommends protocol-level surveys be conducted prior to any project ground disturbance. CDFW recommends (1) a 0.5-mile no-disturbance buffer for any fully protected, State-threatened and/or State-endangered birds, except that a minimum 300-foot no-disturbance buffer be implemented for active tricolor blackbird nest colonies in accordance with CDFW's "*Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015*" (CDFW 2015), (2) a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species, and (3) a 500-foot no-disturbance buffer around the nests of unlisted raptors. Survey protocols can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). CDFW advises that these nest avoidance buffers be incorporated into the Biological Resources Management Plan.

While this mitigation measure proposes that the August 16th through February 14th work period will be used to avoid disturbance to nesting birds, it is also important to note that any project ground-disturbing activities during this period may impact CTS. CTS usually leave their burrows during the first rain events in search of seasonal pools or stock ponds for breeding. Project proponents may need to

consider the timing of project activities, the location of the project in proximity to special status species habitat, and/or the need to pursue take authorization.

3. **Section 3.14 Population, Housing and Employment, Environmental Setting, Page 3-376, Population and Employment Estimates and Projections, Line 4 - Delete reference to Figure 3-20.**
4. **Section 3.14 Population, Housing and Employment, Environmental Setting, Page 3-380, Figure 3-20 – Delete Figure. Information intended to be reflected or depicted in the Figure can be found in Tables 3-65 through 3-67.**

### 3.3 CUMMULATIVE EFFECTS

1. **Section 5.4 Cumulative Impacts, Biotic Resources, Page 5-10, add the following mitigation measure as Mitigation Measure BR 1-3:**

**BR 1-3** CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts may need to be analyzed using acceptable methods to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and will need to be focused specifically on the resource, not the project. An appropriate resource study area may need to be identified and utilized for this analysis. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

## EXHIBIT A – FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

### A.1 INTRODUCTION

Section 21081 of the California Public Resources Code (PRC) and Section 15091 of the California Environmental Quality Act (CEQA) Guidelines require that the Madera County Transportation Commission (MCTC), as the Lead Agency for the 2022 Regional Transportation Plan/Sustainable Communities Strategy and associated Federal Transportation Improvement Program and Air Quality Conformity Analysis (collectively, the “2022 RTP/SCS,” “Plan,” or “Project”), identify significant impacts on the environment and make one or more written findings for each of the significant impacts. The Findings of Fact and Statement of Overriding Considerations is referred to as Exhibit A of the 2022 RTP/SCS of the Final PEIR.

Pursuant to CEQA Guidelines Section 15093 and PRC Section 21081, the existence of significant unavoidable impacts resulting from the 2022 RTP/SCS requires MCTC to prepare a Statement of Overriding Considerations explaining why the agency is willing to accept the residual significant impacts. The CEQA Findings of Fact (Findings) reported in the following pages incorporate the facts and discussions of environmental impacts that are described in the 2022 RTP/SCS Program Environmental Impact Report (PEIR). Additionally, the Statement of Overriding Considerations set forth in Section A.12, describes the economic, social, environmental, and other benefits of the 2022 RTP/SCS that override the significant environmental impacts. Combined, these documents are referred to herein as “CEQA Findings of Fact and Statement of Overriding Considerations.”

For each of the impacts associated with the 2022 RTP/SCS, the following are provided:

- ✓ Description of Impacts – A specific description of the environmental impact identified in the PEIR.
- ✓ Mitigation – Identified mitigation measures or actions that are proposed for implementation as part of the project.
- ✓ Findings and Rationale – Explanation regarding the adoption of mitigation measures, their implementation, and the short- and long-term benefits related to reduction in criteria air pollutants and per capita reductions in greenhouse gas emissions (GHG), and other economic, social, and environmental benefits that warrant overriding the significant and unavoidable environmental impacts.

Where feasible, mitigation measures have been identified to reduce significant impacts. CEQA requires a mitigation monitoring or reporting program to be adopted by the Lead Agency. MCTC has prepared a Mitigation Monitoring Program (MMP) in compliance with the requirements of Section 21081.6 of CEQA to ensure the efficacy of proposed mitigation measures. The PEIR identifies the potentially significant

environmental impacts associated with the 2022 RTP/SCS and specifies measures designed to mitigate adverse environmental impacts. The MMP includes procedures to be used to implement the mitigation measures adopted in connection with the certification of the 2022 RTP/SCS PEIR and methods of monitoring and reporting. The MMP includes mitigation measures to be implemented by MCTC, and project-level, performance standards–based mitigation measures that can and should be considered (or other comparable measures) by local agencies when considering project-level approvals of transportation and development projects, as applicable and feasible.

The PEIR presents a region-wide, programmatic level of assessment of existing conditions and potential impacts associated with implementation of the 2022 RTP/SCS as a whole. As such, the Draft PEIR identifies programmatic mitigation measures for which MCTC would be responsible on a regional scale (these mitigation measures are phrased as “MCTC shall”). In addition, consistent with the provisions of Section 15091(a)(2) of the State CEQA Guidelines, MCTC has identified performance standards–based mitigation measures that are within the responsibility and jurisdiction of other public agencies, including lead agencies, and that can and should be considered to mitigate project-level impacts, as applicable and feasible.

As will be discussed in more detail below, it is the finding of the MCTC Policy Board that the proposed Final PEIR fulfills environmental review requirements under CEQA for the 2022 RTP/SCS; constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA; and reflects the independent judgment of the MCTC Policy Board.

## A.2 PROJECT DESCRIPTION

### Project Location

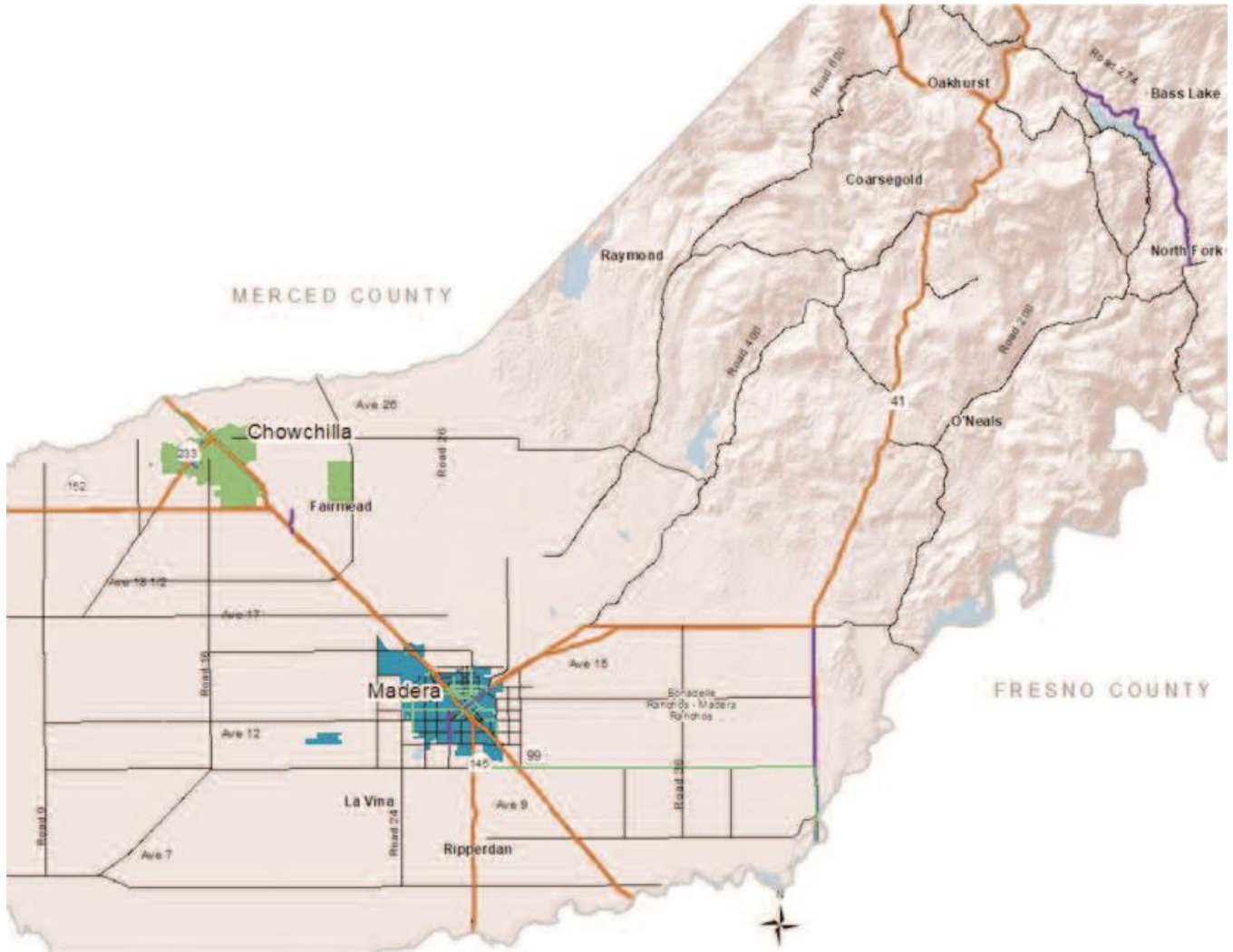
Madera County (County) is located in California’s Central San Joaquin Valley (reference Figure B-1). Figure B-2 shows the boundaries of the Project or RTP/SCS per CEQA Guidelines Section 15124. Encompassing 2,153 square miles, the County is situated near the geographic center of the State along State Route (SR) 99, approximately 160 miles south of San Francisco. The County has an altitude near Madera of 200 feet above sea level to 12,989 feet above sea level in the Sierra Nevada. The population of Madera County in 2019 (EIR Base Year) was approximately 157,686 in 2019.



FIGURE A-1  
Location of Madera County



FIGURE A-2  
Project Boundaries



## Regional Transportation Plan/Sustainable Communities Strategy

MCTC updates its Regional Transportation Plan (RTP) every four years. Senate Bill 375 (SB 375), which went into effect in 2009, added statutes to the California Government Code to encourage planning practices that create sustainable communities. It calls for each Regional Transportation Planning Agency (RTPA) to prepare an SCS as an integrated element of the RTP. The SCS is intended to show how integrated land use and transportation planning can lead to lower greenhouse gas (GHG) emissions from autos and light trucks. MCTC is including the SCS for the third time in its 2022 RTP. Reference Chapter 7 of the 2022 RTP for a thorough description of the MCTC SCS Development Process.

Three demographic measures form the primary SCS for future year forecasts: household population, housing units, and employment. It is important to note that the population and employment forecasts were held constant for each SCS scenario and were the basis for the spatial distribution of land use in each scenario.

The 2022 RTP/SCS seeks to guide the Madera region toward a more sustainable future by coordinating land use, housing, and transportation planning to create communities that are more compact, walkable, and transit oriented. Sustainability is defined as simultaneously meeting current economic, environmental, and community needs, while ensuring that the ability of future generations to meet their needs is not jeopardized. A prosperous economy, a healthy environment, and social equity are described as the “Three Es” of sustainability.

The path toward living more sustainably is clear: focus housing and job growth in urbanized areas where there is existing and planned transportation infrastructure, protect sensitive habitat and open space, invest in a transportation network that provides residents and workers with transportation options that reduce GHG emissions, and implement the plan through incentives and collaboration. A total of three (3) SCS scenarios were developed during preparation of the SCS through an open and engaging public process, plus the No Project scenario.

The three (3) alternative scenarios (Project Alternatives) considered included:

### Scenario 1 – Continued Trends

Assumes growth and housing development like what we see existing in our region today. Maintains a road-centric investment strategy with gradual increases towards multi-modal strategies.

- ✓ Assumes County-wide growth based on previously observed trends with no new land-use strategies
- ✓ Invests in public transit based on existing trends
- ✓ Invests in active transportation consistent with existing trends

- ✓ Focuses on addressing roadway travel conditions related to congestion, maintenance, and accessibility
- ✓ Is compliant with local jurisdiction General Plans
- ✓ Consumes 4,642 acres of Farmland
- ✓ Project 21.4% of housing within a ¼ mile of fixed route public transit
- ✓ Produces the highest vehicle miles traveled (VMT) per capita of the three scenarios
- ✓ Achieves the least GHG reduction per capita of the three scenarios

### Scenario 2 – Moderate Shift

Moderately increases densities of housing and development in urbanized areas with slight increases to densities in the remainder of the county. Conservative shift in investment towards zero-emission vehicle infrastructure, public transit, shared ride options, micro-mobility, and non-motorized transportation strategies.

- ✓ Applies focused land-use strategies by sub-region
  - City of Madera
  - South SR 41 Growth Area
  - City of Chowchilla
  - Rural Valley
  - Rural Mountain/Foothill
- ✓ Moderate change growths parameters in urban areas
  - Higher density new development in urban areas
  - Lower densities in rural areas
- ✓ Is compliant with local jurisdiction General Plans
- ✓ Invests more in public transit and active transportation
- ✓ Focuses on addressing roadway travel conditions related to congestion, maintenance, and accessibility
- ✓ Explores moderate investment towards additional transportation strategies
  - Vanpooling
  - Telecommuting
  - Electric vehicles and infrastructure
  - Employer programs
  - Travel demand strategies
  - Bike and car sharing services
- ✓ Consumes 3,835 acres of Farmland
- ✓ Project 24.8% of housing within a ¼ mile of fixed route public transit

### Scenario 3 – Conservation and Mobility

Prioritized development in infill and redevelopment zones, assumes more compact lot sizes in core urban areas, moderate increases to densities in urban areas and slight increases to densities in the remainder of the county, outside of urban cores. Accelerates investment shift towards zero-emission vehicle infrastructure, public transit, shared ride options, micro-mobility, and non-motorized transportation strategies.

- Applies focused land-use strategies by sub-region
  - City of Madera
  - South SR 41 Growth Area
  - City of Chowchilla
  - Rural Valley
  - Rural Mountain/Foothill
- Moderate change growths parameters in urban areas
  - Higher density new development in urban areas
  - Lower densities in rural areas
- ✓ High focus on infill and urban core development
- ✓ Is compliant with local jurisdiction General Plans
- ✓ Invests more in public transit and active transportation
- ✓ Focuses on addressing roadway travel conditions related to congestion, maintenance, and accessibility
- ✓ Explores aggressive investment towards additional transportation strategies
  - Vanpooling
  - Telecommuting
  - Electric vehicles and infrastructure
  - Employer programs
  - Travel demand strategies
  - Bike and car sharing services
- ✓ Consumes 3,664 acres of Farmland
- ✓ Project 26.9% of housing within a ¼ mile of fixed route public transit
- ✓ **Produces the lowest vehicle miles traveled (VMT) per capita of the three scenarios**
- ✓ **Achieves the most GHG reduction per capita of the three scenarios**

Through the combined vision and efforts of the local agencies in Madera County, significant strides are being made toward sustainable growth, walkable communities, and mixed-use development—values that are evident in their current planning assumptions and reflected in the RTP/SCS.

As part of its mandate under SB 375, in 2010 and to be reaffirmed in 2022, the California Air Resources Board (CARB) adopted specific GHG emission reduction targets for cars and light trucks for each of the state’s 18 metropolitan planning organizations from a 2005 base year as detailed in CARB’s Staff Report

and Functional Equivalent Document dated August 2010. The GHG targets set for the Madera region call for a 10 percent per capita reduction by 2020, and a 16 percent per capita reduction by 2035.

SB 375 requires that MCTC demonstrate in its SCS that GHG emission reduction targets will be met for 2020 and 2035. If not, then an Alternative Planning Strategy (APS) shall be prepared to demonstrate how the targets can be met through the alternative strategies in the APS. MCTC will be able to meet the targets set by the ARB through its 2022 RTP/SCS. The reduction identified for 2046 is a projection and not adopted by CARB.

## Project Goals

The following four goals guide the RTP/SCS as it ventures to achieve its vision and improve the overall quality of life in Madera County through an integrated multimodal transportation system and supportive land use footprint:

- 1. Improve Quality of Life** - MCTC's plans, programs, and policies will work to improve the quality of life in the Madera County region by integrating transportation systems that promote access to affordable housing, education resources, jobs, and recreational facilities.
- 2. Raise Economic Prosperity** - MCTC's plans, programs, and policies will facilitate enhanced economic viability of the region by increasing access to education and new job opportunities. A more educated population combined with a low cost of living can attract new investment in the Madera region.
- 3. Cultural Diversity** - MCTC's plans, programs, and policies will respect the region's wide variety of cultures and subcultures (each having unique needs and perspectives) by facilitating a range of transportation modes and housing choices designed to benefit the County's diverse population.
- 4. Promote Public Health and a Cleaner Environment** - MCTC's plans, programs, and policies will give preference to new development and economic prosperity in ways that ensure the health of its citizens, maintain and enhance the surrounding environment (cultural and socioeconomic resources), and those ways that enhance the regions financial stability over time.

## Project Description

The Project, as defined by CEQA Statutes, Section 21065, is the preparation of the 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). This document may also be known or referenced as the 2022 RTP, RTP or RTP and SCS. MCTC has prepared the RTP/SCS as required by Section 65080 et seq., of Chapter 2.5 of the California Government Code as well as federal guidelines pursuant to the requirements of the 2021 Bipartisan Infrastructure Law (BIL), Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Fixing America's Surface Transportation (FAST) Act. These acts require that RTPs include only those projects which can actually be delivered with funds expected to be available (i.e., financially constrained), and that those projects will help attain and maintain air quality standards consistent with the Clean Air Act Amendments of 1991 and other federal mandates noted below. The

RTP must also meet Transportation Conformity for the Air Quality Attainment Plan per 40 CFR Part 51 and 40 CFR Part 93. The conformity regulation applies nationwide to “all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan” (40 CFR 93.102). In addition, the RTP must address requirements set forth in Assembly Bill 32, the California Global Warming Solutions Act of 2006. The California Transportation Commission (CTC) has prepared guidelines (adopted by the Commission on January 18, 2017) to assist in the preparation of RTPs pursuant to Section 14522 of the Government Code.

Finally, the California Transportation Commission (CTC) has prepared guidelines (most recently adopted by the CTC on January 18, 2017) to assist in the preparation of the RTP/SCS. The last comprehensive EIR on the RTP/SCS was completed and certified in August 2018, which addressed transportation improvement projects, programs, and funding sources.

According to CTC RTP Guidelines, “Every Metropolitan Planning Organization (MPO) is required by law to conduct long range planning to ensure that the region’s vision and goals are clearly identified and to ensure effective decision making in furtherance of the vision and goals. The long range plan, known as the Regional Transportation Plan (RTP), is an important policy document that is based on the unique needs and characteristics of a region, helps shape the region’s economy, environment and social future, and communicates regional and vision to the state and federal government. As fundamental building blocks of the State’s transportation system, the RTP should also support state goals for transportation, environmental quality, economic growth, and social equity (California Government Code Section 65041.1). The California Transportation Commission (Commission or CTC) is authorized to develop guidelines by Government Code Section 14522, which reads: In cooperation with the regional transportation planning agencies, the commission may prescribe study areas for analysis and evaluation by such agencies and guidelines for the preparation of the regional transportation plans.”

The 2022 RTP/SCS addresses all transportation modes including motor vehicles, transit (commuter and local), rail (commuter and interregional), goods movement (rail freight and trucking), bicycle and pedestrian facilities, aviation systems, and transportation systems management (TSM) programs and projects considering the horizon year of 2046. In addition, the 2022 RTP/SCS:

- ✓ Identifies the region’s transportation goals and policies.
- ✓ Documents the financial resources needed to implement the plan.
- ✓ Reflects results of the Transportation Conformity Analysis.
- ✓ Highlights the 2022 RTP/SCS EIR process and results.
- ✓ Details the RTP/SCS public outreach process.
- ✓ Includes the Environmental Justice analysis process.
- ✓ Sets forth an action plan of projects and programs to address the needs consistent with the Policy Element.

The 2022 RTP is an update of the 2018 RTP, which expires in December 2022. This RTP will be in effect upon its adoption, which is scheduled for August 2022. The 2022 RTP is similar to the 2018 RTP in that it includes the Sustainable Communities Strategy (SCS) as required by Senate Bill 375 – the Sustainable Communities and Climate Protection Act of 2008 and also contains updates to planned improvement projects. As the designated Regional Transportation Planning Agency (RTPA), MCTC is mandated by state and federal law to update the RTP every four (4) years.

The Draft PEIR for the 2022 RTP/SCS has been prepared to focus on the evaluation of the environmental effects of the SCS, the newly required element of the RTP. In addition, the PEIR is also intended to address cumulative and growth inducing impacts and other issues resulting from the RTP and the SCS as required by CEQA. The SCS is incorporated by reference and is included in the Draft PEIR.

The RTP is used to guide the development of the Regional Transportation Improvement Program (RTIP). The RTIP is the programming document used to plan the construction of regional transportation projects and requires State Department of Transportation (Caltrans) approval. No project-level assessments of environmental impacts are feasible in the Draft PEIR due to the absence of site-specific information and the inability to predict when and if particular projects will receive funding or approval. The RTP is also used as a transportation planning document by each of the member jurisdictions of MCTC.

The RTP/SCS identifies the region’s transportation needs and issues, sets forth an action plan of projects and programs to address the needs consistent with the adopted policies, and documents the financial resources needed to implement the plan. Additional areas of emphasis and policy initiatives in the 2022 RTP include references to the Congestion Management Process, Environmental Justice, and Goods Movement Planning. In addition, the 2022 RTP/SCS includes updated project lists and updated performance measures.

The 2022 RTP is the third RTP to contain an SCS as required by California Senate Bill (SB) 375. SB 375, enacted in 2008, requires that each Metropolitan Planning Organization (MPO) include an SCS that provides an integrated land use and transportation plan for meeting emission reduction targets set forth by the California Air Resources Board (CARB). For MCTC, those greenhouse gas reduction targets are as set forth in the RTP/SCS.

The RTP sets forth plans of action for the region to pursue and meet identified transportation needs and issues. Planned investments must be consistent with the goals and policies of the RTP/SCS and must be financially constrained (meaning that funding is available and has been committed by the appropriate agencies to implement the project). These projects are listed in the Constrained Program of Projects



(reference the RTP/SCS Appendix). Results of the modeling process are also provided in the RTP/SCS Appendix, as well as the Air Quality Conformity Analysis<sup>1</sup>.

Forecasting methods in the RTP/SCS primarily use the “market-based approach” based on demographic data and economic trends. For best results, the RTP also uses the “build out” method, providing the best estimates for growth in all areas of the County through the year 2046. Within each element of the RTP, assumptions are made that guide the goals, policies, and actions. Those assumptions include demographic projections, land use forecasts, air quality models, performance indicators, capital and operations costs, cost of alternatives, timeframe (short- and long-term), environmental resources and methodology.

Alternative scenarios are briefly discussed in the SCS; they are also addressed and analyzed for their feasibility in this PEIR, as required by California Environmental Quality Act (State CEQA Guidelines, §§15126(d), 15125.6(a)). The 2022 RTP/SCS only recommends one alternative scenario, which is the preferred alternative.

The 2022 RTP/SCS promotes a “balanced” multi-modal transportation system. It calls for increased investments in alternative transportation modes, while accommodating a necessary amount of new highway capacity. The following section of this Introduction includes references to modal plans and constrained projects and a list of all constrained projects by mode is referenced in Chapter 5 “Financial Element” of the 2022 RTP/SCS, which is incorporated by reference and appended to the Draft EIR.

The Unconstrained Program of Projects (or projects submitted by Caltrans and the local agencies to MCTC for incorporation into the RTP/SCS, but which were not funded due to lack of available funding) incorporates the region’s unbudgeted “vision.” These projects represent alternatives that could be moved to the constrained program if support for an individual project remains strong and if project funding is identified. Status as an unconstrained project does not imply that the project is not needed; rather, it simply cannot be accomplished given the fiscal constraints facing Madera County. MCTC will be vigilant in its search for funding to support these projects.

Unconstrained projects are not included in the air quality conformity analysis and are not analyzed as part of this PEIR. In the future, as the funding picture changes and community values and priorities for transportation projects become redefined and honed, unconstrained projects may be moved to the constrained program. Should this occur, the 2022 RTP/SCS would be amended and a new assessment of

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<sup>1</sup> The Air Quality Conformity Analysis is required by the Clean Air Act and U.S. Environmental Protection Agency transportation conformity regulations for all nonattainment and maintenance areas for transportation-related criteria pollutants. The Conformity Analysis is used to demonstrate that predicted emissions for the RTP pass both the emissions budget and interim emission tests.

the RTP/SCS's conformity with state and federal air quality rules and standards would be undertaken. Only funded transportation improvement projects can be reflected in the RTP/SCS and analyzed in the associated conformity finding. Each element in the RTP addresses proposed actions to implement goals and policies identified in the RTP/SCS. These actions outline specifically how the goals of the RTP/SCS will be accomplished.

The RTP consists of required elements referenced in the enabling legislation and is organized into various sections. A description of each section follows.

**Chapter 1 Introduction** – Introduces the setting and purpose of the RTP/SCS, the key guiding regulations, previous regional milestones, and preview of the plan contents.

**Chapter 2 Policy Element** – a comprehensive listing of goals, objectives, and strategies that identifies the necessary steps to implement the RTP/SCS.

**Chapter 3 Sustainable Communities Strategy** – A detailing of the collaborative process behind the creation of a planning scenario able to achieve the goals of SB 375 for the Madera region.

**Chapter 4 Action Element** – Describes the regional assumption, transportation system and how needs are addressed across various modes.

**Chapter 5 Financial Element** – Outlines the projected revenues for the region and expenditures to implement the RTP/CS.

**Appendices** – A collection of documents providing supporting information for the contents of the plan.

## A.3 FINDINGS REQUIRED UNDER CEQA

### Procedural Findings

#### Less than Significant Impacts

As described in Section A.4, *Findings Regarding Potential Environmental Effects That Are Less than Significant*, the impacts of the 2022 Regional Transportation Plan/Sustainable Communities Strategy ("2022 RTP/SCS," "Plan," or "Project") were determined to be less than significant in relation to 6 thresholds of significance in 4 environmental resource categories:

- A.4-A Air Quality (AQ 3.4.1, AQ 3.4.2)
- A.4-C Hydrology and Water Resources (HW 3.11.10)
- A.4-D Social and Economic Effects (SE 3.16.1, 3.16.2)
- A.4-E Transportation/Traffic (TT 3.17.1)

### **Findings Pursuant to Section 15091 (a) of the State CEQA Guideline**

Consistent with the provisions of Section 15091(a)(1), changes and alterations have been required in, or incorporated into, the 2022 RTP/SCS, including mitigation measures, to avoid or substantially lessen the significant environmental effects of the Plan. MCTC considered the anticipated significant and unavoidable impacts of the Plan, as well as the benefits of adoption of the 2022 RTP/SCS. The benefits of the Project (2022 RTP/SCS) are as follows:

- ✓ Highest investment in limiting growth “footprint” and controls sprawling.
- ✓ Prioritizes projects that encourage shifts away from the single occupant vehicle (SOV).
- ✓ Improvement of transit and shared mobility as well as enhancement of operation efficiency and TDM strategies are prioritized.

MCTC’s 2022 RTP/SCS, including Alternative Scenario 3 (Preferred Project), reflects Madera County residents’ core values identified in the outreach process and refines the robust collaborative effort achieved in the 2022 RTP/SCS.

### **Impacts Mitigated to a Level of Less than Significant**

As described in Section A.5, *Findings Regarding Potential Environmental Effects That Can Be Mitigated to a Level of Less Than Significant*, the impacts of the Plan were determined to be mitigated to a level of less than significant in relation to one threshold of significance in one environmental resource category:

- A.4-B Biotic Resources (BR 3.5.6)

### **Significant and Unavoidable Impacts**

As described in Section A.6, *Findings Regarding Significant Unavoidable Adverse Impacts That Cannot Be Mitigated to a Level of Less Than Significant*, the impacts of the Plan were determined to have the potential to result in significant and unavoidable impacts in relation to 74 thresholds of significance in 16 environmental resource categories:

- A.6-A Aesthetics (AE 3.2.1, 3.2.2, 3.2.3, 3.2.4)
- A.6-B Agricultural Resources (AG 3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5)
- A.6-C Air Quality (AQ 3.4.3, 3.4.4)

- A.6-D Biotic Resources (BR 3.5.1, 3.5.2, 3.5.3, 3.5.4, 3.5.5, 3.5.6)
- A.6-E Climate Change (CC 3.6.1, 3.6.2)
- A.6-F Cultural and Tribal Resources (CTR 3.7.1, 3.7.2, 3.7.3, 3.7.4, 3.4.5)
- A.6-G Energy and Energy Conservation (EN 3.8.1, EN 3.8.2)
- A.6-H Geology/Soils/Mineral Resources (GSM 3.9.1, 3.9.2, 3.9.3, 3.9.4, 3.9.5, 3.9.6, 3.9.7)
- A.6-I Hazards and Hazardous Materials (HM 3.10.1., 3.10.2, 3.10.3, 3.10.4, 3.10.5, 3.10.6, 3.10.7, 3.10.8)
- A.6-J Hydrology and Water Resources (W 3.11.1, 3.11.2, 3.11.3, 3.11.5, 3.11.6, 3.11.7, 3.11.8, 3.11.9)
- A.6-K Land Use and Planning and Recreation (LPR 3.12.1, 3.12.2, 3.12.3, 3.12.4)
- A.6-L Noise (N 3.13.1, 3.13.2, 3.13.3)
- A.6-M Population, Housing, and Employment (PHE 3.14.1, 3.14.2, 3.14.3)
- A.6-N Public Utilities, Other Utilities, and Services Systems (PU 3.15.1, 3.15.2, 3.15.3, 3.15.4, 3.15.5, 3.15.6, 3.15.7, 3.15.8)
- A.6-O Transportation/Traffic (TT 3.17.2, 3.17.3, 3.17.4)
- A.6-P Wildfire (WF 3.18.1, 3.18.2, 3.18.3, 3.18.4)

### Record of Proceedings

- ✓ Draft PEIR submitted to MCTC for distribution June 29, 2022
- ✓ Draft PEIR Notice of Completion submitted to the State Clearinghouse for distribution to state agencies June 29, 2022
- ✓ Draft PEIR emailed to organizations, agencies and individuals for review and comment June 29, 2022
- ✓ Availability of Draft PEIR for public review published In local newspapers and on MCTC website June 29, 2022
- ✓ Draft PEIR available at MCTC offices June 29, 2022
- ✓ Draft RTP/SCS and PEIR Presentation to MCTC Policy Board July 20, 2022
- ✓ Draft 45-day public comment period closed August 13, 2022
- ✓ Draft RTP/SCS and PEIR Presentation to MCTC Policy Board for adoption August 31, 2022
- ✓ Notice of Determination filed with State Clearinghouse September 1 - 7, 2022

### General Findings

Public Resources Code Section 21081 and CEQA Guidelines Section §15091, states that “No public agency shall approve or carry out a project, for which an EIR has been certified, that 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:

- ✓ Changes or alterations have been required in, or incorporated into, the project, which mitigate or avoid the significant effects on the environment.
- ✓ 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.
- ✓ 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 *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957; *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410."

Written findings, including a presentation of facts in support of the findings regarding each significant impact associated with the Project, are referenced in Sections A.5, *Findings Regarding Potential Environmental Effects that Can Be Mitigated to a Level of Less than Significant*; A.6, *Findings Regarding Significant Unavoidable Adverse Impacts that Cannot Be Mitigated to a Level of Less than Significant*; and A.7, *Findings Regarding Alternatives*, of this Exhibit.

MCTC certifies these findings considering written and oral comments received regarding the 2022 RTP/SCS and the Draft and Final PEIR. The 2022 RTP/SCS PEIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. The degree of specificity in the PEIR corresponds to the specificity of the regional goals, policies, and strategies of the 2022 RTP/SCS and was considered a complete project. The PEIR includes detailed and conservative (i.e., in a worst-case scenario) analysis of 18 environmental topics, including the topic of Energy in Appendix F of the State CEQA Guidelines and Social and Economic Effects related to the Project and its alternatives.

Environmental impacts expected to result from the adoption and implementation of the 2022 RTP/SCS are disclosed and feasible mitigation measures to be carried out by MCTC or other responsible/affected agencies have been identified at the regional/programmatic level.

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Res. Code § 21002.1(c) [if "economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency"]; see also State CEQA Guidelines § 15126.6(a) [an "EIR is not required to consider alternatives which are infeasible"].) CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Pub. Res. Code, § 21061.1.) The State CEQA Guidelines add "legal" considerations as another indicia of feasibility. (State CEQA Guidelines § 15364.) Project objectives also inform the determination of

“feasibility.” (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) “Broader considerations of policy thus come into play when the decision-making body is considering actual feasibility[.]” (*Cal. Native Plant Soc’y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000; see also Pub. Res. Code, § 21081(a)(3) [“economic, legal, social, technological, or other considerations” may justify rejecting mitigation and alternatives as infeasible] (emphasis added).) Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

At the project-level, mitigation measures adopted as part of the 2022 RTP/SCS can and should be implemented by lead agencies, as feasible and appropriate, to mitigate impacts at the project-level.

As a result, these mitigation measures address the environmental impacts of the 2022 RTP/SCS to the maximum extent feasible as discussed in the findings made in Sections A.5, *Findings Regarding Potential Environmental Effects that Can Be Mitigated to a Level of Less than Significant*, and A.6, *Findings Regarding Significant Unavoidable Adverse Impacts that Cannot Be Mitigated to a Level of Less than Significant*, of this Exhibit. Findings in Section A.6 indicate where mitigation measures may not be capable of reducing impacts to below the level of significance.

MCTC has provided clarifications and revisions to the information contained in the Draft PEIR that was circulated for public review considering written and oral comments received and has responded to all such comments. Changes were made to the Draft PEIR as part of the Final PEIR (reference Section 3). The addition of mitigation measures and clarification of impacts and assumptions, as well as text changes were made. No changes were made to the Draft PEIR that are considered significant or that change in any way the findings of significance by environmental issue area and do not present any significant new information requiring recirculation or additional environmental review pursuant to CEQA Guidelines Section 15088.5. Additional information was identified in the comments to the Draft PEIR and responded to in Section 2, *Comments and Response to Comments* of the Final PEIR.

Exhibit B of the Final PEIR provides the *Mitigation Monitoring Program* (MMP) for the 2022 RTP/SCS pursuant to the requirements of Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091 (d) and Section 15097 addressing implementation of the adopted mitigation measures intended to reduce significant effects on the environment. MCTC is the custodian of the documents and other material that constitute the record of the proceedings upon which certification of the PEIR for the 2022 RTP/SCS is based, as described below in Section A.9, *Findings Regarding Location and Custodian of Documents, of this Findings of Fact and Statement of Overriding Considerations*.

MCTC finds that the proposed Final PEIR addresses environmental review requirements for the 2022 RTP/SCS; that the document constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA; and that the document reflects the independent judgment of the MCTC Policy Board.

## A.4 FINDINGS REGARDING POTENTIAL ENVIRONMENTAL EFFECTS THAT ARE LESS THAN SIGNIFICANT

The analysis undertaken in support of the Program Environmental Impact Report (PEIR) for the Madera County Transportation Commission (MCTC) 2022 Regional Transportation Plan/Sustainable Communities Strategy (“2022 RTP/SCS,” “Plan,” or “Project”) indicate that the impacts of the Plan were determined to be less than significant in relation to six (6) thresholds of significance in four (4) environmental resource categories related to the California Environmental Quality Act (CEQA). Consistent with Public Resources Code section 21002.1 and section 15128 of the State CEQA Guidelines, the PEIR focused its analysis on potentially significant impacts, and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental impacts. State CEQA Guidelines section 15091 does not require specific findings to address environmental effects that an EIR identifies as “no impact” or a “less than significant” impact. Nevertheless, the Policy Board hereby finds that the Project would have either no impact or a less than significant impact to the following resource areas:

- A.4-A Air Quality (AQ 3.4.1, AQ 3.4.2)
- A.4-C Hydrology and Water Resources (HW 3.11.10)
- A.4-D Social and Economic Effects (SE 3.16.1, 3.16.2)
- A.4-E Transportation/Traffic (TT 3.17.1)

### A.4-A AIR QUALITY

#### **Impact AQ 3.4.1 - Conflict with or obstruct implementation of the applicable air quality plan.**

##### **Impact**

Less than Significant.

##### **Finding**

The 2022RTP/SCS would result in less than significant impacts. Therefore, no mitigation is required.

## Rationale

Emissions for criteria pollutants as a result of mobile sources from implementation of the 2022 RTP/SCS were quantified for the Year 2019, 2037, and the Year 2046 with the Project. The emissions shown in Table 3-24 of the Draft PEIR account for all mobile sources within Madera County. Results of the analysis show that emissions for criteria pollutants for the Year 2046 with the Project scenario will be less than the Year 2019 scenario despite recording higher VMT. Emissions for ROG, CO, and NOX exhibit a substantial reduction of more than 50%. Emissions reductions for PM<sub>10</sub> are 7% when compared to the Year 2019 Scenario. PM<sub>2.5</sub> emission reductions were determined to be 21%.

The project will result in beneficial effects of system-wide improvement in traffic flows and reduced congestion, which would reduce the potential for increased air emissions. The SJVAPCD Ozone, PM<sub>2.5</sub> and PM<sub>10</sub> plans all document the SJVAPCD's plans to achieve the State ambient air quality standards, and as such, compliance with the regulations and incentives contained in the SJVAPCD plans results in compliance with the State ambient air quality standards. Based on the air quality analysis, the 2022 RTP conforms to the applicable SIPs and demonstrates progress toward attainment with the state ambient air quality standards for PM<sub>10</sub>, PM<sub>2.5</sub> and Ozone. As a result, implementation of the 2022 RTP would result in a less than significant impact to PM<sub>10</sub>, PM<sub>2.5</sub>, and Ozone and wouldn't impede the above referenced plans and regulations.

**Impact AQ 3.4.2 – Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.**

## Impact

Less than Significant.

## Finding

The 2022 RTP/SCS would result in less than significant impacts. Therefore, no mitigation is required.

## Rationale

Madera County is nonattainment for Ozone (1 hour-State and 8 hour-Federal) and PM<sub>10</sub> (State) and PM<sub>2.5</sub> (Federal and State). The project will result in beneficial effects of system-wide improvement in traffic flows and reduced congestion, which would reduce the potential for increased air emissions.



The SJVAPCD 2016 and 2013 Ozone Plan, 2007 PM<sub>10</sub> Maintenance Plan, and the 2012 PM<sub>2.5</sub> Plan all document the SJVAPCD's plans to achieve the State ambient air quality standards, and as such, compliance with the regulations and incentives contained in the SJVAPCD plans results in compliance with the State ambient air quality standards. Based on the air quality analysis, the 2022 RTP conforms to the applicable SJVAPCD plans (2016 and 2013 Ozone Plan, 2007 PM<sub>10</sub> Maintenance Plan, and the 2012 PM<sub>2.5</sub> Plan) and demonstrates progress toward attainment with the State ambient air quality standards for PM<sub>10</sub>, PM<sub>2.5</sub> and Ozone. As a result, implementation of the 2022 RTP would result in a less than significant impact to PM<sub>10</sub>, PM<sub>2.5</sub>, and Ozone.

#### A.4-C HYDROLOGY AND WATER RESOURCES

##### **Impact HW 3.11.10 – In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.**

###### **Impact**

Less than Significant.

###### **Finding**

The 2022 RTP/SCS would result in less than significant impacts. Therefore, no mitigation is required.

###### **Rationale**

Madera County is outside of the areas of California at risk for tsunamis, as mapped by the California Department of Conservation, so impacts from tsunamis are not analyzed. The 2022 RTP/SCS would have no impact on inundation by tsunamis.

Large enclosed or partially enclosed water bodies are susceptible to seiche. Seiche can be caused by several factors including tsunami, earthquake, and wind. No state or federal regulations exist related to seiches. Given the absence of tsunamis and low level of earthquake risk in Madera County, there is a low probability of seiche occurrence in the plan area. While the probability of seiches remain low, the impact of the 2022 RTP/SCS is less than significant.

Any development constructed adjacent to unstable slopes would be susceptible to mudflows. Current state and local design standards require slope stabilization that would reduce the possibility for mudflows. When water rapidly accumulates in the ground, during heavy rainfall or rapid snowmelt, mudflows can develop. No state or federal mapping of mudflows exists.

At the program-level, the 2022 RTP/SCS would not significantly increase the exposure of people and structures to seiche, tsunami or mudflow. Therefore, the land use and transportation impacts associated with implementation of the RTP/SCS at the regional level are considered less than significant. No mitigation is required.

#### A.4-D SOCIAL AND ECONOMIC EFFECTS

##### **Impact SE 3.16.1 – Construction impacts on minority and low-income populations.**

###### **Impact**

Less than Significant.

###### **Finding**

The 2022 RTP/SCS would result in less than significant impacts. Therefore, no mitigation is required.

###### **Rationale**

Construction of some improvement projects will be located in areas of minority and low-income populations.

The improvement and future land use development projects may have direct, short-term impacts on surrounding communities related to construction, including noise, air quality, and traffic. However, none of these projects are expected to have a disproportionate impact on minority or low-income communities. The Project is designed to serve the entire population of the County, and the transportation and future land use development projects are dispersed throughout the region.

While many of the transportation and future land use development projects are located in urban areas where a higher proportion of low-income and minority communities are, more existing transportation routes and facilities are located in those areas. Since more of the existing facilities are located in those areas, more major improvements to address existing deficiencies and accommodate projected population growth are also needed in those areas.

Furthermore, MCTC works with cities, counties, and other implementing agencies to encourage improvement projects that serve those communities with the greatest transit needs, such as low-income or minority communities in urban core areas. The location, design, and alignment of transportation facilities and routes are planned to reduce potential impacts to the extent feasible, and to ensure that if impacts occur, these impacts do not disproportionately affect low-income or minority populations.

Numerous construction sites of individual improvement and future land use development projects throughout the region may experience short-term noise, air quality, and traffic impacts. Mitigation measures have been identified in Sections 3.4, 3.12, and 3.14 of the Draft EIR to minimize potential impacts and protect the sensitive uses that may be located near the individual improvement and future land use development project sites, including low-income and minority communities. It is not anticipated that minority and low-income communities would be disproportionately and adversely affected. As a result, short-term impacts are considered less-than-significant.

The Population and Housing section (Section 3.14 of the Draft EIR) identified potential construction impacts resulting from implementation of the Project that would remain significant and unavoidable after mitigation due to the potential displacement or relocation of homes and businesses. This section also found that some of the transportation and future land use development projects have the potential to disrupt or divide a community by separating community facilities, restricting community access, and eliminating community amenities. In addition, the Land Use section (Section 3.12 of the Draft EIR) identified potential impacts to sensitive receptors including residences, educational facilities, medical facilities, and places of worship that would remain significant and unavoidable after mitigation.

It is not anticipated that minority and low-income communities would be disproportionately and adversely affected, as compared to other communities. As a result, long-term impacts are considered less-than-significant.

**Impact SE 3.16.2 – Operational impacts on low-income and minority populations.**

**Impact**

Less than Significant.

**Finding**

The 2022 RTP/SCS would result in less than significant impacts. Therefore, no mitigation is required.

**Rationale**

The operation of some of the improvement and future land use development projects will occur in areas of low-income and minority populations.

The improvement and future land use development projects are designed specifically to improve transit accessibility, address existing deficiencies including congestion, and accommodate projected population growth to the extent feasible within the existing funding constraints. As discussed previously, the

improvement projects are located throughout the region and are not disproportionately concentrated in low-income or minority areas. (There are more transportation improvements and future land use development projects are planned for urban areas). This is because more transportation facilities and services are located in those areas serving large concentrations of people. As a result, these facilities need improvements and maintenance to continue serving the rapidly growing urban populations.

The Project will improve the transportation system through a variety of projects. These improvements are intended to improve traffic flow and reduce congestion, and to address existing deficiencies associated with the projected population increases. A beneficial impact that will result from the Project is greater transit accessibility for low-income and minority residents. These improvements are particularly important for low-income and minority communities, as these groups typically rely on public transit to a much greater extent than communities with higher incomes. Improvements will also allow more people in the region to reduce their dependence on automobiles and will provide enhanced connections to employment and housing.

It is anticipated that the improvement projects will increase accessibility and address existing problems with the transportation network. The projects are not expected to disproportionately affect low-income communities in an adverse way, since these projects are dispersed throughout the region, and are designed to improve transportation facilities where they are needed most. As a result, this impact is considered less-than-significant.

#### A.4-E TRANSPORTATION/TRAFFIC

**Impact TT 3.17.1 – Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities transit.**

##### **Impact**

Less than Significant.

##### **Finding**

The 2022 RTP/SCS would result in less than significant impacts. Therefore, no mitigation is required.

##### **Rationale**

The 2022 RTP approach and strategies align with other regional programs, plans, and policies, including MCTC's programs to administer State and federal programs. MCTC partners with other regional and local agencies to assure alignment of transportation strategies. The core approach of directing growth to infill

areas and providing sustainable transportation options to reduce emissions, improve mobility and access, reduce congestion, and increase safety on the transportation system is reflective of federal, State, and local efforts. Implementation of the proposed Plan is not expected to substantially conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

## A.5 FINDINGS REGARDING POTENTIAL ENVIRONMENTAL EFFECTS THAT CAN BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The analysis undertaken in support of the Program Environmental Impact Report (PEIR) for the Madera County Association of Governments (MCTC) 2022 Regional Transportation Plan/Sustainable Communities Strategy (“2022 RTP/SCS,” “Plan,” or “Project”) determined feasible mitigation measures have been identified that will avoid or substantially lessen potentially significant environmental impacts to a level of less than significant in relation to one (1) threshold of significance in one (1) environmental resource category related to the California Environmental Quality Act (CEQA):

### A.5-A Biotic Resources (BR 3.5.6)

MCTC finds that some of these mitigation measures are the responsibility of responsibility and jurisdiction of local agencies and other agencies. While MCTC has no authority to impose mitigation measures on local agencies and project sponsors, mitigation measures will be required by lead agencies at the project level if they identify potential impacts in the resource areas. To reduce impacts of the 2022 RTP/SCS, MCTC has identified project-level performance standards-based mitigation measures and finds that lead agencies can and should consider these measures or other comparable measures to reduce potential impacts, as applicable and feasible.

#### A.5-A BIOTIC RESOURCES

**Impact BR 3.5.6 - Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.**

#### Impact

Less than Significant after Mitigation.

## Finding

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final PEIR.

Implementation and monitoring of Mitigation Measures **BR 3.5.6-1**, **BR 3.5.6-2**, and **BR 3.5.6-3** will provide the framework and direction to avoid or reduce conflicts with any HCPs, NCCPs, and other approved conservation plans. It is anticipated that the Projects presented in the RTP/SCS will be required to be in compliance with existing conservation plans, therefore the mitigation measures listed will be sufficient to ensure impacts remain below a significant level.

## Rationale

The 2022 RTP/SCS is not expected to conflict significantly with Habitat Conservation Plans (HCPs), Natural Community Conservation Plans (NCCPs), or any other approved local, regional, or state habitat conservation plan because all of the transportation projects covered would be required to comply with existing HCPs, NCCPs, and other approved conservation plans. The RTP/SCS includes regional policies that could impact growth throughout the region. The analysis in the PEIR considers gross regional impacts of the land development and transportation investments described in the RTP/SCS. The cumulative impacts on the biotic resources in Madera County resulting from the Projects presented in the RTP/SCS include fragmentation of existing habitats and incremental impact on biological resources requiring consideration of mitigation measures.

## Project-Level Mitigation Measures

- ✓ **BR 3.5.6-1** Consult with federal, state, and/or local agencies that handle administration of HCPs and NCCPs.
- ✓ **BR 3.5.6-2** When feasible, the project will be designed in such a way that lands preserved under HCPs or NCCPs are avoided.
- ✓ **BR 3.5.6-3** Sufficient conservation measures to fulfil the HCPs or NCCPs requirements be taken when avoidance is determined to be infeasible.

## A.6 FINDINGS REGARDING SIGNIFICANT UNAVOIDABLE IMPACTS THAT CANNOT BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The analysis undertaken in support of the Program Environmental Impact Report (PEIR) for the Madera County Transportation Commission (MCTC) 2022 Regional Transportation Plan/Sustainable Communities Strategy (“2022 RTP/SCS,” “Plan,” or “Project”) determined that the Plan has the potential to result in significant and unavoidable impacts in relation to 74 thresholds of significance in 16 environmental resource categories related to the California Environmental Quality Act (CEQA), and a Statement of Overriding Considerations is therefore included as Section A.15 of this Exhibit:

- A.6-A Aesthetics (AE 3.2.1, 3.2.2, 3.2.3, 3.2.4)
- A.6-B Agricultural Resources (AG 3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5)
- A.6-C Air Quality (AQ 3.4.3, 3.4.4)
- A.6-D Biotic Resources (BR 3.5.1, 3.5.2, 3.5.3, 3.5.4, 3.5.5, 3.5.6)
- A.6-E Climate Change (CC 3.6.1, 3.6.2)
- A.6-F Cultural and Tribal Resources (CTR 3.7.1, 3.7.2, 3.7.3, 3.7.4, 3.4.5)
- A.6-G Energy and Energy Conservation (EN 3.8.1, EN 3.8.2)
- A.6-H Geology/Soils/Mineral Resources (GSM 3.9.1, 3.9.2, 3.9.3, 3.9.4, 3.9.5, 3.9.6, 3.9.7)
- A.6-I Hazards and Hazardous Materials (HM 3.10.1., 3.10.2, 3.10.3, 3.10.4, 3.10.5, 3.10.6, 3.10.7, 3.10.8)
- A.6-J Hydrology and Water Resources (W 3.11.1, 3.11.2, 3.11.3, 3.11.5, 3.11.6, 3.11.7, 3.11.8, 3.11.9)
- A.6-K Land Use and Planning and Recreation (LPR 3.12.1, 3.12.2, 3.12.3, 3.12.4)
- A.6-L Noise (N 3.13.1, 3.13.2, 3.13.3)
- A.6-M Population, Housing, and Employment (PHE 3.14.1, 3.14.2, 3.14.3)
- A.6-N Public Utilities, Other Utilities, and Services Systems (PU 3.15.1, 3.15.2, 3.15.3, 3.15.4, 3.15.5, 3.15.6, 3.15.7, 3.15.8)
- A.6-O Transportation/Traffic (TT 3.17.2, 3.17.3, 3.17.4)
- A.6-P Wildfire (WF 3.18.1, 3.18.2, 3.18.3, 3.18.4)

MCTC finds that some of these mitigation measures are the responsibility of MCTC, while others are the responsibility and jurisdiction of local agencies and other agencies. While MCTC has no authority to impose mitigation measures on local agencies and project sponsors, mitigation measures will be required by lead agencies at the project level if they identify potential impacts in the resource areas. To reduce impacts of the 2022 RTP/SCS, MCTC has identified project-level performance standards-based mitigation measures and finds that lead agencies can and should consider these measures or other comparable measures to reduce potential impacts, as applicable and feasible.

## A.6-A AESTHETICS

### **Impact AE 3.2.1 - Have a substantial adverse effect on a scenic vista.**

#### **Impact**

Significant and Unavoidable.

#### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **AE 3.2.1-1** and **AE 3.2.1-2** will provide the framework and direction to avoid or reduce the significant aesthetic impacts identified, it is probable that such impacts could remain significant and unavoidable after mitigation.

#### **Rationale**

Construction and implementation of individual transportation improvement projects and future land use development projects could potentially impede, or block views of scenic resources as seen from the transportation facility or from the surrounding area. This could be a potentially significant impact. Construction of new facilities or development of previously undisturbed sites for transportation improvements or future land use development could potentially block or impede views of scenic resources in a given area. For example, construction of highways or new residential areas could block or impede views of area mountains and other scenic resources. Grade separated facilities could block or impede views of surrounding scenic resources during and after construction. Moreover, the elevation and scale of the proposed grade separated facilities or high-rise development could be visually intrusive to surrounding areas (depending on the degree of visibility of the transportation facility).

Construction of transportation facilities that involve modifications like widening or upgrading existing roadways would involve lesser changes to the visual environment. These “modification projects” would most likely occur within existing roadway facilities and/or could require acquisition of rights-of-way property. However, such changes may not block or impede views of scenic resources to a greater extent than at present. Implementation of the proposed RTP/SCS will result in more compact development than



existing conditions. By developing more compactly, the RTP/SCS directs more growth to the areas that are already urbanized and potentially lessens the amount of undeveloped land or lands with aesthetic resources from being converted or lost to urban uses. Focusing growth in areas that are already developed limits the amount of growth that takes place at the urban edge, adjacent to aesthetic resources.

The specific impacts on obstruction of views will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below intended to avoid or reduce the significant impacts identified.

### **Project-Level Mitigation Measures**

- ✓ **AE 3.2.1-1** Implement design guidelines, local policies, and programs aimed at protecting views of scenic corridors and avoiding visual intrusions.
- ✓ **AE 3.2.1-2** To the extent feasible, noise barriers that will not degrade or obstruct a scenic view will be constructed. Noise barriers will be well landscaped, complement the natural landscape and be graffiti resistant.

**Impact AE 3.2.2 - Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.**

### **Impact**

Significant and Unavoidable.

### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **AE 3.2.2-1** and **AE 3.2.2-2** will provide the framework and direction to avoid or reduce the significant scenic resources impacts identified, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Some of the proposed projects in the RTP include countywide improvements to highways, arterials and transit systems. These improvements could potentially fall within a designated eligible state scenic highway.

The specific impacts on altered appearance of scenic resources will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **AE 3.2.2-1** Avoid construction of transportation facilities and new development in state and locally designated scenic highways and vista points.
- ✓ **AE 3.2.2-2** If transportation facilities and new development are constructed in state and locally designated scenic highways and/or vista points, design, construction, and/or operation of the transportation facility or new development will be consistent with applicable guidelines and regulations for the preservation of scenic resources along the designated scenic highway.

**Impact AE 3.2.3 - Substantially degrade the existing visual character or quality of the site and its surroundings.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be,

adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **AE 3.2.3-1**, **AE 3.2.3-2**, **AE 3.2.3-3**, and **AE 3.2.2-4** will provide the framework and direction to avoid or reduce the significant visual resources impacts identified, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Construction and implementation of improvement projects or new development could create significant contrasts with the overall visual character of the existing landscape setting. This could be a potentially significant impact. There is an extraordinary range of urban characteristics and urban-natural environmental contrasts throughout the proposed RTP Project area. Given the size and diversity of the region, there are no standards that apply to all areas. Therefore, local planning guidelines regarding visual quality of urban areas must be researched and adhered to. A component of the urban environment is the transportation infrastructure and areas designated for new development by local general plans. Many roads have been built throughout the region, which connect urban concentrations with natural areas found in the rural area. Transportation systems have a major effect on the visual environment. As most vehicular movement occurs along transportation corridors, their placement largely determines what parts of the region will be seen. Arterials and freeways comprise a major component of the existing visual environment in the region. In addition, new land use development consistent with the SCS could impact visual resources by obstructing existing view sheds.

Development of previously undeveloped sites could result in impacts to visual resources. Construction of a new transportation system or new land use development could result in land use changes that could also result in impacts to visual resources. For example, the extension of a highway through an urban area could require some acquisition of residential, commercial or industrial property, thereby changing the land use, and consequently, visual quality of the given area. “Modification projects” that involve the widening or upgrading of existing roadways can be designed to complement the existing system, and therefore, would involve lesser changes to the visual character of the existing landscape setting. Therefore, impacts from “modification projects” would be less-than-significant.

The specific impacts on development of previously undeveloped sites with visual qualities will be evaluated as part of the implementation agencies’ project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve

development projects, their role will be to encourage inclusion of the mitigation measures referenced below intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **AE 3.2.3-1** Where appropriate, encourage the development of design guidelines for each type of transportation facility and land use that make elements of proposed projects visually compatible with surrounding areas. Visual guidelines will, at a minimum, include setback buffers, landscaping, color, texture, signage, and lighting criteria. The following methods will be employed whenever possible:
  - Transportation systems and new development will be designed in a manner where the surrounding landscape dominates.
  - Transportation systems and new development will be developed to be compatible with the surrounding environment (i.e., colors and materials of construction material).
  - If exotic vegetation is used, it will be used as screening and landscaping that blends in and complements the natural landscape.
  - Trees bordering highways will remain or be replaced so that clear cutting is not evident.
  - Grading will blend with the adjacent landforms and topography.
  
- ✓ **AE 3.2.3-2** Project implementation agencies should design transportation and new development projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. Project implementation agencies should design projects to minimize their intrusion into important viewsheds and use contour grading to better match surrounding terrain. To the maximum extent feasible, landscaping along highway corridors should be designed to add significant natural elements and visual interest to soften the hard-edged, linear travel experience that would otherwise occur.
  
- ✓ **AE 3.2.3-3** Project implementation agencies should use natural landscaping to minimize contrasts between the Project (RTP/SCS) and surrounding areas. Wherever possible, interchanges and transit lines should be designed at the grade of the surrounding land to limit view blockage. Edges of major cut-and-fill slopes should be contoured to provide a more natural looking finished profile. Project implementation agencies should replace and renew landscaping to the greatest extent possible along corridors with road widenings, interchange projects, and related improvements. New corridor landscaping should be designed to respect existing natural and man-made features and to complement the dominant landscaping of surrounding areas.
  
- ✓ **AE 3.2.3-4** Project implementation agencies should construct sound walls of materials whose color and texture complements the surrounding landscape and development and to the maximum extent feasible, use color, texture, and alternating facades to “break up” large facades and provide visual

interest. Where there is room, project sponsors should landscape the sound walls with plants that screen the sound wall, preferably with either native vegetation or landscaping that complements the dominant landscaping of surrounding areas.

**Impact AE 3.2.4 - Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.**

**Impact**

Significant and Unavoidable.

**Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).).

While implementation and monitoring of Mitigation Measure **AE 3.2.4-1** will provide the framework and direction to avoid or reduce the significant new light and glare impacts identified, it is probable that such impacts could remain significant and unavoidable.

**Rationale**

Construction and implementation of individual transportation and land use development projects could potentially create a new source of substantial light or glare that would affect day or nighttime views of scenic resources as seen from the transportation facility or from the surrounding area. This could be a potentially significant impact. There is an extraordinary range of urban characteristics and urban-natural environmental contrasts throughout the proposed Project area. Given the size and diversity of the region, there are no standards that apply to all areas. Therefore, local planning guidelines regarding visual quality of urban areas must be researched and adhered to. Urban areas, due to numerous buildings in a concentrated space, experience significant light from all light source categories. Madera County includes medium, and small sized cities, and vast rural areas that are either located in the Valley region or are mountainous. The rural areas are primarily used for agricultural purposes. In smaller communities and in rural areas of the County, where urban development is less dense, light and glare impacts are not as frequent.

The specific impacts on new sources of light and glare will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **AE 3.2.4-1** Where appropriate, encourage the development of design guidelines for each type of transportation facility and land use development that make light elements of proposed facilities visually compatible with surrounding areas. The following methods will be employed whenever possible:
  - Transportation systems and new development areas will be designed in a manner where the surrounding landscape dominates.
  - Transportation systems and new development areas will be developed to be compatible with the surrounding environment.
  - Lighting devices will be employed such as downward facing light, light shields, and amber lumens.

### A.6-B AGRICULTURE AND FORESTRY RESOURCES

**Impact AR 3.3.1 - Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **AR 3.3.1-1**, **AR 3.3.1-2**, **AR 3.3.1-3**, and **AR 3.3.1-4** will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Implementation of transportation improvements included in the RTP could influence land use patterns throughout the region as shown in the SCS and result in the conversion of important agricultural lands. Land use and transportation policies are emphasized in the RTP in order to address automobile traffic and air quality concerns. Growth patterns that promote alternatives to the automobile by creating mixed-use developments, which would include residences, shops, parks, and civic institutions, linked to pedestrian-and-bicycle friendly public transportation centers, are also discussed in the RTP/SCS. Implementation of enhanced alternative modes as provided by the RTP could result in more balanced land use conditions throughout the region, as the mixed-use developments would result in a concentration of jobs and residences in close proximity to one another. This would result in the reduction of the footprint of new development as reflected in the 2022 RTP/SCS; thereby protecting farmland, Williamson Act contract land, forest/timber land, and other open space lands in the Madera region.

### Project-Level Mitigation Measures

- ✓ **AR 3.3.1-1** MCTC shall work with its member agencies and Caltrans as they implement projects to commit to mitigate at a 1:1 ratio any loss of farmland or natural lands due to projects funded by MCTC.
- ✓
- ✓ **AG 3.3.1-2** Implementing agencies should encourage in-fill development, in place of development in rural and environmentally sensitive areas. Agencies should seek funding to prepare specific plans and related environmental documents to facilitate mixed-use development, and to allow these areas to serve as receiver sites for transfer of development rights away from environmentally sensitive lands and rural areas outside established urban growth boundaries.
- ✓ **AG 3.3.1-3** Implementing agencies should consider agricultural resource lands when considering project designs. Prior to the design approval of RTP/SCS projects, the implementing agency should assess the project area for agriculture and forestry resources and constraints. For federally funded projects, implementing and local agencies are required to follow the rules and regulations of Farmland Protection Policy Act including determining the impact by completing the Farmland Conversion Impact Rating form (AD-1006). For non-federally funded projects, implementing and local agencies should assess projects for the presence of important farmlands (prime farmland, unique farmland, farmland of statewide importance), and if present, perform a Land Assessment and Site Evaluation (LESA).

- ✓ **AG 3.3.1-4** Implementing agencies should consider agriculture and forestry resources in all projects and seek to avoid or minimize the encroachment and/or impact on these areas. Agencies should consider measures such as, but not limited to, relocation or redesign of site features, reduction of the project footprint, or compensation and/or preservation activities to lessen the overall impact on resource lands. Prior to final approval of each individual transportation improvement project, the implementing agency should consider inclusion into a conservation easement program or arrange for the enrollment of agricultural lands into the Williamson Act program.

**Impact AG 3.3.2 - Conflict with existing zoning for agriculture use, or Williamson Act Contract.**

**Impact**

Significant and Unavoidable.

**Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **AG 3.3.2-1, AG 3.3.2-2, AG 3.3.2-3, and AG 3.3.2-4** will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable.

**Rationale**

Transportation improvement projects and future land use development projects have the potential to impact agricultural uses zoned for agricultural uses and Williamson Act contract lands. The amount of agricultural zoned lands impacted by the 2022 RTP/SCS is not available but would be consistent with the lands quantified. The total amount of important farmland estimated to be consumed by the SCS is relatively small; however, when land consumed within the existing spheres of influence are also added to the total, a significant amount of land could be potentially consumed by future land use development. Williamson Act contract lands could also potentially be impacted by the Project. The amount of important farmland or Williamson Act contract lands impacted by transportation improvement projects cannot be fully estimated since the actual design and extent of improvements for projects contained in the RTP/SCS is not known. As a result, development of the proposed Project could potentially result in the disturbance



or loss of some of these designated areas. Specifically, new transportation and future land use development projects involving construction would be most likely to result in impacts to these areas.

### Project-Level Mitigation Measures

- ✓ **AG 3.3.2-1** Mitigation Measures referenced in Impact 3.3.1, above are also included by reference.
- ✓ **AG 3.3.2-2** Individual projects will be consistent with federal, state, and local policies that preserve agricultural lands and support the economic viability of agricultural activities, as well as policies that provide compensation for property owners if preservation is not feasible.
- ✓ **AG 3.3.2-3** For projects in agricultural areas, project implementation agencies should contact the California Department of Conservation and the Agricultural Commissioner's office to identify the location of prime farmlands and lands that support crops considered valuable to the local or regional economy.
- ✓ **AG 3.3.2-4** Prior to final approval of each individual improvement project, the implementing agency should avoid impacts to prime farmlands or farmlands that support crops considered valuable to the local or regional economy.

**Impact AG 3.3.3 - Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **AG 3.3.3-1**, **AG 3.3.3-2**, and **AG 3.3.3-3** will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable.

### Rationale

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **AG 3.3.3-1** Mitigation Measures referenced in Impact 3.3.1, above are also included by reference.
- ✓ **AG 3.3.3-2** Individual projects will be consistent with federal, state, and local zoning policies that preserve timber or forest lands and support the economic viability of forest activities, as well as policies that provide compensation for property owners if preservation is not feasible.
- ✓ **AG 3.3.3-3** For projects in timber or forest areas, project implementation agencies should contact the California Department of Forestry and Fire Protection (CAL FIRE) and the U.S. Forest Service to identify the location of timber and forest lands to address applicable zoning regulations and processes.

### **Impact AG 3.3.4 - Result in the loss of forest land or conversion of forest land to non-forest use.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation

measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **AG 3.3.4-1**, **AG 3.3.4-2**, **AG 3.3.4-3**, and **AG 3.3.4-4** will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Transportation improvement projects and future land use development projects have the potential to convert forest lands to non-forest uses. The only forest lands are located far to the west of urban areas. The amount of forest lands potentially impacted by the 2022 RTP/SCS is not available; however, significant loss or conversion of forest land is not anticipated since the growth within rural areas of the County has been allocated to existing communities and cities in the rural areas consistent with adopted or draft general plans for the County of Madera and each of the affected cities. The amount of forest lands potentially impacted by transportation improvement projects cannot be fully estimated since the actual design and extent of improvements for projects contained in the RTP/SCS is not known. As a result, development of the proposed Project could potentially result in the loss or conversion of forest lands. Specifically, new transportation and future land use development projects involving construction would be most likely to result in impacts to these areas.

### Project-Level Mitigation Measures

- ✓ **AG 3.3.4-1** Mitigation Measures referenced in Impact 3.3.1, above are also included by reference.
- ✓ **AG 3.3.4-2** Individual projects will be consistent with federal, state, and local policies that preserve forest lands and support the economic viability of forest activities, as well as policies that provide compensation for property owners if preservation is not feasible.
- ✓ **AG 3.3.4-3** For projects in forest areas, project implementation agencies should contact the California Department of Forestry and Fire Protection (CAL FIRE) and the U.S. Forest Service to identify the location of forest lands and address applicable regulations and processes.
- ✓ **AG 3.3.4-4** Prior to final approval of each individual improvement project, the implementing agency should avoid impacts forest lands.

**Impact AG 3.3.5 - Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **AG 3.3.5-1** will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Implementation of the proposed RTP/SCS will result in more compact development than existing conditions. By developing more compactly, the RTP/SCS directs more growth to the areas that are already urbanized and prevents undeveloped land from being converted to urban uses. Focusing growth in areas that are already developed limits the amount of growth that takes place at the urban edge, adjacent to agricultural areas. As discussed in Impact sections 3.2.1 through 3.2.4 of the Draft EIR, implementation of the Project will result in the conversion of important farmland, lands under Williamson Act contracts, and timber and forest lands. Lands that remain agricultural or forest lands but are located near to lands that will be converted to urban uses, may feel pressure to develop, as nearby land values increase or as nuisances from urban development spread to agricultural or forest lands. As a result, indirect impacts to forest or agricultural lands from this development pressure are considered potentially significant.

The region will see numerous multi-modal transportation improvements implemented over the RTP/SCS planning period. While much of this transportation infrastructure will serve urban uses in urbanized areas of the region, it is likely that implementation of transportation improvements at the urban edge could increase urban traffic patterns on roads that serve urban development and agricultural and forest lands.

Increased urban traffic on roads at the urban edge can lead to increased conflict between uses, which could result in the conversion of additional agricultural or forest lands.

As noted above, the proposed RTP/SCS will result in more compact development than existing conditions. The RTP/SCS is designed to improve transportation options and increase capacity within urbanized areas. Enhanced transportation adjacent to forest or agricultural uses may improve opportunities by creating better access and increasing the viability of activities such as farm-to-market retail. However, owners of forest or agricultural lands nearest to urbanized areas may feel pressure to develop as transportation improvements within proximity of these lands are improved or implemented. Pressure may also increase as land uses surrounding these properties continue to urbanize. As a result, the impacts on forest or farmland related to transportation improvements from implementation of the proposed RTP/SCS are considered potentially significant.

### **Project-Level Mitigation Measures**

- ✓ **AG 3.3.5-1** Reference the mitigation measures reflected in Impacts 3.3.1 through 3.3.5.

### A.6-C AIR QUALITY

#### **Impact AQ 3.4.3 - Expose sensitive receptors to substantial pollutant concentrations.**

##### **Impact**

Significant and Unavoidable.

##### **Finding**

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the mitigation measures will provide the framework and direction to avoid or reduce health risk impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategy intended to avoid or reduce the significant impacts identified.

## Rationale

The project will result in beneficial effects of system-wide improvement in traffic flows and reduced congestion, which would reduce the potential for increased air emissions. Impacts on sensitive receptors on a project-level basis can only be determined by project-specific air quality studies.

## Project-Level Mitigation Measures

- ✓ **AQ 3.4.3-1** As air toxics research continues, implementing agencies should utilize the tools and techniques that are developed for assessing health outcomes as a result of lifetime MSAT exposure. The potential health risks posed by MSAT exposure should continue to be factored into project-level decision-making in the context of environmental review. Specifically, at the project level, implementing agencies shall require or perform air toxic risk assessments to determine mobile source air toxic impacts.

**Impact AQ 3.4.4 - Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.**

## Impact

Significant and Unavoidable.

## Finding

Implementation of the RTP would not directly create or generate objectionable odors. Persons residing in the immediate vicinity of proposed transportation improvements and future land use developments may be subject to odors typically associated with roadway construction activities (diesel exhaust, hot asphalt, etc.), and odor-generating land uses. Any odors generated by construction activities would be minor and would be short and temporary in duration. However, objectionable odors generated by future land uses; especially land uses such as landfills, wastewater treatment plants, or industrial processing facilities, may occur. This potential impact is considered significant and unavoidable.

## Rationale

Implementation of the RTP would not directly create or generate objectionable odors. Persons residing in the immediate vicinity of proposed transportation improvements and future land use developments may be subject to odors typically associated with roadway construction activities (diesel exhaust, hot asphalt, etc.), and odor-generating land uses. Any odors generated by construction activities would be minor and would be short and temporary in duration. However, objectionable odors generated by future

land uses; especially land uses such as landfills, wastewater treatment plants, or industrial processing facilities, may occur. The specific impacts on air quality will be evaluated as part of the implementing agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **AQ 3.4.4-1** Implementing agencies should require assessment of new and existing odor sources for transportation improvement projects and future land use development projects to determine whether sensitive receptors would be exposed to objectionable odors and apply recommended applicable mitigation measures as defined by the applicable local air district and best practices.

### A.6-D BIOTIC RESOURCES

**Impact BR 3.5.1 - Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **BR 3.5.1-1** through **BR 3.5.1-24** will provide the framework and direction to avoid or reduce the impacts to sensitive plant and wildlife species, it is probable that such impacts could remain significant and unavoidable.

## Rationale

The RTP/SCS include projects that may result in direct impacts to plant and wildlife species that are identified in the Draft PEIR, including rare, threatened and/or endangered species during construction and operation of the proposed transportation facilities and future land use developments through the removal or direct mortality as a result of construction equipment, operational traffic, etc. of native habitat. The Project may also result in indirect impacts to plant and wildlife species including rare, threatened and/or endangered species, during the construction and operation through edge effects such as noise, lighting and visual deterrents. Short-term and long-term indirect impacts on special-status species from the construction and operation of transportation facilities and other future land use facilities include edge effects such as noise and lighting. These impacts may be less-than-significant for improvement projects on already-existing transportation facilities or in already developed areas because the types of operational impacts although potentially increased, would remain the same. Noise impacts will be most adverse during construction. However, these impacts are temporary (1 to 5 years) in nature and are generally considered not significant.

The specific impacts on plant and wildlife species will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, lead agencies wanting to tier to this EIR for CEQA compliance on subsequent discretionary permits and approvals would be expected to include the mitigation measures referenced below (or a functional equivalent) as conditions of approval of their respective permits and approvals, as appropriate. As appropriate, MCTC will encourage the implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

## Project-Level Mitigation Measures

- ✓ **BR 3.5.1-1** Each proposed individual transportation improvement project and future land use development will consider the displacement of sensitive habitat, sensitive species, and non-native habitat.
- ✓ **BR 3.5.1-2** When avoidance of native vegetation removal is not possible, each transportation improvement project and future land use development shall replant disturbed areas with commensurate native vegetation of high habitat value adjacent to the project (i.e., as opposed to ornamental vegetation with relatively less habitat value).



- ✓ **BR 3.5.1-3** Focused sensitive plant and wildlife species and non-native habitat surveys will be conducted within suitable habitat to determine the distribution of sensitive species in an area broad enough to survey for all species that have the potential to traverse the project limits of each transportation improvement project and future land use development. Sensitive plant and non-native habitat surveys will be conducted during the appropriate flowering season for sensitive plant species. In all cases, impacts on special-status species and/or their habitat shall be avoided during construction to the extent feasible.
  
- ✓ **BR 3.5.1-4** If sensitive plant or wildlife species and non-native habitat are identified within the biological impact area, a Biological Resource Management Plan (BRMP) will be developed to address appropriate avoidance and minimization measures. These measures may include seed collection and salvage measures for sensitive plant species and non-native habitat, silt fencing, exclusion fencing and/or appropriate compensation where impacts cannot be fully avoided. Implementing agencies shall address the special-status species including, but not limited to species listed below.
  - California tiger salamander (CTS): CTS have been documented in Madera County (CDFW 2022). CTS breed and develop in vernal and seasonal pools and stock ponds in grassland, woodland, and scrub habitat types. They require upland refuges (i.e., small mammal burrows) when not breeding. Prior to ground-disturbing activities, CDFW recommends that a qualified wildlife biologist assess the project site and vicinity (i.e., up to 1.3 miles, observed CTS dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommends site assessments follow the United States Fish and Wildlife Service (USFWS) “Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander” (2003). CDFW recommends the qualified biologist determine the impacts of project-related activities to all CTS upland and breeding habitat within and/or adjacent to the construction footprint. Because both upland burrow refugia and breeding wetland habitat features suitable for use by CTS are present in Madera County, CDFW advises avoidance for CTS include a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows. If burrow avoidance is not feasible, consultation with CDFW is warranted to determine if the project can avoid take. CDFW agrees with BR 3.5.1-21 that if take cannot be avoided, acquisition of an Incidental Take Permit (ITP) is necessary prior to any ground-disturbing activities to comply with CESA.
  
  - Blunt-nosed Leopard Lizard (BNLL): BNLL (*Gambelia sila*) is State and federally endangered and have the potential to occur in Madera County. Full BNLL protocol surveys are recommended on the entirety of project sites which provides potential BNLL habitat. Suitable BNLL habitat includes all areas of grassland and shrub habitat that contains required habitat elements, such as small mammal burrows and open areas for basking. BNLL are also known to utilize open space patches between suitable habitat features including disturbed sites and unpaved access roadways. BNLL is fully protected and CDFW cannot authorize take of this species.

CDFW recommend focused surveys following the survey methods titled “*Approved Survey Methodology for the Blunt-nosed Leopard Lizard*” (CDFW 2019) to detect any BNLL that may occur in the Project area. These surveys, the parameters of which were designed to optimize detectability, must be conducted within one year from the start of project activities to reasonably assure CDFW that take of this fully protected species will not occur as a result of project implementation. It is important to note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same survey season, and that within these time periods there are specific date, temperature, and time parameters which must be adhered to; as a result, protocol-level surveys for this species are not synonymous with “pre-construction” surveys often recommended for other wildlife species.

In addition, CDFW advises that all potential burrows, which could be occupied by BNLL, and all individuals observed above-ground be avoided. CDFW recommend suitable burrows within and adjacent to potential habitat for BNLL be avoided by a minimum 50 feet in all areas where ground-disturbing project activities will occur, that an appropriate number of qualified biologists be present during all ground-disturbing project activities to ensure that BNLL above ground are not impacted, and that any individual that may enter the project activity area be allowed to leave unobstructed on its own. In the event that BNLL is detected, consultation with CDFW would be warranted to discuss how to implement the Project and avoid take.

- **San Joaquin Kit Fox (SJKF):** SJKF has the potential to occur in Madera County. SJKF populations are known to fluctuate over years and a negative finding from biological surveys in any one year does not necessarily depict absence of kit fox on a site. It is important to note that SJKF may be attracted to any construction area due to the type and level of activity (pipes, excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. CDFW recommends that the exclusion buffers and survey methods found in the USFWS’s “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” (2011) be followed prior to any ground-disturbing activities occurring within the Project site.
- **Special Status Plant Species:** There is the potential for multiple special status plant species to occur on or adjacent to the subsequent project sites. CDFW recommends that all project sites be surveyed by a qualified botanist. CDFW advises following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (March 20, 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary. Further, CDFW advises that a minimum no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s), or specific habitat type(s) required by special status plant species, be delineated around special status plant species. If buffers cannot be maintained, then consultation with CDFW is advised to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State- or federally listed

plant species is identified during botanical surveys, then consultation with CDFW and/or the USFWS is recommended to determine the need for an ITP (issued by CDFW) or a Biological Opinion (issued by the USFWS).

- ✓ **BR 3.5.1-5** Individual transportation improvement projects and future land use developments shall include offsite habitat enhancement or restoration to compensate for unavoidable habitat losses from the project site. Environmental impacts associated with such off-site areas should be disclosed and mitigation measures identified to lessen potential impacts.
- ✓ **BR 3.5.1-6** Locations of sensitive species, sensitive habitat, and non-native habitat will be mapped and shown on construction drawings and identified as Environmentally Sensitive Areas (ESAs). Prior to construction, these areas will be flagged and/or fenced to prevent unnecessary impacts from machinery and foot traffic.
- ✓ **BR 3.5.1-7** Temporary access roads and staging areas will not be located within areas containing sensitive plant, sensitive wildlife species or non-native habitat wherever feasible, so as to avoid or minimize impacts to these species.
- ✓ **BR 3.5.1-8** Construction activities will be scheduled, as appropriate and feasible, to avoid sensitive times that have a greater likelihood to affect significant resources such as spawning periods for fish, nesting season for birds and/or the rainy season for riparian habitat and sediment/erosion control.

**BR 3.5.1-9** All vegetation (including tall grasses) will be removed between August 16<sup>th</sup> and February 14<sup>th</sup>, if possible, to avoid potential conflicts with nesting birds. If it is not possible to remove vegetation during that time frame, a nest clearance survey will be completed prior to vegetation clearing. Any detected nests will be mapped and provided with an appropriate buffer as recommended by a qualified biologist. Construction activities within the buffer area will not be allowed until after September 15 or until fledglings have abandoned the nest. If project activities occur during the bird nesting season, CDFW recommends protocol-level surveys be conducted prior to any project ground disturbance. CDFW recommends (1) a 0.5-mile no-disturbance buffer for any fully protected, State-threatened and/or State-endangered birds, except that a minimum 300-foot no-disturbance buffer be implemented for active tricolor blackbird nest colonies in accordance with CDFW's "*Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015*" (CDFW 2015), (2) a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species, and (3) a 500-foot no-disturbance buffer around the nests of unlisted raptors. Survey protocols can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). CDFW advises that these nest avoidance buffers be incorporated into the Biological Resources Management Plan.

While this mitigation measure proposes that the August 16th through February 14th work period will be used to avoid disturbance to nesting birds, it is also important to note that any project ground-disturbing activities during this period may impact CTS. CTS usually leave their burrows during the first rain events in search of seasonal pools or stock ponds for breeding. Project proponents may need to consider the timing of project activities, the location of the project in proximity to special status species habitat, and/or the need to pursue take authorization.

- ✓ **BR 3.5.1-10** A Worker Awareness Program (environmental education) shall be developed and implemented to inform project workers of their responsibilities in regard to avoiding and minimizing impacts on sensitive biological resources.
- ✓ **BR 3.5.1-11** An Environmental Inspector shall be appointed to serve as a contact for issues that may arise concerning implementation of mitigation measures, and to document and report on adherence to these measures.
- ✓ **BR 3.5.1-12** A qualified wetland scientist shall review construction drawings as part of each project-specific environmental analysis to determine whether wetlands will be impacted, and if necessary, perform a formal wetland delineation. Appropriate State and federal permits shall be obtained, but each project EIR will contain language clearly stating the provisions of such permits, including avoidance measures, restoration procedures, and in the case of permanent impacts compensatory creation or enhancement measures to ensure a no net loss of wetland extent or function and values.
- ✓ **BR 3.5.1-13** Sensitive habitats (native vegetative communities identified as rare and/or sensitive by the CDFW) and special-status plant species (including vernal pools) impacted by projects shall be restored and augmented, if impacts are temporary, at a 1.1:1 ratio (compensation acres to impacted acres). Permanent impacts shall be compensated for by creating or restoring habitats at a 3:1 ratio as close as possible to the site of the impact, or as determined through consultation with the applicable regulatory agencies.
- ✓ **BR 3.5.1-14** When work is conducted in identified sensitive habitat areas and/or areas of intact native vegetation, construction protocols shall be applied in consultation with CDFW.
- ✓ **BR 3.5.1-15** If specific project area trees are designated as “Landmark Trees” or “Heritage Trees”, then approval for removals shall be obtained through the appropriate entity, and appropriate mitigation measures shall be developed at that time, to ensure that the trees are replaced. Due to the close proximity of these areas to sensitive wildlife habitats, all mitigation trees will use only locally collected native species.

- ✓ **BR 3.5.1-16** The height, spacing, number and type of light fixtures will be selected and installed to minimize intrusive light escaping from the physical boundaries of the site.
- ✓ **BR 3.5.1-17** The height, spacing, number and type of light fixtures will be selected and installed to minimize intrusive light escaping from the physical boundaries of the site. In addition, road noise minimization using appropriate and effective noise reduction strategies or noise abatement applications shall be applied by implementing agencies as required to minimize highway noise.
- ✓ **BR 3.5.1-18** A qualified biologist shall conduct a habitat assessment, well in advance of implementation of individual subsequent projects, to determine if individual project areas or their immediate vicinity contain habitat suitable to support special-status plant or animal species, including, but not limited to, those mentioned above.
- ✓ **BR 3.5.1-19** It is recommended that the lead or responsible agency assess the presence/absence of special-status species by conducting surveys following recommended protocols or protocol-equivalent surveys.
- ✓ **BR 3.5.1-20** If special-status plant or animal species within or in the vicinity of tiered project areas are detected, consultation with CDFW to discuss how to implement ground-disturbing activities and avoid take shall be undertaken.
- ✓ **BR 3.5.1-21** In the case of the detection of State-listed species, consultation with CDFW shall be undertaken to discuss how to avoid take, or if avoidance is not feasible, to acquire an Incidental Take Permit (ITP) prior to ground-disturbing activities, pursuant to Fish and Game Code § 2081 (b).
- ✓ **BR 3.5.1-22** Implementing agencies should consult with the USFWS on potential impacts to federally listed species implementing agencies should consult with the USFWS in order to comply with Federal Endangered Species Act (FESA) well in advance of any ground-disturbing activities. A take under FESA includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting.
- ✓ **BR 3.5.1-23** Implementing agencies are encouraged to report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:

<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDBFieldSurveyForm.pdf>.

The completed form can be mailed electronically to CNDDDB at the following email address:  
CNDDDB@wildlife.ca.gov.

The types of information reported to CNDDDB can be found at the following link:  
[http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

- ✓ **BR 3.5.1-24** If it is determined that tiered projects have the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

**Impact BR 3.5.2 - Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **BR 3.5.2-1** through **BR 3.5.2-9** will provide the framework and direction to avoid or reduce the impacts of sensitive habitats, including jurisdictional waters and wetlands, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Direct impacts to biological resources involve the temporary or permanent physical loss of vegetation communities, wildlife habitat, and special interest plant and wildlife species resulting from site preparation activities such as clearing, grubbing, and grading. Indirect impacts on vegetation communities include the potential for increased susceptibility of adjacent, native habitats to invasion by non-native plant species. The establishment of non-native vegetation leads to increased competition between native and non-native vegetation for available resources and results in decreased native species diversity in

adjacent, native habitats. Fugitive dust created during project-related construction activities may settle on plants adjacent to the construction zone. This dust can at least temporarily result in reductions in plant photosynthesis, growth, and reproduction. The RTP/SCS include projects that may result in direct removal or degradation of riparian habitat or other sensitive natural communities during construction activities such as grading and grubbing.

The specific impacts on sensitive habitats, including jurisdictional waters and wetlands will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. MCTC will encourage the implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **BR 3.5.2-1** When applicable to federally funded projects, responsible and implementing agencies should commit to improved interagency coordination and integration of the National Environmental Policy Act (NEPA) and the Clean Water Act Section 404 procedures during three stages: transportation planning, project programming, and project implementation. Affected State and local agencies should commit to ensuring the earliest possible consideration of environmental concerns pertaining to U.S. water bodies, including wetlands, at each of the three stages identified above. In addition, the agencies should place a high priority on the avoidance of adverse impacts to waters of the U.S. and associated sensitive species, including threatened and endangered species. Implementation of NEPA-404 requirements will expedite construction of necessary transportation projects, with benefits to mobility and the economy at large. The process will also enable more street and highway projects to proceed on budget and on schedule. Finally, the process will improve cooperation and efficiency of governmental operations at all levels, thereby better serving the public.
- ✓ **BR 3.5.2-2** Construction and operational Best Management Practices (BMPs) will be identified, installed and maintained by implementing agencies in order to prevent silt and other pollutants from entering jurisdictional waters and wetlands thereby degrading or destroying wildlife and/or natural habitat. BMPs may include straw bales and/or mats, temporary sedimentation basins, silt fence, sandbag check dams, dry season construction, etc.
- ✓ **BR 3.5.2-3** Native soils in construction areas will be removed, stockpiled separately, and replaced by implementing agencies in those areas where onsite revegetation of the native habitat is planned.
- ✓ **BR 3.5.2-4** Any disturbed natural areas will be replanted by implementing agencies with appropriate native vegetation following the completion of construction activities.

- ✓ **BR 3.5.2-5** During the individual improvement or future land use development project design phase, impacts to jurisdictional waters and wetlands will be minimized by implementing agencies to the greatest extent feasible.
- ✓ **BR 3.5.2-6** Implementing agencies will obtain and comply with appropriate regulatory requirements prior to construction.
- ✓ **BR 3.5.2-7** It is recommended that a qualified biologist conduct a habitat assessment in advance of project implementation, to determine if individual project areas or their immediate vicinity support freshwater marsh, wetland, vernal pool, and/or riparian communities.
- ✓ **BR 3.5.2-8** Where applicable, it is recommended that a formal wetland delineation be conducted by a qualified biologist to determine the location and extent of wetlands and waterways on parcels slated for development. Please note that, while there is overlap, State and Federal definitions of wetlands, as well as which activities require Notification pursuant to Fish and Game Code § 1602, differ.

It is further recommended that the delineation identify both State and Federal wetlands on the Project site as well as which activities may require Notification to comply with Fish and Game Code. Fish and Game Code § 2785 (g) defines wetlands; further § 1600 et seq. applies to any area within the bed, channel, or bank of any river, stream, or lake (including riparian vegetation). It is important to note that while accurate delineations by qualified individuals have resulted in more rapid review and response from the U.S. Army Corps of Engineers and CDFW, substandard or inaccurate delineations have resulted in unnecessary time delays for applicants due to insufficient, incomplete, or conflicting data. CDFW advises that site map(s) designating wetlands as well as the location of any activities that may affect a lake or stream be included with any Project site evaluations.

- ✓ **BR 3.5.2-9** Project-related activities that have the potential to change the bed, bank, and channel of streams and other waterways, may be subject to CDFW's regulatory authority pursuant Fish and Game Code §1600 et seq., therefore notification is recommended. Fish & Game Code §1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of a Lake and Streambed Alteration Agreement. For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593.



**Impact BR 3.5.3 - Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **BR 3.5.3-1** and **BR 3.5.3-2** will provide the framework and direction to avoid or reduce the siltation impacts, it is probable that such impacts could remain significant and unavoidable.

### Rationale

The RTP/SCS transportation improvements and future land use developments could potentially result in discharge of dredged or fill material into waters of the United States. Therefore, transportation and future land use impacts related to discharge of dredged or fill material into waters of the United States are considered potentially significant.

The specific impacts on discharge of dredged or fill materials into waters of the United States will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. MCTC will encourage the implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **BR 3.5.3-1** For Individual transportation and future land use development projects near water resources, implementing agencies shall prepare an aquatic resources delineation, in accordance with

the “Minimum Standards for Acceptance of Preliminary Aquatic Resource Delineations” and “Final Map and Drawing Standards for the South Pacific Division Regulatory Program” under “Jurisdiction” on the U.S. Army Corps of Engineers website ([www.spk.usace.army.mil/missions/regulatory.aspx](http://www.spk.usace.army.mil/missions/regulatory.aspx)), and submit it to the U.S. Army Corps of Engineers, Regulatory Division, California South Branch, 1325 J Street, Room 1350, Sacramento, California 95814, for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

- ✓ **BR 3.5.3-2** For Individual transportation and future land use development projects near water resources, implementing agencies shall include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

**Impact BR 3.5.4 - Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **BR 3.5.4-1** and **BR 3.5.4-2** will provide the framework and direction to avoid or reduce the impacts to temporary and permanent impacts to terrestrial and aquatic wildlife movement, it is probable that such impacts could remain significant and unavoidable.

## Rationale

The RTP/SCS would result in temporary and permanent impacts to terrestrial and aquatic wildlife movement. The nature of transportation projects and future land use developments increases the potential extent and significance of impacts to wildlife movement. Transportation facilities pose barriers to wildlife crossings that may result in injury or death of wildlife attempting to traverse the facility. These barriers also result in fragmentation of natural habitat and increased impacts associated with edge effects from lighting, noise, human disturbance, exotic plant infestations, urban runoff, etc. Smaller fragments of habitat result in greater intensity of the edge effects. It is also important to maintain connections between populations of wildlife so that interbreeding, and/or that young have no ability to disperse to suitable habitats, does not occur. Impacts to wildlife movement would be greater along entirely new transportation facilities or future land use developments than with improvements to existing facilities because the existing facility has already formed a barrier.

The specific impacts on temporary and permanent impacts to terrestrial and aquatic wildlife movement will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. The mitigation measures would require implementing agencies responsible for review, design and implementation of transportation projects and future land use developments to avoid or mitigate impacts to wildlife movement. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Project-Level Mitigation Measures

- ✓ **BR 3.5.4-1** During final design, implementing agencies will design, construct, and maintain terrestrial wildlife crossings in order to minimize barrier effects and habitat fragmentation created by individual transportation projects and future land use developments.
- ✓ **BR 3.5.4-2** During final design, implementing agencies will design, construct, and maintain any structure/culvert placed within a stream where endangered or threatened fish occur/may occur. The structure/culvert will not constitute a barrier to upstream or downstream movement of aquatic life or cause an avoidance reaction by fish that impedes their upstream or downstream movement. This includes, but is not limited to, the supply of water at an appropriate depth for fish migration.

**Impact BR 3.5.5 - Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.**

**Impact**

Significant and Unavoidable.

**Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **BR 3.5.5-1**, **BR 3.5.5-2**, and **BR 3.5.5-3** will provide the framework and direction to avoid or reduce conflicts with any local policies or ordinances protecting biological resources, it is probable that such impacts could remain significant and unavoidable.

**Rationale**

The County and cities have local ordinances and policies in place that protect native trees as well as non-native trees in urban landscapes. These ordinances and policies have different definitions of protected trees (e.g., certain species, minimum diameter at breast height (dbh), trees that form riparian corridors). The RTP/SCS transportation improvements and future land use developments could result in removal of trees that are protected by local policies or ordinances. In addition, implementation of the proposed Project may also conflict with other local policies or ordinances that protect locally significant biological resources. Therefore, transportation and future land use impacts related to conflicts with local policies or ordinances protecting biological resources are considered potentially significant.

The specific impacts related to conflicts with local ordinances and policies will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. As appropriate, MCTC will encourage the implementation of the mitigation measures below, intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **BR 3.5.5-1** Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, protected trees or other locally protected biological resources. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation should be implemented when significance thresholds are exceeded. Mitigation should be consistent with the requirements of CEQA and/or follow applicable plans promulgated to protect species/habitat.
- ✓ **BR 3.5.5-2** Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to protected trees and other locally protected resources where feasible, defined in section 15364 of the CEQA Guidelines.
- ✓ **BR 3.5.5-3** As part of project-level environmental review, implementing agencies will ensure that projects comply with the most recent general plans, policies, and ordinances, and conservation plans. Review of these documents and compliance with their requirements will be demonstrated in project-level environmental documentation. Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation.

**Impact BR 3.5.6 - Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.**

#### Impact

Significant and Unavoidable.

#### Finding

The responsibility to mitigate siltation impacts rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. Implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce conflicts with any HCPs, NCCPs, and other approved conservation plans. It is anticipated that the Projects presented in the RTP/SCS will be required to be in compliance with existing conservation plans, therefore the mitigation measures listed will be sufficient to ensure impacts remain below a significant level.

## Rationale

All projects that could occur under the 2022 RTP/SCS would have to undergo project-specific environmental review to determine if that particular project would conflict with an HCP, NCCP, or other plan.

## Project-Level Mitigation Measures

- ✓ **BR 3.5.6-1** Consult with federal, state, and/or local agencies that handle administration of HCPs and NCCPs
- ✓ **BR 3.5.6-2** When feasible, the project will be designed in such a way that lands preserved under HCPs or NCCPs are avoided.
- ✓ **BR 3.5.6-3** Sufficient conservation measures to fulfil the HCPs or NCCPs requirements be taken when avoidance is determined to be infeasible.

## A.6-E CLIMATE CHANGE

**Impact CC 3.6.1 - Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **CC 3.6.1-1** through **CC 3.6.1-21** will provide the framework and direction to avoid or reduce increased transportation GHG emissions on climate change, it is probable that such impacts could remain significant and unavoidable.

## Rationale

The ultimate sources of increased transportation emissions in Madera County are population and employment growth, which will increase with or without projects referenced in the 2022 RTP and land use allocation represented in the SCS. MCTC does not implement land use policy in Madera County; rather, this is under the jurisdiction of the County and the various cities. Decisions about the place, pace, and scale of growth and development are reflected in the general plans and project approvals adopted by the local agencies. The 2022 RTP/SCS is designed to complement, rather than change, the plans adopted by the local agencies. Thus, the ultimate effect of the 2022 RTP/SCS on transportation emissions is not to increase the amount of travel per se, but rather to influence where and how travel occurs within and through the County.

MCTC's ability to address and mitigate climate change impacts is limited primarily to policy and funding decisions related to planned roadway and alternative transportation improvements. As described above, the combustion of fossil fuels during vehicle operations is one of the primary sources of GHG emissions in California. GHG emissions also result from the carbon dioxide, methane, and nitrous oxide that are released during the combustion of gasoline and diesel fuel in construction equipment, vehicles, buses, trucks, and trains; and the use of natural gas to power transit buses and other vehicles. As discussed previously, historical, and current global GHG emissions are known by the State and the global scientific community to be causing global climate change, and future increases in GHG emissions associated with the proposed RTP/SCS could exacerbate climate change and contribute to the significant adverse environmental effects described previously. Furthermore, increased GHG emissions associated with the proposed RTP/SCS could impact implementation of the State's mandatory requirement under AB 32 and SB 32 to reduce statewide GHG emissions to 1990 levels by 2020 and 40 percent below 1990 levels by 2030.

The specific impacts on climate change will be evaluated as part of the implementing agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below. In addition, a number of mitigation measures are included in Section 3.4 of the Draft EIR to address criteria emissions.

The RTP would meet ARB per capita emission targets set pursuant to SB 375. Mitigation measures that are presented above help reduce GHG emissions even further to the extent feasible considering requirements set forth in AB 32 and requirements set forth in SB 375. Such measures will also assist in the promotion and implementation of Smart Growth and sustainable planning practices by the cities and the County consistent with the SCS.

## Mitigation Measures

- ✓ **CC 3.6.1-1** MCTC shall update future Regional Transportation Plans (including Sustainable Community Strategies) to incorporate policies and measures that will lead to further reduced GHG emissions. Such policies and measures may be derived from the General Plans, local jurisdictions' Climate Action Plans (CAPs), and other adopted policies and plans of its member agencies that include GHG mitigation and adaptation measures or other sources.
- ✓ **CC 3.6.1-2** Local governments should adopt policies and develop practices that lead to GHG emission reductions. These activities will include, but are not limited to, providing technical assistance and information sharing on developing local Climate Action Plans.
- ✓ **CC 3.6.1-3** Implementing and local agencies should adopt and implement Climate Action Plans (CAPs, also known as Plans for the Reduction of Greenhouse Gas Emissions as described in State CEQA Guidelines Section 15183.5 Tiering and Streamlining the Analysis of Greenhouse Gas Emissions) that do the following:
  - Quantify GHG emissions, both existing and projected over a specified period, resulting from activities within each agency's jurisdiction;
  - Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;
  - Identify and analyze the GHG emissions resulting for specific actions or categories of actions anticipated within their respective jurisdictions;
  - Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
  - Establish a mechanism to monitor the plan's progress toward achieving that level and to require amendment if the plan is not achieving specified levels; and
  - Be adopted in a public process following environmental review.

CAPs should, when appropriate, incorporate planning and land use measures from the California Attorney General's latest list of example policies to address climate change at both the plan and project level. Specifically, at the plan level, land use plans can and should, when appropriate, incorporate planning and land use measures from the California Attorney General's latest list of example policies to address climate change ([http://ag.ca.gov/globalwarming/pdf/GP\\_policies.pdf](http://ag.ca.gov/globalwarming/pdf/GP_policies.pdf)), including, but not limited to policies from that web page such as:

- Smart growth, jobs/housing balance, transit-oriented development, and infill development through land use designations, incentives and fees, zoning, and public private partnerships.



- Create transit, bicycle, and pedestrian connections through planning, funding, development requirements, incentives and regional cooperation, and create disincentives for auto use.
- Energy and water-efficient buildings and landscaping through ordinances, development fees, incentives, project timing, prioritization, and other implementing tools.
- In addition, implementing and local agencies should incorporate, as appropriate, policies to encourage implementation of the Attorney General’s list of project-specific mitigation measures.

In addition, CAPs should also incorporate analysis of climate change adaptation, in recognition of the likely and potential effects of climate change in the future regardless of the level of mitigation and in conjunction with Executive Order S-13-08, which seeks to enhance the state’s management of climate impacts including sea level rise, increased temperatures, shifting precipitation, and extreme weather events by facilitating the development of state’s first climate adaptation strategy.

- ✓ **CC 3.6.1-4** MCTC shall prepare an alternative planning strategy that show a future land use and transportation scenario which meets the reduction targets. The alternative planning strategy does not need to be consistent with financial constraint requirements or realistic latest planning assumptions for land use.
- ✓ **CC 3.6.1-5** MCTC shall continue to work closely with its member agencies to help them participate in the statewide Active Transportation Program (ATP).
- ✓ **CC 3.6.1-6** MCTC shall prepare an alternative planning strategy that show a future land use and transportation scenario which meets the reduction targets. The alternative planning strategy does not need to be consistent with financial constraint requirements or realistic latest planning assumptions for land use.
- ✓ **CC 3.6.1-7** Project Level Environmental Documents

Project level environmental documents shall analyze construction and maintenance and land use development project Greenhouse Gas (GHG) emissions.

- ✓ **CC 3.6.1-8** Off-Model Reduction Strategies

MCTC will work with other affected and responsible agencies to implement the following strategies that are quantified “off-model”:

- Regional electric vehicle (EV) charging infrastructure programs.
- Active transportation projects.
- Vanpool program expansion.

- Rideshare programs.
- Rule 9410 Employer Trip Reductions.
- ITS and other TSM projects.

**Impact CC 3.6.2 - Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.**

**Impact**

Significant and Unavoidable.

**Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **CC 3.6.1-2** will provide the framework and direction to avoid or reduce increased transportation GHG emissions on climate change, it is probable that such impacts could remain significant and unavoidable.

**Rationale**

MCTC has used the best available information to determine whether the proposed RTP/SCS is consistent with the State's achievement of the AB 32 and SB 32 GHG emission reductions. In light of the uncertainty in the regulatory and technological environment, the 2022 RTP/SCS incorporates all feasible mitigation measures, which are identified below, to reduce the impacts of the proposed project on global climate change. This EIR also includes a requirement that RTP projects incorporate the SJVAPCD's Best Performance Standards for reducing GHG. The 2022 RTP/SCS has also incorporated numerous policies, action items and funding priorities to develop and improve alternative modes of transportation throughout the County and the incorporated cities in Madera County.

The measures included in the RTP are consistent with the GHG mitigation approaches outlined by the California Attorney General's Office in the May 21, 2008 report titled: *The California Environmental Quality Act, Addressing Global Warming Impacts at the Local Agency Level: Global Warming Measures*. The RTP incorporates measures such as smart growth, jobs/housing balance, and transit-oriented

development, which are consistent with the Attorney General's recommendations. The mitigation measures outlined below, and the policies and action items included in the 2022 RTP update, such as the SCS and the analysis of GHG emissions from the Project, are also consistent with the 2017 Regional Transportation Plan Guidelines prepared by the California Transportation Commission, which address *SB 375 mandates*.

In addition, Madera County has made significant progress in addressing many public transit needs throughout the Region.

The RTP would meet ARB per capita emission targets set pursuant to SB 375 and as described in the Draft EIR. Mitigation measures that are presented above help reduce GHG emissions even further to the extent feasible considering requirements set forth in AB 32 and requirements set forth in SB 375. Such measures will also assist in the promotion and implementation of Smart Growth and sustainable planning practices by the cities and the County consistent with the SCS.

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the mitigation measures below will provide the framework and direction to avoid or reduce increased transportation GHG emissions on climate change, it is probable that such impacts could remain significant and unavoidable. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

### **Project-Level Mitigation Measures**

- ✓ **CC 3.6.2-1** See Mitigation Measures for Impact 3.6.1.

## **A.6-F CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES**

**Impact CTR 3.7.1** - Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5.

### **Impact**

Significant and Unavoidable.

## Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **CTR 3.7.1-1**, **CTR 3.7.1-2**, **CTR 3.7.1-3**, **CTR 3.7.1-4**, and **CTR 3.7.1-5** will provide the framework and direction to avoid or reduce significant impacts on historic resources, it is probable that such impacts could remain significant and unavoidable.

## Rationale

Development of highway, arterial, bridge crossing, transit, and future land use development projects may impact historic resources. Due to the size and potentially large number of historic resources that could be disturbed because of the combined projects, this impact would be potentially significant at a regional level. Types of projects that have the potential to impact historic resources include highway projects and bridge crossings that entail the development of new lanes and in some instances acquisition of new rights-of-ways, arterial and interchange projects, which entail the development of new lanes, rights-of-way acquisition, and the development of land and sites for future land use developments.

All mitigation measures will be included in program-level analysis, as appropriate. The implementing agencies will be responsible for ensuring adherence to the mitigation measures prior to construction. MCTC will be provided with documentation indicating compliance with mitigation measures. As appropriate, MCTC will encourage implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

## Project-Level Mitigation Measures

- ✓ **CTR 3.7.1-1** As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources considering requirements set forth in Assembly Bill 52 (Gallo, Chapter 532 of 2014) and Senate Bill 18. If the project is also subject to the federal National Environmental Policy Act (NEPA), the tribal requirements of Section 106 of the National Historic Preservation Act of 1966 may also apply.
- ✓ **CTR 3.7.1-2** As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources. A record search at the

appropriate Information Center will be conducted to determine whether the individual transportation improvement project or future land use development area has been previously surveyed and whether resources were identified.

- ✓ **CTR 3.7.1-3** As necessary, prior to construction activities, the implementing agencies will obtain a qualified architectural historian to conduct historic architectural surveys as recommended by the Archaeological Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the individual transportation improvement project or future land use development area for cultural resources.
  
- ✓ **CTR 3.7.1-4** Implementing agencies will comply with Section 106 of the National Historic Preservation Act if federal funding or approval is required. This law requires federal agencies to evaluate the impact of their actions on resources included in or eligible for listing in the National Register of Historic Places. Federal agencies must coordinate with the State Historic Preservation Officer in evaluating impacts and developing mitigation. These mitigation measures may include, but are not limited to the following:
  - Carry out the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, relocation, or reconstruction of any impacted historic resource, which will be conducted in a manner consistent with the Secretary of the Interior’s Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.
  
- ✓ **CTR 3.7.1-5** In some instances, the following mitigation measure may be appropriate in lieu of the previous mitigation measure:
  - Secure a qualified environmental agency and/or architectural historian, or other such qualified person to document any significant historical resource(s), by way of historic narrative, photographs, or architectural drawings, as mitigation for the effects of demolition of a resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.

**Impact CTR 3.7.2 - Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.**

### Impact

Significant and Unavoidable.

## Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **CTR 3.7.2-1** through **CTR 3.7.2-7** will provide the framework and direction to avoid or reduce significant construction impacts on archeological resources, it is probable that such impacts could remain significant and unavoidable.

## Rationale

Construction activities involving excavation and earthmoving may encounter archaeological resources. This would be considered a significant impact. The project includes new streets, roads and highways, street, road and highway widening (for wider lanes, shoulders or new lanes), new transit facilities, grade crossings, consolidated rail corridors, bridge projects, a number of interchanges, and future land use development activities. These types of projects have the potential to impact archaeological materials, because they could take place in previously undisturbed areas. Excavation and soil removal of any kind, irrespective of depth, has the potential to yield resources of archaeological significance. Improvements and modifications to existing transportation facilities and land use developments would have less of an impact to archaeological resources because these project locations have previously been disturbed. However, construction of additional lanes and future land use development, would potentially impact archaeological materials, if it would entail brush clearing, grading, trenching, excavation, and/or soil removal of any kind, in an area not previously used as a paved transportation facility. Due to the size and potentially large number of archaeological sites that could be disturbed because of the combined projects, this impact would be potentially significant to archaeological resources at a regional level.

All mitigation measures will be included in project-level analysis, as appropriate. The implementing agencies will be responsible for ensuring adherence to the mitigation measures prior to construction. MCTC will be provided with documentation indicating compliance with mitigation measures. Implementing agencies will require the following measures as part of the individual transportation improvement project or future land use development review process, intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **CTR 3.7.2-1** As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources considering requirements set forth in Assembly Bill 52 (Gallo, Chapter 532 of 2014) and Senate Bill 18. If the project is also subject to the federal National Environmental Policy Act (NEPA), the tribal requirements of Section 106 of the National Historic Preservation Act of 1966 may also apply [reference Appendix B, Notice of Preparation (NOP) Comment Letters from the Native American Heritage Commission, dated April 28, 2017].
- ✓ **CTR 3.7.2-2** As part of the appropriate environmental review of individual projects, the implementation agencies will consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area and identify the Native American(s) to contact to obtain information about the project site.
- ✓ **CTR 3.7.2-3** Prior to construction activities and as necessary, the implementation agencies will obtain a qualified archaeologist to conduct a record search at the appropriate Information Center of the California Archaeological Inventory to determine whether the project area has been previously surveyed and whether resources were identified.
- ✓ **CTR 3.7.2-4** As necessary prior to construction activities, the implementation agencies will obtain a qualified archaeologist or architectural historian (depending on applicability) to conduct archaeological and/or historic architectural surveys as recommended by the Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for cultural resources.
- ✓ **CTR 3.7.2-5** If the record search indicates that the project is located in an area rich with cultural materials, the implementing agencies will retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.
- ✓ **CTR 3.7.2-6** Construction activities and excavation will be conducted to avoid cultural resources (if found). If avoidance is not feasible, further work may need to be done to determine the importance of a resource. The implementation agencies will obtain a qualified archaeologist familiar with the local archaeology, and/or an architectural historian should make recommendations regarding the work necessary to determine importance. If the cultural resource is determined to be important under State or federal guidelines, impacts on the cultural resource will be mitigated.

- ✓ **CTR 3.7.2-7** The project implementation agencies will stop construction activities and excavation in the area where cultural resources are found until a qualified archaeologist can determine the importance of these resources.

**Impact CTR 3.7.3 - Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.**

**Impact**

Significant and Unavoidable.

**Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **CTR 3.7.3-1**, **CTR 3.7.3-2**, and **CTR 3.7.3-3** will provide the framework and direction to avoid or reduce significant impacts on paleontological, it is probable that such impacts could remain significant and unavoidable.

**Rationale**

Construction activities involving excavation and earthmoving may encounter human remains. Humans have occupied Madera County for at least 10,000 years, and it is not always possible to predict where paleontological resources may occur. Therefore, it is likely that excavation and construction activities, regardless of depth, may yield paleontological resources.

The project includes new highways, highway widening, new transit facilities, grade crossings, rail corridors, bridge crossings, interchanges, and future land use developments. These activities all have a potential to yield previously undiscovered resources, because they could take place in previously undisturbed or under-disturbed areas. Excavation and soil removal of any kind, irrespective of depth, has such potential. Improvements and modifications to existing rights-of-way or existing land use developments would have less of an impact because these individual project locations have previously been disturbed. However, construction of additional lanes or new land use developments, could



potentially impact human remains, if it would entail brush clearing, grading, trenching, excavation, and soil removal of any kind, in an area not previously developed.

All mitigation measures will be included in project-level analysis, as appropriate. The implementing agencies will be responsible for ensuring adherence to the mitigation measures prior to construction. MCTC will be provided with documentation indicating compliance with mitigation measures.

### Project-Level Mitigation Measures

- ✓ **CTR 3.7.3-1** The project sponsor of a 2022 RTP/SCS project involving ground disturbing activities (including grading, trenching, foundation work, and other excavations) shall 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, 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 Worker Environmental Awareness Program (WEAP) 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 greater than two feet below existing grade, 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. 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.

**CTR 3.7.3-2** As part of the appropriate environmental review of individual projects, the project implementation agencies will obtain a qualified paleontologist to identify and evaluate paleontological resources where potential impacts are considered high; the paleontologist will also conduct a field survey in these areas.

**CTR 3.7.3-3** Construction activities will avoid known paleontological resources, especially if the resources in a particular lithic unit formation have been determined through detailed investigation to be unique. If avoidance is not feasible, paleontological resources will be excavated by the qualified paleontologist and given to a local agency, State University, or other applicable institution, where they can be displayed.

**Impact CTR 3.7.4 - Disturb any human remains, including those interred outside of formal cemeteries.**

### Impact

Significant and Unavoidable.

## Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **CTR 3.7.4-1**, **CTR 3.7.4-2**, and **CTR 3.7.4-3** will provide the framework and direction to avoid or reduce significant impacts on human remains, it is probable that such impacts could remain significant and unavoidable.

## Rationale

Construction activities involving excavation and earthmoving may encounter human remains. Humans have occupied Madera County for at least 10,000 years, and it is not always possible to predict where human remains may occur outside of formal burials. Therefore, it is likely that excavation and construction activities, regardless of depth, may yield human remains that may not be interred in marked, formal burials. The project includes new highways, highway widening, new transit facilities, grade crossings, rail corridors, bridge crossings, interchanges, and future land use developments. These activities all have a potential to yield previously undiscovered human remains, because they could take place in previously undisturbed or under-disturbed areas. Excavation and soil removal of any kind, irrespective of depth, has the potential to yield human remains. Improvements and modifications to existing rights-of-way or existing land use developments would have less of an impact because these individual project locations have previously been disturbed. However, construction of additional lanes or new land use developments, could potentially impact human remains, if it would entail brush clearing, grading, trenching, excavation, and soil removal of any kind, in an area not previously developed.

All mitigation measures will be included in project-level analysis, as appropriate. The implementing agencies will be responsible for ensuring adherence to the mitigation measures prior to construction. MCTC will be provided with documentation indicating compliance with mitigation measures. As part of the appropriate environmental review of individual projects, the project implementation agencies - in the event of discovery or recognition of any human remains, during construction or excavation activities associated with the project, in any location other than a dedicated cemetery - will cease further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Madera County coroner has been informed and has determined that no investigation of the cause of death is required.

### Project-Level Mitigation Measures

- **CTR 3.7.4-1** As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources considering requirements set forth in Assembly Bill 52 (Gallo, Chapter 532 of 2014) and Senate Bill 18. If the project is also subject to the federal National Environmental Policy Act (NEPA), the tribal requirements of Section 106 of the National Historic Preservation Act of 1966 may also apply.

**Impact CTR 3.7.5 - Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **CTR 3.7.5-1** through **CTR 3.7.5-11** will provide the framework and direction to avoid or reduce significant construction impacts on archeological resources, it is probable that such impacts could remain significant and unavoidable.

## Rationale

The project includes new streets, roads and highways, street, road, and highway widening (for wider lanes, shoulders, or new lanes), new transit facilities, grade crossings, consolidated rail corridors, bridge projects, a number of interchanges, and future land use development activities. These types of projects have the potential to impact tribal cultural resources, because they could take place in previously undisturbed areas. Excavation and soil removal of any kind, irrespective of depth, has the potential to yield resources of tribal cultural significance. Improvements and modifications to existing transportation facilities and land use developments would have less of an impact to tribal cultural resources because these project locations have previously been disturbed. However, construction of additional lanes and future land use development, would potentially impact tribal cultural resources, if it would entail brush clearing, grading, trenching, excavation, and/or soil removal of any kind, in an area not previously used as a paved transportation facility or developed for urban or rural land uses. Due to the size and potentially large number of tribal cultural sites that could be disturbed because of the combined projects, this impact would be potentially significant to tribal cultural resources at a regional level.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. It is recommended that local agencies and Caltrans consult their legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the mitigation measures below will provide the framework and direction to avoid or reduce significant construction impacts on tribal cultural resources, it is probable that such impacts could remain significant and unavoidable. Individual projects will require a project-level analysis to determine appropriate mitigation measures. As appropriate, MCTC will encourage the implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

## Project-Level Mitigation Measures

- ✓ **CTR 3.7.5-1** Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal

notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code§ 21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code§ 21073).
- ✓ **CTR 3.7.5-2** Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code§ 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code§ 21080.3.1 (b)).
- ✓ **CTR 3.7.4-3** Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
- a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code§ 21080.3.2 (a)).
- ✓ **CTR 3.7.4-4** Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
- a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code§ 21080.3.2 (a)).
- ✓ **CTR 3.7.4-5** Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location,

description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code§ 21082.3(c)(1)).

- ✓ **CTR 3.7.4-6** Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code§ 21082.3 (b)).
  
- ✓ **CTR 3.7.4-7** Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
  - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code§ 21080.3.2 (b)).2.
  
- ✓ **CTR 3.7.4-8** Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code§ 21082.3 (a)).
  
- ✓ **CTR 3.7.4-9** Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource,' the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code§ 21082.3 (e)).
  
- ✓ **CTR 3.7.4-10** Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- a. Avoidance and preservation of the resources in place, including, but not limited to:
  - i. Planning and construction to avoid the resources and protect the cultural and natural context.
  - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - i. Protecting the cultural character and integrity of the resource.
  - ii. Protecting the traditional use of the resource.
  - iii. Protecting the confidentiality of the resource.
- c. 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.
- d. Protecting the resource. (Pub. Resource Code§ 21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code§ 815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code§ 5097.991).

- ✓ **CTR 3.7.4-11** Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
  - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code§ 21082.3 (d)).

All mitigation measures will be included in project-level analysis, as appropriate. The implementing agencies will be responsible for ensuring adherence to the mitigation measures prior to construction. MCTC will be provided with documentation indicating compliance with mitigation measures.

Implementation of the following mitigation measures for tribal cultural resources is recommended to reduce impacts to a less-than-significant level. Implementing agencies will require the following measures as part of the individual transportation improvement project or future land use development review process:



- As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to tribal cultural resources considering requirements set forth in AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments noted above in Measures 1 through 11.
  
- ✓ As part of the appropriate environmental review of individual projects, the implementation agencies will consult with the NAHC and affected Native American Tribes to determine whether known sacred sites are in the project area and identify the Native American(s) to contact to obtain information about the project site.

## A.6-G ENERGY

### **Impact EN 3.8.1 - Energy Consumption and Conservation Impacts.**

#### **Impact**

Significant and Unavoidable.

#### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **EN 3.8.1-1** through **EN 3.8.1-10** will provide the framework and direction to avoid or reduce impacts on energy and energy resources, it is probable that such impacts could remain significant and unavoidable.

#### **Rationale**

Construction of the transportation improvements programmed in the proposed 2022 RTP and new development identified in the SCS would increase energy consumption due to the operation of construction equipment and vehicles. Given the number of large-scale improvements programmed into the proposed 2022 RTP/SCS and the amount of future land use development planned through to the year 2046, the increase in energy consumption associated with construction activities would be substantial. Although construction equipment and vehicles would be operated in accordance with all applicable rules and regulations, the substantial increase in energy consumption associated with the construction

equipment and vehicles primarily powered by nonrenewable fuels under the proposed 2022 RTP/SCS is considered a significant impact.

Operation of the transportation improvements and future land use development identified in the proposed 2022 RTP/SCS would increase the total and per capita amount of gasoline and diesel fuel consumption associated with the regional transportation network, as well as the increase in electricity and natural gas. Since gasoline, diesel, and natural gas resources are nonrenewable, the increase in such energy consumption under the proposed 2022 RTP/SCS is considered a significant impact. In addition to increased energy consumption directly associated with transportation activities, energy consumption would also increase as a result of new lighting including, but not limited to, lighting for land use developments, streets stops or stations, transit station parking structures, and rail tunnels; traffic signals; electronic signage; and other ancillary electric, natural gas, or other energy-consuming components of transportation improvements and new development that would be implemented under the proposed 2022 RTP/SCS. Increased energy consumption levels associated with these ancillary project and land use development features are considered a significant impact.

The proposed 2022 RTP/SCS includes goals and policies supporting smart growth through financial incentives, housing and mixed-use projects at existing and planned transit stations, support for local efforts to develop pedestrian master plans, and other activities that tend to reduce GHG emissions. However, since MCTC has no direct authority over land use planning and other local decisions, the extent to which the goals and policies supporting smart growth would be implemented by local jurisdictions is unknown.

The specific impacts on energy consumption and energy conservation will be evaluated as part of the implantation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### **Project-Level Mitigation Measures**

- ✓ **EN 3.8.1-1** Implementing agencies shall review energy impacts as part of any CEQA-required project-level environmental analysis and specify appropriate mitigation measures for any identified energy impacts.
- ✓ **EN 3.8.1-2** During the design and approval of transportation improvements and future land use development projects, the following energy efficiency measures shall be incorporated when applicable:

- The design or purchase of any lighting fixtures shall achieve energy reductions beyond an estimated baseline energy use for such lighting.
- LED technology shall be used for all new or replaced traffic lights, rail signals, and other new development lighting features compatible with LED technology.
- ✓ **EN 3.8.1-3** Implementing agencies should consider various best practices and technological improvements that can reduce the consumption of fossil fuels such as:
  - Expanding light-duty vehicle retirement programs.
  - Increasing commercial vehicle fleet modernization.
  - Implementing driver training modules on fuel consumption.
  - Replacing gasoline powered mowers with electric mowers.
  - Reducing idling from construction equipment.
  - Incentivizing alternative fuel vehicles and equipment
  - Developing infrastructure for alternative fueled vehicles.
  - Implementing truck idling rules, devices, and truck-stop electrification
  - Requiring electric truck refrigerator units.
  - Reducing locomotives fuel use.
  - Modernizing older off-road engines and equipment.
  - Encouraging freight mode shift.
  - Limit use and develop fleet rules for construction equipment.
  - Requiring zero-emission forklifts.
- ✓ **EN 3.8.1-4** Implementing agencies should include energy analyses in environmental documentation and general plans with the goal of conserving energy through the wise and efficient use of energy. For any identified energy impacts, appropriate mitigation measures should be developed and monitored. MCTC recommends the use of Appendix F, Energy Conservation, of the *CEQA Guidelines*.
- ✓ **EN 3.8.1-5** Project and land use development implementing agencies should streamline permitting and provide public information to facilitate accelerated construction of solar and wind power.
- ✓ **EN 3.8.1-6** Project and land use development implementing agencies should adopt a “Green Building Program” to promote green building standards. Green buildings can reduce local environmental impacts, regional air pollutant emissions and global greenhouse gas emissions. Green building standards involve everything from energy efficiency, usage of renewable resources and reduced waste generation and water usage. For example, water-related energy use in 2017 consumed 20 percent of the state’s electricity. The residential sector accounts for 48 percent of both the electricity and natural gas consumption associated with urban water use. While interest in green buildings has been growing for some time, cost has been a main consideration as it may cost more up front to provide energy-efficient building components and systems. Initial costs can be a hurdle even when

the installed systems will save money over the life of the building. Energy efficiency measures can reduce initial costs, for example, by reducing the need for over-sized air conditioners to keep buildings comfortable. Undertaking a more comprehensive design approach to building sustainability can also save initial costs through reuse of building materials and other means.

- ✓ **EN 3.8.1-7** Where identified, local governments should alter zoning to improve jobs/housing balance, create communities where people live closer to work, and bike, walk, and take transit as a substitute for personal auto travel consistent and in support of the SCS. Creating walkable, transit-oriented modes would generally reduce energy use and greenhouse gas emissions. Residential energy use (electricity and natural gas) accounts for less than 10 percent of California’s greenhouse gas emissions. Furthermore, studies have shown that the type of housing (such as multi-family) and the size of a house have strong relationships to residential energy use. Residents of single-family detached housing consume over 20 percent more primary energy than those of multifamily housing and 9 percent more than those of single-family attached housing.
- ✓ **EN 3.8.1-8** Project and land use development implementing agencies should increase the number of AFVs (i.e., vehicles not powered strictly by gasoline or diesel fuel) both in publicly owned vehicles, as well as those owned by franchisees of these agencies, such as trash haulers, green waste haulers, street sweepers, and curbside recyclable haulers.
- ✓ **EN 3.8.1-9** Bid solicitations for construction of projects should preference the use of alternative formulations of cement and asphalt with reduced GHG emissions to the extent that such cement and asphalt formulations are available at a reasonable cost in the marketplace. Solicitations should also preference the recycling of construction waste and debris if market conditions permit.
- ✓ **EN 3.8.1-10** All mitigation measures listed in Chapter 3, Section 3.6 (Climate Change) of the Draft PEIR, are incorporated by reference and shall be implemented by implementing agencies to address energy conservation impacts.

**Impact EN 3.8.2 - Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.**

**Impact**

Significant and Unavoidable.

## Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **EN 3.8.1-1** through **EN 3.8.1-10** will provide the framework and direction to avoid or reduce impacts on energy and energy resources, it is probable that such impacts could remain significant and unavoidable.

## Rationale

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce conflicts with or obstruct a state or local plan for renewable energy or energy efficiency, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Project-Level Mitigation Measures

- ✓ **EN 3.8.1-1** through **EN 3.8.1-10** apply.

## A.6-H GEOLOGY/SOILS/MINERAL RESOURCES

**Impact GSM 3.9.1 - Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- ii) Strong seismic ground shaking.

- iii) Seismic-related ground failure, including liquefaction.
- iv) Landslides.

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **GSM 3.9.1-1**, **GSM 3.9.1-2**, and **GSM 3.9.1-3** will provide the framework and direction to avoid or reduce damaged transportation infrastructure and other land use development structures from seismic activity, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Seismic events can damage transportation infrastructure and land use development through ground shaking, liquefaction, surface rupture and land sliding. The potential for projects to be significantly affected by seismic activity are projects that would be located in areas close to faults that are known to experience severe ground acceleration during earthquakes making these areas susceptible to severe ground shaking and earth movement including landslides. The potential for projects to be significantly affected by liquefaction would be higher in areas exhibiting shallow groundwater levels and unconsolidated soils such as fill material, and some alluvial soils. Property and public safety from seismic activity would be considered a significant impact in some cases.

The specific impacts on damaged transportation infrastructure and other future land use development structures from seismic activity will be evaluated as part of the implementing agencies' project-level environmental review process regarding proposed individual transportation improvement projects and future land use development projects. Implementing agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **GSM 3.9.1-1** Implementing agencies will be responsible for ensuring that transportation improvement projects and future land use development projects are built to the seismic standards contained in the most recent edition of the Uniform Building Code (UBC).
- ✓ **GSM 3.9.1-2** Implementing agencies will ensure that transportation improvement projects and future land use development projects located within or across active fault zones comply with design requirements, published by the CGS, as well as local, regional, state, and federal design criteria for construction of projects in seismic areas.
- ✓ **GSM 3.9.1-3** Implementing agencies will guarantee that geotechnical analysis is conducted within construction areas to establish soil types and local faulting prior to the construction of transportation improvements and future land use developments is subject to geotechnical analysis.

### **Impact GSM 3.9.2 - Result in substantial soil erosion or the loss of topsoil.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **GSM 3.9.2-1, GSM 3.9.2-2, GSM 3.9.2-3, GSM 3.9.2-4, and GSM 3.9.2-5** will provide the framework and direction to avoid or reduce slope failure and erosion due to project construction, it is probable that such impacts could remain significant and unavoidable.

#### Rationale

Some transportation improvement projects, and future land use development uses require significant earthwork, increasing potential slope failure and long-term erosion. New land uses and transportation

development included in the RTP/SCS could result in soil erosion or the loss of topsoil because of new exposed graded surfaces, excavation, stock piling, or boring which are necessary during development. Development may disturb previously undisturbed soils, and new development may increase water runoff, causing erosion problems, and potentially, slope failure. Earthwork can also alter unique geologic features. Transportation improvement projects and future land use development would be considered significant in some cases.

Several transportation improvement projects would involve substantial construction of new highway segments within previously undisturbed areas. Some of these projects could require significant earthwork or cuts into hillsides, which can become unstable over time. Road cuts can expose soils to erosion over the life of the Project, creating potential landslide and falling rock hazards. Engineered roadways can be undercut over time by storm water drainage and wind erosion. Some areas would be more susceptible to erosion than others due to the naturally occurring soils with high erosion potential. Other improvement projects on steep grades or winding mountain passes would pose the greatest potential impacts. Notwithstanding natural soil types, engineered soils can also erode due to poor construction methods and design features or lack of maintenance. Appropriate construction methods, earthwork design, and road cut design can reduce this potential impact to less than significant levels.

New roadways can also permanently alter unique geologic features, particularly in canyons, coastlines, and mountain passes. However, most of the improvement projects would occur in urbanized portions of the region or in existing transportation corridors. Nonetheless, new lanes may require earthwork that would affect existing natural geologic features.

The specific impacts on slope failure and erosion do to project construction will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below intended to avoid or reduce the significant impacts identified.

### **Project-Level Mitigation Measures**

- ✓ **GSM 3.9.2-1** Implementing agencies will ensure that individual transportation improvement projects and future land use developments provide adequate slope drainage and appropriate landscaping to minimize the occurrence of slope instability and erosion.
- ✓ **GSM 3.9.2-2** Transportation improvement project and future land use development design features will include measures to reduce erosion from storm water.



- ✓ **GSM 3.9.2-3** Road cuts will be designed to maximize the potential for revegetation.
- ✓ **GSM 3.9.2-4** Implementing agencies will ensure that transportation improvement projects and future land use developments avoid landslide areas and potentially unstable slopes wherever feasible.
- ✓ **GSM 3.9.2-5** Where practicable, transportation improvement project and future land use development designs that would permanently alter unique geologic features will be avoided.

**Impact GSM 3.9.3 - Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **GSM 3.9.3-1**, **GSM 3.9.3-2**, and **GSM 3.9.3-3** will provide the framework and direction to avoid or reduce slope failure and erosion due to project construction, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Local geology can affect transportation infrastructure and the location for new development. Potentially significant impacts to property and public safety could occur due to subsidence and soil instability. Subsidence has historically occurred within Madera County due to groundwater overdraft and petroleum extraction. Unconsolidated soils containing petroleum or groundwater often compress when the liquids are removed, causing the surface elevation to decrease. Improperly abandoned oil wells or underground hard rock mining can also cause localized subsidence. Subsidence can also occur in areas with unconsolidated soils that have not historically shown elevation changes. Transportation infrastructure

designs and future land use development must include appropriate reinforcement to minimize potential impacts from subsidence in areas where such activity has not been witnessed.

The specific impacts of subsidence and the presence of expansive soils will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **GSM 3.9.3-1** Implementing agencies will ensure that geotechnical investigations are conducted by a qualified geologist to identify the potential for subsidence and expansive soils.
- ✓ **GSM 3.9.3-2** Implementing agencies should take corrective measures, such as structural reinforcement and replacing soil with engineered fill, will be implemented in individual transportation improvement project and future land use development site designs, where applicable.
- ✓ **GSM 3.9.3-3** Implementing agencies will ensure that, prior to preparing individual transportation improvement project and future land use development site designs, new and abandoned wells are identified within construction areas to ensure the stability of nearby soils.

**Impact GSM 3.9.4 - Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **GSM 3.9.4-1**, **GSM 3.9.4-2**, and **GSM 3.9.4-3** will provide the framework and direction to avoid or reduce impacts to property and public safety due to the presence of expansive soils, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Local geology can affect transportation infrastructure and the location for new development. Potentially significant impacts to property and public safety could occur due to the presence of expansive soils. Soils with high percentages of clay can expand when wet, causing structural damage to surface improvements. These clay soils can occur in localized areas throughout Madera County, making it necessary to survey individual transportation improvement project and future land use development areas extensively prior to construction. Each new transportation improvement project and future land use development location would have the potential to contain expansive soils, although they are more likely to be encountered in lower drainage basin areas. Expansive soils are generally removed during foundation work to avoid structural damage. The Draft PEIR reflects future land use development associated with the SCS by soil type. As can be seen, most future land use development will be located within Alluvium Terrace soil areas, which are very common on the Valley floor and can support transportation structures and future land use development. Due to the generally more granular nature of the alluvium, it should be less likely to contain expansive clays.

The specific impacts of subsidence and the presence of expansive soils will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **GSM 3.9.4-1** Implementing agencies will ensure that geotechnical investigations are conducted by a qualified geologist to identify the potential for subsidence and expansive soils.
- ✓ **GSM 3.9.4-2** Implementing agencies should take corrective measures, such as structural reinforcement and replacing soil with engineered fill, will be implemented in individual transportation improvement project and future land use development site designs, where applicable.

- ✓ **GSM 3.9.4-3** Implementing agencies will ensure that, prior to preparing individual transportation improvement project and future land use development site designs, new and abandoned wells are identified within construction areas to ensure the stability of nearby soils.

**Impact GSM 3.9.5 - Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **GSM 3.9.5-1** and **GSM 3.9.5-2** will provide the framework and direction to determine whether on-site soils would be suitable for an on-site wastewater treatment system, it is probable that such impacts could remain significant and unavoidable.

### Rationale

New development has the potential of being located in areas that have soils that may not be able to support the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Growth and development and transportation project improvements will take place throughout the County in accordance with adopted general plans. Such development and projects may be sited in locations far from municipalities with sewer connections, and therefore could potentially require an on-site wastewater treatment system for the disposal of wastewater during project operation. If permanent facilities are constructed in remote locations, a septic tank or alternative wastewater disposal system would have to be installed for use during operation.

Based on the soil associations found within the County, it is expected that soils in County will have some limitations for on-site wastewater disposal. A number of soils have a slow permeability, a shallow duripan or hardpan, or high potential for flooding or ponding, preventing the soil from properly treating effluent. Because soils in extensive areas within the County appear to have limited suitability for supporting septic

systems, impacts could be significant without appropriate project design and/or mitigation. It is unclear at this time how implementation of the Proposed Project would result in construction and operations of projects, including the location, number, size, methods, and duration of construction activities. Because of the uncertainties underlying this program-level assessment, impacts of soils incapable for supporting alternative wastewater systems in the County cannot be accurately quantified. Project-level impacts would be addressed in future site-specific environmental analysis conducted at the time such projects are proposed by implementing agencies. However, because soils in extensive areas within the County appear to have limited suitability for supporting septic systems, this potential impact is considered significant.

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the mitigation measures below will provide the framework and direction to determine whether on-site soils would be suitable for an on-site wastewater treatment system, it is probable that such impacts could remain significant and unavoidable. Individual projects will require a project-level analysis to determine appropriate mitigation measures. As appropriate, MCTC will encourage the implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

### **Project-Level Mitigation Measures**

- ✓ **GSM 3.9.5-1** Implementing agencies shall conduct a geotechnical investigation and a geotechnical report shall be prepared. The geotechnical report shall include a quantitative analysis to determine whether on-site soils would be suitable for an on-site wastewater treatment system. If it is determined that the soil could not support a conventional on-site treatment system, non-conventional systems shall be analyzed. In many cases, these types of systems can reduce significant wastewater impacts to less-than-significant levels. Implementation of these measures would reduce the significance of having soils incapable of supporting the use of traditional septic systems where sewers are not available for the disposal of wastewater. In some cases, it will not be feasible to provide alternative wastewater disposal systems due to space constraints, lack of a service provider, and/or cost. Implementation and enforcement of conventional and non-conventional system measures would be within the responsibility and jurisdiction of the implementing agencies. For these reasons, wastewater disposal impacts would remain significant.

**Impact GSM 3.9.6 - Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State.**

## Impact

Significant and Unavoidable.

## Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **GSM 3.9.6-1** and **GSM 3.9.6-2** will provide the framework and direction to avoid or reduce the mineral resource impacts, it is probable that such impacts could remain significant and unavoidable.

## Rationale

Transportation improvements and future land use development associated with implementation of the proposed RTP/SCS could result in a reduction in availability of important designated mineral resources to the region by making certain mineral resources inaccessible for future extraction. Local jurisdictions have policies to manage mineral resources through general plans and are required to respond to mineral resource recovery areas that have been designated MRZ-2 locations under SMARA, indicating that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists, thus reducing the impact to a designated mineral resource. However, local policies will not prevent the potential loss of availability of such mineral resources that would be of value to the region and the residents of the state because the decision to implement transportation improvement projects or permit uses and developments or to protect designated mineral resources is a local decision. Potential, but unproven mineral resource lands are designated as MRZ-3. These lands can be found along rivers in Madera County, but they may not be of high quality to formulate concrete.

Mines and other mineral resources such as major oil and natural gas fields, and other mineral resources are located throughout Madera County. Therefore, the potential for loss of availability of a designated mineral resource related to transportation improvement projects and future land use developments from implementation of the proposed 2022 RTP/SCS at the regional level is considered potentially significant.

The specific impacts on the loss of availability of a designated mineral resource that would be of value to the region and the residents of the state will be evaluated as part of the implementation agencies' project-

level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **GSM 3.9.6-1** The implementing agency should protect against the loss of availability of a designated mineral resource through identification of locations with designated mineral resources and adoption and implementation of policies to conserve land that is most suitable for mineral resource extraction from development of incompatible uses.
- ✓ **GSM 3.9.6-2** Where possible, transportation improvement project and future land use development sites will be designed by responsible agencies to limit potential impacts on mineral resource lands.

**Impact GSM 3.9.7 - Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **GSM 3.9.7-1** will provide the framework and direction to avoid or reduce the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, it is probable that such impacts could remain significant and unavoidable.

## Rationale

Implementation of the proposed transportation improvements and future land use developments included in the 2022 RTP/SCS would include new transportation improvement projects and new residential, commercial, and other land uses, including infill development.

Local general plans, specific plans, and other land use plans include policies to protect existing and future mineral production and extraction activities from surrounding uses and require that future projects near mining activities have compatible land uses. In addition, compliance with Surface Mining and Reclamation Act (SMARA) requirements for mineral resource sites and notice requirements would further minimize impacts to locally important mineral resource sites. SMARA requires that companies obtain permits before conducting surface mining.

The permit applications must describe what the pre-mining environmental conditions and land use are, what the proposed mining and reclamation will be, how the mine will meet the performance standards, and how the land will be used after reclamation is complete. This information is intended to help the government determine whether to allow the mine and set requirements in the permit that will protect the environment. Expansion or extension of the roadway network from implementing proposed RTP/SCS projects would require the need for additional land. Any improvements proposed in federal or state rights-of-way are required to obtain an encroachment permit from Caltrans and provide information on mineral resources to mitigate potential or known impacts. Therefore, the potential for an impact that results in the loss of availability of a locally important mineral resource recovery site related to transportation improvement projects or future land use development from implementation of the proposed RTP/SCS at the regional level is considered potentially.

Transportation improvement projects or future land use development near locally important resources are regulated by local jurisdictions through policies incorporated into general plans, specific plans, and other land use plans; these policies provide protection of mineral resource production and extraction activities. In addition, compliance with SMARA requirements for mineral resource sites and notice requirements would further minimize impacts to locally important mineral resource sites. Therefore, the potential for an impact that results in the loss of availability of a locally important mineral resource recovery site related to transportation improvements from implementation of the proposed RTP/SCS is considered potentially significant.

The specific impacts resulting in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan, or Other Land Use Plan will be evaluated as part of the implementing agencies' project-level environmental review process regarding their proposed individual transportation improvement project and future land use development projects. Implementing agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior



to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **GSM 3.9.7-1** The implementing agency should protect against the loss of availability of a locally important mineral resource recovery site through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection of mineral resource production and extraction activities.

### A.6-I HAZARDS AND HAZARDOUS MATERIALS

**Impact HM 3.10.1 - Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **HM 3.10.1-1** will provide the framework and direction to avoid or reduce the creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, it is probable that such impacts could remain significant and unavoidable.

#### Rationale

The 2022 RTP/SCS includes projects that may involve the transportation, use, and/or disposal of hazardous materials, particularly the proposed freight rail improvements and other goods movement capacity enhancements, which may result in transport of hazardous goods as well as the use of equipment that contains or uses routine hazardous materials (e.g., diesel fueled equipment), or the transportation of

excavated soil and/or groundwater containing contaminants from areas that are identified as being contaminated. It is anticipated that these activities would result in a less than significant hazard to the public and/or the environment, because these activities are subject to numerous laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers. These include the EPA, the Occupational Safety and Health Administration (OSHA), USDOT, and the Food and Drug Administration (FDA) for the federal government. State agencies, including the Health and Welfare Agency (HWA), under which is the DTSC, have parallel, and in some cases more stringent, rules governing the use of hazardous materials.

USDOT requires the use of hazardous waste manifests, which are used to ensure that hazardous wastes are strictly monitored and tracked from the point of generation through ultimate disposal. To operate in California, all hazardous waste transporters must be registered with the DTSC. Unless specifically exempted, hazardous waste transporters must comply with the California Highway Patrol Regulations; the California State Fire Marshal Regulations; and the United States Department of Transportation Regulations. In addition, the construction and maintenance of transportation facilities included in the 2022 RTP/SCS would involve the use of hazardous materials such as solvents, paints and other architectural coatings. The use and storage of these materials will be regulated by local fire departments, CUPAs, and the California Division of Occupational Safety and Health. Materials left over from construction projects can likely be re-used on other projects. For materials that cannot be or are not reused, disposal would be regulated by the DTSC under state and federal hazardous waste regulations.

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. Individual projects will require a project-level analysis to determine appropriate mitigation measures. The following mitigation measures are included to ensure compliance with applicable regulations. As appropriate, MCTC will encourage the implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

### **Project-Level Mitigation Measures**

- ✓ **HM 3.10.1-1** The implementation agency and project sponsors shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.

**Impact HM 3.10.2 - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.**

## Impact

Significant and Unavoidable.

## Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **HM 3.10.2-1**, **HM 3.10.2-2**, and **HM 3.10.2-3** will provide the framework and direction to avoid or reduce the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, it is probable that such impacts could remain significant and unavoidable.

## Rationale

The implementation of the 2022 RTP/SCS could create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during transportation. Implementation of the 2022 RTP/SCS would facilitate the movement of goods, including hazardous materials, through the region. Transportation of goods, in general, and hazardous materials, can thus be expected to increase substantially with implementation of the 2022 RTP/SCS. The 2022 RTP/SCS transportation improvements and future land use development will increase density and population, and it will include a variety of land uses, ranging from residential to commercial or industrial, that will increase the potential for upset or accident conditions involving the release of hazardous materials into the environment. Specific, parcel-level land uses are unknown, but future land use development will generally increase the number of land uses that require the use, storage, and transport of hazardous materials. Such land uses could include residential, dry cleaners, gas stations, service stations, industrial uses, agricultural uses, etc.

Businesses that store large quantities of hazardous materials (e.g., gas storage facility, chemical warehouse, etc.), and accidents that result from transporting, pumping, pouring, emptying, injecting, spilling, and dumping or disposing, could release hazardous materials into the environment. The severity of potential effects varies with the activity conducted and the concentration and type of waste present. The possible adverse effects to the public or environment from these and other activities are addressed

through regulations and monitoring by federal, state, and local regulations discussed below. Established by the EPA with additional requirements specific to the State of California, CalARP applies to a wide variety of facilities that contain regulated substances. CalARP aims to prevent an accidental release of hazardous materials into the environment through proper storing, containing, and handling. The USDOT enforces the HMTA by regulating transportation of hazardous materials by truck and rail and governs every aspect of the movement of hazardous materials from packaging, to labeling and shipping. Cal EMA administers the Emergency Response Plan to respond to hazardous materials incidents that may occur. Additionally, roadway improvements contained in the RTP/SCS will improve road safety, thereby reducing the potential for accidents related to hazardous materials.

Transportation improvements contained in the 2022 RTP/SCS involve the expansion or extension of the transportation system, which may increase the capacity to transport hazardous materials. For example, gas or oil spilling from vehicle accidents or a tanker overturning on a highway could release hazardous materials. Transportation improvements that expand the transportation system and extend it to new areas expose more adjoining land uses to risks associated with risk of upset on the roadway, highway, or railroad. These impacts are addressed through CalARP, which manages risks associated with accidental release. To prevent or minimize the accidental release of hazardous materials into the environment, precautions, such as proper securing of the materials and proper container design, are required by CalARP. California Vehicle Code Section 31303 outlines general routing and parking restrictions (Table 10.3) for hazardous material and hazardous waste shipments; the CHP also publishes a list of restricted or prohibited highways. Roadway improvements in the proposed RTP/SCS will improve road safety, thereby reducing the potential for accidents related to hazardous materials. Given the large volume of materials currently and projected to be transported through the region, some portion of which is and will continue to be, hazardous, the risk of upset as a result of accident or human interference is significant.

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. Individual projects will require a project-level analysis to determine appropriate mitigation measures. As appropriate, MCTC will encourage the implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

### **Project-Level Mitigation Measures**

- ✓ **HM 3.10.2-1** Implementing agencies shall encourage the USDOT, the Office of Emergency Services, and Caltrans to continue to conduct driver safety training programs and encourage the private sector to continue conducting driver safety training.

- ✓ **HM 3.10.2-2** Implementing agencies shall encourage the USDOT and the CHP to continue to enforce speed limits and existing regulations governing goods movement and hazardous materials transportation.
- ✓ **HM 3.10.2-3** The implementing agencies and project sponsors shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.

**Impact HM 3.10.3 - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **HM 3.10.3-1** will provide the framework and direction to avoid or reduce the emission of hazardous materials within one-quarter mile of a school, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Increased development within Madera County will increase population and density in the RTP/SCS region. As discussed previously, the implementation of the 2022 RTP/SCS could create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during transportation.

Transportation of hazard materials on these state highways could possibly impact near-by schools in the event there was a release or accident. Transportation of hazardous materials and other activities are subject to numerous laws, regulations, and health and safety standards set forth by federal, state, and

local authorities that regulate the proper handling of such materials and their containers. These include the EPA, the Occupational Safety and Health Administration (OSHA), USDOT, and the Food and Drug Administration (FDA) for the federal government. State agencies, including the Health and Welfare Agency (HWA), under which is the DTSC, have parallel, and in some cases more stringent, rules governing the use of hazardous materials.

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. Individual projects will require a project-level analysis to determine appropriate mitigation measures. As appropriate, MCTC will encourage the implementation of the mitigation measure below intended to avoid or reduce the significant impacts identified. Due to the strict and numerous regulations governing the use of hazardous materials, impacts are expected to be less than significant. The following mitigation measure is included to ensure compliance with applicable regulations.

#### **Project-Level Mitigation Measures**

- ✓ **HM 3.10.3-1** The implementing agencies shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.

**Impact HM 3.10.4 - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or environment.**

#### **Impact**

Significant and Unavoidable.

#### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **HM 3.10.4-1**, **HM 3.10.4-2**, and **HM 3.10.4-3** will provide the framework and direction to avoid or reduce the disturbance of contaminated property during the construction of new transportation or future land use developments or the expansion of existing transportation facilities or land use developments, it is probable that such impacts could remain significant and unavoidable.

### **Rationale**

The implementation of the 2022 RTP/SCS could create a hazard to the public or the environment through the disturbance of contaminated property during the construction of new transportation facilities or future land use developments or the expansion of existing transportation facilities or land use developments. Construction of the projects in the 2022 RTP/SCS could involve construction through or next to sites that are contaminated due to past use or disposal of hazardous materials. In the two decades since federal and state laws were adopted providing for remediation of these sites, it is likely that the majority of contaminated sites have been identified or are easily identifiable from existing information. Given the intensity of past use of land in the region, there are substantial numbers of contaminated sites, and it is likely that most improvement and future land use development projects will have to address this issue.

Because of the large number of contaminated sites and the risk associated with encountering and cleaning up these sites, this impact is considered to be significant. The mitigation measure would assure that contaminated properties are identified, and appropriate steps taken to minimize human exposure and prevent any further environmental contamination. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. Individual projects will require a project-level analysis to determine appropriate mitigation measures. As appropriate, MCTC will encourage the implementation of the mitigation measures below intended to avoid or reduce the significant impacts identified.

### **Project-Level Mitigation Measures**

- ✓ **HM 3.10.4-1** Prior to approval of any improvement project or future land use development project, the project implementation agency shall consult all known databases of contaminated sites and undertake a standard Phase 1 Environmental Site Assessment in the process of planning, environmental clearance, and construction for projects included in the 2022 RTP/SCS. If contamination is found the implementing agency shall coordinate clean up and/or maintenance activities.

- ✓ **HM 3.10.4-2** Where contaminated sites are identified, the project implementation agency shall develop appropriate mitigation measures to assure that worker and public exposure is minimized to an acceptable level and to prevent any further environmental contamination as a result of construction.
- ✓ **HM 3.10.4-3** Local agencies should contact the Chevron Environmental Management Company (CEMC) to determine whether an improvement or future land use development project may be in the vicinity of the Tidewater Oil Company or Standard Oil Company historical pipeline alignments.

**Impact HM 3.10.5 - For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **HM 3.10.5-1** will provide the framework and direction to avoid or reduce safety hazards for people residing or working in the project area for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Transportation improvements and future land use development associated with implementation of the proposed RTP/SCS could result in a safety hazard within an airport plan area. Regional development could increase the number of land uses and developments within an airport plan area and within airport hazard zones, creating hazards from tall structures, glare producing objects, bird and wildlife attractants, radio waves from communication centers, or other features that have the potential to interfere with take-off



or landing procedures. Implementing agencies are responsible for analyzing compliance with Airport Land Use Commission (ALUC) plans as a part of their land use approval authority. Legislation passed in the 1994 ALUP Handbook requires that when preparing an environmental impact report for any project situated within an airport influence area as defined in an ALUC compatibility plan lead agencies shall utilize the California Airport Land Use Planning Handbook as a technical resource with respect to airport noise and safety compatibility issues. Military airfields are required to adopt ALUC studies to evaluate compatible land uses in the vicinity of military airfields. Hazards associated with development in the proximity of military airports would be reduced through California PRC Section 21098. The FAA also evaluates projects located within two miles of a public use airport, and other projects that may pose a potential hazard for people residing or working in the project area, due to height, visual hazard, or the attraction of wildlife.

While implementation and monitoring of the mitigation measures noted below will provide the framework and direction to avoid or reduce safety hazards for people residing or working in the project area for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, it is probable that such impacts could remain significant and unavoidable. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the mitigation measures noted below, which are intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **HM 3.10.5-1** Implementing agencies should comply with ALUC plans as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.

**Impact HM 3.10.6 - For a project located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be,

adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **HM 3.10.6-1** will provide the framework and direction to avoid or reduce safety hazards for people residing or working in the project area for a project located within the vicinity of a private airstrip, it is probable that such impacts could remain significant and unavoidable.

### **Rationale**

Although projects that would be constructed in the future could be within the vicinity of a private airstrip and associated land use plan, they would not necessarily interfere with operations at those locations. However, such projects still have the potential to be non-compatible with existing airport land use plans.

### **Project-Level Mitigation Measures**

- ✓ **HM 3.10.6-1** Implementing agencies should analyze and adhere to all safety and compatibility issues as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.

**Impact HM 3.10.7 - Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

### **Impact**

Significant and Unavoidable.

### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make

infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **HM 3.10.7-1** will provide the framework and direction to avoid or reduce safety hazards for people residing or working in the project area for a project located within the vicinity of a private airstrip, it is probable that such impacts could remain significant and unavoidable.

### **Rationale**

If implementing agencies adopt this mitigation measure, impacts resulting in a project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan would be reduced to less than a significant level. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce impaired implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

### **Project-Level Mitigation Measures**

- ✓ **HM 3.10.7-1** Implementing agencies should adhere to all emergency plans as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Impact HM 3.10.8 - Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.**

### **Impact**

Significant and Unavoidable.

## Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **HM 3.10.7-1** will provide the framework and direction to avoid or reduce impaired implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan, it is probable that such impacts could remain significant and unavoidable.

## Rationale

If the implementing agency adopts this mitigation measure, impacts resulting in a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area would be reduced to less than a significant level. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the exposure of people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Project-Level Mitigation Measures

- ✓ **HM 3.10.8-1** Implementing agencies should analyze and adhere to all safety and compatibility issues as a part of their design and construction of transportation facilities and their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within wildland areas.

## A.6-J HYDROLOGY AND WATER QUALITY

### **Impact HW 3.11.1 - Violate any water quality standards or waste discharge requirements.**

#### **Impact**

Significant and Unavoidable.

#### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **HM 3.11.1-1**, **HM 3.11.1-2**, **HM 3.11.1-3**, and **HM 3.11.1-4** will provide the framework and direction to avoid or reduce violations of Regional Water Quality Control Board water quality standards or waste discharge requirements, it is probable that such impacts could remain significant and unavoidable.

#### **Rationale**

Local surface water quality would be affected by increased urban runoff and construction runoff. Increasing impervious surface area would increase urban runoff, which transports greater quantities of contaminants to receiving waters. Construction activities can increase pollutant loads in storm water. In addition, road cut erosion can increase long-term siltation in local receiving waters.

The specific impacts on hydrology and water quality will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **HW 3.11.1-1** Improvement projects and new development will include upgrades to storm water drainage facilities to accommodate increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce velocity.
- ✓ **HW 3.11.1-2** Transportation network improvements and future land use developments will comply with local, state and federal floodplain regulations. Proposed transportation improvements and applicable new developments will be engineered by responsible agencies to accommodate storm drainage flow.
- ✓ **HW 3.11.1-3** Responsible agencies should ensure that operational best management practices for street cleaning, litter control, and catch basin cleaning are provided to prevent water quality degradation. Responsible agencies implementing projects requiring continual water removal facilities should provide monitoring systems including long-term administrative procedures to ensure proper operations for the life of the Project.
- ✓ **HW 3.11.1-4** Responsible agencies should ensure that new facilities include water quality control features such as drainage channels, detention basins, and vegetated buffers to prevent pollution of adjacent water resources by runoff.

**Impact HW 3.11.2 - Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **HM 3.11.2-1**, and **HM 3.11.2-2** will provide the framework and direction to avoid or reduce impacts on groundwater supplies or groundwater recharge activities, it is probable that such impacts could remain significant and unavoidable.

### Rationale

The installation of transportation infrastructure, the expansion of project facilities, and the construction of new development could encounter groundwater. Individual projects and future land use developments may require dewatering during construction and for the life of a project. The process of dewatering includes removal of water (groundwater or surface water) from a construction site by pumping or evaporation. The dewatered effluent must be discharged at another location which could have impacts on groundwater. In addition, individual projects under the RTP/SCS could impact groundwater recharge by increasing the amount of paved surface area. The paving required for highway projects and the construction of future land use development could have significant effects on the amount of surface water that filters into the ground. Pollutants in the runoff from proposed transportation facilities and future development could affect groundwater basins.

The specific impacts on hydrology and water quality will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **HW 3.11.2-1** Transportation network improvements and future land use developments will comply with local, state and federal floodplain regulations. Proposed transportation improvements and applicable new developments will be engineered by responsible agencies to accommodate storm drainage flow. Responsible agencies should ensure that operational best management practices for street cleaning, litter control, and catch basin cleaning are provided to prevent water quality degradation. Responsible agencies implementing projects requiring continual water removal facilities should provide monitoring systems including long-term administrative procedures to ensure proper operations for the life of the Project.
- ✓ **HW 3.11.2-2** Local agencies shall form Groundwater Sustainability Agencies (GSAs) in accordance with the collection of State legislation [AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley)] known as the Sustainable Groundwater Management Act (SGMA), as applicable, to manage high and medium

priority basin sustainably and requires those GSAs to adopt Groundwater Sustainability Plans (GSPs) for crucial groundwater basins in California.

**Impact HW 3.11.3 - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **HM 3.11.3-1, HM 3.11.3-2, HM 3.11.3-3** and **HM 3.11.3-4** will provide the framework and direction to avoid or reduce impacts on existing drainage patterns, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Construction activities related to the individual RTP/SCS projects could potentially involve soil disturbance, excavation, cutting/filling, stockpiling, and grading. Consequently, erosion and sedimentation could increase, affecting water quality and pollutants in the water. In addition, road cut erosion can increase long-term siltation in local receiving waters. During site grading, trenching, and other construction activities, areas of bare soil are exposed to erosive forces during periods of rainfall. They are much more likely to erode than vegetated areas due to lack of dispersion, infiltration, and retention properties created by covering vegetation.

The extent of potential impacts is dependent on soil erosion potential, type of construction practice, size of disturbed area, timing of rainfall, and topography and proximity to drainage channels. Before construction activities can begin, a project applicant must submit a Storm Water Pollution Prevention Plan (SWPPP) and Standard Urban Stormwater Mitigation Plans that will be used in the planned project construction. The applicant must receive approval and submit a Notice of Intent prior to initiating



construction. Each individual project in the 2022 RTP/SCS is expected to adopt Best Management Practices (BMPs) appropriate to local conditions and to the proposed construction techniques that will reduce pollution runoff.

The specific impacts on hydrology and water quality will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **HW 3.11.3-1** Prior to construction within the vicinity of a watercourse, the project sponsor can and should obtain all necessary regulatory permits and authorizations from the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife, and local jurisdictions, and should comply with all conditions issued by applicable agencies. Required permit approvals and certifications may include, but not be limited to the following:
  - U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps should be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act.
  - Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above.
  - California Department of Fish and Wildlife (CDFW): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFG.

A qualified environmental consultant can and should be retained and paid for by the project sponsor to make site visits as necessary; and as a follow-up, submit to the Lead Agency a letter certifying that all required conditions have been instituted during the grading activities.

- ✓ **HW 3.11.3-2** Project sponsors can and should comply with the State-wide construction storm water discharge permit requirements including preparation of Storm Water Pollution Prevention Plans for transportation improvement construction projects. Roadway construction projects can and should comply with the Caltrans storm water discharge permit. BMPs can and should be identified and implemented to manage site erosion, wash water runoff, and spill control.

- ✓ **HW 3.11.3-3** Project sponsors can and should implement BMPs to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. Plans demonstrating BMPs should be submitted for review and approval by the lead agency. At a minimum, the project sponsor can and should provide filter materials deemed acceptable to the lead agency at nearby catch basins to prevent any debris and dirt from flowing into the local storm drain system and creeks.
  
- ✓ **HW 3.11.3-4** Project sponsors can and should submit an erosion and sedimentation control plan for review and approval by the appropriate government agency. All work should incorporate all applicable BMPs for the construction industry, including BMPs for dust, erosion and water quality. The measures should include, but are not limited to, the following:
  - On sloped properties, the downhill end of the construction area must be protected with silt fencing (such as sandbags, filter fabric, silt curtains, etc.) and hay bales oriented parallel to the contours of the slope (at a constant elevation) to prevent erosion into the street, gutters, storm drains.
  - In accordance with an approved erosion control plan, the project sponsor should implement mechanical and vegetative measures to reduce erosion and sedimentation, including appropriate seasonal maintenance. One hundred (100) percent degradable erosion control fabric should be installed on all graded slopes to protect and stabilize the slopes during construction and before permanent vegetation gets established. All graded areas should be temporarily protected from erosion by seeding with fast growing annual species. All bare slopes must be covered with staked tarps when rain is occurring or is expected.
  - Minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. Maximize the replanting of the area with native vegetation as soon as possible.
  - Install filter materials acceptable to the appropriate agency at the storm drain inlets nearest to the project site prior to the start of the wet weather season; site dewatering activities; street washing activities; saw cutting asphalt or concrete; and in order to retain any debris flowing into the storm drain system. Filter materials should be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding.
  - Ensure that concrete/granite supply trucks or concrete/plaster finishing operations do not discharge wash water into water courses, street gutters, or storm drains.
  - Direct and locate tool and equipment cleaning so that wash water does not discharge into the street, gutters, or storm drains.
  - Create a contained and covered area on the site for storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by the wind or in the event of a material spill. No hazardous waste material should be stored on-site.

- Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly (or other interval approved by the lead agency) basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
- Remove all dirt, gravel, refuse, and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.
- As appropriate, broom sweep the street pavement adjoining the project site on a daily basis. Caked-on mud or dirt should be scraped from these areas before sweeping. At the end of each workday, the entire site must be cleaned and secured against potential erosion, dumping, or discharge to the street, gutter, and/or storm drains.
- All erosion and sedimentation control measures implemented during construction activities, as well as construction site and materials management should be in strict accordance with the control standards listed in the latest edition of the Erosion and Sediment Control Field Manual published by the RWQB.
- All erosion and sedimentation control measures should be monitored regularly by the project sponsor. If measures are insufficient to control sedimentation and erosion, then the project sponsor should develop and implement additional and more effective measures immediately.

**Impact HW 3.11.4 - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.**

#### **Impact**

Significant and Unavoidable.

#### **Finding**

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Rationale

All projects that could occur under the 2022 RTP/SCS would be subject to an examination for project-specific impacts to flooding.

## Project-Level Mitigation Measures

- ✓ **HW 3.11.4-1** Prior to construction, and when a potential drainage issue is known, a drainage study should be conducted by responsible agencies for new capacity-increasing projects and new land use developments, where applicable. Drainage systems should be designed to maximize the use of detention basins, vegetated areas, and velocity dissipaters to reduce peak flows where possible. Transportation and new development improvements will comply with federal, state and local regulations regarding storm water management. State-owned freeways must comply with Storm Water Discharge NPDES permit for Caltrans facilities.
- ✓ **HW 3.11.4-2** Responsible agencies should ensure that new facilities include water quality control features such as drainage channels, detention basins, and vegetated buffers to prevent pollution of adjacent water resources by runoff.

**Impact HW 3.11.5 - Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.**

## Impact

Significant and Unavoidable.

## Finding

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Rationale

All projects that could occur under the 2022 RTP/SCS would be subject to an examination for project-specific impacts to storm water drainage systems or additional sources of polluted runoff.

## Project-Level Mitigation Measures

- ✓ **HW 3.11.5-1** Project sponsors can and should ensure that new facilities include structural water quality control features such as drainage channels, detention basins, oil and grease traps, filter systems, and vegetated buffers to prevent pollution of adjacent water resources by polluted runoff where required by applicable urban storm water runoff discharge permits.
- ✓ **HW 3.11.5-2** Drainage of roadway runoff can and should comply with Caltrans' storm water discharge permit. Wherever possible, roadways can and should be designed to convey storm water through vegetated median strips that provide detention capacity and allow for infiltration before reaching culverts.
- ✓ **HW 3.11.5-3** Project sponsors can and should assure projects mitigate for changes to the volume of runoff, where any downstream receiving water body has not been designed and maintained to accommodate the increase in flow velocity, rate, and volume without impacting the water's beneficial uses. Pre-project flow velocities, rates, and volumes must not be exceeded. This applies not only to increases in storm water runoff from the project site, but also to hydrologic changes induced by flood plain encroachment. Projects should not cause or contribute to conditions that degrade the physical integrity or ecological function of any downstream receiving waters.
- ✓ **HW 3.11.5-4** Impacts can and should be reduced to the extent possible by providing culverts and facilities that do not increase the flow velocity, rate, or volume and/or acquiring sufficient storm drain easements that accommodate an appropriately vegetated earthen drainage channel.
- ✓ **HW 3.11.5-5** Project sponsors of improvement projects on existing facilities can and should include upgrades to stormwater drainage facilities to accommodate any increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce flow velocities, including expansion and restoration of wetlands and riparian buffer areas. System designs can and should be completed to eliminate increases in peak flow rates from current levels.
- ✓ **HW 3.11.5-6** Local jurisdictions can and should encourage Low Impact Development and incorporation of natural spaces that reduce, treat, infiltrate and manage storm water runoff flows in all new developments, where practical and feasible.

**Impact HW 3.11.6 – Otherwise substantially degrade water quality.**

**Impact**

Significant and Unavoidable.

**Finding**

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

**Rationale**

All projects that could occur under the 2022 RTP/SCS would be subject to an examination for project-specific impacts to any element of a project that could affect water quality.

**Project-Level Mitigation Measures**

- ✓ **HW 3.11.6-1** Improvement projects along existing facilities and future land use developments will include upgrades to storm water drainage facilities to accommodate increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce velocity.

**Impact HW 3.11.7 – Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.**

**Impact**

Significant and Unavoidable.

## Finding

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Rationale

All projects that could occur under the 2022 RTP/SCS would be subject to an examination for project-specific impacts to areas within a 100-year flood hazard area.

## Project-Level Mitigation Measures

- ✓ **HW 3.11.7-1** Prior to construction, and when a potential drainage issue is known, a drainage study should be conducted by responsible agencies for new capacity-increasing projects and new land use developments, where applicable. Drainage systems should be designed to maximize the use of detention basins, vegetated areas, and velocity dissipaters to reduce peak flows where possible.
- ✓ **HW 3.11.7-2** Transportation and new development improvements will comply with federal, state and local regulations regarding storm water management. State-owned freeways must comply with Storm Water Discharge NPDES permit for Caltrans facilities.
- ✓ **HW 3.11.7-3** Responsible agencies should ensure that new facilities include water quality control features such as drainage channels, detention basins, and vegetated buffers to prevent pollution of adjacent water resources by runoff.
- ✓ **HW 3.11.7-4** Letters of Map Revision (LOMR) will be prepared and submitted to FEMA (when applicable) by responsible agencies where construction would occur within 100-year floodplains. The LOMR will include revised local base flood elevations for projects constructed within flood-prone areas.

**Impact HW 3.11.8 – Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.**

## Impact

Significant and Unavoidable.

## Finding

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Rationale

All projects that could occur under the 2022 RTP/SCS would be subject to an examination for project-specific impacts to dams or levees.

## Project-Level Mitigation Measures

- ✓ **HW 3.11.8-1** MCTC will encourage implementing and local agencies to conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows such that the project is consistent with federal, state, and local regulations and laws related to development in the floodplain.
- ✓ **HW 3.11.8-2** MCTC will encourage implementing and local agencies to, the extent feasible and appropriate, prevent development in flood hazard areas that do not have appropriate protections.

**Impact HW 3.11.9 – Place within a 100-year flood hazard area structures which would impede or redirect flood flows.**

## Impact

Significant and Unavoidable.



## Finding

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Rationale

All projects that could occur under the 2022 RTP/SCS would be subject to an examination for project-specific impacts to existing or potential structures in 100-year flood hazard areas.

## Project-Level Mitigation Measures

- ✓ **HW 3.11.9-1** MCTC will encourage implementing and local agencies to conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows such that the project is consistent with federal, state, and local regulations and laws related to development in the floodplain.
- ✓ **HW 3.11.9-2** MCTC will encourage implementing and local agencies to, the extent feasible and appropriate, prevent development in flood hazard areas that do not have appropriate protections.

## A.6-K LAND USE AND PLANNING AND RECREATION

### **Impact LPR 3.12.1 - Physically divide an established community.**

#### Impact

Significant and Unavoidable.

## Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **LPR 3.12.1-1** and **LPR 3.12.1-2** will provide the framework and direction to avoid or reduce impacts that may physically divide a community, it is probable that such impacts could remain significant and unavoidable.

## Rationale

The 2022 RTP/SCS would have a potentially significant impact if it would physically divide an established community. Established communities are defined as incorporated cities and unincorporated communities in Madera County. Impacts resulting from the construction of alternative transportation routes or future land use developments may potentially occur, as well as impacts resulting from the designation of new areas of open space that would create a physical separation between established community areas and/or restrict access between such areas. The 2022 RTP/SCS focusses growth and development to the existing cities and communities within the County based upon the adopted or draft general, specific and community plans. As such, the potential to physically divide a community is not expected and the RTP would not be in conflict with existing or draft general plan policies.

The specific impacts on land use and planning will be evaluated as part of the implementing agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

## Project-Level Mitigation Measures

- ✓ **LPR 3.12.1-1** Individual transportation and future land use development projects will be consistent with local transportation system and land use plans and policies that designate areas for urban land use and transportation improvements, as identified by the agency with jurisdiction over said land(s).

- ✓ **LPR 3.12.1-2** Prior to final approval of each individual transportation improvement project and future land use development project, the implementing agency will conduct the appropriate transportation improvement project-specific and future land use development-specific environmental review, to address impacts from land use and transportation system projects that may physically divide or displace portions of a community.

**Impact LPR 3.12.2 - Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the projects (Including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **LPR 3.12.2-1** and **LPR 3.12.2-2** will provide the framework and direction to avoid or reduce land use impacts, it is probable that such impacts could remain significant and unavoidable.

### Rationale

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ **LPR 3.12.2-1** Individual transportation and future land use development projects will be consistent with local land use plans and policies that designate areas for urban and rural land use and preserve recreational, open space, and other lands.
- ✓ **LPR 3.12.2-2** Prior to final approval of each individual improvement project and future land use development project, the implementing agency will conduct the appropriate transportation improvement project-specific and future land use development-specific environmental review, including consideration of potential land use impacts.

### **Impact LPR 3.12.3 Conflict with any applicable habitat conservation plan or natural community conservation plan.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **LPR 3.12.2-1** and **LPR 3.12.2-2** will provide the framework and direction to avoid or reduce land use impacts, it is probable that such impacts could remain significant and unavoidable.

#### Rationale

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-

specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

### Project-Level Mitigation Measures

- ✓ Reference Mitigation Measures for Impacts LPR 3.12.2-1 and -2.

**Impact LPR 3.12.4 - Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.**

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **LPR 3.12.2-1** and **LPR 3.12.2-2** will provide the framework and direction to avoid or reduce land use impacts, it is probable that such impacts could remain significant and unavoidable.

### Rationale

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-notated mitigation strategies intended to avoid or reduce the significant impacts identified.

## Project-Level Mitigation Measures

- ✓ Reference Mitigation Measures for Impacts LPR 3.12.2-1 and -2.

### A.6-L NOISE

**Impact N 3.13.1 - Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **N 3.13.1-1** through **N 3.13.1-7** will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable.

#### Rationale

Noise-sensitive land uses could be exposed to noise in excess of normally acceptable noise levels and/or could experience substantial increases in noise as a result of the operation of expanded or new transportation facilities (i.e., increased traffic resulting from new highways, addition of highway lanes, roadways, ramps, and new transit facilities as well as increased use of existing transit facilities, etc.) and future noise generating land use developments.

At the regional scale, the noise impacts of new highways, highway widening, new HOV lanes, new transit corridors, increased frequency along existing transit corridors, and noise generating future land use developments such as heavy manufacturing plants and other uses are generally expected to exceed the significance criteria when they occur near sensitive receptors. For comparison purposes, noise levels along

the busiest portions of the SR 41 corridor within Madera County was evaluated. Existing traffic noise levels were gathered using an Extech Type 2 sound level meter datalogger during the PM peak hour. Noise monitoring was conducted during the PM peak hour because traffic counts in along SR 41 show a greater volume of traffic in the PM peak hour than the AM peak hour.

Existing traffic noise levels were then evaluated using the FHWA Traffic Noise Model (TNM 3.1) (reference Appendix C of this Draft PEIR). Traffic volumes collected from the model runs prepared for the 2022 RTP and posted vehicle speed limits along SR 41 were entered into the model to estimate noise levels at receptors adjacent to the corridor. As shown in Table 3-62 of the Draft PEIR, the noise levels determined in the field along SR 41 was 60.0  $L_{eq}(h)$  dBA.

### Project-Level Mitigation Measures

- ✓ **N 3.13.1-1** As part of the implementing agency's appropriate environmental review of each project, a project specific noise evaluation shall be conducted, and appropriate mitigation identified and implemented.
- ✓ **N 3.13.1-2** Implementing agencies should employ, where their jurisdictional authority permits, land use planning measures, such as zoning, restrictions on development, site design, and use of buffers to ensure that future development is compatible with adjacent transportation facilities and other noise generating land uses.
- ✓ **N 3.13.1-3** Implementing agencies shall, to the extent feasible and practicable, maximize the distance between noise-sensitive land uses and new roadway lanes, roadways, rail lines, transit centers, park-and-ride lots, and other future noise generating facilities.
- ✓ **N 3.13.1-4** Implementing agencies should construct sound reducing barriers between noise sources and noise-sensitive land uses. Sound barriers can be in the form of earth-berms or soundwalls. Constructing roadways so as appropriate and feasible that they are depressed below-grade of the existing sensitive land uses also creates an effective barrier between the roadway and sensitive receptors.
- ✓ **N 3.13.1-5** Implementing agencies shall, to the extent feasible and practicable, improve the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise.
- ✓ **N 3.13.1-6** Implementing agencies shall implement, to the extent feasible and practicable, speed limits and limits on hours of operation of rail and transit systems, where such limits may reduce noise impacts.

- ✓ **N 3.13.1-7** Passenger stations, central maintenance facilities, decentralized maintenance facilities, and electric substations should be located away from sensitive receptors.

**Impact N 3.13.2 - Generation of excessive groundborne vibration or groundborne noise levels.**

**Impact**

Significant and Unavoidable.

**Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **N 3.13.2-1** will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable.

**Rationale**

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible.

**Project-Level Mitigation Measures**

- ✓ **N 3.13.2-1** Mitigation measures identified to address Impact 3.13.1 shall be applied to address impacts associated with Impact 3.13.2.



**Impact N 3.13.3 - For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **N 3.13.3-1** through **N 3.13.7** will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Madera County is home to two airports which include the Chowchilla Airport and the Madera Municipal Airport. In addition to the numerous daily aircraft operations, which originate and terminate at these airports daily, over flights of the area by aircraft not utilizing the regional airports frequently occur. Airport noise contours have been established for all airport facilities in the County and are consistent with the FAA Integrated Noise Model.

Generally, proposed projects are of the following two types:

- ✓ New Systems (new highway and transit facilities).
- ✓ Modifications to Existing Systems (widening roads, addition of carpool lanes, grade crossings, intelligent transportation systems, maintenance, and service alterations).

During the construction of new highway and transit facilities or the modification of an existing system near one of the airports in Madera County, it is possible that construction workers will be temporarily exposed to excessive noise levels. Though construction activities are intermittent and temporary, there

is the potential for workers to be subject to excessive noise levels if any construction activities are near or adjacent to any of the airports within Madera County.

### Project-Level Mitigation Measures

- ✓ **N 3.13.3-1** Compliance with Occupational Safety and Health Administration's (OSHA) hearing conservation amendment. The Permissible Exposure Level (PEL) is defined as an 8-hour time-weighted average sound level of 90 dBA integrating all sound levels from at least 90 dBA to at least 140 dBA. Project implementing agencies will comply with all local sound control and noise level rules, regulations, and ordinances.

## A.6-M POPULATION, HOUSING AND EMPLOYMENT

**Impact PHE 3.14.1 - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **PHE 3.14.1-1** will provide the framework and direction to avoid or reduce impacts on Regional Growth and Dispersion, it is probable that such impacts could remain significant and unavoidable.

### Rationale

The Project could affect overall population, housing and employment growth and dispersion into agricultural and open space lands in the region from the predicted regional assumptions. Implementation of the proposed mitigation measures is expected to reduce this to a less-than-significant impact. The

Project is a specific set of transportation improvements together with the long-range transportation plan (RTP) and land use allocation described in the SCS designed to meet, among other goals, the long-term socioeconomic conditions of the region. The SCS is based upon the adopted or draft general plans of the jurisdictions within Madera County. One of the strategic issues is growth. The recent growth trends in housing, population, and jobs within the region are expected to continue.

Given the location of the region, its mild climate and existing population trends, growth in the region is seen as inevitable. The Project provides for the anticipated transportation and future land use needs of projected growth. The Project is based on a projected population in the Madera region in 2046 of 1.35 million people and associated employment. MCTC's projected population is not within 3% of the Department of Finance (DOF) regional forecast in each year between now and 2046; however, MCTC prepared its own regional forecast in consultation with DOF, which was approved by the MCTC Board for purposes of the 2022 RTP/SCS development process.

The transportation network included in the Project was not the sole determinant that affected the distribution of growth during development of the SCS preferred scenario. Transportation is just one factor that can affect growth. Other factors included to prepare the SCS included the cost of and type housing, the location of jobs, and the economy. A majority of the street and highway projects anticipated under the RTP/SCS would be for the purpose of alleviating congestion within major residential and/or commercial centers in the Madera region and are intended to increase connectivity between towns or cities in the region.

Factors that account for population growth include natural increase and net migration. The fertility rate in California in 2020 was 52.4 per 1,000 women ages 15-44. Additionally, California is expected to attract more than one third of the country's immigrants.

There is some debate as to whether the Project is a response to growth, whether it facilitates growth or in fact induces growth. Infrastructure of any type can be argued to do any one of these. In the case of the Project, the RTP/SCS are considered to be, overall, a response to growth; however, individual transportation or future development projects may facilitate or even induce growth. If existing transportation deficiencies are not addressed and future projected travel needs are not accommodated, then some localized areas of the region expected to receive new jobs and/or housing may become undesirable, causing the regional growth total to change or growth to be redistributed.

New or improved transportation facilities provide access to areas of new development, thereby allowing more people and jobs to locate in growth areas. Without these facilities, the lack of access could force development into areas with existing transportation infrastructure, thereby shifting population and employment growth from one area of the region to another. From this standpoint, the inclusion of new

or upgraded transportation facilities in the Project could be considered growth inducing in some localities.

### Project-Level Mitigation Measures

- ✓ **PHE 3.14.1-1** Local agencies will be encouraged to update general, area, community and specific plans to reflect projects included in the 2022 RTP and future land use allocations reflected in the SCS.

**Impact PHE 3.14.2 - Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **PHE 3.14.2-1**, **PHE 3.14.2-2**, **PHE 3.14.2-3**, and **PHE 3.14.2-4** will provide the framework and direction to avoid or reduce impacts on community displacement, it is probable that such impacts could remain significant and unavoidable.

### Rationale

The Project could potentially displace or relocate residences and businesses through acquisition of land and buildings necessary for highway, arterial, and transit improvements, as well as future land use development. This would be considered a potentially significant impact.

The proposed transportation improvements and future land use development could result in significant impacts related to the displacement or relocation of homes and businesses. In some cases, buildings on residential, commercial, and industrial land may have to be removed in order to make way for new or expanded transportation facilities or other future land uses or development. In other cases, certain transportation improvements or future land use development could permanently alter the characteristics

and qualities of a neighborhood. In any case, the potential for displacement and disruption are major considerations in the final design of individual transportation improvements and future development and are addressed in the design and development of mitigation programs. From the regional perspective, it is assumed that some residential and commercial displacement and disruption will occur.

Many of the improvement projects proposed by the RTP/SCS that focus on maintaining and operating the existing regional system will occur on existing roadways and will not require the acquisition of land. This is true of most of the proposed bus lines, transportation demand management projects, intelligent transportation systems, and road maintenance projects and programs. These transportation projects will generally not require the displacement of residences or businesses as the right-of-way has already been acquired.

Other proposed projects, new or expanded highway interchanges, arterial improvements, and future land use development consistent with the SCS have the potential to impact residential units and businesses. Depending on the alignments selected, they have the potential to impact residential or commercial areas and construction of these projects may require acquisition of new rights-of-way or development sites. Depending on the location and scope of these projects, potential impacts could be as major as removal of several homes and businesses or as minor as extending into existing right-of-way.

The specific impacts on community displacement will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### **Project-Level Mitigation Measures**

- ✓ **PHE 3.14.2-1** Local agencies will be encouraged to update general, area, community and specific plans to reflect projects included in the 2022 RTP and future land use allocations reflected in the SCS.
- ✓ **PHE 3.14.2-2** For projects with the potential to displace homes or businesses, project and future development implementation agencies will evaluate alternate route alignments and transportation facilities that minimize the displacement of homes and businesses. An iterative design and impact analysis would help where impacts to persons or businesses are involved. Potential impacts will be minimized to the extent feasible.

- ✓ **PHE 3.14.2-3** Project implementation agencies should identify businesses and residences to be displaced. As required by law, relocation and assistance will be provided to displaced residents and businesses, in accordance with the federal Uniform Relocation and Real Property Acquisition Policies Act of 1970 and the State of California Relocation Assistance Act, as well as any applicable City and County policies.
- ✓ **PHE 3.14.2-4** Project implementation agencies will develop a construction schedule that minimizes potential neighborhood deterioration from protracted waiting periods.

**Impact PHE 3.14.3 - Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **PHE 3.14.3-1** and **PHE 3.14.3-2** will provide the framework and direction to avoid or reduce impacts that could potentially disrupt or divide communities, it is probable that such impacts could remain significant and unavoidable.

### Rationale

The Project has the potential to disrupt or divide a community by separating community facilities, restricting community access and eliminating community amenities. This is a potentially significant impact. New transportation facilities or expansion of existing facilities could contribute to changes to community character in some areas of the region. The widening of a roadway could be perceived as too great a distance to cross by a pedestrian and thus divide a community. An elevated grade crossing may create a physical barrier in some locations. New transportation corridors may traverse community open space thus eliminating a community amenity. Each of the jurisdictions includes improvements to arterial roadways. Arterial roadways generally serve the local network of streets and provide access to

community amenities and public facilities. Changes to these arterial roadways, such as roadway widening that impede pedestrian crossing could create a real or perceived barrier to community amenities such as parks, schools, and other public facilities located across the arterial.

The specific impacts on disrupting or dividing communities will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **PHE 3.14.3-1** Project implementation agencies will design new transportation facilities that protect access to existing community facilities. During the design phase of the individual improvement project, community amenities and facilities should be identified and access to them considered in the design of the individual improvement project.
  
- ✓ **PHE 3.14.3-2** Project implementation agencies will design roadway improvements, in a manner that minimizes barriers to pedestrians and bicyclists. During the design phase, pedestrian and bicycle routes will be determined that permit easy connections to community facilities nearby in order not to divide the communities.

## A.6-N PUBLIC UTILITIES, OTHER UTILITIES AND SERVICES SYSTEMS

**Impact PU 3.15.1 - Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, and other public facilities.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be,

adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **PU 3.15.1-1**, **PU 3.15.1-2**, **PU 3.15.1-3**, **PU 3.15.1-4**, and **PU 3.14.1-5** will provide the framework and direction to avoid or reduce the impacts on public services, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Construction and implementation of improvement and future land use development projects could affect the level of police, fire, medical, and other public services and facilities in the County. With mitigation, this would be a less-than-significant impact. It is possible that with RTP/ SCS improvements there may be a reduction in congestion and slowing allowing for improved emergency responder response times.

Numerous agencies within multiple jurisdictions in the County provide fire protection, emergency medical services, and police services. Depending upon the timing, location, and duration of construction activities, proposed transportation improvement projects and land use development projects could delay emergency response times or otherwise disrupt delivery of emergency services. Emergency routes would be impaired if one or more lanes of a roadway in Madera County were closed off due to transportation or land use development construction activities. Traffic delays and prevention of access to calls for service could potentially result.

While these impacts would be short-term in nature, they could be potentially significant. Each individual improvement or land use development project will be analyzed to determine the degree of impact to emergency services, as part of project-specific environmental review. Adherence to road encroachment permits by the implementing agency could reduce individual improvement project construction-related impacts to emergency vehicle access and response times. As part of the construction mitigation strategy, a traffic control plan should be prepared to further reduce impacts on traffic and emergency response vehicles. Additionally, there is the potential need for increased police, fire, and medical services at the construction sites of projects for safety purposes. The impact of the construction sites themselves on police, fire, and emergency medical services is anticipated to be short-term in nature and less-than-significant.

The Project includes several types of improvement and future land use development projects that, upon completion, would require different levels of police, fire, and medical services. Projects involving new roadways are anticipated to require police, fire, and emergency medical services for safety purposes. In many cases, transit-related projects would involve the construction of transit stations. Upon completion,



these transit stations would require police, fire, and emergency medical services. In some cases, the governing transit authority provides security. Additionally, the increased use of transit modes of transportation, such as buses and trains, would involve an increased need for police, fire, and emergency medical services for protection and rescue services. Finally, various future land use development, such as residential and commercial uses increase the need for emergency services.

Rail projects, other than transit stations and other types of future land use development, such as many industrial and office facilities, are anticipated to require minimal amounts of additional fire, police, and emergency medical services for safety purposes. The improvement of and the use of non-motorized transportation methods, such as bike routes, are anticipated to require minimal amounts of additional police, fire, and emergency medical services. If restrooms or drinking fountains were incorporated into non-motorized transportation projects, these uses would require a minimal amount of police, fire, and emergency medical for security and safety.

Public service and utility providers have historically accommodated increases in demand throughout the County. For the most part, improvement projects and future land use developments would not generate a substantial need for additional police, fire, and emergency medical services, except in the case where new facilities and developments are constructed. Local jurisdictions are expected to be equipped to handle any increased demands for fire and medical services generated by facilities and developments, like transit stations and major government facilities. If any new transit police staff or facility is deemed necessary (by the individual improvement project level CEQA documentation), it will need to be funded by the appropriate transit authority. The total projected demand for each of these types of projects is not anticipated to be significant, based on the demand for public service and utility for similar projects and on the current capacities of existing fire, police, and medical services.

As discussed in the Section 3.14 of the Draft PEIR (Population and Housing), population in the County will increase significantly over the next 24 years, with or without the Project. In general, MCTC does not anticipate that the Project will substantially affect population distribution on a regional basis. However, transportation projects and future land use developments in the less developed areas of the region could experience a corresponding increase in demand because of the RTP/SCS. Depending on the amount of increase in population, the increase in the demand for these services has the potential to be a significant impact in those specific areas. However, any construction resulting from the Project within the County will be subject to further environmental review. With the following mitigation measures, this impact would be reduced to a level of insignificance.

It is possible that underground utility lines (sewer, gas, electricity, telephone and water) could be uncovered and potentially severed because of construction of transportation projects or future land use development. Above ground power, phone and cell towers could also be affected due to the construction of projects.

The potential to encounter underground utility lines, and potentially sever those lines, is a possibility with any groundbreaking in the Madera region. However, prior to construction, the implementing agency would be required to incorporate the locations of existing utility lines into the construction schedule.

The specific impacts on public services and utilities will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **PU 3.15.1-1** Prior to construction, the project implementation agency will ensure that all necessary local and state permits are obtained. The project implementation agency also will comply with all applicable conditions of approval. As deemed necessary by the governing jurisdiction, road encroachment permits may require the contractor to prepare a traffic control plan in accordance with professional engineering standards prior to construction. Traffic control plans should include the following requirements:
  - Identify all roadway locations where special construction techniques (e.g., directional drilling or night construction) would be used to minimize impacts to traffic flow.
  - Develop circulation and detour plans to minimize impacts to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.
  - Schedule truck trips outside of peak morning and evening commute hours.
  - Limit lane closures during peak hours to the extent possible.
  - Use haul routes, minimizing truck traffic on local roadways, to the extent possible.
  - Include detours for bicycles and pedestrians in all areas potentially affected by individual improvement project construction.
  - Install traffic control devices as specified in the Caltrans Manual of Traffic Controls for Construction and Maintenance Work Zones.
  - Develop and implement access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals, and schools. Access plans will be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions will be asked to identify detours for emergency vehicles, which will then be posted by the contractor. The facility owner or operator will be notified in advance of the timing, location, and duration of construction activities and the locations of detours and lane closures.
  - Store construction materials only in designated areas.

- Coordinate with local transit agencies for temporary relocation of routes or bus stops in work zones, as necessary.
  
- ✓ **PU 3.15.1-2** Transportation and future land use development projects requiring police protection, fire service, and emergency medical service will coordinate with the local fire department and police department to ensure that the existing public services and utilities would be able to handle the increase in demand for their services. If the current levels of service at the individual improvement project or future land use development site are found to be inadequate, infrastructure improvements and personnel requirements for the appropriate public service will be identified in each individual improvement project's CEQA documentation.
  
- ✓ **PU 3.15.1-3** The growth inducing potential of individual transportation and future land use development projects will be carefully evaluated so that the full implications of the 2022 RTP/SCS are understood. Individual environmental documents will quantify indirect impacts (growth that could be facilitated or induced) on public services and utilities. Lead and responsible agencies should then make any necessary adjustments to the applicable general plan.
  
- ✓ **PU 3.15.1-4** As part of transportation project-specific or future land use development project-specific environmental review, implementing agencies will evaluate the impacts resulting from the potential for severing underground utility lines during construction activities. Appropriate mitigation measures will be identified for all impacts. The implementing agencies will be responsible for ensuring adherence to mitigation measures. MCTC will be provided with documentation indicating compliance with mitigation measures.
  
- ✓ **PU 3.15.1-5** Prior to construction, the implementing agency or contractor will identify the locations of existing utility lines. All known utility lines will be avoided during construction.

**Impact PU 3.15.2 - Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.**

**Impact**

Significant and Unavoidable.

**Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2). Beyond the mitigation

measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).).

While implementation and monitoring of Mitigation Measure **PU 3.15.2-1** will provide the framework and direction to avoid or reduce the identified impacts on wastewater treatment, it is probable that such impacts could remain significant and unavoidable.

### **Rationale**

Wastewater treatment facilities and collection systems must have adequate capacity to prevent overflows, spills, or a release of untreated or partially treated wastewater, which has the potential to pollute surface and ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and enjoyment of surface waters. Untreated wastewater often contains high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oil, and grease, and an overflow could result in the closure of beaches and other recreational areas, inundate properties, and pollute rivers and streams.

Forecast growth and land use changes expected to occur as part of the 2022 RTP/SCS would be primarily focused in previously developed urban areas that are served by existing wastewater treatment facilities and collection systems. Increases in population and housing density would result in a corresponding increase in the volume of wastewater compared to existing conditions and could require the expansion of treatment facilities and collection systems to ensure sufficient capacity. In rural areas, new development could require construction of on-site wastewater treatment systems.

Impacts to wastewater treatment requirements are typically controllable and can be mitigated below a level of significance through actions of the implementing agency, including adherence to existing regulations, such as those issued and enforced through the State Water Resources Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), and Best Management Practices (BMPs).

The specific impacts on wastewater treatment facilities will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **PU 3.15.2-1** During the CEQA review process for individual facilities, implementing agencies 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.

**Impact PU 3.15.3 - Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **PU 3.15.3-1** through **PU 3.15-5** will provide the framework and direction to avoid or reduce the impacts to solid waste, wastewater, and potable water services, it is probable that such impacts could remain significant and unavoidable.

#### Rationale

Demand for solid waste, wastewater, and potable water services in the County could be affected by construction and implementation of transportation improvement projects and future land use developments.

Transportation and future land use and development projects have the potential to generate a significant amount of solid waste during construction through grading and excavation activities. Any increases in demand for wastewater and potable water services resulting from the 2022 RTP/SCS are expected to be minimal during construction. Construction debris would be recycled or transported to the nearest landfill

site and disposed of appropriately. Currently, several landfills in the region function at or below their permitted capacity. Therefore, the projects proposed are not anticipated to generate a significant impact on solid waste facilities during construction. Nevertheless, the amount of debris generated during individual improvement project or future land use development project construction would need to be evaluated prior to construction on a project-by-project basis.

It is assumed that, upon completion, projects will require additional public services and utilities to handle increased demand for wastewater and solid waste services, increased demand for potable water, and, in some cases, increased demand for reclaimed water for landscaping purposes. These increases would need to be evaluated on a project-by-project basis. Projects involving roadway construction and future land use development are anticipated to require potable or reclaimed water for landscaping purposes. These increases would need to be evaluated on a project-by-project basis.

Transit-related projects would involve the construction of transit stations in many cases. Incremental amounts of potable water would be generated at these transit stations for restrooms, public drinking water, and landscaping. Additionally, a minimal increase in the demand for potable water, wastewater service, and solid waste collection would be created by increased use of transit methods, such as buses and trains.

With the exception of transit-related rail, unless rail projects involve the construction of additional railways or facilities, they are not anticipated to require additional wastewater, solid waste, or potable water service. The improvement of and increased usage of non-motorized transportation methods, like bike routes, are not anticipated to require additional levels of solid waste, wastewater, and potable water service, other than drinking fountains. If restrooms are incorporated into non-motorized transportation projects, these uses would also require minimal amounts of solid waste (for trash receptacles), wastewater (for toilets, water fountains, and faucets), and potable water (for faucets, drinking fountains, and landscaping) services.

Public service and utility providers have accounted for increases in the public needs throughout the County. In most cases, wastewater and potable water infrastructures function well below their capacities. In addition, solid waste facilities, including transfer stations and landfills, commonly accept levels of solid waste well below their maximum capacities. Based on the demand for public services and utilities for similar projects, and on the current capacities of existing public services and utilities, the local projected demand for each of these types of projects is not anticipated to be significant but will need to be analyzed on a project-by-project basis.

The specific impacts on public services and utilities will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be

responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **PU 3.15.3-1** Projects requiring wastewater service, solid waste collection, or potable water service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.
- ✓ **PU 3.15.3-2** Reclaimed water will be used for landscaping purposes instead of potable water wherever feasible.
- ✓ **PU 3.15.3-3** Each of the proposed transportation improvement projects or future land use developments will comply with applicable regulations related to solid waste disposal.
- ✓ **PU 3.15.3-4** The construction contractor will work with Recycling Coordinators to ensure that source reduction techniques and recycling measures are incorporated into individual transportation improvement or future land use development project construction.
- ✓ **PU 3.15.3-5** The amount of solid waste generated during construction will be estimated prior to construction, and appropriate disposal sites will be identified and utilized.

**Impact PU 3.15.4 - Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make

infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **PU 3.15.4-1**, **PU 3.15.4-2**, and **PU 3.14.4-3** will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. (Draft PEIR, pp. 3-431 – 3-433.)

### **Rationale**

Storm water drainage facilities are necessary to drain excess water from paved streets, parking lots, sidewalks, and roofs to prevent flooding after rain events. Ensuring adequate capacity and design of storm water drainage facilities allows for the safe management of large volumes of water and conveyance of runoff to a point of disposal. Growth and development and transportation improvements expected to occur as part of the 2022 RTP/SCS would be primarily focused in previously developed urban areas. Urban areas have limited amounts of vacant land where rainwater and urban runoff can percolate into the soil, and new infill development in urban areas would not result in a substantial increase in impervious surfaces. In addition, development in urban areas would be served by existing storm drain collection systems. A limited number of new developments in urban areas would convert undeveloped land to impermeable surfaces, resulting in an increase in storm water runoff, which could potentially exceed the capacity of existing storm water drainage facilities.

Development in rural areas would convert undeveloped land to impermeable surfaces from the development of rooftops, parking lots, roads, and driveways, and would result in an increase in storm water runoff. In these areas, there are not typically storm water drainage systems, and increases in the amount of impermeable surfaces could result in volumes of runoff requiring the construction of new or expansion of existing facilities. The local projected demand for stormwater facilities is not anticipated to be significant but will need to be analyzed on a project-by-project basis. In addition, the transportation of construction materials to and from the sites during individual transportation improvement project or future land use development project construction could cause accumulation of soil on roadways surrounding the construction sites. Hauling trucks could track soil from the construction site onto adjacent streets during construction of projects, particularly those involving excavation. Since street cleaning activities typically occur only once a month or less in a particular area, increased soil on local streets would increase the demand for street cleaning.

The specific impacts on public services and utilities will be evaluated as part of the implementing agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given



that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### **Project-Level Mitigation Measures**

- ✓ **PU 3.15.4-1** During the CEQA review process for individual RTP/SCS projects, implementing agencies with responsibility for the construction of new storm water drainage facilities or the expansion of existing facilities to adequately meet projected capacity needs should apply necessary mitigation measures, including actions set forth in regional watershed management plans, 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.
  
- ✓ **PU 3.15.4-2** As part of transportation project-specific and future land use development project-specific environmental review, implementing agencies will evaluate the impacts resulting from soil accumulation during construction of the transportation projects and future land use developments. Appropriate mitigation measures will be identified for all impacts. The implementing agencies will be responsible for ensuring adherence to the mitigation measures. MCTC will be provided with documentation indicating compliance with mitigation measures.
  
- ✓ **PU 3.15.4-3** Implementing agencies should implement appropriate measures, such as the washing of construction vehicles undercarriages before leaving the construction site or increasing the use of street cleaning machines, to reduce the amount of soil on local roadways as a result of construction.

**Impact PU 3.15.5 - Have sufficient water supplies available to serve the project from existing entitlements and resources, or the need for new or expanded entitlements.**

### **Impact**

Significant and Unavoidable.

### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make

infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **PU 3.15.6-1** will provide the framework and direction to avoid or reduce the impacts on wastewater services, it is probable that such impacts could remain significant and unavoidable.

### **Rationale**

Demand for water in the County could be affected by construction and implementation of transportation improvement projects and future land use developments. Any increases in demand for water resulting from the 2022 RTP/ SCS are expected to be minimal during construction. It is assumed that, upon completion, projects will require additional public services and utilities to handle increased demand for wastewater. These increases would need to be evaluated on a project-by-project basis.

Transit-related projects would involve the construction of transit stations in many cases. A minimal increase in the demand for water service would be created by increased use of transit methods, such as buses and trains.

With the exception of transit-related rail, unless rail projects involve the construction of additional railways or facilities, they are not anticipated to require additional water. The improvement of and increased usage of non-motorized transportation methods, like bike routes, are not anticipated to require additional levels of wastewater services.

Public service and utility providers have accounted for increases in the public needs throughout the County. In most cases, water infrastructures function well below their capacities. Based on the demand for public services and utilities for similar projects, and on the current capacities of existing public services and utilities, the local projected demand for each of these types of projects is not anticipated to be significant but will need to be analyzed on a project-by-project basis.

The specific impacts on public services and utilities will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measure referenced below.

### Project-Level Mitigation Measures

- ✓ **PU 3.15.5-1** Projects requiring potable water service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.
- ✓ **PU 3.15.5-2** Reclaimed water will be used for landscaping purposes instead of potable water wherever feasible.
- ✓ **PU 3.15.5-3** In January 2014 the Governor declared an emergency drought declaration for the State. Long-term water supply documents anticipate that drought (including severe single-year drought) are regular occurrences within the State. Because the 2022 RTP and SCS do not propose or approve any development of any water demand projects, the Governor's drought declaration does not indicate that there is a significant water supply impact associated with the RTP and SCS.
- ✓ **PU 3.15.5-1** Local agencies shall form [Groundwater Sustainability Agencies \(GSAs\) in accordance with the collection of State legislation \[AB 1739 \(Dickinson\), SB 1168 \(Pavley\), and SB 1319 \(Pavley\)\] known as the Sustainable Groundwater Management Act \(SGMA\)](#), as applicable, to manage high and medium priority basin sustainably and requires those GSAs to adopt [Groundwater Sustainability Plans \(GSPs\)](#) for crucial groundwater basins in California.

**Impact PU 3.15.6 - Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.**

### Impact

Significant and Unavoidable.

### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **PU 3.15.6-1** will provide the framework and direction to avoid or reduce the impacts on wastewater services, it is probable that such impacts could remain significant and unavoidable.

### **Rationale**

Demand for wastewater services in the County could be affected by construction and implementation of transportation improvement projects and future land use developments. Any increases in demand for wastewater services resulting from the 2022 RTP/ SCS are expected to be minimal during construction. It is assumed that, upon completion, projects will require additional public services and utilities to handle increased demand for wastewater. These increases would need to be evaluated on a project-by-project basis.

Transit-related projects would involve the construction of transit stations in many cases. A minimal increase in the demand for wastewater service would be created by increased use of transit methods, such as buses and trains.

With the exception of transit-related rail, unless rail projects involve the construction of additional railways or facilities, they are not anticipated to require additional wastewater service. The improvement of and increased usage of non-motorized transportation methods, like bike routes, are not anticipated to require additional levels of wastewater services. If restrooms are incorporated into non-motorized transportation projects, these uses would also require minimal amounts of wastewater (for toilets, water fountains, and faucets) services.

Public service and utility providers have accounted for increases in the public needs throughout the County. In most cases, wastewater infrastructures function well below their capacities. Based on the demand for public services and utilities for similar projects, and on the current capacities of existing public services and utilities, the local projected demand for each of these types of projects is not anticipated to be significant but will need to be analyzed on a project-by-project basis.

The specific impacts on public services and utilities will be evaluated as part of the implantation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measure referenced below.

### Project-Level Mitigation Measures

- ✓ **PU 3.15.6-1** Projects requiring wastewater service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.

### **Impact PU 3.15.7 - Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.**

#### Impact

Significant and Unavoidable.

#### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **PU 3.15.7-1**, **PU 3.15.7-2**, **PU 3.15.7-3**, and **PU 3.15.7-4** will provide the framework and direction to avoid or reduce the impacts to solid waste services, it is probable that such impacts could remain significant and unavoidable.

#### Rationale

Demand for solid waste services in the County could be affected by construction and implementation of transportation improvement projects and future land use developments. Transportation and future land use and development projects have the potential to generate a significant amount of solid waste during construction through grading and excavation activities. Construction debris would be recycled or transported to the nearest landfill site and disposed of appropriately. Currently, several landfills in the region function at or below their permitted capacity. Therefore, the projects proposed are not anticipated to generate a significant impact on solid waste facilities during construction. Nevertheless, the amount

of debris generated during individual improvement project or future land use development project construction would need to be evaluated prior to construction on a project-by-project basis.

It is assumed that, upon completion, projects will require additional public services and utilities to handle increased demand for solid waste services. These increases would need to be evaluated on a project-by-project basis.

Transit-related projects would involve the construction of transit stations in many cases. A minimal increase in the demand for solid waste collection would be created by increased use of transit methods, such as buses and trains.

With the exception of transit-related rail, unless rail projects involve the construction of additional railways or facilities, they are not anticipated to require additional solid waste service. The improvement of and increased usage of non-motorized transportation methods, like bike routes, are not anticipated to require additional levels of solid waste. If restrooms are incorporated into non-motorized transportation projects, these uses would also require minimal amounts of solid waste (for trash receptacles) services.

Public service and utility providers have accounted for increases in the public needs throughout the County. In most cases, solid waste facilities, including transfer stations and landfills, commonly accept levels of solid waste well below their maximum capacities. Based on the demand for public services and utilities for similar projects, and on the current capacities of existing public services and utilities, the local projected demand for solid waste services is not anticipated to be significant but will need to be analyzed on a project-by-project basis.

The specific impacts on public services and utilities will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### **Project-Level Mitigation Measures**

- ✓ **PU 3.15.6-1** Projects requiring solid waste collection will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.

- ✓ **PU 3.15.6-2** Each of the proposed transportation improvement projects or future land use developments will comply with applicable regulations related to solid waste disposal.
- ✓ **PU 3.15.6-3** The construction contractor will work with Recycling Coordinators to ensure that source reduction techniques and recycling measures are incorporated into individual transportation improvement or future land use development project construction.
- ✓ **PU 3.15.6-4** The amount of solid waste generated during construction will be estimated prior to construction, and appropriate disposal sites will be identified and utilized.

**Impact PU 3.15.8 - Comply with federal, state, and local statutes and regulations related to solid waste.**

**Impact**

Significant and Unavoidable.

**Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measure **PU 3.15.8-1** will provide the framework and direction to avoid or reduce the identified impacts on solid waste, it is probable that such impacts could remain significant and unavoidable.

**Rationale**

Forecast growth and land use changes expected to occur as part of the 2022 RTP/ SCS would be primarily focused in previously developed urban areas that are served by existing solid waste collection systems. Increases in population and housing density would result in a corresponding increase in the volume of solid waste compared to existing conditions and could require the expansion of collection systems to ensure sufficient capacity.

Impacts to solid waste can be mitigated below a level of significance through actions of the implementing agency, including adherence to existing federal, state, and local statutes and regulations.

The specific impacts on solid waste collection systems will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that MCTC does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

### Project-Level Mitigation Measures

- ✓ **PU 3.15.8-1** During the CEQA review process for individual facilities, implementing agencies 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.

### A.6-O TRANSPORTATION/TRAFFIC

#### **Impact TT 3.17.2 - Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).**

##### Impact

Significant and Unavoidable.

##### Finding

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While improved mobility will result from implementation of the projects contained in the RTP as well as Mitigation Measures **TT 3.17.2-1** through **TT 3.17.2-36**.



## Rationale

As noted in CEQA Guidelines Section 15064.3(a), in general, vehicle miles traveled is the most appropriate measure of transportation impacts. CEQA Guidelines Section 15064.3(b) provides the criteria for analyzing and determining transportation impacts, as follows:

The criteria in Section 15064.3(b) are primarily directed toward the assessment of project-level impacts, whereas the proposed Plan is a regional long-range plan integrating a region-wide suite of projects, programs, and policies, and the proposed Plan is analyzed using regional models. While VMT has been established as the new measure of transportation impacts under SB 743 (see the Regulatory Setting section for further discussion of SB 743), CEQA allows lead agencies to determine the methodology for evaluating VMT (CEQA Guidelines Section 15064.3(b)(4) and to establish a threshold of significance (CEQA Guidelines Section 15064.7).

The State has developed resources to help lead agencies evaluate impacts and establish impact thresholds under the new VMT standard. Key guidance relevant to transportation impacts and VMT include the Technical Advisory on Evaluating Transportation Impacts in CEQA (Governor's Office of Planning and Research 2018) and the California Air Resources Board's (CARB) 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals (CARB 2019).

The Technical Advisory prepared by the Office of Planning and Research (OPR) provides guidance on determining significance thresholds and assessing VMT. The Technical Advisory is directed to specific projects by project type (i.e., residential, retail, office, etc.) and local plans (i.e., general plans), and includes recommendations for evaluating transportation impacts. OPR uses the Statewide greenhouse gas targets established through 2050 by State laws and executive orders as the basis for its recommended VMT significance thresholds. For project-level analyses, OPR recommends that "a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold" based on their review of relevant research on project-level impact mitigation measures. The OPR guidance addresses general plans (and lesser area plans), but not regional plans: "A general plan, area plan or community plan may have a significant impact on transportation if proposed new residential office, or retail land use would, in aggregate, exceed the respective thresholds" for the project level thresholds, a per capita VMT that is fifteen percent below existing development.

In the 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals, CARB describes VMT estimates associated with a scenario developed for the 2017 Scoping Plan Update. The scenario assumed a combination of vehicle technologies, vehicle fuels, and slower VMT growth that would achieve the Statewide 2050 GHG emission reductions targets (80% below 1990 levels by 2050, as established under EO S-03-05). The assessment is based on a scenario CARB developed that would achieve the GHG goals through a combination of cleaner vehicles and fuels and slower VMT growth. Based on the

scenario assessment, CARB found that for light-duty vehicle travel, per-capita VMT would need to be 16.8 percent lower than existing levels (Statewide 2015-2018 average VMT per capita) by 2050, and for overall vehicle travel, per-capita VMT would need to be 14.3 percent lower than existing levels to be consistent with the 2050 State climate goals (CARB 2019). However, CARB also stresses that the VMT developed in these estimates “is not household-generated VMT, and the values are not directly comparable to output from a local or regional travel demand model.” Based on the above, no thresholds for assessing significant impacts in VMT at the regional level, such as for an RTP/SCS, have been established by the State.

CARB establishes GHG targets for each of the 18 MPOs in the State, reviews the SCS’s and makes a determination whether the SCS’s would achieve GHG reduction targets if implemented. CARB established a 16 percent GHG reduction target for the MCTC region. The State recognizes that Madera County’s contribution to the aggregate 15 percent statewide GHG emission reduction is 16 percent. Other regions may achieve greater reductions to achieve the aggregate statewide goals. As such, reduction in GHG directly corresponds to reduction in VMT. In order to reach the statewide GHG reduction goal of 15 percent, Madera County must reduce GHG by 16 percent. The method of reducing GHG by 16 percent is to reduce VMT by 16 percent as well.

Therefore, MCTC’s target for this RTP/SCS is to achieve a 2046 VMT per capita that is 16 percent below the existing regional VMT per capita. An inability to achieve that target is considered to be indicative of a significant environmental impact.

### Project-Level Mitigation Measures

- ✓ **TT 3.17.2-1** Measures intended to reduce VMT are part of the RTP/SCS. These include increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use/transportation connection through increased densities and mixed uses, other Travel Demand Management measures described in the RTP and in local agency General Plans.
- ✓ **TT 3.17.2-2** MCTC will continue to secure funding programs considering a project’s ability to enhance complete streets objectives where it is feasible.
- ✓ **TT 3.17.2-3** Beyond the currently financially and institutionally feasible measures included in the 2022 RTP/SCS, MCTC will identify further reduction in VMT, and fuel consumption that could be obtained through land-use strategies, additional car-sharing programs, additional vanpools, and additional bicycle/pedestrian programs.
- ✓ **TT 3.17.2-4** Transportation Planning: MCTC will assist local jurisdictions to encourage new developments to incorporate both local and regional transit measures into the project design that promote the use of alternative modes of transportation.

- ✓ **TT 3.17.2-5** Local jurisdictions are encouraged to promote ride sharing programs e.g., by designating a certain percentage of parking spaces for high-occupancy vehicles, providing larger parking spaces to accommodate vans used for ridesharing, and designating adequate passenger loading and unloading and waiting areas.
- ✓ **TT 3.17.2-6** Local jurisdictions are encouraged to support the use of public transit systems by enhancing safety and cleanliness on vehicles and in and around stations, providing shuttle service to public transit, offering public transit incentives, and providing public education and publicity about public transportation services.
- ✓ **TT 3.17.2-7** Transit agencies are encouraged to support bicycling to transit facilities by providing additional bicycle parking, locker facilities, and bike lane access to transit facilities when feasible.
- ✓ **TT 3.17.2-8** Project sponsors are encouraged to build or fund a major transit stop within or near the development.
- ✓ **TT 3.17.2-9** Transit agencies are encouraged to continue to provide public transit incentives such as free or low-cost monthly transit passes to employees, or free ride areas to residents and customers.
- ✓ **TT 3.17.2-10** Local jurisdictions and project sponsors are encouraged to incorporate bicycle lanes, routes and facilities into street systems, new subdivisions, and large developments.
- ✓ **TT 3.17.2-11** Local jurisdictions are encouraged to require amenities for non-motorized transportation, such as secure and convenient bicycle parking.
- ✓ **TT 3.17.2-12** Local jurisdictions are encouraged to ensure that the project enhances, and does not disrupt or create barriers to, non-motorized transportation.
- ✓ **TT 3.17.2-13** Local jurisdictions are encouraged to connect parks and open space through shared pedestrian/bike paths and trails to encourage walking and bicycling.
- ✓ **TT 3.17.2-14** Local jurisdictions are encouraged to create bicycle lanes and walking paths directed to the location of schools, parks, and other destination points.
- ✓ **TT 3.17.2-15** Local jurisdictions are encouraged to work with the school districts to improve pedestrian and bike access to schools and to restore or expand school bus service using lower-emitting vehicles.

- ✓ **TT 3.17.2-16** Local jurisdictions and transit agencies are encouraged to provide information on alternative transportation options for consumers, residents, tenants, and employees to reduce transportation-related emissions.
- ✓ **TT 3.17.2-17** Project Selection: Local jurisdictions are encouraged to give priority to transportation projects that would contribute to a reduction in vehicle miles traveled per capita, while maintaining economic vitality and sustainability.
- ✓ **TT 3.17.2-18** System Interconnectivity: MCTC, in coordination with local jurisdictions are encouraged to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling, and walking, by incorporating the following:
  - Provide transportation centers that are multi-modal to allow transportation modes to intersect;
  - Provide adequate and affordable public transportation choices, including expanded bus routes and service, as well as other transit choices such as shuttles;
  - To the extent feasible, extend service and hours of operation to underserved arterials and population centers or destinations such as colleges;
  - Focus transit resources on high-volume corridors and high-boarding destinations such as colleges, employment centers and regional destinations;
  - Coordinate schedules and routes across service lines with neighboring transit authorities;
  - Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets;
  - Use park-and-ride facilities to access transit stations.
- ✓ **TT 3.17.2-19** Transit System Infrastructure: Local jurisdictions are encouraged to upgrade and maintain transit system infrastructure to enhance public use, including:
  - Provide transit stops and bus lanes that are safe, convenient, clean, and efficient;
  - Provide transit stops that have clearly marked street-level designation, and are accessible;
  - Provide transit stops that are safe, sheltered, benches are clean, and lighting is adequate;
  - Place transit stations along transit corridors within mixed-use or transit-oriented
- ✓ **TT 3.17.2-20** Customer Service: Transit agencies are encouraged to enhance customer service and system ease-of-use, including:
  - Develop a Regional Pass system to reduce the number of different passes and tickets required of system users;
  - Implement “Smart Bus” technology, using GPS and electronic displays at transit stops to provide customers with “real-time” arrival and departure time information (and to allow the system operator to respond more quickly and effectively to disruptions in service);
  - Investigate the feasibility of an on-line trip-planning program.

- Before funding transportation improvements that increase roadway capacity and VMT, evaluate the feasibility and effectiveness of funding projects that support alternative modes of transportation and reduce VMT, including transit, and bicycle and pedestrian access.
- ✓ **TT 3.17.2-21** Local jurisdictions are encouraged to monitor traffic and congestion to determine when and where new transportation facilities are needed in order to increase access and efficiency.
- ✓ **TT 3.17.2-22** HOV Lanes: Local jurisdictions are encouraged to support the construction of high-occupancy vehicle (HOV) lanes or similar mechanisms whenever necessary to relieve congestion and reduce emissions.
- ✓ **TT 3.17.2-23** Ride-Share Programs: MCTC will, and local jurisdictions are encouraged to promote ride sharing programs, including:
  - Designate a certain percentage of parking spaces for ride-sharing vehicles;
  - Designate adequate passenger loading, unloading, and waiting areas for ride-sharing vehicles;
  - Provide a web site or message board for coordinating shared rides;
  - Encourage private, for-profit community car-sharing, including parking spaces for car share vehicles at convenient locations accessible by public transit;
  - Hire or designate a rideshare coordinator to develop and implement ridesharing programs.
- ✓ **TT 3.17.2-24** Employer-based Trip Reduction: Local jurisdictions are encouraged to support voluntary, employer-based trip reduction programs, including:
  - Provide assistance to regional and local ridesharing organizations;
  - Advocate for legislation to maintain and expand incentives for employer ridesharing programs;
  - Require the development of Transportation Management Associations for large employers and commercial/ industrial complexes;
  - Provide public recognition of effective programs through awards, top ten lists, and other mechanisms.
- ✓ **TT 3.17.2-25** Local Area Shuttles: Transit agencies are encouraged to utilize shuttles to serve neighborhoods, employment centers and major destinations.
- ✓ **TT 3.17.2-26** Transit agencies are encouraged to create a free or low-cost local area bus service that includes a fixed route to popular tourist destinations or shopping and business centers.
- ✓ **TT 3.17.2-27** Local jurisdictions are encouraged to support bicycle use as a mode of transportation by enhancing infrastructure to accommodate bicycles and riders and providing incentives.
- ✓ **TT 3.17.2-28** Development Standards for Bicycles: Local jurisdictions are encouraged to establish standards for new development and redevelopment projects to support bicycle use, including:

- Amending the Development Code to include standards for safe pedestrian and bicyclist accommodations, by incorporating the following:
  - “Complete Streets” policies that foster equal access by all users in the roadway design, wherever feasible;
  - Bicycle and pedestrian access internally and in connection to other areas through easements;
  - Safe access to public transportation and other non-motorized uses through construction of dedicated paths;
  - Safe road crossings at major intersections, especially for school children and seniors;
  - Adequate, convenient, and secure bike parking at public and private facilities and destinations in all urban areas;
  - Street standards will include provisions for bicycle parking within the public right of way.
  
- ✓ **TT 3.17.2-29** Local jurisdictions are encouraged to incorporate bicycle facilities, as appropriate in the new land use, including:
  - Construction of weatherproof bicycle facilities where feasible, and at a minimum, bicycle racks or covered, secure parking near the building entrances;
  - Encourage the development of bicycle stations at intermodal hubs.
  - Conduct a connectivity analysis of the existing bikeway network to identify gaps and prioritize bikeway development where gaps exist.
  
- ✓ **TT 3.17.2-30** Bicycle and Pedestrian Trails: Local jurisdictions are encouraged to establish a network of multi-use trails to facilitate safe and direct off-street bicycle and pedestrian travel and will provide bike racks along these trails at secure, lighted locations.
  
- ✓ **TT 3.17.2-31** Bicycle Safety Program: Local jurisdictions are encouraged to develop and implement a bicycle safety educational program to teach drivers and riders the laws, riding protocols, routes, safety tips, and emergency maneuvers.
  
- ✓ **TT 3.17.2-32** Bicycle and Pedestrian Project Funding: Local jurisdictions are encouraged to pursue enhanced funding for bicycle and pedestrian facilities and access projects, including, as appropriate:
  - Apply for regional, State, and federal grants for bicycle and pedestrian infrastructure projects;
  - Update traffic impact fee programs to include VMT or establish new VMT mitigation fee programs to help fund future bicycle and pedestrian facilities and/or future transit infrastructure/routes.
  - Use existing revenues, such as State gas tax subventions, sales tax funds, and general fund monies for projects to enhance bicycle use and walking for transportation.
  
- ✓ **TT 3.17.2-33** Bicycle Parking: Local jurisdictions are encouraged to adopt bicycle parking standards that ensure sufficient bicycle parking.

- ✓ **TT 3.17.2-34** Pedestrian and Bicycle Promotion: Local jurisdictions are encouraged to work with local community groups and downtown business associations to organize and publicize walking tours and bicycle events, and to encourage pedestrian and bicycle modes of transportation.
- ✓ **TT 3.17.2-35** Bicycle Transportation Support: Local jurisdictions are encouraged to promote and support the use of bicycles as transportation.
- ✓ **TT 3.17.2-36** Transit Access to Municipal Facilities: Transit agencies can and should provide services to municipal facilities.
- ✓ **T 3.17.2-37** As proposed projects within the influence area of the State Highway System (SHS) are submitted for approval to implementing agencies, a detailed transportation impact analysis for each development or project shall be prepared. Please refer to the “Vehicle Miles Traveled-Focused Transportation Impact Study Guide (TISG), May 20, 2020” to determine the potential impacts and appropriate mitigations to the affected SHS.

**Impact TT 3.17.3 – Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).**

#### **Impact**

Significant and Unavoidable.

#### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)

While implementation and monitoring of Mitigation Measures **TT 3.17.4-1**, **TT 3.17.4-2**, and **TT 3.17.4-3** will provide the framework and direction to avoid or reduce impacts that substantially increase hazards due to a design feature or incompatible uses, it is probable that such impacts could remain significant and unavoidable.

#### **Rationale**

While the 2022 RTP/SCS will not directly result in increased hazards due to design feature (e.g., sharp curves or dangerous intersections) or increase conflicts between incompatible uses (e.g., farm equipment

and other vehicular traffic), measures should be implemented to ensure that traffic hazards are minimized in the design of the individual transportation projects included in the RTP. Land use development in urban areas of Madera County will increase the number of residents in close proximity to public transit. It will also increase opportunities for walking and biking, thereby making it necessary that multi-modal facilities be designed to enhance the safety of these users.

The implementing agency would be responsible for developing and ensuring adherence to necessary mitigation measures. MCTC is not an implementing agency and does not have the ability to design and construct transportation improvement projects included in the RTP/SCS. The responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies.

To address related impacts and to support policies contained in the 2022 RTP/SCS, MCTC recommends the following mitigation measures.

#### **Project-Level Mitigation Measures**

- ✓ **TT 3.17.3-1** Implementing agencies should consider safety an objective in the design of RTP projects, and should plan to avoid, improve, or mitigate safety impacts in the course of project-level environmental review.
- ✓ **TT 3.17.3-2** MCTC shall conduct a forum where policymakers can be educated and can develop consensus on regional transportation safety and security policies.
- ✓ **TT 3.17.3-3** MCTC shall work with local officials to assist with implementation of regional transportation safety and security policies.

#### **Impact TT 3.17.4 – Results in inadequate emergency access.**

##### **Impact**

Significant and Unavoidable.

##### **Finding**

Changes or alterations which avoid or substantially lessen significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. State CEQA Guidelines § 15091 subd. (a)(2).) Beyond the mitigation measures identified below, specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or Project alternatives that would completely reduce this impact to a less than significant impact. (State CEQA Guidelines § 15091 subd. (a)(3).)



While implementation and monitoring of Mitigation Measure **TT 3.17.4-1** will provide the framework and direction to avoid or reduce impacts that result in inadequate emergency access, it is probable that such impacts could remain significant and unavoidable.

### Rationale

Congestion is expected to worsen between now and 2046 which could adversely impact emergency access. While the 2022 RTP/SCS would generally enhance mobility and access to destinations (including access for emergency vehicles) as compared to the No Project Alternative, measures should be implemented to maintain adequate emergency access in the design of RTP projects. Before 2022 RTP projects are implemented by local jurisdictions, all projects will undergo additional environmental analysis, as applicable and appropriate, that will include evaluation of impacts by emergency and public services. The implementing agencies will use these to ensure adequate access in the design of individual RTP projects. During emergencies, emergency vehicles demand (and should be given) rights-of-way which is signaled through lights and sirens. This will remain the case in the future, allowing emergency vehicles to avoid some congestion.

### Mitigation Measures

- ✓ **TT 3.17.4-1** MCTC shall support local agencies with the rapid repair of transportation infrastructure in the event of an emergency. This will be accomplished by MCTC, in cooperation with local and State agencies, identifying critical infrastructure needs necessary for: a) emergency responders to enter the region, b) evacuation of affected facilities, and c) restoration of utilities. In addition, MCTC shall establish transportation infrastructure practices that promote and enhance security.

### A.6-P WILDFIRE

**Impact WF 3.18.1 - Would the project substantially impair an adopted emergency response plan or emergency evacuation plan.**

### Impact

Significant and Unavoidable.

### Finding

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 2022 RTP/SCS projects to inadvertently ignite a wildfire. However, it is not possible to prevent a significant risk of wildfires or fully protect people

and structures from the risks of wildfires, despite implementation of mitigation. Thus, this impact would remain significant and unavoidable. No additional mitigation measures to reduce this impact to less than significant levels are feasible.

While improved mobility will result from implementation of the projects contained in the RTP as well as Mitigation Measures **WF 3.18.1**.

### Rationale

Impacts to emergency response plans typically occur as a result of lane closures associated with new project construction. Although it is possible that temporary lane closures would occur during construction of projects under the 2022 RTP/SCS, the projects themselves would represent transportation improvements that would likely improve emergency egress routes. In addition, future projects would themselves be subject to project-specific review including the possibility of affecting emergency evacuation routes.

### Project-Level Mitigation Measures

- ✓ **WF 3.18.1** If an individual transportation or land use project included in the 2022 RTP/SCS is located within or less than 2 miles from an SRA or very high fire hazard severity zones, the implementing agency shall require appropriate mitigation to reduce the risk. Examples of mitigation to reduce risk of loss, injury or death from wildfire include, but are not limited to:
  - Require adherence to the local hazards 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.
  - Encourage the use of fire-resistant vegetation native to Madera County and/or the local microclimate of the project site and discourage the use of fire-prone species especially nonnative, 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 of 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 onsite 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.

**Impact WF 3.18.2 - Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire.**

### Impact

Significant and Unavoidable.

### Finding

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 2022 RTP/SCS projects to inadvertently ignite a wildfire. However, it is not possible to prevent a significant risk of wildfires or fully protect people and structures from the risks of wildfires, despite implementation of mitigation. Thus, this impact would remain significant and unavoidable. No additional mitigation measures to reduce this impact to less than significant levels are feasible.

While improved mobility will result from implementation of the projects contained in the RTP as well as Mitigation Measures **WF 3.18.1**.

### Rationale

As shown in Figure 3-30, CAL FIRE has mapped much of Madera County as having a high or very high fire hazard, both in State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs). The land use scenario envisioned by the 2022 RTP/SCS concentrates the forecasted population and employment growth in urban areas and corridors of the County, such as incorporated cities, unincorporated towns, and major roadways, where the risk of wildfire is less than in more rural areas where fuels are more abundant. However, as evidenced by the 2018 Camp Fire in Northern California, urban areas are also susceptible to wildfires, despite the lower abundance of typical wildfire fuels. This land use scenario is similar to that contained in the 2018 RTP/SCS, which concentrates the forecasted regional population and employment growth in urban areas and corridors of the County while preserving the distinct identity of existing cities and towns. However, not all projects and development included in the 2022 RTP/SCS would be infill projects in urbanized areas, and some projects would inevitably be located in areas at risk of wildfires.

### Project-Level Mitigation Measures

- ✓ **WF 3.18.1** If an individual transportation or land use project included in the 2022 RTP/SCS is located within or less than 2 miles from an SRA or very high fire hazard severity zones, the implementing

agency shall require appropriate mitigation to reduce the risk. Examples of mitigation to reduce risk of loss, injury or death from wildfire include, but are not limited to:

- Require adherence to the local hazards 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.
- Encourage the use of fire-resistant vegetation native to Madera County and/or the local microclimate of the project site and discourage the use of fire-prone species especially nonnative, 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 of 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 onsite 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.

**Impact WF 3.18.3 - Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.**

### Impact

Significant and Unavoidable.

### Finding

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 2022 RTP/SCS projects to inadvertently ignite a wildfire. However, it is not possible to prevent a significant risk of wildfires or fully protect people and structures from the risks of wildfires, despite implementation of mitigation. Thus, this impact would remain significant and unavoidable. No additional mitigation measures to reduce this impact to less than significant levels are feasible.

While improved mobility will result from implementation of the projects contained in the RTP as well as Mitigation Measures **WF 3.18.1**.

### Rationale

Transportation projects that would be developed under the 2022 RTP/SCS would not only require the installation and maintenance of associated infrastructure such as roads, but the projects themselves would generally consist specifically of such infrastructure. However, the implementation of the mitigation measures detailed below would ensure that the impact of the construction and operation of such infrastructure would be less than significant.

### Project-Level Mitigation Measures

- ✓ **WF 3.18.1** If an individual transportation or land use project included in the 2022 RTP/SCS is located within or less than 2 miles from an SRA or very high fire hazard severity zones, the implementing agency shall require appropriate mitigation to reduce the risk. Examples of mitigation to reduce risk of loss, injury or death from wildfire include, but are not limited to:
  - Require adherence to the local hazards 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.
  - Encourage the use of fire-resistant vegetation native to Madera County and/or the local microclimate of the project site and discourage the use of fire-prone species especially nonnative, 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 of 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 onsite 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.

**Impact WF 3.18.4 - Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.**

## Impact

Significant and Unavoidable.

## Finding

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 2022 RTP/SCS projects to inadvertently ignite a wildfire. However, it is not possible to prevent a significant risk of wildfires or fully protect people and structures from the risks of wildfires, despite implementation of mitigation. Thus, this impact would remain significant and unavoidable. No additional mitigation measures to reduce this impact to less than significant levels are feasible.

While improved mobility will result from implementation of the projects contained in the RTP as well as Mitigation Measures **WF 3.18.1**.

## Rationale

Title 14 of the California Code of Regulations sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent loss of structures or life by reducing wildfire hazards. The codes and regulations would reduce the risk of loss, injury, or death from wildfire for new development envisioned by the 2022 RTP/SCS, but not entirely.

## Project-Level Mitigation Measures

- ✓ **WF 3.18.1** If an individual transportation or land use project included in the 2022 RTP/SCS is located within or less than 2 miles from an SRA or very high fire hazard severity zones, the implementing agency shall require appropriate mitigation to reduce the risk. Examples of mitigation to reduce risk of loss, injury or death from wildfire include, but are not limited to:
  - Require adherence to the local hazards 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.
  - Encourage the use of fire-resistant vegetation native to Madera County and/or the local microclimate of the project site and discourage the use of fire-prone species especially nonnative, 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 of 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 onsite 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.

## A.7 FINDINGS REGARDING ALTERNATIVES

### Identification of Project Goals and Objectives

An EIR is required to identify a “range of potential alternatives to the project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects.” Chapters 2 and 4 of the Draft PEIR identify the Project’s goals and objectives and they are also provided on Page A-8 of this Exhibit. The alternatives to the proposed project selected for analysis in the Draft PEIR were developed to minimize significant environmental impacts while fulfilling the basic goals and objectives of the project. The goals/objectives referenced in Table A-1 below, have been established for the Proposed Project and will aid decision makers in the review of the Project and associated environmental impacts. The 2022 RTP/SCS policy element chapter seeks to identify the transportation goals, objectives, and policies that meet the regional needs. Table A-1 provides a comparison of the Project to the other Project Alternatives focused on how well the goals/objectives of the RTP have been met by each alternative including the No Project alternative. As can be seen, the Project (Scenario 3) best meets the goals/objectives compared to the other Project Alternatives.

A matrix identifying the Performance Measures and results used to help evaluate and compare each of the alternatives (where available) is displayed in Table A-2 and discussed below. Performance measures have been developed by MCTC to evaluate the merits of the scenarios and were applied to help identify the preferred scenario. It should be noted that there are other environmental issues that were considered to compare and select the Project, including all environmental issue areas referenced in Chapter 3 in the Draft PEIR and further documented in Section 4.5 of the Draft PEIR.

Tables A-2 through A-6 also provide performance measures related to the 2022 RTP/SCS, which is different than the No Project Alternative.

Consistent with the requirements of § 15126.6(d) of the State CEQA Guidelines, the Draft PEIR analysis provides information regarding the alternatives, including the No Project Alternative to allow meaningful evaluation, analysis, and comparison with the Project, inclusive of direct, indirect, and cumulative impacts.

### PEIR Alternatives

The following four (4) Project alternatives have been determined to represent a reasonable range of alternatives, which have the potential to feasibly attain most of the basic objectives of the Project, but which may avoid or substantially lessen any of the significant effects of the Project. These alternatives include No-Project, Alternative Scenario 1, Alternative Scenario 2, and Alternative Scenario 3. The Preferred Project Alternative is the 2022 RTP/SCS reflective of Alternative Scenario 3 (Project). The alternatives were defined by the MCTC RTP/SCS Roundtable Committee, which was composed of a number of diverse stakeholders representing constituents from throughout the County. The Roundtable Committee reviewed each of the alternative scenarios considering public input resulting from public workshops and recommended that Alternative Scenario 3 should be the Preferred Project Alternative (2022 RTP/SCS). The MCTC Board took into consideration the Roundtable and public recommendations and selected Alternative 3 as the Project.

Referencing Table A-7, the evaluation demonstrates if the alternative is able to avoid or reduce the significant and unavoidable environmental effects of the Project.

The Project (Alternative Scenario 3) was analyzed considering historical growth rates in VMT and VT, as well as anticipated growth in the use of other forms of transportation such as transit, rail, aviation, and non-motorized. Identification of Transportation Demand Management (TDM), Transportation Systems Management (TSM), and Transportation Control Measure (TCMs), necessary to achieve positive air quality conformity findings, has also been evaluated as part of this alternative.

All environmental issues discussed in Chapter 3 in the Draft PEIR have also been considered in determining the Project alternative. Section 4.5 of the Draft PEIR compares each Alternative, including the No Project Alternative, to the Preferred Project (Scenario 3) by environmental issue area.

Table A-7 provides the results of this comparison and indicates that the Project (Alternative Scenario 3) provides the best environmental outcomes and is therefore the Environmentally Preferred Project Alternative. It should be noted that these are not the only environmental issue areas that determine the Environmentally Preferred Project Alternative.



TABLE A-1  
 Comparison of Alternatives by Project Goal

Goal	1 (Continued Trends)	2 (Moderate Shift)	3 (Conservation and Mobility, Preferred Project)	No Project	Justification
<b>Improve Quality of Life</b>	Partially met	Partially met	Partially met	Not met	All three project scenarios would see increased transportation infrastructure that would allow improved mobility and accessibility for all groups thereby impacting quality of life, however the No Project Alternative would not reflect proposed transportation improvements beyond the first two years of the conformed TIP.
<b>Raise Economic Prosperity</b>	Partially met	Partially met	Fully met	Not met	Alternative 3 would serve to raise economic prosperity as it would leave to the greatest number of transportation infrastructure improvements via various modes while also having the lowest impact on the environment.
<b>Cultural Diversity</b>	Partially met	Partially met	Partially met	Partially met	Although the implementation of transportation infrastructure throughout the County in various forms would improve opportunities for all groups, no alternative could fully meet a stated goal of complete cultural diversity.
<b>Promote Public Health and a Cleaner Environment</b>	Partially met	Partially met	Fully met	Not met	Alternative 3 best meets this goal as it would result in the fewest environmental impacts thereby having the least effect on public health and the environment of any alternative considered.

TABLE A-2  
 2022 RTP and SCS Performance Measures

Summary Performance Measures from Network, No Project			
5,447,055	Vehicle-Miles of Travel	Vehicles	Daily
72,822	Intrazonal Trips	Vehicles	Daily
	Total VMT	Vehicles	Daily
	Vehicle-Miles of Travel in Congestion	Vehicles	Daily
	Percent VMT in Congestion	Vehicles	Daily
5,964,522	Person-Miles of Travel	Vehicles	Daily
10,300	Person-Miles of Travel	Transit	Daily
100,177	Vehicle-Hours of Travel	Vehicles	Daily
113,651	Person-Hours of Travel	Vehicles	Daily
910	Person-Hours of Travel	Transit	Daily
1,186	Vehicle-Hours of Delay	Vehicles	Daily
1,550	Person-Hours of Delay	Vehicles	Daily
	Person-Hours of Delay	Transit	Daily
54	Average Speed	Vehicles	Daily
11	Average Speed	Transit	Daily

Summary Performance Measures from Trip Tables			
124,123	Work Auto Trips	Trips	Daily
7	Work Transit Trips	Trips	Daily
15,436	Work Walk/Bike Trips	Trips	Daily
139,566	Work Total Trips	Trips	Daily
610,642	Non-Work Auto Trips	Trips	Daily
3,017	Non-Work Transit Trips	Trips	Daily
113,785	Non-Work Walk/Bike Trips	Trips	Daily
727,443	Non-Work Total Trips	Trips	Daily
734,765	Total Auto Trips	Trips	Daily
3,024	Total Transit Trips	Trips	Daily
129,221	Total Walk/Bike Trips	Trips	Daily
867,010	Total Trips	Trips	Daily
88.93%	% Work Auto Trips	Percent	Daily
0.01%	% Work Transit Trips	Percent	Daily
11.06%	% Work Walk/Bike Trips	Percent	Daily
83.94%	% Non-Work Auto Trips	Percent	Daily
0.41%	% Non-Work Transit Trips	Percent	Daily
15.64%	% Non-Work Walk/Bike Trips	Percent	Daily
84.75%	% Total Auto Trips	Percent	Daily

0.35%	% Total Transit Trips	Percent	Daily
14.90%	% Total Walk/Bike Trips	Percent	Daily

Summary Performance Measures from Network, Scenario 1			
5,663,391	Vehicle-Miles of Travel	Vehicles	Daily
71,902	Intrazonal Trips	Vehicles	Daily
	Total VMT	Vehicles	Daily
	Vehicle-Miles of Travel in Congestion	Vehicles	Daily
	Percent VMT in Congestion	Vehicles	Daily
6,287,581	Person-Miles of Travel	Vehicles	Daily
10,287	Person-Miles of Travel	Transit	Daily
103,323	Vehicle-Hours of Travel	Vehicles	Daily
118,772	Person-Hours of Travel	Vehicles	Daily
917	Person-Hours of Travel	Transit	Daily
413	Vehicle-Hours of Delay	Vehicles	Daily
584	Person-Hours of Delay	Vehicles	Daily
	Person-Hours of Delay	Transit	Daily
55	Average Speed	Vehicles	Daily
11	Average Speed	Transit	Daily

Summary Performance Measures from Trip Tables			
128,566	Work Auto Trips	Trips	Daily
6	Work Transit Trips	Trips	Daily
15,466	Work Walk/Bike Trips	Trips	Daily
144,038	Work Total Trips	Trips	Daily
626,321	Non-Work Auto Trips	Trips	Daily
3,030	Non-Work Transit Trips	Trips	Daily
114,161	Non-Work Walk/Bike Trips	Trips	Daily
743,512	Non-Work Total Trips	Trips	Daily
754,887	Total Auto Trips	Trips	Daily
3,036	Total Transit Trips	Trips	Daily
129,627	Total Walk/Bike Trips	Trips	Daily
887,550	Total Trips	Trips	Daily
89.26%	% Work Auto Trips	Percent	Daily
0.00%	% Work Transit Trips	Percent	Daily
10.74%	% Work Walk/Bike Trips	Percent	Daily
84.24%	% Non-Work Auto Trips	Percent	Daily
0.41%	% Non-Work Transit Trips	Percent	Daily
15.35%	% Non-Work Walk/Bike Trips	Percent	Daily

85.05%	% Total Auto Trips	Percent	Daily
0.34%	% Total Transit Trips	Percent	Daily
14.61%	% Total Walk/Bike Trips	Percent	Daily

Summary Performance Measures from Network, Scenario 2			
5,634,477	Vehicle-Miles of Travel	Vehicles	Daily
72,615	Intrazonal Trips	Vehicles	Daily
	Total VMT	Vehicles	Daily
	Vehicle-Miles of Travel in Congestion	Vehicles	Daily
	Percent VMT in Congestion	Vehicles	Daily
6,238,296	Person-Miles of Travel	Vehicles	Daily
10,302	Person-Miles of Travel	Transit	Daily
102,742	Vehicle-Hours of Travel	Vehicles	Daily
117,795	Person-Hours of Travel	Vehicles	Daily
918	Person-Hours of Travel	Transit	Daily
406	Vehicle-Hours of Delay	Vehicles	Daily
573	Person-Hours of Delay	Vehicles	Daily
	Person-Hours of Delay	Transit	Daily
55	Average Speed	Vehicles	Daily
11	Average Speed	Transit	Daily

Summary Performance Measures from Trip Tables			
128,310	Work Auto Trips	Trips	Daily
6	Work Transit Trips	Trips	Daily
15,565	Work Walk/Bike Trips	Trips	Daily
143,881	Work Total Trips	Trips	Daily
628,435	Non-Work Auto Trips	Trips	Daily
3,036	Non-Work Transit Trips	Trips	Daily
115,047	Non-Work Walk/Bike Trips	Trips	Daily
746,518	Non-Work Total Trips	Trips	Daily
756,745	Total Auto Trips	Trips	Daily
3,043	Total Transit Trips	Trips	Daily
130,611	Total Walk/Bike Trips	Trips	Daily
890,399	Total Trips	Trips	Daily
89.18%	% Work Auto Trips	Percent	Daily
0.00%	% Work Transit Trips	Percent	Daily
10.82%	% Work Walk/Bike Trips	Percent	Daily
84.18%	% Non-Work Auto Trips	Percent	Daily
0.41%	% Non-Work Transit Trips	Percent	Daily
15.41%	% Non-Work Walk/Bike Trips	Percent	Daily

84.99%	% Total Auto Trips	Percent	Daily
0.34%	% Total Transit Trips	Percent	Daily
14.67%	% Total Walk/Bike Trips	Percent	Daily

Summary Performance Measures from Network, Scenario 3 (Preferred Project)			
4,835,654	Vehicle-Miles of Travel	Vehicles	Daily
72,024	Intrazonal Trips	Vehicles	Daily
	Total VMT	Vehicles	Daily
	Vehicle-Miles of Travel in Congestion	Vehicles	Daily
	Percent VMT in Congestion	Vehicles	Daily
6,221,502	Person-Miles of Travel	Vehicles	Daily
10,386	Person-Miles of Travel	Transit	Daily
89,711	Vehicle-Hours of Travel	Vehicles	Daily
117,538	Person-Hours of Travel	Vehicles	Daily
924	Person-Hours of Travel	Transit	Daily
412	Vehicle-Hours of Delay	Vehicles	Daily
584	Person-Hours of Delay	Vehicles	Daily
	Person-Hours of Delay	Transit	Daily
54	Average Speed	Vehicles	Daily
11	Average Speed	Transit	Daily

Summary Performance Measures from Trip Tables			
128,364	Work Auto Trips	Trips	Daily
6	Work Transit Trips	Trips	Daily
15,572	Work Walk/Bike Trips	Trips	Daily
143,942	Work Total Trips	Trips	Daily
628,696	Non-Work Auto Trips	Trips	Daily
3,053	Non-Work Transit Trips	Trips	Daily
115,249	Non-Work Walk/Bike Trips	Trips	Daily
746,998	Non-Work Total Trips	Trips	Daily
757,060	Total Auto Trips	Trips	Daily
3,059	Total Transit Trips	Trips	Daily
130,821	Total Walk/Bike Trips	Trips	Daily

890,940	Total Trips	Trips	Daily
89.18%	% Work Auto Trips	Percent	Daily
0.00%	% Work Transit Trips	Percent	Daily
10.82%	% Work Walk/Bike Trips	Percent	Daily
84.16%	% Non-Work Auto Trips	Percent	Daily
0.41%	% Non-Work Transit Trips	Percent	Daily
15.43%	% Non-Work Walk/Bike Trips	Percent	Daily
84.97%	% Total Auto Trips	Percent	Daily
0.34%	% Total Transit Trips	Percent	Daily
14.68%	% Total Walk/Bike Trips	Percent	Daily

TABLE A-3  
 2022 RTP and SCS CO2 Emissions Performance Measures

2022 Madera County Regional Transportation Plan and Sustainable Communities Strategy

Metric	Scenario 1	Scenario 2	Scenario 3
<b>2005 CO2 emissions per capita (lbs.) from light duty vehicles (passenger cars, and light and medium trucks less than 8,500 lbs.)</b>	17.01	17.01	17.01
2005 vehicle miles traveled per capita	18.72	18.72	18.72
<b>Target for 10% reduction per capita from 2005</b>	1.70	1.70	1.70
2020 needed CO2 emissions/capita to meet target	15.31	15.31	15.31
2020 CO2 emissions/capita	13.98	13.98	13.98
2035 vehicle miles traveled per capita	15.72	15.72	15.72
<b>Target for 16% reduction per capita from 2005</b>	2.72	2.72	2.72
2035 needed CO2 emissions/capita to meet target	14.29	14.29	14.29
2035 CO2 emissions/capita	13.33	13.26	13.25
2035 vehicle miles traveled per capita	15.31	15.21	15.20
<b>Reduction in CO2 per capita from 2005 to 2020</b>	<b>-17.80%</b>	<b>-17.81%</b>	<b>-17.82%</b>
<b>Reduction in VMT per capita from 2005 to 2020</b>	<b>-16.03%</b>	<b>-16.04%</b>	<b>-16.04%</b>
<b>Reduction in CO2 per capita from 2005 to 2035</b>	<b>-21.60%</b>	<b>-22.05%</b>	<b>-22.12%</b>
<b>Reduction in VMT2 per capita from 2005 to 2035</b>	<b>-18.22%</b>	<b>-18.73%</b>	<b>-18.78%</b>
			<b>Preferred Scenario</b>

TABLE A-4  
 2022 RTP and SCS Housing Characteristics

2022 Madera County Regional Transportation Plan and Sustainable Communities Strategy

20-Jun-22	Scenario 1	Scenario 2	Scenario 3
<b>2020 Housing</b>			
2020 Single-family housing	42,078.0	42,064.0	42,048.0
2020 Multi-family/attached housing	7,702.0	7,716.0	7,730.0
2020 Percent single-family housing	84.53%	84.50%	84.47%
2020 Percent multi-family/attached housing	15.47%	15.50%	15.53%
<b>Future Housing</b>			
2035 Single-family housing	48,958.0	48,846.0	48,783.0
2035 Multi-family/attached housing	9,844.0	9,977.0	10,053.0
2035 Percent single-family housing	83.26%	83.04%	82.91%
2035 Percent multi-family/attached housing	16.74%	16.96%	17.09%
2046 Single-family housing	53,591.0	53,382.0	53,266.5
2046 Multi-family/attached housing	11,231.0	11,443.0	11,555.5
2046 Percent single-family housing	82.67%	82.35%	82.17%
2046 Percent multi-family/attached housing	17.33%	17.65%	17.83%
<b>Housing Growth from 2020</b>			
2035 New single-family housing	6,880.0	6,782.0	6,735.0
2035 New multi-family/attached housing	2,142.0	2,261.0	2,323.0
2035 Percent single-family housing growth	76.26%	75.00%	74.35%
2035 Percent multi-family/attached housing growth	23.74%	25.00%	25.65%
2046 New single-family housing	11,513.0	11,318.0	11,218.5
2046 New multi-family/attached housing	3,529.0	3,727.0	3,825.5
2046 Percent single-family housing growth	76.54%	75.23%	74.57%
2046 Percent multi-family/attached housing growth	23.46%	24.77%	25.43%
			<b>Preferred Scenario</b>



TABLE A-5  
 2022 RTP and SCS Travel Characteristics

2022 Madera County Regional Transportation Plan and Sustainable Communities Strategy			
Mode Share*	Scenario 1	Scenario 2	Scenario 3
<b>Mode</b>			
Drive alone	297,804	297,804	297,804
Two-person shared ride	128,958	128,958	128,958
Three-plus person shared ride	172,383	172,383	172,383
Transit	2,411	2,411	2,411
Walk	6,250	6,250	6,250
Bike	87,117	87,117	87,117
Other			
Home to work average trip distance (miles)	9.37	9.37	9.37
Home to work trip average time (minutes)	15.24	15.24	15.24
<b>2035 Mode Share</b>			
Drive alone	339,106	339,770	339,988
Two-person shared ride	149,693	149,964	150,052
Three-plus person shared ride	202,921	203,082	203,168
Transit	2,782	2,789	2,791
Walk	7,893	7,924	7,933
Bike	106,888	107,468	107,502
Other			
Home to work average trip distance (miles)	8.76	8.72	8.67
Home to work trip average time (minutes)	14.69	14.62	14.56
<b>2046 Mode Share</b>			
Drive alone	366,306	367,463	367,699
Two-person shared ride	163,926	164,365	164,429
Three-plus person shared ride	224,654	224,917	224,931
Transit	3,036	3,043	3,059
Walk	9,047	9,096	9,118
Bike	120,580	121,516	121,703
Other			
Home to work average trip distance (miles)	8.42	8.36	8.26
Home to work trip average time (minutes)	14.42	14.32	14.20
			<b>Preferred Scenario</b>

\*Date in this table is derived from Travel Demand Model Activity. Off-model reductions are not part of these calculations.

TABLE A-6  
Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>Aesthetics</b>				
<b>AE 3.2.1</b> Have a substantial adverse effect on a scenic vista.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>AE 3.2.2</b> Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>AE 3.2.3</b> Substantially degrade the existing visual character or quality of the site and its surroundings.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>AE 3.2.4</b> Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>Agricultural Resources</b>				
<b>AG 3.3.1</b> Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>AG 3.3.2</b> Conflict with Existing Zoning for Agriculture Use, or a Williamson Act Contract.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>AG 3.3.3</b> Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>AG 3.3.4</b> Result in the loss of forest land or conversion of forest land to non-forest use.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>AG 3.3.5</b> Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>Air Quality</b>				
<b>AQ 3.4.1</b> Conflict with or obstruct implementation of an applicable air quality plan.	✓ Less than Significant	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)

TABLE A-6  
 Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>AQ 3.4.2</b> Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).	✓ Less than Significant	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)
<b>AQ 3.4.3</b> Expose sensitive receptors to substantial pollutant concentrations.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>AQ 3.4.4</b> - Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>Biotic Resources</b>				
<b>BR 3.5.1</b> Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>BR 3.5.2</b> Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>BR 3.5.3</b> Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>BR 3.5.4</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>BR 3.5.5</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>BR 3.5.6</b> Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.	✓ Less than Significant with Mitigation Measures	✓ (Similar) Less than Significant with Mitigation Measures	✓ (Similar) Less than Significant with Mitigation Measures	✓ (Similar) Less than Significant with Mitigation Measures

TABLE A-6  
 Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>CC 3.6.1</b> Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>CC 3.6.2</b> Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>CTR 3.7.1</b> Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>CTR 3.7.2</b> Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>CTR 3.7.3</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>CTR 3.7.4</b> – Disturb any human remains, including those interred outside of formal cemeteries.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>CTR 3.7.5</b> – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:  a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or  b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)

TABLE A-6  
Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>EN 3.8.1</b> Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>EN 3.8.2</b> Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>GSM 3.9.1</b> Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:  i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.  ii) Strong seismic ground shaking.  iii) Seismic-related ground failure, including liquefaction.  iv) Landslides.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>GSM 3.9.2</b> Result in substantial soil erosion or the loss of topsoil.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>GSM 3.9.3</b> Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>GSM 3.9.4</b> Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>GSM 3.9.5</b> Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>GSM 3.9.6</b> Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)

TABLE A-6  
 Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>GSM 3.9.7</b> - Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HM 3.10.1</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HM 3.10.2</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HM 3.10.3</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HM 3.10.4</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or environment.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HM 3.10.5</b> For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HM 3.10.6</b> For a project located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HM 3.10.7</b> Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HM 3.10.8</b> Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.1</b> Violate Regional Water Quality Control Board water quality standards or waste discharge requirements.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)

TABLE A-6  
 Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>HW 3.11.2</b> Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.3</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.4</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.5</b> Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Greater (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.6</b> Otherwise substantially degrade water quality.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Greater (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.7</b> Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Greater (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.8</b> Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Greater (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.9</b> Place within a 100-year flood hazard area structures which would impede or redirect flood flows.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Greater (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>HW 3.11.10</b> Inundation by seiche, tsunami, or mudflow.	✓ Less than Significant	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)

TABLE A-6  
 Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>LPR 3.12.1</b> Physically Divide an Established Community.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>LPR 3.12.2</b> Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the projects (Including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>LPR 3.12.3</b> Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.	✓ Less than Significant	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)
<b>LPR 3.12.4</b> Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>LPR 3.12.5</b> – Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>N 3.13.1</b> Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>N 3.13.2</b> Generation of excessive groundborne vibration or groundborne noise levels.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>N 3.13.3</b> For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PHE 3.14.1</b> Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)



TABLE A-6  
 Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>PHE 3.14.2</b> Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PHE 3.14.3</b> Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PU 3.15.1</b> Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, and other public facilities.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PU 3.15.2</b> Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PU 3.15.3</b> Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PU 3.15.4</b> Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PU 3.15.5</b> Have sufficient water supplies available to serve the project from existing entitlements and resources, or the need for new or expanded entitlements.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PU 3.15.6</b> Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PU 3.15.7</b> Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>PU 3.15.8</b> Comply with federal, state, and local statutes and regulations related to solid waste.	✓	✓	✓	✓ Similar (Significant and unavoidable)

TABLE A-6  
Summary of Impacts by Project Alternative

Impact Issue Area	Project: Scenario 3	Scenario 1	Scenario 2	No Project
<b>SE 3.16.1</b> Construction Impacts on Minority and Low-Income Populations.	✓ Less than Significant	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)
<b>SE 3.16.2</b> Operational Impacts on Low-Income and Minority Populations.	✓ Less than Significant	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)
<b>TT 3.17.1</b> Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities transit.	✓ Less than Significant	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)	✓ Similar (Less than Significant)
<b>TT 3.17.2</b> Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>TT 3.17.3</b> Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>TT 3.17.4</b> Result in inadequate emergency access.	✓ Significant and unavoidable	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)	✓ Similar (Significant and unavoidable)
<b>WF 3.18.1</b> Would the project substantially impair an adopted emergency response plan or emergency evacuation plan.	Significant and unavoidable	Similar (Significant and unavoidable)	Similar (Significant and unavoidable)	Similar (Significant and unavoidable)
<b>WF 3.18.2</b> Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire.	Significant and unavoidable	Similar (Significant and unavoidable)	Similar (Significant and unavoidable)	Similar (Significant and unavoidable)
<b>WF 3.18.3</b> Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	Significant and unavoidable	Similar (Significant and unavoidable)	Similar (Significant and unavoidable)	Similar (Significant and unavoidable)
<b>WF 3.18.4</b> Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	Significant and unavoidable	Similar (Significant and unavoidable)	Similar (Significant and unavoidable)	Similar (Significant and unavoidable)

TABLE A-7  
 Comparison of Alternatives by Environmental Issue Area

Environmental Issue Area	Project and Project Alternatives			
	No Project	Scenario 1	Scenario 2	Scenario 3 (Preferred Project Alternative)
Aesthetics	☒	☒	☒	=
Agricultural & Forestry Resources	☒	☒	☒	=
Air Quality	☒	☒	☒	=
Biotic Resources	☒	☒	=	=
Climate Change/Greenhouse Gases	☒	☒	=	=
Cultural Resources & Tribal Cultural Resources	☒	☒	☒	=
Energy & Energy Conservation	☒	=	=	=
Geology/Soils/Minerals	☒	☒	☒	=
Hazardous Materials	☒	☒	☒	=
Hydrology & Water Resources	☒	☒	=	=
Land Use & Planning	☒	=	=	=
Noise	☒	☒	=	=
Population, Housing & Employment	☒	=	=	=
Public Utilities, Other Utilities, & Services	☒	☒	=	=
Social and Economic Effects	☒	☒	=	=
Transportation/Traffic	☒	☒	☒	=
Wildfire	☒	☒	☒	=
<b>Total Environmentally Superior or Similar Areas:</b>	<b>0</b>	<b>3</b>	<b>9</b>	<b>17</b>
	☒	<i>Falls short</i>		
	☑	<i>Exceeds the Project Alternative</i>		

## **No Project Alternative**

California Environmental Quality Act (CEQA) regulations require assessment of a No Project Alternative. This alternative has been analyzed to determine whether environmental impacts associated with the Project will be lessened if planned improvements to the future transportation system as identified in the 2022 RTP were not made except those that would “reasonably” be expected to be constructed and open if the 2022 RTP/SCS is not updated and approved by the Federal Highways Administration (FHWA), which would include projects within the first two (2) years of the Transportation Improvement Program (TIP). The No Project Alternative also assumes that growth and development (through to the year 2046) would occur in a fashion consistent with the adopted general plans of each of its 3 local jurisdictions (2 cities and the County) including residential densities and unit types, minimal mixed-use development, residential densities persons per acre consistent with historical trends, transit oriented development, and other continued suburban growth and development resulting in an increasing development footprint and continued farmland conversion.

As noted above, the No Project Alternative reflects all existing transportation systems, and the first two (2) years of future project improvements contained in the most recently approved FTIP for which an Air Quality Conformity package was also prepared and approved. The FTIP has been conformed for purposes of air quality impacts in accordance with federal air quality conformity requirements. As a result, those projects can reasonably be expected to move forward toward construction.

Impacts could result from this alternative; specifically, impacts upon each of the environmental areas addressed in Chapter 3 in the Draft PEIR. These impacts are discussed below.

### ✓ **Aesthetics**

The No Project is reflective of balanced or trend growth and development throughout the County, which will result in similar land consumption of scenic resources, important farmland, and environmental resource lands and therefore similar light and glare and other aesthetic impacts associated with the Project Alternative. The Project Alternative is focused on more balanced growth throughout the County and higher densities (consistent with the adopted general plans), which results in similar impacts on land consumption.

While there will be a similar amount of land consumed as a result of future growth and development to the year 2046 associated with the Project Alternative, the No Project Alternative will result in potentially greater impacts to aesthetic resources due to the lack of adequate modal facilities and services resulting in significant congestion and travel delay. The No Project Alternative will have greater aesthetic impacts due to increased transportation congestion causing greater and longer light and glare and obstruction of views and scenic resources impacts in rural and suburban areas of the County in comparison to existing urban areas that already experience such disturbance.

✓ **Agricultural Resources**

The No Project Alternative will have fewer impacts on the consumption of important farmland resulting from the significantly fewer number of transportation improvement projects of all modes compared to the Project Alternative. The No Project is also reflective of balanced growth and development throughout the County, which will result in similar consumption of important farmland, compared to the Project Alternative. While there will likely be a smaller amount of farmland consumed as a result of future growth and development to the year 2046 associated with the Project Alternative, the No Project Alternative will result in less important farmland consumed as a result of significantly fewer transportation improvement projects.

✓ **Air Quality**

Air quality impacts are determined considering tons of pollutants (Carbon Monoxide, Reactive Organic Gases, Nitrogen Oxide, Particulate Matter 10, and Particulate Matter 2.5) released per a typical day. The No Project Alternative will likely produce higher criteria pollutant emissions since the No Project Alternative would see future development in undeveloped areas that would require more disturbance during construction.

✓ **Biological Resources**

While there will be a similar amount of biotic resources impacted as a result of future growth and development to the year 2046 associated with the Project Alternative, the No Project Alternative will result in more biotic resources impacts as the 2022 RTP/SCS is focused on developing in areas that are already urbanized.

✓ **Climate Change**

Climate Change impacts are determined considering annual tons of greenhouse gas emissions (Carbon Dioxide or CO<sub>2</sub>, Methane or CH<sub>4</sub>, Nitrous Oxide or N<sub>2</sub>O and others). Compared to the Preferred Project Alternative, the No Project Alternative will likely produce higher greenhouse gas emissions since the No Project Alternative is projected to have a significantly greater number of congested facilities leading to greater vehicle hours of travel and potential idling in congested corridors.

✓ **Cultural Resources and Tribal Cultural Resources**

While there could be a similar amount of cultural and tribal resources impacted as a result of future growth and development to the year 2046 associated with the Project Alternative, the No Project Alternative will result in fewer cultural and tribal resource impacts as a result of significantly fewer

transportation improvement projects. However, growth under the Project Alternative will also focus on areas that are already urbanized making effects on tribal and cultural resources less likely. As a result, the No Project Alternative will have similar impacts to cultural and tribal resources.

✓ **Energy & Energy Conservation**

The No Project Alternative will have slightly higher VMT (reference Table 4-1 of the Draft PEIR) vs. the Preferred Project Alternative. In addition, more energy efficiency is expected to occur with the Preferred Project Alternative vs. the No Project Alternative as a result of more balanced and compact, mixed-use and walkable development resulting in more energy efficiency.

✓ **Geology/Soils/Mineral Resources**

Impacts related to geologic, seismic, mineral and soils resources would be similar between the No Project and the Preferred Alternative since the regional population distribution is generally similar under either alternative. However, the No Project Alternative will have greater impacts on geology, soils and mineral resources since it is expected to consume more undeveloped land resulting from growth spread across the County as opposed to within existing urban areas.

✓ **Hazardous Materials**

Impacts related to hazardous materials would be similar between the No Project and the Preferred Alternative since the regional population distribution is generally similar under either alternative. However, the No Project Alternative is expected to have more severe congestion than the Preferred Project Alternative and is therefore expected to result in increased opportunities for vehicular accidents involving the transport of hazardous materials.

✓ **Hydrology and Water Resources**

Flooding would be site specific, but the Project Alternative will provide for significantly more street and highways and other modal projects that will be designed to federal, State and local design standards including mitigation of impacts associated with being located in a flood zone. There are likely a number of existing street and highway facilities that are located in flood prone areas that do not currently meet design standards and could therefore be impacted by inundation events. The construction of a significantly greater number of transportation improvement projects would also occur thereby increasing the risk of transportation projects being located in flood prone areas. Impacts related to water resources would be similar between the No Project and the Preferred Alternatives since the regional population distribution is generally similar under either alternative.

✓ **Land Use and Planning**

Impacts related to land use would be similar between the No Project and the Preferred Alternatives since the regional population distribution is generally similar under either alternative. Impacts related to planning processes and policies would be significant under the No Project Alternative since State transportation plans and local general plan circulation elements address modal needs considering projected growth and development. The local general plan elements including land use and circulation are required to be internally consistent. The No Project Alternative would result in such plans being in conflict with State General Plan Guidelines and requirements.

✓ **Noise**

Noise impacts are considered significant under the No Project Alternative. With significantly fewer transportation improvement projects of all modes, congestion levels along the major streets and roads within the region will increase significantly resulting in increased noise levels. Impacts related to land use would be similar between the No Project and the Preferred Alternatives since the regional population distribution is generally similar under either alternative.

✓ **Population, Housing & Employment**

Impacts related to land use would be similar between the No Project and the Preferred Alternatives since the regional population distribution is generally similar under either alternative. However, the No Project Alternative would likely cause significant strain on the transportation system resulting from the lack of future transportation facilities and services to accommodate the project population and employment demand. Employees would experience significant delay and congestion and the lack of adequate modal access to employment sites compared to the Project Alternative.

✓ **Public Utilities, Other Utilities & Services Systems**

The No Project Alternative results in the same or fewer impacts to solid waste disposal and transfer facilities, public utilities and other utilities and services systems as the Preferred Project Alternative. However, the maintenance of transportation systems would degrade under the No Project Alternative since traffic accommodated through to the year 2042 would be utilizing severely congested facilities compared to the Project Alternative.

✓ **Social and Economic Effects**

The Preferred Project Alternative is expected to benefit a larger number of minority and low-income communities and households compared to the No Project Alternative since the transportation

improvement projects under the Preferred Project Alternative are expected to provide a benefit to these communities and households in the form of increased and improved transit services, and other active transportation systems. Finally, the No Project would result in the lack of transportation improvements to provide viable access to/from minority and low-income communities and households compared to the Project Alternative.

✓ **Transportation/Traffic**

The No Project Alternative is expected to experience a greater total VMT, compared to the Preferred Project Alternative. In addition, the weekday person trips by transit, walk, and bike modes are expected to be similar for Alternative 1 compared to the Preferred Project Alternative.

✓ **Wildfire**

The No Project Alternative would result in the least amount of focused future development which would result in a greater risk of wildfire affect such development as compared to the Project Alternative.

The No Project Alternative was rejected:

Because it does not substantially reduce or avoid the Project's significant environmental impacts. This Alternative This Alternative results in very few environmental benefits over the proposed 2022 RTP/SCS including agricultural, biotic, cultural/tribal, geologic, and hydrologic. This alternative would have greater significant impacts on aesthetic, air quality, climate change, energy, hazards, land use/planning, noise, population/housing/employment, public services, socioeconomic, and transportation as noted above.

- ✓ Because it does not meet many of the basic Project goals/objectives as shown in Table A-1. The No Project Alternative is rejected as an alternative because MCTC finds it would not achieve any of the Project's objectives.

Because, as a result of the analysis undertaken through the CEQA/planning process, it can be seen to be infeasible due to specific factual or legal reasons. This alternative would be out of compliance with federal and state requirements, including the California Transportation Commission Regional Transportation Plan Guidelines, and it would not realize the transportation system benefits of the 2022 RTP/SCS (i.e., improvements to highways, local streets and roads, transit, bicycle, aviation, rail and goods movement). Were transportation funding and improvements to continue to be guided by the 2022 RTP/SCS, the No Project Alternative would not achieve the objective associated with additional modal improvements; therefore, this Alternative is infeasible.



### **Alternative Scenario 1 (Continued Trends)**

Scenario 1 would allocate future growth over the life of the RTP/SCS in a manner consistent with past trends, with slight increases to density or housing density share. Impacts could result from this alternative; specifically, impacts upon each of the environmental areas addressed in Chapter 3 of this Draft PEIR. These impacts are discussed below as they compare to impacts associated with the Preferred Project Alternative – Scenario 3.

#### ✓ **Aesthetics**

Scenario 1 will have greater aesthetic impacts due to future land use development in currently undeveloped and outlying communities in the region causing greater light and glare and obstruction of views and scenic resources impacts in comparison to existing urban areas that already experience such disturbance.

The Preferred Project Alternative is focused on more compact development consistent with existing general plans resulting in less intrusion of light and glare and less obstruction to views and scenic resources in outlying areas.

#### ✓ **Agricultural Resources**

Utilizing required SB 375 analysis, Scenario 1 will have greater impacts on the consumption of important farmland because it is expected to consume an estimated 4,642 acres of farmland by 2046, while the Preferred Project Alternative would consume only 3,664 acres.

#### ✓ **Air Quality**

Air quality impacts are determined considering tons of pollutants (Carbon Monoxide, Reactive Organic Gases, Nitrogen Oxide, Particulate Matter 10, and Particulate Matter 2.5) released per a typical day in 2046. Compared to the Preferred Project Alternative, the Alternative 1 is also expected to pass air quality conformity tests and but will produce slightly higher amounts of criteria pollutant emissions compared to the Preferred Project Alternative.

#### ✓ **Biotic Resources**

Alternative 1 will have greater impacts to biotic resources since it would consume more undeveloped land and would disturb sensitive species habitats and natural lands due to future land use development in currently undeveloped and outlying communities of the region. The Preferred

Project Alternative is focused on more compact development consistent with existing general plans resulting in less undisturbed land consumption in outlying areas and communities.

✓ **Climate Change**

Climate Change impacts are determined considering annual tons of greenhouse gas emissions (Carbon Dioxide or CO<sub>2</sub>, Methane or CH<sub>4</sub>, Nitrous Oxide or N<sub>2</sub>O and others). Scenario 1 is expected to have a lower greenhouse gas reduction percentage (21.60%) against 2005 levels compared to the Preferred Project Alternative (22.12%) in 2035.

✓ **Cultural and Tribal Resources**

Scenario 1 will have greater impacts to cultural resources since it would consume more undeveloped land, which would disturb archeological, paleontological, or human remains, as well as historic structures due to increased transportation projects and future land use development in currently undeveloped and outlying areas and communities in the region. The Preferred Project Alternative is focused on more compact development consistent with existing general plans resulting in less undisturbed lands in outlying areas, including a focus on infill development.

✓ **Energy and Energy Conservation**

Scenario 1 will have higher VMT (5,663,391) in 2046) vs. the Preferred Project Alternative (4,835,654 in 2046). Because of the higher VMT associated with Alternative 1, there will be higher fuel consumption.

✓ **Geology/Soils/Mineral Resources**

Impacts related to geologic, seismic, and soils resources would be higher between Alternative 1 and the Preferred Alternative since the regional population distribution is more concentrated in urban areas under the Preferred Alternative.

✓ **Hazardous Materials**

Alternative 1 is expected to have higher VMT than the Preferred Project Alternative and is expected to result in increased opportunities for vehicular accidents involving the transport of hazardous materials. Under Alternative 1, construction activities related to less compact development, could encounter potentially contaminated sites. Alternative 1 would consume more farmland compared to the Preferred Project Alternative, which may be potentially contaminated by previous pesticide use.

In addition, Alternative 1 will result in a greater spreading of traffic that could potentially result in accidents and the release of hazardous waste near outlying schools.

✓ **Hydrology and Water Resources**

While Alternative 1 and the Preferred Project Alternative would have the same projected population, the more sprawling land use pattern of Alternative 1 would result in a slightly greater per capita and less efficient use of water than the Preferred Project Alternative, due to the fewer number of single-family homes with landscaping. Similarly, wastewater would be slightly decreased due to the less efficient land use pattern under Alternative 1. Under Alternative 1, more new development would be serviced in areas not currently served by existing infrastructure.

Impacts to water quality under Alternative 1 would be greater than the Preferred Project Alternative due to the increased consumption of currently undeveloped land. Flooding would be site specific, but slightly more consumption of vacant land would occur under Alternative 1; thereby, increasing the risk of transportation projects and future land use development being located in flood prone areas.

✓ **Land Use and Planning**

Alternative 1 would have a greater number of acres of land consumed due to new development in comparison to the Preferred Project Alternative. It would also have more acres of important farmland consumed due to new growth. As referenced in Tables 4-1 and 4-2 of the Draft PEIR, the residential density and average number of people per acre would be lower than the Preferred Project Alternative leading to less compact development. The demand for educational facilities would be the same for Alternative 1 and the Preferred Project Alternative; however, the location of the educational facilities would result in more schools and parks being located in rural areas or communities than under the Preferred Project Alternative, which would result in more schools being located within the cities. In addition, Alternative 1 will accommodate more land use development in rural communities resulting in greater impacts to biotic resources in the surrounding areas. Finally, since Alternative 1 will accommodate more land use development in rural communities, greater impacts on open space and community recreational areas will occur.

✓ **Noise**

Noise impacts are considered more significant under Alternative 1 than the Preferred Project Alternative. With slightly less emphasis placed on mass transit, and active transportation choices (walking and biking), congestion levels in existing rural areas and communities will increase resulting in increased noise levels. Alternative 1 will have greater noise impacts due to increased future land use development in currently undeveloped and outlying areas and communities in the region. There

may be less intense noise impacts under Alternative 1 due to less compact development and noise associated with decreased traffic and concentrations of people.

✓ **Population, Housing and Employment**

Alternative 1 would have a larger number of acres of land consumed due to new housing and other development in comparison to the Preferred Project Alternative. For Alternative 1, less compact development would occur resulting in a smaller number of households within a 1/4 mile of transit corridors compared to the Preferred Project Alternative. The cumulative impacts between Alternative 1 and the Preferred Project Alternative would be the same given the same number of people and households projected for the year 2046.

✓ **Public Utilities, Other Utilities and Services Systems**

Slightly greater impacts are expected to occur as a result of Alternative 1 since growth is spread out over a larger area of the region in outlying communities resulting in the need for additional and extended public utilities, sewage systems, and other utilities and service systems. In addition, longer emergency vehicle response times would be experienced than under the Preferred Project Alternative. Alternative 1 results in the same or greater impacts to solid waste disposal and transfer facilities as the Preferred Project Alternative. The solid waste disposal and infrastructure of Alternative 1 would be more greatly extended out into new growth areas in outlying communities vs. the Preferred Project Alternative, because it focuses on less compact growth and associated solid waste systems. The generation of green waste would increase under Alternative 1 because there would be a larger area of vacant land developed and landscaped vs. the Preferred Project Alternative, which again would result in less land consumption and more compact development. Construction impacts would be similar to the Preferred Project Alternative.

✓ **Social and Economic Effects**

The Preferred Project Alternative is expected to benefit a larger number of minority and low-income communities and households compared to Alternative 1, and the transportation improvement projects under the Preferred Project Alternative are expected to provide a benefit to these communities and households in the form of increased and improved transit services, and other active transportation systems. Alternative 1 will provide a higher percentage of single-family housing units compared to the Preferred Project Alternative, resulting in increased housing costs.

✓ **Transportation/Traffic**

Alternative 1 is expected to experience a greater total VMT, compared to the Preferred Project Alternative. In addition, the weekday person trips by transit, walk, and bike modes are expected to be similar for Alternative 1 compared to the Preferred Project Alternative.

✓ **Wildfire**

Alternative 1 would result in more undeveloped land, including farmland, to be consumed as compared to the Project Alternative. This would put future rural development at a greater risk of wildfire as compared to the Project Alternative.

Alternative 1 was rejected:

- ✓ Because it does not substantially reduce or avoid the Project's significant environmental impacts.
- ✓ Because it does not meet many of the basic Project goals/objectives as shown in Table A-1.

**Alternative Scenario 2 (Moderate Shift)**

Scenario 2 would allocate future growth over the life of the RTP/SCS toward established growth and urban area, moderate increases to lot sizes and housing density share. Impacts could result from this alternative; specifically, impacts upon each of the environmental areas addressed in Chapter 3 of this Draft PEIR. These impacts are discussed below as they compare to impacts associated with the Preferred Project Alternative – Scenario 3.

✓ **Aesthetics**

Alternative 2 will have greater aesthetic impacts due to future land use development in currently undeveloped and outlying communities in the region causing greater light and glare and obstruction of views and scenic resources impacts in comparison to existing urban areas that already experience such disturbance. The Preferred Project Alternative is focused on more compact development consistent with existing general plans resulting in less intrusion of light and glare and less obstruction to views and scenic resources in outlying areas.

✓ **Agricultural Resources**

Utilizing required SB 375 analysis, Alternative 2 will have greater impacts on the consumption of important farmland because it is expected to consume an estimated 3,835 acres of farmland compared to the Project Alternative's 3,664 acres.

✓ **Air Quality**

Air quality impacts are determined considering tons of pollutants (Carbon Monoxide, Reactive Organic Gases, Nitrogen Oxide, Particulate Matter 10, and Particulate Matter 2.5) released per a typical day in 2046. Compared to the Preferred Project Alternative, Alternative 2 is also expected to pass air quality conformity tests and but will produce slightly higher amounts of criteria pollutant emissions compared to the Preferred Project Alternative.

✓ **Biotic Resources**

Alternative 2 will have greater impacts to biotic resources since it would consume more undeveloped land and would disturb sensitive species habitats and natural lands due to future land use development in currently undeveloped and outlying communities of the region. The Preferred Project Alternative is focused on more compact development consistent with existing general plans resulting in less undisturbed land consumption in outlying areas and communities.

✓ **Climate Change**

Climate Change impacts are determined considering annual tons of greenhouse gas emissions (Carbon Dioxide or CO<sub>2</sub>, Methane or CH<sub>4</sub>, Nitrous Oxide or N<sub>2</sub>O and others). The Alternative 2 is expected to have a lower greenhouse gas reduction percentage (22.05%) against 2005 levels compared to the Preferred Project Alternative (22.12%) in 2035.

✓ **Cultural and Tribal Resources**

Alternative 2 will have greater impacts to cultural resources since it would consume more undeveloped land, which would disturb archeological, paleontological, or human remains, as well as historic structures due to increased transportation projects and future land use development in currently undeveloped and outlying areas and communities in the region. The Preferred Project Alternative is focused on more compact development consistent with existing general plans resulting in less undisturbed lands in outlying areas.

✓ **Energy & Energy Conservation**

Alternative 2 will have slightly higher VMT (5,634,477 in 2046) vs. the Preferred Project Alternative (4,835,654 in 2046). Because of the higher VMT associated with Scenario 2, there will be higher fuel consumption.

✓ **Geology/Soils/Mineral Resources**

Impacts related to geologic, seismic, and soils resources would be similar between the Scenario 2 and the Preferred Alternative since the regional population distribution is generally similar under either alternative.

✓ **Hazardous Materials**

Alternative 2 is expected to have higher VMT than the Preferred Project Alternative and is expected to result in increased opportunities for vehicular accidents involving the transport of hazardous materials. Under Alternative 2, construction activities related to less compact development, could encounter potentially contaminated sites. The Hybrid alternative would consume more farmland than the Preferred Project Alternative, which may be potentially contaminated by previous pesticide use. In addition, the Hybrid Alternative will result in a greater spreading of traffic that could potentially result in accidents and the release of hazardous waste near outlying schools.

✓ **Hydrology and Water Resources**

While Alternative 2 and Preferred Project Alternative would have the same projected population, the more sprawling land use pattern of Alternative 2 would result in a slightly greater per capita and less efficient use of water than the Preferred Project Alternative, due to the fewer number of single-family homes with landscaping. Similarly, wastewater would be slightly decreased due to the less efficient land use pattern under the Hybrid Alternative. Under Alternative 2, more new development would be serviced in areas not currently served by existing infrastructure.

Impacts to water quality under Alternative 2 would be slightly greater than the Preferred Project Alternative due to the increased consumption of currently undeveloped land. Flooding would be site specific, but lightly more consumption of vacant land would occur under the Hybrid Alternative; thereby, increasing the risk of transportation projects and future land use development being located in flood prone areas.

✓ **Land Use and Planning**

Alternative 2 would have a greater number of acres of land consumed due to new development in comparison to the Preferred Project Alternative. It would also have more acres of important farmland consumed due to new growth. As referenced in Table 4-1 of the Draft PEIR, the residential density and average number of people per acre would be lower than the Preferred Project Alternative leading to less compact development. The demand for educational facilities would be the same for Alternative 2 and the Preferred Project Alternative; however, the location of the educational facilities would result in more schools and parks being located in rural areas or communities than under the Preferred Project Alternative, which would result in more schools being located within the cities. In addition, Alternative 2 will accommodate more land use development in rural communities resulting in greater impacts to biotic resources in the surrounding areas. Finally, since Alternative 2 will accommodate more land use development in rural communities, greater impacts on open space and community recreational areas will occur.

✓ **Noise**

Noise impacts are considered more significant under this Alternative than the Preferred Project Alternative. With slightly less emphasis placed on mass transit, and active transportation choices (walking and biking), congestion levels in existing rural areas and communities will increase resulting in increased noise levels.

Alternative 2 will have greater noise impacts due to increased future land use development in currently undeveloped and outlying areas and communities in the region. There may be less intense noise impacts under Alternative 2 due to less compact development and noise associated with decreased traffic and concentrations of people.

✓ **Population, Housing & Employment**

Alternative 2 would have a larger number of acres of land consumed due to new housing and other development in comparison to the Preferred Project Alternative. It would also have more acres of important farmland consumed due to new housing and other growth and development in the rural areas and communities. As referenced in Table 4-1 of the Draft PEIR, the residential density and average number of people per acre would be less than the Preferred Project Alternative leading to less compact development. For Alternative 2, referencing Table 4-1 of the Draft PEIR, less compact development would occur resulting in a smaller number of households within a 1/4 mile of transit corridors compared to the Preferred Project Alternative. The cumulative impacts between Alternative 2 and the Preferred Project Alternative would be the same given the same number of people and households projected for the year 2046.



✓ **Public Utilities, Other Utilities & Services Systems**

Slightly greater impacts are expected to occur as a result of Alternative 2 since growth is spread out over a larger area of the region in outlying communities resulting in the need for additional and extended public utilities, sewage systems, and other utilities and service systems. In addition, longer emergency vehicle response times would be experienced than under the Preferred Project Alternative. Alternative 2 results in the same or greater impacts to solid waste disposal and transfer facilities as the Preferred Project Alternative. The solid waste disposal and infrastructure of Alternative 2 would be more greatly extended out into new growth areas in outlying communities vs. the Preferred Project Alternative, because it focuses on less compact growth and associated solid waste systems. The generation of green waste would increase under the Hybrid Alternative because there would be a larger area of vacant land developed and landscaped vs. the Preferred Project Alternative, which again would result in less land consumption and more compact development. Construction impacts would be similar to the Preferred Project Alternative.

✓ **Social and Economic Effects**

The Preferred Project Alternative is expected to positively impact a larger number of minority and low-income communities and households compared to Alternative 2, and the transportation improvement projects under the Preferred Project Alternative are expected to provide a benefit to these communities and households in the form of increased and improved transit services, and other active transportation systems. Alternative 2 will provide a higher percentage of single-family housing units compared to the Preferred Project Alternative, which would result in increased housing costs vs. the Preferred Project Alternative.

✓ **Transportation/Traffic**

Alternative 2 is expected to experience greater total VMT (reference Table 4-1 of the Draft PEIR), compared to the Preferred Project Alternative. In addition, the weekday person trips by transit, walk, and bike modes are expected to be similar for Alternative 2 compared to the Preferred Project Alternative.

✓ **Wildfire**

Alternative 2 would result in more undeveloped land, including farmland, to be consumed as compared to the Project Alternative. This would put future rural development at a greater risk of wildfire as compared to the Project Alternative.

Alternative 2 was rejected:

- ✓ Because it does not meet many of the basic Project goals/objectives as shown in Table A-1.

Based on the analysis and results described in Chapter 3 of the Draft EIR and Sections 4.4 and 4.5 of the Draft PEIR, the Environmentally Preferred Project Alternative is the implementation of the 2022 RTP/SCS (SCS Project Alternative 3). The Project is considered the "Environmentally Preferred Alternative" as noted below.

### Environmentally Superior Alternative

Environmentally Superior Alternative Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives.

In this case, the No Project Alternative would not be considered environmentally superior overall. Although it would entail the fewest projects and therefore result in the fewest construction-related impacts and impacts associated with ground disturbance, many of the transportation improvements envisioned in the 2022 RTP/SCS would not occur. As a consequence, GHG emissions impacts would be greater than the Project Alternative.

In addition, this Alternative would provide for additional constrained or congested facility and transportation systems/facilities within Madera County. Alternative 1 would not be considered environmentally superior to the proposed project primarily because it will have impacts to agricultural resources, critical habitats, and cultural resources due to the increased amount of growth and development within the rural cities and communities as compared to Alternative 3. Alternative 2, performs similar to the proposed Project, and could be considered to be environmentally superior to the proposed Project. This alternative, however, is rejected for not meeting as many Project objectives as the Project Alternative and having slightly more impacts to traffic/VMT, less density, and fewer GHG reductions.

Project Alternative Scenario 3 Scenario will reduce significant impacts to a greater extent than any of the other Project Alternatives as discussed above and throughout Chapter 4 of the Draft EIR. In addition, the Project is considered the Environmentally Preferred Alternative **because it is:**

✓ ***Feasible, Implementable, Achievable***

The Preferred Project Alternative is based on current planning assumptions reflected in current or draft general plans of each of the local jurisdictions. This alternative was proposed by member agencies leading to an alternative that is feasible, implementable, and achievable.

This alternative will see growth in cities and communities based on historical trend with the planned growth following current and draft general, community, and specific plans.

As described in Chapter 2 of the Draft EIR, and information presented regarding the goals and objectives in Table A-1 of this Exhibit, MCTC developed an extensive list of goals, objectives, and performance measures to help quantify and evaluate the tangible results of the 2022 RTP/SCS. Using performance measures is not only good practice, but also critically important, because they help decision-makers and the public evaluate and make informed decisions on the expected results of a plan before it is implemented. Additionally, performance measures can provide useful ongoing information as projects are developed to ensure that they continue to meet the needs of the region.

The 2022 RTP/SCS evaluated the long-range outlook of several performance measures for each of the four planning scenarios to understand how each scenario contributed to the stated goals and objectives. Comparing the four scenarios on their merits then resulted in a determination of which one would provide the best mix of future conditions to meet the goals of the Plan and address the needs of the region. Scenario 3 was chosen as the Preferred Alternative for the 2022 RTP/SCS.

Once Alternative 3 (Preferred Scenario) was chosen, its performance was compared against the No Project Alternative, which captured “business-as-usual” land use planning and transportation investments. Detailed information on the performance measures and their results can be found in Chapter 3 of the RTP/SCS – Sustainable Communities Strategy.

The 2022 RTP/SCS is based on a preferred land use and transportation investment scenario, referred to as Project Alternative 3 (Preferred Scenario), which defines a pattern of future growth and transportation system investment for the region. Alternative 3 includes comprehensive improvements to the regional and local transportation networks, with a focus on infill development in downtowns and centers in close proximity to jobs and services. In addition, Alternative 3 emphasizes transportation investments in active transportation facilities to improve bicycle and pedestrian mobility.

Considering the performance measures presented in A-2 in this Exhibit, Project Alternatives 1 and 2 are not preferred.

Project Alternative 1 is not preferred because it results in the:

- Applies focused land-use strategies by sub-region
  - City of Madera
  - South SR 41 Growth Area
  - City of Chowchilla
  - Rural Valley
  - Rural Mountain/Foothill
- Moderate change growths parameters in urban areas
  - Higher density new development in urban areas
  - Lower densities in rural areas
- High focus on infill and urban core development
- Is compliant with local jurisdiction General Plans
- Invests more in public transit and active transportation
- Focuses on addressing roadway travel conditions related to congestion, maintenance, and accessibility
- Explores aggressive investment towards additional transportation strategies
  - Vanpooling
  - Telecommuting
  - Electric vehicles and infrastructure
  - Employer programs
  - Travel demand strategies
  - Bike and car sharing services
- Consumes 3,664 acres of Farmland
- Project 26.9% of housing within a ¼ mile of fixed route public transit
- **Produces the lowest vehicle miles traveled (VMT) per capita of the three scenarios**
- **Achieves the most GHG reduction per capita of the three scenarios**

✓ **Consistent with Local General Plans and Policies**

Land uses within each city and the County are governed by general plans, which designate appropriate land uses throughout the jurisdiction and define specific goals, policies, and objectives. In general, most plans recognize existing land uses and determine acceptable uses for future development of land currently used for agriculture or open space. The Preferred Project Alternative was developed in cooperation between MCTC and Madera County's three (3) jurisdictions to ensure consistency with draft general plan land use designations, transportation systems, and general plan update policies. Future growth and development consistent with the general plans will be focused on existing communities and increased densities along major corridors and within activity centers. More specifically, Alternative Scenario 3 is consistent with the general plans of all jurisdictions within Madera County because it addresses and accommodates the projected amount and allocation of population, housing and employment growth between 2022 and 2046 to each of those jurisdictions.

✓ **Reduces Air Pollution**

In order to serve the needs of a growing and diverse population and meet air quality standards, demand management measures will be reviewed as a means of maintaining accessibility while also reducing congestion. The Preferred Project Alternative will encourage land use patterns that reduce dependency on automobiles, reduce energy consumption, and support the use of transit and other alternative modes. The goals, objectives, and policies for air quality attainment and energy conservation stress concerted efforts toward supporting alternative transportation modes including the improvement of bicycle and pedestrian systems and upgrading existing public transit and regional rail facilities. Each of these types of improvements are included in the Preferred Project Alternative.

✓ **Meets GHG Reduction Targets**

The Preferred Project Alternative takes into consideration requirements of SB 375 and Sustainable Communities Strategy elements. As part of its mandate under SB 375, in 2010, the California Air Resources Board (CARB) set specific GHG emission reduction targets for cars and light trucks for each of the state's 18 metropolitan planning organizations from a 2005 base year. The GHG targets set for the Madera region call for a 10 percent per capita reduction by 2020, and a 16 percent per capita reduction by 2035. MCTC has demonstrated that the 2022 RTP/SCS (Preferred Project Alternative) will meet the CARB GHG emission reduction targets for 2022 and 2035.

✓ **Achieves the Goals of SB 375**

The strategies in the 2022 RTP/SCS are aimed at reducing travel and providing additional travel choices. As such, the 2022 RTP/SCS complies with the conformity requirements of the Clean Air Act, as further detailed in the conformity document (reference the Conformity Analysis for the 2019 Federal Transportation Improvement Program and the 2022 RTP/SCS on the MCTC Website at: [www.maderactc.org](http://www.maderactc.org)). An important part of the Revenue Constrained Transportation Network, described more fully in the RTP, is a significant investment in public transit, as well as facilities that encourage walking and bicycling as forms of active transportation. The aim of these investments is to significantly increase the attractiveness of public transit, walking, and bicycling – particularly in areas that are planned for more compact and mixed-use development. Investments in our local streets and roads, including access to regional airports; goods movement projects, and TDM and TSM projects and programs are also integral to the overall transportation network.

It is expected that the 2022 RTP/SCS Project Alternative 3 will produce benefits beyond simply reducing GHG emissions. The 2022 RTP/SCS will help the region contend with many ongoing issues across a wide range of concerns, including place making, the environment, responsiveness to the marketplace, and mobility:

- ✓ Alternative 3 promotes development of better places to live and work through measures that encourage more compact development, varied housing options, bike and pedestrian improvements, and efficient transportation infrastructure.
- ✓ The demographic profile of the region is changing and the market for housing is changing with it. Residents will be looking for a “value lifestyle” in which both housing and transportation costs are minimized even as they maintain a high-quality of life. Strategies focused on high-quality places, compact infill development, and more housing and transportation choices provide a response to these newly emerging market forces.
- ✓ By including options that create more compact neighborhoods and placing destinations closer to homes and closer to one another, Alternative 3’s strategies can reduce the cost of development for taxpayers and reduce everyday costs of housing and transportation.
- ✓ Reducing the footprint of new development protects farmland and open space.
- ✓ Project Alternative 3 does not envision wholesale redevelopment of the region. The vast majority of neighborhoods and business districts that will exist in 2046 already exist today, and most of them will be unchanged in the next 20-25 years. Rather, it envisions a new development pattern for new neighborhoods and revitalized neighborhoods and business districts that will build upon current patterns to give residents more choices and opportunities as they consider where to live and work.

## A.8 FINDINGS REGARDING CUMULATIVE ENVIRONMENTAL IMPACTS

Consistent with CEQA’s requirements, the Draft PEIR for the Project includes an analysis of cumulative impacts, which include the impacts of the Project.

MCTC hereby finds as follows:

Cumulative effects, according to CEQA Guidelines are defined as “two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts.” The cumulative impact from several projects results from the incremental impacts of the proposed project when added to other closely related past, present, and reasonably foreseeable future projects (Section 15255). According to CEQA Guidelines Sections 15130(a) and (b), the purpose of this section is to provide a discussion of significant cumulative impacts resulting from the Project, and to indicate the severity of the impacts and their likelihood of occurrence. The CEQA Guidelines require that EIRs discuss the cumulative impacts of a project when a project’s incremental effect is “cumulatively considerable,” meaning that a project’s incremental effects are considerable when viewed in connection

with effects of past, current, and probable future projects. The CEQA Guidelines provide two methods for analyzing cumulative impacts with the most appropriate method for a program-level RTP EIR being the projection approach. In this approach, the cumulative impact analysis is based on a summary of projections of future development and impacts contained in adopted general planning or related planning documents, or in prior environmental documents that have been certified. These documents must be available to the public and actually describe or evaluate the regional or areawide conditions contributing to the cumulative impact.

Land use and growth projections for the 2022 RTP/SCS, which are the subject of analysis throughout this PEIR, are combined with the growth projections for Madera County (and the incorporated cities and communities). In other words, the geographic scope for this cumulative analysis covers the entire Madera County region plus the projected growth within each community (including both unincorporated and incorporated areas). The general plans for the jurisdictions within Madera County were used to compile planned land uses for the cumulative impact analysis area. As a regional planning and financing project, the Project would regionally affect development in the same way as other regional planning and financing projects, such as city and county general plans and master plans of water and sanitation agencies would be expected to contribute to cumulative impacts on the same scale as the Project.

## **Aesthetics**

### **Impacts AE.1:**

Madera County will experience significant growth and development by 2046. The 2022 RTP/SCS influences the pattern of this development, by increasing mobility. At the regional scale, the 2022 RTP's and SCS's contribution to impacts on the overall visual character of the existing landscape setting would be cumulatively significant.

The 2022 RTP/SCS include land use policies that would affect the regional distribution of population, households, employment, and facilities and could impact aesthetics and views. The primary land use strategy discussed in the 2022 RTP/SCS emphasizes focusing development in accordance with applicable general plans, including increased densities and infill development. Such future development may result in taller buildings that obstruct views. However, an infill strategy will also help preserve open space in the region, thereby protecting many scenic resources.

Madera County will increase in population and employment by 2046. Some of these people will live in households and work at jobs on land that is currently vacant. This conversion of vacant land to residential or other uses would have a significant impact on aesthetics and views. As a result of the population growth expected to occur in the region over the next 24 years, contrasts with existing visual character will occur either due to increased land use intensity in urban areas or due to development of previously vacant

lands. Although implementation of mitigation measures would reduce potential cumulative impacts, the impacts would be considered cumulatively considerable.

Mitigation Measures:

- ✓ **AE.1-1** Mitigation measures referenced in Chapter 3, Section 3.2 should also be implemented to address cumulative impacts.

Significance After Mitigation:

Population growth projected by 2046 in combination with the projects in the 2022 RTP/SCS would consume land that is currently vacant resulting in contrasts with the overall visual character of the existing landscape setting. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

**Agriculture and Forestry Resources**

**Impacts AR 1:**

Implementation of the 2022 RTP/SCS would result in conversion of important farmland to urban use as defined by SB 375. While this represents total agricultural land lost in Madera County outside of the recorded-year and current spheres of influence of each of the local jurisdictions or agencies, neighboring counties would also continue to convert agricultural land due to development outside of Madera County. This collectively adds to the overall conversion of agricultural lands in the cumulative impact analysis and surrounding area. The contribution of the proposed 2022 RTP/SCS to cumulative loss of agricultural and forest land resources would be cumulatively considerable. This is considered to be a potentially significant impact.



Mitigation Measures:

- ✓ **AG 1-1** Mitigation measures referenced in Chapter 3, Section 3.3 should also be implemented to address cumulative impacts.

Significance After Mitigation:

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies.

As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

**Air Quality**

**Impacts AQ 1:**

Forecasted growth within Madera County and its surrounding areas will result in a potentially significant cumulative impact from air emissions adversely affecting a number of air basins. The regional contribution to these cumulative air quality impacts may also be potentially significant.

Mitigation Measures:

- ✓ **AQ 1-1** Implement Mitigation Measures in Chapter 3, Section 3.4. Implementation of these measures will lessen this impact but not to a less than significant level.

Significance After Mitigation:

While population growth is expected to occur in Madera County and its surrounding areas in the future with and without the Project, implementation of mitigation measures is expected to lessen cumulative impacts, however they will remain significant and unavoidable. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation

and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce the significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

## **Biotic Resources**

### **Impacts BR 1:**

Growth and development in Madera County will increase substantially by 2046. The 2022 RTP/SCS, by increasing mobility, influences the pattern of this growth and development. The 2022 RTP's and SCS's influence on growth potentially contributes to following regional cumulatively considerable impacts:

- ✓ Displacement of natural vegetation.
- ✓ Damage to sensitive species habitat.
- ✓ Habitat fragmentation.
- ✓ Impacts to riparian and wetland habitats.
- ✓ Construction and operational disturbances.
- ✓ Siltation.

The amount of new developed acreage (consuming previously vacant land) would be considerable. This degree of development is reasonably foreseeable; however, to assign this future development to precise locations would be speculative, such that it cannot be estimated which natural vegetation communities would be affected. Despite the inability to predict the acreage of each habitat type that may be affected, it is reasonable to expect that this future development would contribute to the same types (although on a larger scale) of impacts detailed in Chapter 3, Section 3.5.

These indirect impacts on biological resources are associated with population, employment, and household growth forecast by MCTC, and they are considered a significant cumulative impact.

### **Mitigation Measures:**

- ✓ **BR 1-1** The cumulative impacts to biological resources, due to the forecast urban development associated with the 2022 RTP/SCS, would be mitigated using the same measures detailed for impacts referenced in Chapter 3, Section 3.5, in addition to the following measure.
- ✓ **BR 1-2** Future impacts to biotic resources will be minimized through cooperation and information sharing between the implementation agency and affected resource agencies.

- ✓ **BR 1-3** CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts may need to be analyzed using acceptable methods to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and will need to be focused specifically on the resource, not the project. An appropriate resource study area may need to be identified and utilized for this analysis. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

#### Significance After Mitigation:

The impacts to biotic resources due to regional scale growth would be reduced through application of the mitigation measures; however, implementation of the 2022 RTP's and SCS's transportation improvement and future land use development projects to accommodate growth and development in Madera County (as reflected in adopted local agency general plans) would contribute to biotic resource impacts. Impacts to biotic resources from the 2022 RTP/SCS would be cumulatively considerable. The responsibility to mitigate impacts to biotic resources rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce conflicts with any local policies or ordinances protecting biological resources, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

#### **Climate Change**

##### **Impact CC 1:**

Although growth and development in Madera County and its surrounding communities is likely to result in increases in cumulative GHG emissions and contribute to global climate change, the contribution of the 2022 RTP/SCS to cumulative GHG emissions and global climate change would typically be considered a less than significant impact. However, for reasons considered below, impacts are considered significant and unavoidable.

Mitigation Measure:

- ✓ **CC 1-1** Implement Mitigation Measures in Chapter 3, Section 3.6. Implementation of these measures will lessen this impact but not to a less than significant level.

Significance After Mitigation:

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce increased transportation GHG emissions on climate change, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

## **Cultural and Tribal Cultural Resources**

### **Impacts CTR 1:**

Growth and development in Madera County will increase substantially by 2046. The 2022 RTP/SCS, by increasing mobility and by inclusion of transportation measures, influences the pattern of this development. The 2022 RTP's and SCS's influence on growth contributes to regional impacts to existing historic resources and previously undisturbed and undiscovered cultural and tribal resources. This impact would be cumulatively considerable.

The amount of new developed acreage (consuming previously vacant, open space/recreation and agricultural land) from transportation and land use policies in the 2022 RTP/SCS would be greater than the No Project Alternative. While there will be a similar amount of cultural and tribal resources impacted as a result of future growth and development to the year 2046 associated with the Project Alternative, the No Project Alternative will result in fewer cultural and tribal resource impacts as a result of significantly fewer transportation improvement projects. This degree of development and the implementation of transportation improvements is reasonably foreseeable; however, to assign this future development and transportation improvements to precise locations or alignments would be speculative, such that it cannot be estimated where cultural and tribal resources would be affected. Despite the inability to predict the acreage of previously undisturbed land that may be affected, it is reasonable to expect that this future

development would contribute to the same types of impacts detailed in Impacts 3.7.1 through 3.7.5, of Chapter 3, Section 3.7. These effects are considered a cumulatively considerable impact.

Mitigation Measures:

- ✓ **CTR 1-1** The cumulative impacts to cultural resources, due to the forecast growth and development associated with the 2022 RTP/SCS, would be mitigated using the same measures detailed for impacts referenced in Chapter 3, Section 3.7 of the Draft PEIR, in addition to the following measure.
- ✓ **CTR 1-2** Future impacts to cultural resources will be minimized through cooperation and information sharing between the implementation agency and affected resource agencies.

Significance After Mitigation:

The impacts to cultural and tribal resources due to regional scale growth would be reduced through application of the mitigation measures; however, implementation of the 2022 RTP's and SCS's transportation improvement projects to accommodate growth and development in Madera County (as reflected in adopted local agency general plans) would contribute to cultural and tribal resource impacts. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce significant impacts on historic resources and human remains and tribal resources, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies.

As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

## **Energy and Energy Conservation**

### **Impacts EN 1:**

To reduce the consumption of energy and maintain consistency with smart growth principals, the 2022 RTP/SCS include a proposed land use plan and transportation system focused on mixed uses, compact development, and multi-modal transportation options. However, implementation of the RTP/SCS is still anticipated to result in a per-capita and total increase in energy use in Madera County. In addition to other growth and development in Madera County and the surrounding communities that could result in

increases in the demand for energy, the contribution of the 2022 RTP/SCS to cumulative energy impacts is considered significant.

Mitigation Measures:

- ✓ **EN 1-1** The cumulative impacts to energy due to the forecast growth and development associated with the 2022 RTP/SCS would be mitigated using the same measures detailed for impacts referenced in Chapter 3, Section 3.8 of the Draft PEIR.

Significance After Mitigation:

The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce impacts on energy and energy resources, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

## **Geology/Soils/Mineral Resources**

### **Impacts GSM 1:**

Growth and development in Madera County will increase substantially by 2046. The 2022 RTP/SCS, by increasing mobility and including alternative transportation modes, influences the pattern of this urbanization. Implementation of the 2022 RTP/SCS would have the potential to result in a cumulatively considerable adverse effect on human beings and property when considered at the regional scale.

Potentially hazardous geological and seismic factors are found throughout the San Joaquin Valley. Given the regional scale and growth-inducing nature of the projects and programs included in the 2022 RTP/SCS, the cumulative impacts of the 2022 RTP/SCS on geological units and soils as well as the potential exposure to substantial adverse effects to people and property would be significant.

Mitigation Measures:

- ✓ **GSM 1-1** Mitigation measures reference in Chapter 3, Section 3.9. would be applied to this impact in addition to the following measure:

- ✓ **GSM 1-2** Future impacts to geologic resources will be minimized through cooperation and information sharing between the implementation agency and affected resource agencies.

Significance After Mitigation:

The impacts to geologic resources due to regional scale growth would be reduced through application of the mitigation measures; however, implementation of the 2022 RTP's and SCS's transportation improvement and future land use development projects to accommodate growth and development in Madera County (as reflected in adopted local agency general plans) would contribute to geologic resource impacts. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce damaged transportation infrastructure and other land use development structures from seismic activity, slope failure and soil erosion, and loss of mineral resources, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

**Hazards and Hazardous Materials**

**Impacts HM 1:**

Implementation of the investments and policies in the 2022 RTP/SCS could create a potential hazard to the public or the environment by the disturbance of contaminated sites as a result of population and housing growth in the region. The 2022 RTP's and SCS's influence on mobility and its land use-transportation systems would influence population distribution, potentially contributing to a cumulatively considerable impact related to disturbance of contaminated sites by new urban development. This impact is considered to be significant.

Mitigation Measures:

- ✓ **HM 1-1** Referenced in Chapter 3, Section 3.10 as implemented by responsible agencies and private developers would address this impact.

Significance After Mitigation:

With appropriate review and clean up or maintenance, this impact would not be cumulatively considerable and therefore would be less than significant. However, the responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce the impacts of hazardous materials, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

**Hydrology & Water Resources**

**Impacts HW 1:**

Growth and development will increase substantially by 2046. The 2022 RTP/SCS, by increasing mobility and by including alternative transportation modes, influences the pattern of this development. The 2022 RTP's and SCS's influence on growth would contribute to the conversion of undeveloped land, resulting in impacts to water quality, stormwater infiltration and groundwater recharge, flood hazard impacts, wastewater treatment services, and water demand.

The growth projection associated with the 2022 RTP /SCS would substantially increase the amount of developed land in the County. With the 2022 RTP /SCS, the amount of new developed acreage (consuming previously vacant land) would be considerable.

Mitigation Measures:

- ✓ **HW 1-1** Mitigation Measures referenced in Chapter 3, Section 3.11 shall be applied to all transportation and future land use development projects, as feasible, in addition to the following measures:
- ✓ **HW 1-2** Local governments and Caltrans should encourage Low Impact Development and natural spaces that reduce, treat, infiltrate and manage stormwater runoff flows.
- ✓ **HW 1-3** Local governments and Caltrans should implement green infrastructure and water-related green building practices through incentives and ordinances. Green building resources include the U.S.



Green Building Council's Leadership in Energy and Environmental Design, Green Point Rated Homes, and the California Green Builder Program.

- ✓ **HW 1-4** Local governments and Caltrans should integrate water resources planning with existing greening and revitalization initiatives, such as street greening, tree planting, development and restoration of public parks, and parking lot conversions, to maximize benefits and share costs.
- ✓ **HW 1-5** Developers, local governments, Caltrans, and water agencies should maximize permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. New impervious surfaces should be minimized to the greatest extent possible, including the use of in-lieu fees and off-site mitigation.
- ✓ **HW 1-6** Future impacts to water quality should be avoided through cooperative planning, information sharing, and comprehensive pollution control measure development.
- ✓ **HW 1-7** Local jurisdictions, Caltrans, and water agencies are encouraged to continue planning for improved stormwater management and groundwater recharge. Future adverse impacts should be avoided through cooperative planning, information sharing, and comprehensive implementation efforts.
- ✓ **HW 1-8** Local governments and Caltrans should prevent improvement project and future land use development in flood hazard areas that do not have appropriate protections, especially in alluvial fan areas of the region.
- ✓ **HW 1-9** Local jurisdictions should encourage new development and industry to locate in those service areas with existing wastewater infrastructure and treatment capacity, making greater use of those facilities prior to incurring new infrastructure costs.
- ✓ **HW 1-10** Wastewater treatment agencies are encouraged to have expansion plans, approvals and financing in place once their facilities are operating at 80 percent of capacity.
- ✓ **HW 1-11** Local jurisdictions should promote reduced wastewater system demand by: designing wastewater systems to minimize inflow and increase upstream treatment and infiltration to the extent feasible, reducing overall source water generation by domestic and industrial users, deferring development approvals for industries that generate high volumes of wastewater until wastewater agencies have expanded capacity.

- ✓ **HW 1-12** Project developers and agencies should consider potential climate change hydrology and attendant impacts on available water supplies and reliability in the process of creating or modifying systems to manage water resources for both year-round use and ecosystem health.
- ✓ **HW 1-13** Local water agencies should continue to evaluate future water demands and establish the necessary supply and infrastructure to meet that demand.
- ✓ **HW 1-14** Developers, local governments, and water agencies should include conjunctive use as a water management strategy when feasible.
- ✓ **HW 1-15** Developers and local governments should reduce exterior uses of water in public areas, and should promote reductions in private homes and businesses, by shifting to drought-tolerant native landscape plantings (xeriscaping), using weather-based irrigation systems, educating other public agencies about water use, and installing related water pricing incentives.
- ✓ **HW 1-16** Future impacts to water supply should be minimized through cooperation, information sharing, and program development.

Significance After Mitigation:

RTP/SCS improvement projects and future land use development expected by 2046 would create adverse impacts on water quality, stormwater infiltration and groundwater recharge, flood hazard impacts, and wastewater treatment service and water demand impacts. The 2022 RTP's and SCS's influence on growth distribution is a cumulatively considerable contribution to this significant impact. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce the identified significant impacts identified, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

## Land Use & Planning & Recreation

### **Impacts LPR 1:**

Growth and development in the County will increase substantially by 2046. The 2022 RTP/SCS, by increasing mobility and enhancing alternative transportation modes, influences the pattern of this urbanization. The 2022 RTP/SCS are in-line with current implementation agencies' adopted land use plans; however, should an agency make changes that reflect a differing development pattern, they could then have the potential to conflict with applicable adopted local land use plans and policies and result in impacts on recreational facilities.

While the RTP /SCS are likely to result in a positive outcome related to supportive land use conditions for alternative forms of transportation such as transit, other improvement projects and future land use developments in the RTP /SCS could have significant impacts on land use patterns, land use growth and development. This impact could be especially significant on recreational, open space, agricultural, and other land uses within the County. The 2022 RTP's and SCS's influence on growth contributes to regional cumulatively considerable impacts to land use and would change the intensity of land use in some areas.

### **Mitigation Measures:**

- ✓ **LPR 1-1** The mitigation measures listed in Chapter 3, Section 3.12 would be applied as mitigation for this impact. In addition, the following measure would apply.
- ✓ **LPR 1-2** Regional planning efforts will be used to build a consensus in the region to support changes in land use to accommodate future population growth while maintaining the quality of life in the region.

### **Significance After Mitigation:**

In order to accommodate the projected population totals assumed for 2046, the region will need to change land uses and increase the intensity of some existing land use. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce impacts on land use and planning, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation

strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce impacts identified.

## Noise

### **Impacts N 1:**

Cumulative ambient noise levels could increase in the region to exceed normally acceptable noise levels or have substantial increases in noise as a result of the operation of expanded or new transportation facilities and future land use developments.

The 2022 RTP/SCS could have a significant impact on noise in the region. As described under Chapter 3, Section 3.13, many of the projects involve construction, which would result in significant short-term impacts. While the construction noise is temporary and short-term at the project level, the cumulative construction noise region wide could be significant. Over the course of the planning horizon there is likely to be constant construction within the region.

Cumulative transportation noise could also increase. This ambient noise increase could be related to aircraft overflights, railroads, as well as freeway, arterial and transit noise, and finally the operation of future land use developments.

### **Mitigation Measures:**

- ✓ **N 1-1** Mitigation measures intended to reduce the noise impacts on sensitive receptors are part of the 2022 RTP/SCS. These include: site design, buffers, soundwalls, etc.
- ✓ **N 1-2** Further reduction in noise impacts would be obtained through the implementation of the measures described in Chapter 3, Section 3.13.

### **Significance After Mitigation:**

Mitigation Measures referenced in Chapter 3, Section 3.13 may not reduce noise levels to below regulatory levels in all cases. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce the identified noise impacts, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require

a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

## Population, Housing & Employment

### Impacts PHE 1:

Growth and development in the County will increase substantially by 2046. The 2022 RTP/SCS, by increasing mobility and including transportation measures, influences the pattern of this development.

The 2022 RTP's and SCS's influence on growth contributes to regional cumulatively considerable impacts to population, housing and employment and would change the intensity of land use in some areas.

### Mitigation Measures:

- ✓ **PHE 1-1** The mitigation measures listed in Chapter 3, Section 3.14 would be applied as mitigation for this impact. In addition, the following measure would apply.
- ✓ **PHE 1-2** Regional planning efforts will be used to build a consensus in the region to support changes in population, housing and employment to accommodate future growth while maintaining the quality of life in the region.

### Significance After Mitigation:

In order to accommodate the projected population, housing and employment totals assumed for 2046, the region will need to change land uses and increase the intensity of some existing land use. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce impacts on population, housing, and employment, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

## Public Utilities, Other Utilities & Services Systems

### **Impacts PU 1:**

The contribution of the proposed 2022 RTP /SCS to cumulative public service impacts in the form of state routes, freeways, and other roads under the jurisdiction of the CHP; rural wildland fire areas protected by CAL FIRE; and regional, state, and federal parks, open space, recreational areas, and other future land uses may be cumulatively considerable. This is considered to be a potentially significant impact.

### **Mitigation Measures:**

- ✓ **PU 1-1** The mitigation measures listed in Chapter 3, Section 3.15 would be applied as mitigation for this impact.

### **Significance After Mitigation:**

If the implementing agency adopts these mitigation measures, it will reduce the contribution of the proposed 2022 RTP/SCS to cumulative impacts to a less than significant level. However, the responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce impacts public services, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

### **Impacts PU 2:**

Growth and development in the County will increase substantially by 2046. The 2022 RTP/SCS, by increasing mobility and including alternative transportation modes, influences the pattern of this development. The 2022 RTP's and SCS's influence on growth contributes to regional cumulatively considerable impacts to police and fire and emergency services, solid waste services, and other public services in the County.

Growth and development in the region will require additional police, fire, and other emergency and public services, and additional solid waste services. Such needs will be determined on a transportation project- and future land use development project-level basis by individual service providers.

Mitigation Measures:

The mitigation measures listed in Chapter 3, Section 3.15 would be applied as mitigation for this impact in addition to the following.

- ✓ **PU 2-1** The growth inducing potential of individual transportation and future land use projects will be carefully evaluated so that the full implications of the projects are understood. Individual environmental documents should quantify indirect impacts (growth that could be facilitated or induced) on public services and utilities to the extent feasible.
- ✓ **PU 2-2** The California Integrated Waste Management Board should continue to enforce solid waste diversion mandates that are enacted by the Legislature.
- ✓ **PU 2-3** Local jurisdictions should continue to adopt programs to comply with state solid waste diversion rate mandates and, where possible, should encourage further recycling to exceed these rates.
- ✓ **PU 2-4** Local jurisdictions should implement or expand city or county-wide recycling and composting programs for residents and businesses. This could include extending the types of recycling services offered (e.g., to include food and green waste recycling) and providing public education and publicity about recycling services.
- ✓ **PU 2-5** Project implementation agencies should coordinate regional approaches and strategic siting of waste management facilities.
- ✓ **PU 2-6** Project implementation agencies should prioritize siting of new solid waste management facilities including recycling, composting, and conversion technology facilities in conjunction with existing waste management or material recovery facilities.
- ✓ **PU 2-7** Project implementation agencies should increase programs to educate the public and increase awareness of reuse, recycling, composting, and green building benefits and raise consumer education issues at the county and city level, as well as at local school districts and education facilities.

Significance after Mitigation:

Adoption of these mitigation measures by implementing agencies would reduce the contribution of the proposed 2022 RTP/SCS to cumulative impacts. However, the responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local

jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce impacts public services, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce the significant impacts identified.

## **Social and Economic Effects**

### **Impacts SE 1:**

Growth and development in the County will increase substantially by 2046. The 2022 RTP/SCS, by increasing mobility and including transportation measures, influences the pattern of this development. Construction of some improvement projects will be located in areas of minority and low-income populations. The improvement and future land use development projects may have direct, short-term impacts on surrounding communities related to construction, including noise, air quality, and traffic. However, none of these projects are expected to have a disproportionate impact on minority or low-income communities.

The Project is designed to serve the entire population of the County, and the transportation and future land use development projects are dispersed throughout the region. As a result, short-term impacts are considered less-than-significant.

Furthermore, MCTC works with cities, counties, and other implementing agencies to encourage improvement projects that serve those communities with the greatest transit needs, such as low-income or minority communities in urban core areas. It is anticipated that the improvement projects will increase accessibility and address existing problems with the transportation network. The location, design, and alignment of transportation facilities and routes are planned to reduce potential impacts to the extent feasible, and to ensure that if impacts occur, these impacts do not disproportionately affect low-income or minority populations. As a result, long-term impacts are considered less-than-significant.

### **Mitigation Measures:**

- ✓ **SE 1-1** Mitigation measures have not been identified in Sections 3.4, 3.12, and 3.14 to minimize potential impacts because impacts were found to be less-than-significant. However, to protect the cumulative effects on sensitive uses that may be located near the individual improvement and future land use development project sites, including low-income and minority communities, the following measure would also apply.



- ✓ **SE 1-2** Regional planning efforts will be used to build a consensus in the region to support changes in social and economic conditions to accommodate future growth while maintaining the quality of life in the region.

Significance After Mitigation:

Less than significant.

**Transportation/Traffic**

**Impacts TT 1:**

The 2022 RTP/SCS are designed to maintain and encourage the balance between jobs and housing within the region. The additional population, housing, and job growth forecasted in 2046 is not a result of the 2022 RTP/SCS, which is a strategy to allocate the forecasted growth in order to achieve a more balanced jobs/housing ratio and to optimize transportation investments that support those land uses. The 2022 RTP/SCS result in a greater mix of alternative modes. The potential for cumulative impacts related to traffic generated within Madera County and its surrounding communities, to which implementation of the 2022 RTP/SCS might contribute, is potentially significant.

Mitigation Measures:

- ✓ **TT 1-1** The mitigation measures listed in Chapter 3, Section 3.17 will be applied as mitigation for this impact.

Significance After Mitigation:

Implementing agency agencies should require measures that increase alternate modes of transportation. The responsibility to approve land use development consistent with the general plans and the SCS rests with the local jurisdictions and the responsibility to design and construct transportation improvements rests with Caltrans, the local jurisdictions, and other responsible agencies with jurisdiction over a project area. While implementation and monitoring of the above referenced mitigation measures will provide the framework and direction to avoid or reduce transportation impacts, it is probable that such impacts could remain significant and unavoidable. As a program-level document, evaluation of all project-specific circumstances is not plausible. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce impacts identified.

## Wildfire

### Impacts WF 1:

CAL FIRE has mapped parts of Madera County as having a high or very high fire hazard, both in State Responsibility Areas (SRAs) and Local Response Areas (LRAs). The land use scenario envisioned by the 2022 RTP/SCS concentrates the forecasted population and employment growth in urban areas and corridors of the County, such as incorporated cities, unincorporated towns, and major roadways, where the risk of wildfire is less than in more rural areas where fuels are more abundant.

### Mitigation Measures:

- ✓ **WF 1-1** The mitigation measures listed in Chapter 3, Section 3.18 of the Draft PEIR will be applied as mitigation for this impact.

### Significance After Mitigation:

Implementing agencies that propose projects within two miles of an SRA or very high fire hazard severity zones should require adherence to a local hazard mitigation plan, encourage fire-resistant native vegetation, require a fire safety plan, prohibit certain construction during times of high wildfire risk, and require fire extinguishers on site. Individual projects will require a project-level analysis to determine appropriate mitigation strategies. As appropriate, MCTC will encourage the implementation of the above-noted mitigation strategies intended to avoid or reduce impacts identified.

## A.9 FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

According to Sections 15126(c) and 15126.2(c) of the State CEQA Guidelines, an EIR is required to address any significant irreversible environmental changes that would occur should the proposed Project be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- ✓ The project would involve a large commitment of non-renewable resources;
- ✓ The primary and secondary impacts of the project would generally commit future generations to similar uses;
- ✓ The project involves uses in which irreversible damage could result from any potential environmental accidents; or
- ✓ The proposed consumption of resources is not justified.

Implementation of the Project would result in permanent changes to the existing environment, which has been described throughout the Draft and Final PEIR. While the Project focuses development into planned areas and along existing or future transportation corridors, there will still be some conversion of undeveloped land to urbanized uses. These conversions are considered to be a permanent change and would occur directly through construction of development on undeveloped land.

Land use changes and transportation network improvements would result in significant irreversible impacts to aesthetics and visual resources, including changes to existing community character and views. Future development projects associated with the Project would result in a direct irreversible loss of native habitat that supports rare, threatened, or endangered species, and impacts to these resources would represent a significant and irreversible environmental change.

The development of currently undeveloped land and other land use changes would result in significant irreversible impacts to agricultural resources and forest lands, and the availability of known mineral resources.

The Project would substantially induce irreversible population growth. This growth would displace existing houses and businesses, and result in additional people that would be susceptible to noise impacts. As development occurs at urban edges, additional people and structures would be at risk from wildland fires.

GHG emissions would substantially increase.

Development pursuant to the Project land use policy would result in the irreversible consumption of nonrenewable resources. This use will have an incremental and irreversible effect on such resources. The irreversible commitment of limited resources is inherent in any development project or, in the case of the Project, cumulative development projects. Resources anticipated to be irreversibly committed over the 24-year timespan of the Project include, but are not limited to, lumber and other related forest products; sand, gravel, and concrete; petrochemicals; construction materials; steel, copper, lead, and other metals; and water.

Development associated with the Project represents a long-term commitment to the consumption of fossil fuel oil and natural gas. These increased energy demands relate to construction, lighting, heating, and cooling of residences and buildings, and construction and operation of transit systems.

## A.10 FINDINGS REGARDING GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the State CEQA Guidelines requires an EIR to discuss the ways the proposed Project could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.

The proposed Project would provide the blueprint for future improvements to the existing transportation system and land use development. However, these changes are proposed to accommodate growth already anticipated as part of local agencies' general plans. As such, the proposed Project would not lead to substantial growth beyond what is currently anticipated. Instead, the Project would seek to better accommodate the mobility of the County's residents and visitors that would result from the planned growth associated with the local agencies' general plans and the adopted land use and circulation elements.

Once services are extended into a project area, economic pressures to develop are anticipated. Although the Madera region is projected to grow with or without implementation of the Project, the 2022 RTP/SCS focuses population and economic growth in planned areas including near transit and transportation services and in areas with existing utilities and municipal or public services. The long-term growth pattern included in the Project would decrease environmental impacts in vacant or undisturbed lands or open space.

The Project features included in the 2022 RTP/SCS are intended to expand upon the current transportation network and enhance the transit-oriented transportation opportunities to improve the mobility of people and goods in and around the region, while reducing GHG emissions and other environmental impacts. The Project does include the expansion of existing transportation and transit routes, which would remove obstacles to growth in some areas of the region and support additional housing, population, and economic growth.

Section 3.14 of the Draft PEIR, Population, Housing and Employment, discusses projected regional population and employment growth associated with the Project. One of the primary objectives of the Project is to provide an environmentally sustainable transportation system and Sustainable Communities Strategy fostering efficient concentrated land development patterns, thereby increasing the number of housing units within specific areas identified in the land use plans of local jurisdictions. Therefore, by its very nature (increasing the density of development), the Project is growth inducing. However, the area the Project targets for construction of these additional housing units is within existing developed areas

and planned areas referenced in the local agencies' general plans. Therefore, it is likely that many of these areas have already established or planned roadways and utilities, as well as water and sewer services.

The placement of additional housing units in established or planned areas may require upgrading and resizing of existing infrastructure, including water facilities or the extension of these facilities. Therefore, implementation of the Project would cause significant construction of additional housing. Section 3.14 of the Draft PEIR, Population, Housing and Employment discusses projected housing development to meet the needs of regional population growth.

## A.11 FINDINGS REGARDING MITIGATION MONITORING PROGRAM

### Requirements of Mitigation Monitoring Program

According to Section 21081.6 of the Public Resources Code, the California Environmental Quality Act requires that when a public agency is making the findings required by Sections 21081, the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted to mitigate or avoid significant effects on the environment.

MCTC through its governing body, the MCTC Policy Board, hereby finds that the Mitigation Monitoring Program (MMP) meets the requirements of Section 21081.6 of the Public Resources Code by providing a monitoring program designed to ensure compliance during implementation of the 2022 Regional Transportation Plan/Sustainable Communities Strategy (2022 RTP/SCS). The MMP monitors the mitigation measures to be implemented by MCTC, and the performance standards-based mitigation measures that can and should be considered lead agencies at the individual project-level, as applicable and feasible. Project-level mitigation may be required as a result of evaluation and entitlement of subsequent transportation and developments projects during implementation of the 2022 RTP/SCS and are wholly within the authority, responsibility, and/or jurisdiction of project-level lead agencies or other agencies serving as lead agencies under CEQA in subsequent project and site-specific design, CEQA review, and decision-making processes.

## A.12 FINDINGS REGARDING LOCATION AND CUSTODIAN OF DOCUMENTS

### Location and Custodian of Documents

Section 15091(e) of the California Code of Regulations, California Environmental Quality Act Guidelines, requires the public agency to specify the location and custodian of the documents or other materials that

constitute the record of proceedings upon which the decision is based. Section 6.0 of the Draft PEIR contains a list of all references used in the preparation of the environmental analysis. Unless otherwise noted, reference materials are located at the MCTC Main Office, which shall also serve as the custodian of the documents constituting the record of proceedings upon which the MCTC Policy Board, the governing board for MCTC, has based its decision related to the project. The designated location and custodian of documents is as follows:

Madera County Transportation Commission  
2001 Howard Road, Suite 201  
Madera, CA 93637

For purposes of CEQA, the Record of Proceedings for the 2022 RTP/SCS consists of the following documents, at a minimum:

- ✓ The Notice of Preparation and all other public notices issued by MCTC and in conjunction with the 2022 RTP/SCS.
- ✓ The Draft and Final PEIRs, including appendices and technical studies included or referenced in the Draft and Final PEIRs.
- ✓ All comments submitted by agencies or members of the public during the 45-day public comment period on the Draft PEIR.
- ✓ The MMP for the 2022 RTP/SCS.
- ✓ All Findings and resolutions adopted by the MCTC Policy Board in connection with the 2022 RTP/SCS, and all documents cited or referred to therein.
- ✓ All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the 2022 RTP/SCS including the 2022 RTP/SCS, the Conformity Finding, the Federal Transportation Improvement Program (FTIP), and others referenced in the 2022 RTP/SCS or in the Draft and Final PEIR.
- ✓ All documents and information submitted to MCTC by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the 2022 RTP/SCS, up through the date the MCTC Policy Board approved the 2022 RTP/SCS.
- ✓ Minutes and/or summary transcripts of all public meetings and public hearings held by MCTC, in connection with the 2022 RTP/SCS.

- ✓ Any documentary or other evidence submitted to MCTC at such public meetings and public hearings.
- ✓ Matters of common knowledge to MCTC, including, but not limited to federal, state, and local laws and regulations.
- ✓ Any documents expressly cited in these Findings, 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).

### A.13 CERTIFICATION REGARDING INDEPENDENT JUDGEMENT

Pursuant to Section 21082.1(c) of the Public Resources Code MCTC certifies that the MCTC Policy Board, as the governing body for MCTC, has independently reviewed and analyzed the Final PEIR for the “2022 RTP/SCS,” “Plan,” or “Project”) on behalf of MCTC. MCTC’s committees and staff have provided input and/or reviewed the Draft PEIR including supporting technical appendices prior to circulation for public review. The Final PEIR similarly has been subject to review by the MCTC’s committee, and staff.

It is the finding of the MCTC Policy Board that the Final PEIR fulfills environmental review requirements for the 2022 RTP/SCS, that the document constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA, and reflects the independent judgment of the MCTC Policy Board.

The MCTC Policy Board declares that no evidence of new significant impacts as defined by the State CEQA Guidelines section 15088.5 have been received by the City Council after circulation of the Draft PEIR which would require recirculation.

Therefore, the MCTC Policy Board hereby certifies the PEIR based on the entirety of the record of proceedings.

### A.14 SUMMARY OF FINDINGS

Considering information contained in the record, the MCTC Board of Directors incorporates the foregoing findings herein and provides this summary of findings with respect to the significant impacts on the environment resulting from the 2022 RTP/SCS (Plan or Project) pursuant to Section 15091 of CEQA Guidelines.

- ✓ Changes or alterations have been required in or incorporated into the Project that avoid or substantially lessen the significant environmental effects as identified in the Final PEIR.
- ✓ Some changes and alterations are within the responsibility and jurisdiction of another public agency that can and should be adopted by such other agency; and MCTC has no concurrent jurisdiction with the other agency to deal with the identified project-level mitigation measures.
- ✓ Consistent with the provisions of Section 15091(a)(2) of the State CEQA Guidelines, MCTC has identified mitigation measures that are within the responsibility and jurisdiction of other public agencies, including lead agencies, and that can and should be considered to mitigate project-level impacts, as applicable and feasible, or other comparable measures.
- ✓ Pursuant to Section 15091(c) of CEQA Guidelines, MCTC has adopted a Mitigation Monitoring Program that identifies responsible agencies for the mitigation measures.
- ✓ The mitigation measures to be implemented by MCTC as identified in the Final PEIR are feasible and are required as conditions of approval of the 2022 RTP/SCS.

Based on the foregoing findings and the substantial evidence contained in the record, and as conditioned by the foregoing findings:

- ✓ All significant effects on the environment due to the Project have been eliminated or substantially lessened where feasible.
- ✓ Any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding concerns set forth in the Statement of Overriding Considerations.

## A.15 STATEMENT OF OVERRIDING CONSIDERATIONS

### Overriding Considerations

In accordance with Section 15093 of the State CEQA Guidelines, MCTC is required to prepare this Statement of Overriding Considerations to explain the reasons for approving the 2022 RTP/SCS, despite the potentially significant and unavoidable impacts identified in the PEIR and Findings of Fact. In preparing this Statement, MCTC has balanced the benefits of the Project against its unavoidable environmental risks. For the reasons specified below, MCTC finds that the benefits of the Project outweigh the unavoidable environmental risks. In addition, the Findings of Fact identify a number of recommended mitigation measures that are found to be within the jurisdiction of other public agencies and not MCTC, and that these measures have been or should be adopted by such other agencies. MCTC finds that, for the reasons specified below, the Project should be approved notwithstanding the fact that responsibility for mitigating the potential adverse impacts rests with agencies other than MCTC.



MCTC Policy Board finds that the following overriding considerations, which include Project benefits and other reasons for the Project, are consistent with the intent and purpose of the 2022 RTP/SCS. The MCTC Policy Board further finds that each and every one of these individual overriding considerations separately and independently outweighs each and every one of the Project's unavoidable adverse environmental effects and adopts the Statement of Overriding Considerations.

### **Quality of Life**

- ✓ The Project is intended to contribute to the quality of life that is experienced and will be experienced by the residents of Madera County.
- ✓ The Project is designed to meet the needs of everyday travel for all types of purposes as well as for large regional movements over the long-term. Transportation is closely connected with many other issues, such as air quality, the environment, and land use, health, safety, and economic vitality and the Project contains goals and actions to address these issues.
- ✓ The requirement for updates to the RTP every four (4) years, which provides for the identification of transportation modes to address population and employment growth, is required by State Law and sound local planning practice and is an overriding concern.

### **Access and Mobility**

- ✓ The Project includes many strategies to address both access and mobility and acknowledges that certain major corridors will need major investments in all modes of transportation to maintain and improve both access and mobility for the growth in travel that is occurring.
  - Access: Significant increases are planned for the street and highway, transit, and bicycle, trails, and pedestrian systems in the County. The projects must undergo extensive planning and analysis processes with community involvement.
  - Mobility: The Project includes a slate of projects aimed at reducing the most critical areas of congestion from a regionwide viewpoint. In addition to expanded transit service, which will reduce congestion in particular corridors, mobility projects additional lanes along streets and highways, interchange improvements, maintenance and rehabilitation of the existing system of streets and highways, and other capacity enhancements throughout the region.
- ✓ The Project also includes funding for rail consolidation, car and van pools, and local road improvements, including lane additions, intersection improvements, and rehabilitation and maintenance of the existing street and highways system.

### **Air Quality**

- ✓ The Project includes funding for significant increases in alternative modes of transportation -- public transit, bicycle, pedestrian projects and community design projects -- that will make alternative modes of transportation more attractive.
- ✓ While the individual improvement projects will not result in emissions beyond those allowed through the conformity process, and construction and hot spot emission impacts can be mitigated or are not found to be significant, the fact that the Valley continues to be nonattainment for ozone, PM<sub>10</sub> and PM<sub>2.5</sub> emissions is an overriding concern.

### **Climate Change**

- ✓ The Project would result in a 21 percent per capita reduction in greenhouse gas emissions by 2020, and an 18 percent reduction by 2035 – compared with 2005 levels. This would meet the State’s mandated reduction targets, which are 10 percent by 2020 and 16 percent by 2035.

### **Travel Choices**

- ✓ The Project invests significant funding into offering choices of travel mode to future residents. Major increases in, bus, bicycle, and pedestrian modes are envisioned, along with promotion of sharing rides.
- ✓ Regional and localized benefits associated with implementation of the 2022 RTP/SCS (reduced vehicular emissions, reduced vehicle miles traveled and improved mobility), that will result from the implementation of planned improvement projects, outweigh the potentially unavoidable impacts associated with individual or localized improvement projects and other projects identified in the Project alternatives. These other alternatives will result in a greater VMT estimates and infeasible transportation projects that will not result in further benefits beyond implementation of the 2022 RTP/SCS.

### **Economic Vitality**

- ✓ The Project includes major corridor improvements that connect areas around the periphery of the urban core, providing better access to the region’s major job center – the City of Madera.
- ✓ Investment in road maintenance and rehabilitation is provided, particularly a problem in rural areas where farm-to-market truck travel is important.

## Equity

- ✓ The Project incorporates the priorities of local communities and many of these local projects are paid for from local funds. Major projects of regional concern are located throughout the region as well.
- ✓ The Project will provide alternatives -- public transit, bicycle, and pedestrian facilities -- for those who cannot or do not drive. Finally, a large increase in paratransit service (door-to-door wheelchair-equipped van service) is included for the expected increase in the elderly population over the RTP and SCS period.
- ✓ The need to provide choice in the availability of transportation modes for County residents as a means to avoid significant delay and congestion, which may indirectly harm businesses and residents that depend upon a viable transportation system, is an overriding concern.

## Transportation and Land Use

- ✓ Investment in the transportation system will offer opportunities to grow logically and address the interaction between land use and transportation more effectively.
- ✓ The requirement for amendments to the RTP every four years, which provides for the identification of transportation modes to address population and employment growth, is required by State Law and sound local planning practice and is an overriding concern.
- ✓ The specific need to provide necessary, feasible and sustainable transportation system improvements within the region is an overriding concern.
- ✓ Because there is no alternative other than the “No Build,” and Project Alternatives 1, 2, or 3 to converting some prime farmland for expansion of the circulation system, the need for such conversion is an overriding concern.

## Funding and Revenue

- ✓ The Project shows revenues available from all sources -- federal, state, and local. The 2022 RTP/SCS would provide additional funding than that included in the RTP. The region will continue to receive federal and state funding to program projects through to the Year 2046.
- ✓ Overall, the Project provides funding transit operations and improvements, highway, street and road improvements, highway, street and road maintenance and rehabilitation, and for other kinds of improvements (bicycle, pedestrian, community design, etc.).

## Health and Safety

- ✓ Pedestrian and bicycle plans and projects are specifically allocated funding in the 2022 RTP/SCS and funds have also been identified for such improvements in the RTP. Local road and State highway safety-related improvements are also included.
- ✓ Regional benefits associated with implementation of the 2022 RTP/SCS (reduced vehicular emissions, reduced congestion, reduced travel time, reduced vehicle miles traveled and improved mobility), will result from the implementation of planned improvement projects, which outweigh the potentially unavoidable localized impacts to land use development that may result from the projects.

## Environmental Sustainability

- ✓ The Project includes a number of projects and programs that mitigate environmental issues.
- ✓ Because there is no alternative other than “No Build,” “No Project,” and VMT Reduction Alternatives to the loss of some biological, cultural and agricultural resources for expansion of the circulation system, the loss of such resources is an overriding concern.
- ✓ The 2022 RTP/SCS balances the need to preserve valuable agricultural and biological resources with the region’s need to provide a viable transportation system to accommodate anticipated population and employment growth and the related increased need for employment opportunities and municipal revenue. This planning balance is an overriding concern.
- ✓ Implementation of the 2022 RTP/SCS will result in increased unavoidable noise levels as a result of expansion of the planned transportation system, but the specific need to provide necessary, feasible and sustainable transportation system improvements within the region that supports planned growth and development, is an overriding concern.
- ✓ Because there is no alternative other than the “No Build” and other Project Alternatives to converting some prime farmland and forestry lands for expansion of the circulation system and to accommodate future development, the need for such conversion is an overriding concern.
- ✓ While the individual improvement projects will not result in emissions beyond those allowed through the conformity process, and construction and hot spot emission impacts can be mitigated or are not found to be significant, the fact that the Valley continues to be nonattainment for volatile organic compounds, nitrogen oxides, and PM emissions, is an overriding concern.

- ✓ Because there is no alternative other than the “No Build” and other Project Alternatives to the loss of some biological resources for expansion of the circulation system and to accommodate future development, the loss of such resources is an overriding concern.
- ✓ MCTC has used the best available information to determine whether the 2022 RTP/SCS is consistent with the State’s achievement of the AB 32 GHG emission reductions and addresses SB 375 mandates. Implementation of the mitigation measures will assist in the reduction of per capita VMT levels throughout Madera County, which will assist in meeting the stated goals of AB 32 and requirements set forth in SB 375.
- ✓ Because there is no alternative other than the “No Build” and other Project Alternatives to converting some cultural and tribal lands for expansion of the circulation system and to accommodate future development, the need for such conversion is an overriding concern.
- ✓ Regional benefits associated with implementation of the 2022 RTP/SCS (reduced vehicular emissions, reduced vehicle miles traveled and improved mobility) will outweigh impacts associated with energy consumption through 2046.
- ✓ Because there is no alternative other than the “No Build” and other Project Alternatives to the loss of and impact on geologic, soil, and mineral resources for expansion of the circulation system and to accommodate future development, the loss of such resources is an overriding concern.
- ✓ The 2022 RTP/SCS includes projects that may involve the transportation, use, and/or disposal of hazardous materials, particularly the proposed freight rail improvements and other goods movement capacity enhancements, which may result in transport of hazardous goods as well as the use of equipment that contains or uses routine hazardous materials (e.g., diesel fueled equipment), or the transportation of excavated soil and/or groundwater containing contaminants from areas that are identified as being contaminated. The 2022 RTP/SCS will provide for the enhancement of street and highway projects to accommodate the movement of goods and improve the safety of hazardous waste.
- ✓ The specific impacts on hydrology and water quality will be evaluated as part of the implementation agencies’ project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s).
- ✓ Regional benefits associated with implementation of the 2022 RTP/SCS (reduced vehicular emissions, reduced vehicle miles traveled and improved mobility), will result from the implementation of planned improvement projects, which outweigh the potentially unavoidable localized impacts to land use development that may result from the individual improvement projects.

- ✓ Implementation of the 2022 RTP/SCS will result in increased unavoidable noise levels as a result of expansion of the planned transportation system, but the specific need to provide necessary, feasible and sustainable transportation system improvements within the region that supports planned growth and development, is an overriding concern.
- ✓ The 2022 RTP/SCS balances the need to preserve valuable agricultural and biological resources with the region's need to provide a viable transportation system to accommodate anticipated population and employment growth and the related increased need for employment opportunities and municipal revenue. This planning balance is an overriding concern.
- ✓ Implementation of the 2022 RTP/SCS would result in positive impacts on public services; however, long-term maintenance of various transportation modes including streets and highways is an overriding concern.
- ✓ Regional and localized benefits associated with implementation of the 2022 RTP/SCS (reduced vehicular emissions, reduced congestion, reduced travel time, reduced vehicle miles traveled and improved mobility), that will result from the implementation of planned improvement projects, outweigh the potentially unavoidable impacts associated with individual or localized improvement projects and other projects identified in the Project alternatives. These other alternatives will result in greater VMT and infeasible transportation projects that will not result in further benefits beyond implementation of the 2022 RTP/SCS.

### **Summary of Overriding Considerations**

- ✓ First, the individual improvement projects identified in the 2022 RTP/SCS are required to meet travel demand of residents and businesses through to the year 2046.
- ✓ Second, the planned transportation improvements will enhance continued economic growth in the region.
- ✓ Third, the planned improvements will reduce levels of vehicular emissions compared to the other Project Alternatives.
- ✓ Fourth, appropriate and achievable mitigation measures have been proposed, which are within MCTC's and its member agencies' jurisdiction to mitigate or avoid the significant environmental effects identified in the Draft and Final PEIRs.
- ✓ The Project will meet the GHG emission reduction targets set forth by the State of California.

Based on substantial evidence in the public record, MCTC finds that, for the reasons set forth above, the economic, social and other consideration of the individual improvement projects outweigh the unavoidable aesthetic, agricultural and forestry, air quality, biological, climate change, cultural and tribal resources, energy, geologic, soil and mineral, hazardous materials, hydrology and water quality, land use, planning, and recreational, noise, population and housing, public utilities, other utilities, and service systems, socioeconomic, transportation, and wildfire impacts identified in the Draft and Final PEIRs.

## EXHIBIT B - MITIGATION MONITORING PROGRAM

### B.1 STATUTORY REQUIREMENTS

This Mitigation Monitoring Program for the Madera County Transportation Commission (MCTC) 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Program Environmental Impact Report (PEIR) has been developed in accordance with Section 21081.6 of the Public Resources Code, which requires a Lead Agency that approves or carries out a project, where a PEIR has identified significant environmental effects, to adopt a reporting or monitoring program. The purpose of this program is to identify the changes to the project, which the Lead Agency has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment. MCTC is the Lead Agency that must adopt the mitigation monitoring program.

Section 21069 of the California Environmental Quality Act (CEQA) statute defines Responsible Agency as a public agency, other than the Lead Agency, which has the responsibility for carrying out or approving a project. MCTC finds that the implementation of most of the mitigation measures listed in Table B-1 are not within its jurisdiction and can and should be implemented and monitored by agencies responsible for implementing the projects, including but not limited to the following: cities, Madera County, Caltrans, transit agencies/districts, and other responsible agencies.

CEQA statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15091(d) “when making the findings required in subdivision (a)(1) of CEQA, the agency shall also adopt a program for reporting on or monitoring the changes, which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.” Furthermore, Section 15097.d states “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any of the individual improvement projects identified in the Draft and Final PEIRs.

Regular review and update of the 2022 RTP/SCS will be conducted by MCTC, as appropriate. These updates involve a determination of regional transportation and air quality impacts and require air quality conformity pursuant to the Federal Clean Air Act (CAA).

As required by Section 21081.6 of the Public Resources Code, the MCTC Custodian of Records is the “custodian of documents and other material” which constitutes the “record of proceedings” upon which the decision to adopt the 2022 RTP/SCS is based. Inquiries should be directed to: Dylan Stone, Custodian



of Records (559) 675-0721, or email [dylan@maderactc.org](mailto:dylan@maderactc.org). The physical location of this information is: MCTC, 2001 Howard Road, Suite 201, Madera, CA 93637

## B.2 ADMINISTRATION OF THE MITIGATION MONITORING PROGRAM

Mitigation measures listed in this Mitigation Monitoring Program (reference Table B-1) will be implemented by one or more responsible implementing agencies when those agencies undertake individual transportation improvement projects identified in the 2022 RTP/SCS.

The Mitigation Monitoring Program consists of the following components as reflected in Table B-1:

- ✓ Mitigation measures contained in the Draft and Final PEIRs
- ✓ Identification of the responsible party
- ✓ Description of mitigation measure timing
- ✓ Identification of monitoring agency

NOTE: Within an impact area, if the timing and responsible agency are the same for each mitigation measure addressing that impact, the timing and responsible agency is only shown for the first mitigation measure but applies to all mitigation measure under that impact area.

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>AE 3.2.1</b> Have a substantial adverse effect on a scenic vista.</p>	<ul style="list-style-type: none"> <li>✓ <b>AE 3.2.1-1</b> Implement design guidelines, local policies, and programs aimed at protecting views of scenic corridors and avoiding visual intrusions.</li> <li>✓ <b>AE 3.2.1-2</b> To the extent feasible, noise barriers that will not degrade or obstruct a scenic view will be constructed. Noise barriers will be well landscaped, complement the natural landscape and be graffiti-resistant.</li> </ul>	<p>✓ Ongoing over the life of the plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>AE 3.2.2</b> Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.</p>	<ul style="list-style-type: none"> <li>✓ <b>AE 3.2.2-1</b> Avoid construction of transportation facilities and new development in state and locally designated scenic highways and vista points.</li> <li>✓ <b>AE 3.2.2-2</b> If transportation facilities and new development are constructed in state and locally designated scenic highways and/or vista points, design, construction, and/or operation of the transportation facility or new development will be consistent with applicable guidelines and regulations for the preservation of scenic resources along the designated scenic highway.</li> </ul>	<p>✓ Ongoing over the life of the plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>AE 3.2.3</b> Substantially degrade the existing visual character or quality of the site and its surroundings.</p>	<ul style="list-style-type: none"> <li>✓ <b>AE 3.2.3-1</b> Where appropriate, encourage the development of design guidelines for each type of transportation facility and land use that make elements of proposed projects visually compatible with surrounding areas. Visual guidelines will, at a minimum, include setback buffers, landscaping, color, texture, signage, and lighting criteria. The following methods will be employed whenever possible:                             <ul style="list-style-type: none"> <li>➤ Transportation systems and new development will be designed in a manner where the surrounding landscape dominates.</li> <li>➤ Transportation systems and new development will be developed to be compatible with the surrounding environment (i.e., colors and materials of construction material).</li> <li>➤ If exotic vegetation is used, it will be used as screening and landscaping that blends in and complements the natural landscape.</li> <li>➤ Trees bordering highways will remain or be replaced so that clear cutting is not evident.</li> <li>➤ Grading will blend with the adjacent landforms and topography.</li> <li>➤ Lighting devices will be employed such as downward facing light, light shields, and amber lumens.</li> </ul> </li> <li>✓ <b>AE 3.2.3-2</b> Project implementation agencies should design transportation and new development projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. Project implementation agencies should design projects to minimize their intrusion into important view sheds and use contour grading to better match surrounding terrain. To the maximum extent feasible, landscaping along highway corridors should be designed to add significant natural elements and visual interest to soften the hard-edged, linear travel experience that would otherwise occur.</li> </ul>	<p>✓ Ongoing over the life of the plan</p>	<p>✓ Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>AE 3.2.3-3</b> Project implementation agencies should use natural landscaping to minimize contrasts between the Project (RTP/SCS) and surrounding areas. Wherever possible, interchanges and transit lines should be designed at the grade of the surrounding land to limit view blockage. Edges of major cut and-fill slopes should be contoured to provide a more natural looking finished profile. Project implementation agencies should replace and renew landscaping to the greatest extent possible along corridors with road widenings, interchange projects, and related improvements. New corridor landscaping should be designed to respect existing natural and man-made features and to complement the dominant landscaping of surrounding areas.</li> <li>✓ <b>AE 3.2.3-4</b> Project implementation agencies should construct sound walls of materials whose color and texture complements the surrounding landscape and development and to the maximum extent feasible, use color, texture, and alternating facades to “break up” large facades and provide visual interest. Where there is room, project sponsors should landscape the sound walls with plants that screen the sound wall, preferably with either native vegetation or landscaping that complements the dominant landscaping of surrounding areas.</li> </ul>		
<p><b>AE 3.2.4</b> Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.</p>	<ul style="list-style-type: none"> <li>✓ <b>AE 3.2.4-1</b> Where appropriate, encourage the development of design guidelines for each type of transportation facility and land use development that make light elements of proposed facilities visually compatible with surrounding areas. The following methods will be employed whenever possible:                             <ul style="list-style-type: none"> <li>➤ Transportation systems and new development areas will be designed in a manner where the surrounding landscape dominates.</li> <li>➤ Transportation systems and new development areas will be developed to be compatible with the surrounding environment.</li> <li>➤ Lighting devices will be employed such as downward facing light, light shields, and amber lumens.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>
<b>AGRICULTURAL RESOURCES</b>			

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>AR 3.3.1</b> Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.</p>	<ul style="list-style-type: none"> <li>✓ <b>AR 3.3.1-1</b> MCTC shall work with its member agencies and Caltrans as they implement projects to commit to mitigate at a 1:1 ratio any loss of farmland or natural lands due to projects funded by MCTC.</li> <li>✓ <b>AR 3.3.1-2</b> Implementing agencies should encourage in-fill development, in place of development in rural and environmentally sensitive areas. Agencies should seek funding to prepare specific plans and related environmental documents to facilitate mixed-use development, and to allow these areas to serve as receiver sites for transfer of development rights away from environmentally sensitive lands and rural areas outside established urban growth boundaries.</li> <li>✓ <b>AR 3.3.1-3</b> Implementing agencies should consider agricultural resource lands when considering project designs. Prior to the design approval of RTP/SCS projects, the implementing agency should assess the project area for agriculture and forestry resources and constraints. For federally funded projects, implementing and local agencies are required to follow the rules and regulations of Farmland Protection Policy Act including determining the impact by completing the Farmland Conversion Impact Rating form (AD-1006). For non-federally funded projects, implementing and local agencies should assess projects for the presence of important farmlands (prime farmland, unique farmland, farmland of statewide importance), and if present, perform a Land Assessment and Site Evaluation (LESA).</li> <li>✓ <b>AR 3.3.1-4</b> Implementing agencies should consider agriculture and forestry resources in all projects and seek to avoid or minimize the encroachment and/or impact on these areas. Agencies should consider measures such as, but not limited to, relocation or redesign of site features, reduction of the project footprint, or compensation and/or preservation activities to lessen the overall impact on resource lands. Prior to final approval of each individual transportation improvement project, the implementing agency should consider inclusion into a conservation easement program or arrange for the enrollment of agricultural lands into the Williamson Act program.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ MCTC and implementing agencies</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> </ul>
<p><b>AR 3.3.2</b> Conflict with Existing Zoning for Agriculture Use, or a Williamson Act Contract.</p>	<ul style="list-style-type: none"> <li>✓ <b>AR 3.3.2-1</b> Mitigation Measures referenced in Section 3.3.1, above are also included by reference.</li> <li>✓ <b>AR 3.3.2-2</b> Individual projects will be consistent with federal, state, and local policies that preserve agricultural lands and support the economic viability of agricultural activities, as well as policies that provide compensation for property owners if preservation is not feasible.</li> <li>✓ <b>AR 3.3.2-3</b> For projects in agricultural areas, project implementation agencies should contact the California Department of Conservation and the Agricultural Commissioner’s office to identify the location of prime farmlands and lands that support crops considered valuable to the local or regional economy.</li> <li>✓ <b>AR 3.3.2-4</b> Prior to final approval of each individual improvement project, the implementing agency should avoid impacts to prime farmlands or farmlands that support crops considered valuable to the local or regional economy.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ MCTC and Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> </ul>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<b>AR 3.3.3</b> Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).	<ul style="list-style-type: none"> <li>✓ <b>AR 3.3.3-1</b> Mitigation Measures referenced in Impact 3.3.1, above are also included by reference.</li> <li>✓ <b>AR 3.3.3-2</b> Individual projects will be consistent with federal, state, and local zoning policies that preserve timber or forest lands and support the economic viability of forest activities, as well as policies that provide compensation for property owners if preservation is not feasible.</li> <li>✓ <b>AR 3.3.3-3</b> For projects in timber or forest areas, project implementation agencies should contact the California Department of Forestry and Fire Protection (CAL FIRE) and the U.S. Forest Service to identify the location of timber and forest lands to address applicable zoning regulations and processes.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Reference measures under Impact 3.3.1</li> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Reference agencies referenced under Impact 3.3.1</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> </ul>
<b>AR 3.3.4</b> Result in the loss of forest land or conversion of forest land to non-forest use.	<ul style="list-style-type: none"> <li>✓ <b>AR 3.3.4-1</b> Mitigation Measures referenced in Impact 3.3.1, above are also included by reference.</li> <li>✓ <b>AR 3.3.4-2</b> Individual projects will be consistent with federal, state, and local policies that preserve forest lands and support the economic viability of forest activities, as well as policies that provide compensation for property owners if preservation is not feasible.</li> <li>✓ <b>AR 3.3.4-3</b> For projects in forest areas, project implementation agencies should contact the California Department of Forestry and Fire Protection (CAL FIRE) and the U.S. Forest Service to identify the location of forest lands and address applicable regulations and processes.</li> <li>✓ <b>AR 3.3.4-4</b> Prior to final approval of each individual improvement project, the implementing agency should avoid impacts forest lands.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Reference measures under Impact 3.3.1</li> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Reference agencies under Impact 3.3.1</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> </ul>
<b>AR 3.3.5</b> Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.	<ul style="list-style-type: none"> <li>✓ <b>AR 3.3.5-1</b> Reference the mitigation measure reflected in Impacts 3.3.1 through 3.3.5.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Reference measures under Impact 3.3.1 through 3.3.4</li> </ul>	<ul style="list-style-type: none"> <li>✓ Reference agencies under Impact 3.3.1 through 3.3.4</li> </ul>
<b>AIR QUALITY</b>			
<b>AQ 3.4.1</b> Conflict with or obstruct implementation of an applicable air quality plan.	<ul style="list-style-type: none"> <li>✓ None required</li> </ul>	<ul style="list-style-type: none"> <li>✓ Not applicable</li> </ul>	<ul style="list-style-type: none"> <li>✓ Not applicable</li> </ul>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<b>AQ 3.4.2</b> Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).	✓ <b>AQ 3.4.2-1</b> None required	✓ Not applicable	✓ Not applicable
<b>AQ 3.4.3</b> Expose sensitive receptors to substantial pollutant concentrations.	✓ <b>AQ 3.4.3-1</b> As air toxics research continues, implementing agencies should utilize the tools and techniques that are developed for assessing health outcomes as a result of lifetime MSAT exposure. The potential health risks posed by MSAT exposure should continue to be factored into project-level decision making in the context of environmental review. Specifically, at the project level, implementing agencies shall require or perform air toxic risk assessments to determine mobile source air toxic impacts.	✓ Ongoing over the life of the Plan ✓	✓ Implementing agency or project sponsor
<b>AQ 3.4.4</b> Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	✓ <b>AQ 3.4.4-1</b> Implementing agencies should require assessment of new and existing odor sources for transportation improvement projects and future land use development projects to determine whether sensitive receptors would be exposed to objectionable odors and apply recommended applicable mitigation measures as defined by the applicable local air district and best practices.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>BIOTIC RESOURCES</b>			
<b>BR 3.5.1</b> Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	✓ <b>BR 3.5.1-1</b> Each proposed individual transportation improvement project and future land use development will consider the displacement of sensitive habitat, sensitive species, and non-native habitat.  ✓ <b>BR 3.5.1-2</b> When avoidance of native vegetation removal is not possible, each transportation improvement project and future land use development shall replant disturbed areas with commensurate native vegetation of high habitat value adjacent to the project (i.e., as opposed to ornamental vegetation with relatively less habitat value).  ✓ <b>BR 3.5.1-3</b> Focused sensitive plant and wildlife species and non-native habitat surveys will be conducted within suitable habitat to determine the distribution of sensitive species within the biological impact area of each transportation improvement project and future land use development. Sensitive plant and non-native habitat surveys will be conducted during the appropriate flowering season for sensitive plant species with the potential to occur within the individual transportation improvement project or future land use development area. In all cases, impacts on special-status species and/or their habitat shall be avoided during construction to the extent feasible.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p><b>BR 3.5.1-4</b> If sensitive plant or wildlife species and non-native habitat are identified within the biological impact area, a Biological Resource Management Plan (BRMP) will be developed to address appropriate avoidance and minimization measures. These measures may include seed collection and salvage measures for sensitive plant species and non-native habitat, silt fencing, exclusion fencing and/or appropriate compensation where impacts cannot be fully avoided. Implementing agencies shall address the special-status species including, but not limited to species listed below.</p> <ul style="list-style-type: none"> <li>✓ California tiger salamander (CTS): CTS have been documented in Madera County (CDFW 2022). CTS breed and develop in vernal and seasonal pools and stock ponds in grassland, woodland, and scrub habitat types. They require upland refuges (i.e., small mammal burrows) when not breeding. Prior to ground-disturbing activities, CDFW recommends that a qualified wildlife biologist assess the project site and vicinity (i.e., up to 1.3 miles, observed CTS dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommends site assessments follow the United States Fish and Wildlife Service (USFWS) “Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander” (2003). CDFW recommends the qualified biologist determine the impacts of project-related activities to all CTS upland and breeding habitat within and/or adjacent to the construction footprint. Because both upland burrow refugia and breeding wetland habitat features suitable for use by CTS are present in Madera County, CDFW advises avoidance for CTS include a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows. If burrow avoidance is not feasible, consultation with CDFW is warranted to determine if the project can avoid take. CDFW agrees with BR 3.5.1-21 that if take cannot be avoided, acquisition of an Incidental Take Permit (ITP) is necessary prior to any ground-disturbing activities to comply with CESA.</li> <li>✓ Blunt-nosed Leopard Lizard (BNLL): BNLL (<i>Gambelia sila</i>) is State and federally endangered and have the potential to occur in Madera County. Full BNLL protocol surveys are recommended on the entirety of project sites which provides potential BNLL habitat. Suitable BNLL habitat includes all areas of grassland and shrub habitat that contains required habitat elements, such as small mammal burrows and open areas for basking. BNLL are also known to utilize open space patches between suitable habitat features including disturbed sites and unpaved access roadways. BNLL is fully protected and CDFW cannot authorize take of this species.</li> </ul> <p>CDFW recommend focused surveys following the survey methods titled “<i>Approved Survey Methodology for the Blunt-nosed Leopard Lizard</i>” (CDFW 2019) to detect any BNLL that may occur in the Project area. These surveys, the parameters of which were designed to optimize detectability, must be conducted within one year from the start of project activities to reasonably assure CDFW that take of this fully protected species will not occur as a result of project implementation. It is important to note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same survey season, and that within these time periods there are specific date, temperature, and time parameters which must be adhered to; as a result, protocol-level surveys for</p>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>this species are not synonymous with “pre-construction” surveys often recommended for other wildlife species.</p> <p>In addition, CDFW advises that all potential burrows, which could be occupied by BNLL, and all individuals observed above-ground be avoided. CDFW recommend suitable burrows within and adjacent to potential habitat for BNLL be avoided by a minimum 50 feet in all areas where ground-disturbing project activities will occur, that an appropriate number of qualified biologists be present during all ground-disturbing project activities to ensure that BNLL above ground are not impacted, and that any individual that may enter the project activity area be allowed to leave unobstructed on its own. In the event that BNLL is detected, consultation with CDFW would be warranted to discuss how to implement the Project and avoid take.</p> <ul style="list-style-type: none"> <li>✓ <b>San Joaquin Kit Fox (SJKF):</b> SJKF has the potential to occur in Madera County. SJKF populations are known to fluctuate over years and a negative finding from biological surveys in any one year does not necessarily depict absence of kit fox on a site. It is important to note that SJKF may be attracted to any construction area due to the type and level of activity (pipes, excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. CDFW recommends that the exclusion buffers and survey methods found in the USFWS’s “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” (2011) be followed prior to any ground-disturbing activities occurring within the Project site.</li> <li>✓ <b>Special Status Plant Species:</b> There is the potential for multiple special status plant species to occur on or adjacent to the subsequent project sites. CDFW recommends that all project sites be surveyed by a qualified botanist. CDFW advises following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (March 20, 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary. Further, CDFW advises that a minimum no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s), or specific habitat type(s) required by special status plant species, be delineated around special status plant species. If buffers cannot be maintained, then consultation with CDFW is advised to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State- or federally listed plant species is identified during botanical surveys, then consultation with CDFW and/or the USFWS is recommended to determine the need for an ITP (issued by CDFW) or a Biological Opinion (issued by the USFWS).</li> <li>✓ <b>BR 3.5.1-5</b> Individual transportation improvement projects and future land use developments shall include offsite habitat enhancement or restoration to compensate for unavoidable habitat losses from the project site.</li> </ul>		



TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>✓ <b>BR 3.5.1-6</b> Locations of sensitive species, sensitive habitat, and non-native habitat will be mapped and shown on construction drawings and identified as Environmentally Sensitive Areas (ESAs). Prior to construction, these areas will be flagged and/or fenced to prevent unnecessary impacts from machinery and foot traffic.</p> <p>✓ <b>BR 3.5.1-7</b> Temporary access roads and staging areas will not be located within areas containing sensitive plant, sensitive wildlife species or non-native habitat wherever feasible, so as to avoid or minimize impacts to these species.</p> <p>✓ <b>BR 3.5.1-8</b> Construction activities will be scheduled, as appropriate and feasible, to avoid sensitive times that have a greater likelihood to affect significant resources such as spawning periods for fish, nesting season for birds and/or the rainy season for riparian habitat and sediment/erosion control.</p> <p><b>BR 3.5.1-9</b> All vegetation (including tall grasses) will be removed between August 16<sup>th</sup> and February 14<sup>th</sup>, if possible, to avoid potential conflicts with nesting birds. If it is not possible to remove vegetation during that time frame, a nest clearance survey will be completed prior to vegetation clearing. Any detected nests will be mapped and provided with an appropriate buffer as recommended by a qualified biologist. Construction activities within the buffer area will not be allowed until after September 15 or until fledglings have abandoned the nest. If project activities occur during the bird nesting season, CDFW recommends protocol-level surveys be conducted prior to any project ground disturbance. CDFW recommends (1) a 0.5-mile no-disturbance buffer for any fully protected, State-threatened and/or State-endangered birds, except that a minimum 300-foot no-disturbance buffer be implemented for active tricolor blackbird nest colonies in accordance with CDFW’s “Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015” (CDFW 2015), (2) a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species, and (3) a 500-foot no-disturbance buffer around the nests of unlisted raptors. Survey protocols can be found at CDFW’s website (<a href="https://www.wildlife.ca.gov/Conservation/Survey-Protocols">https://www.wildlife.ca.gov/Conservation/Survey-Protocols</a>). CDFW advises that these nest avoidance buffers be incorporated into the Biological Resources Management Plan.</p> <p>While this mitigation measure proposes that the August 16th through February 14th work period will be used to avoid disturbance to nesting birds, it is also important to note that any project ground-disturbing activities during this period may impact CTS. CTS usually leave their burrows during the first rain events in search of seasonal pools or stock ponds for breeding. Project proponents may need to consider the timing of project activities, the location of the project in proximity to special status species habitat, and/or the need to pursue take authorization.</p> <p>✓ <b>BR 3.5.1-10</b> A Worker Awareness Program (environmental education) shall be developed and implemented to inform project workers of their responsibilities in regard to avoiding and minimizing impacts on sensitive biological resources.</p>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>BR 3.5.1-11</b> An Environmental Inspector shall be appointed to serve as a contact for issues that may arise concerning implementation of mitigation measures, and to document and report on adherence to these measures.</li> <li>✓ <b>BR 3.5.1-12</b> A qualified wetland scientist shall review construction drawings as part of each project-specific environmental analysis to determine whether wetlands will be impacted, and if necessary, perform a formal wetland delineation. Appropriate State and federal permits shall be obtained, but each project EIR will contain language clearly stating the provisions of such permits, including avoidance measures, restoration procedures, and in the case of permanent impacts compensatory creation or enhancement measures to ensure a no net loss of wetland extent or function and values.</li> <li>✓ <b>BR 3.5.1-13</b> Sensitive habitats (native vegetative communities identified as rare and/or sensitive by the CDFW) and special-status plant species (including vernal pools) impacted by projects shall be restored and augmented, if impacts are temporary, at a 1.1:1 ratio (compensation acres to impacted acres). Permanent impacts shall be compensated for by creating or restoring habitats at a 3:1 ratio as close as possible to the site of the impact.</li> <li>✓ <b>BR 3.5.1-14</b> When work is conducted in identified sensitive habitat areas and/or areas of intact native vegetation, construction protocols shall require the salvage of perennial plants and the salvage and stockpile of topsoil (the surface material from 6 to 12 inches deep) and shall be used in restoring native vegetation to all areas of temporary disturbance within the project area.</li> <li>✓ <b>BR 3.5.1-15</b> If specific project area trees are designated as “Landmark Trees” or “Heritage Trees”, then approval for removals shall be obtained through the appropriate entity, and appropriate mitigation measures shall be developed at that time, to ensure that the trees are replaced. Due to the close proximity of these areas to sensitive wildlife habitats, all mitigation trees will use only locally collected native species.</li> <li>✓ <b>BR 3.5.1-16</b> The height, spacing, number and type of light fixtures will be selected and installed to minimize intrusive light escaping from the physical boundaries of the site.</li> <li>✓ <b>BR 3.5.1-17</b> The height, spacing, number and type of light fixtures will be selected and installed to minimize intrusive light escaping from the physical boundaries of the site. In addition, road noise minimization using appropriate and effective noise reduction strategies or noise abatement applications shall be applied by implementing agencies as required to minimize highway noise.</li> <li>✓ <b>BR 3.5.1-18</b> A qualified biologist shall conduct a habitat assessment, well in advance of implementation of individual subsequent projects, to determine if individual project areas or their immediate vicinity contain</li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>habitat suitable to support special-status plant or animal species, including, but not limited to, those mentioned above.</p> <ul style="list-style-type: none"> <li>✓ <b>BR 3.5.1-19</b> It is recommended that the lead or responsible agency assess the presence/absence of special-status species by conducting surveys following recommended protocols or protocol-equivalent surveys.</li> <li>✓ <b>BR 3.5.1-20</b> If special-status plant or animal species within or in the vicinity of tiered project areas are detected, consultation with CDFW to discuss how to implement ground-disturbing activities and avoid take shall be undertaken.</li> <li>✓ <b>BR 3.5.1-21</b> In the case of the detection of State-listed species, consultation with CDFW shall be undertaken to discuss how to avoid take, or if avoidance is not feasible, to acquire an Incidental Take Permit (ITP) prior to ground-disturbing activities, pursuant to Fish and Game Code § 2081 (b).</li> <li>✓ <b>BR 3.5.1-22</b> Implementing agencies should consult with the USFWS on potential impacts to federally listed species implementing agencies should consult with the USFWS in order to comply with Federal Endangered Species Act (FESA) well in advance of any ground-disturbing activities. A take under FESA includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting.</li> <li>✓ <b>BR 3.5.1-23</b> Implementing agencies are encouraged to report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:   <a href="http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf">http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf</a>.                       The completed form can be mailed electronically to CNDDDB at the following email address:  <a href="mailto:CNDDDB@wildlife.ca.gov">CNDDDB@wildlife.ca.gov</a>.                       The types of information reported to CNDDDB can be found at the following link:  <a href="http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp">http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp</a>.</li> <li>✓ <b>BR 3.5.1-24</b> If it is determined that tiered projects have the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish &amp; Game Code, § 711.4; Pub. Resources Code, § 21089).</li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>BR 3.5.2</b> Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.</p>	<ul style="list-style-type: none"> <li>✓ <b>BR 3.5.2-1</b> When applicable to federally funded projects, responsible and implementing agencies should commit to improved interagency coordination and integration of the National Environmental Policy Act (NEPA) and the Clean Water Act Section 404 procedures during three stages: transportation planning, project programming, and project implementation. Affected State and local agencies should commit to ensuring the earliest possible consideration of environmental concerns pertaining to U.S. water bodies, including wetlands, at each of the three stages identified above. In addition, the agencies should place a high priority on the avoidance of adverse impacts to waters of the U.S. and associated sensitive species, including threatened and endangered species. Implementation of NEPA-404 requirements will expedite construction of necessary transportation projects, with benefits to mobility and the economy at large. The process will also enable more street and highway projects to proceed on budget and on schedule. Finally, the process will improve cooperation and efficiency of governmental operations at all levels, thereby better serving the public.</li> <li>✓ <b>BR 3.5.2-2</b> Construction and operational Best Management Practices (BMPs) will be identified, installed and maintained by implementing agencies in order to prevent silt and other pollutants from entering jurisdictional waters and wetlands thereby degrading or destroying wildlife and/or natural habitat. BMPs may include straw bales and/or mats, temporary sedimentation basins, silt fence, sandbag check dams, dry season construction, etc.</li> <li>✓ <b>BR 3.5.2-3</b> Native soils in construction areas will be removed, stockpiled separately, and replaced by implementing agencies in those areas where onsite revegetation of the native habitat is planned.</li> <li>✓ <b>BR 3.5.2-4</b> Any disturbed natural areas will be replanted by implementing agencies with appropriate native vegetation following the completion of construction activities.</li> <li>✓ <b>BR 3.5.2-5</b> During the individual improvement or future land use development project design phase, impacts to jurisdictional waters and wetlands will be minimized by implementing agencies to the greatest extent feasible.</li> <li>✓ <b>BR 3.5.2-6</b> Implementing agencies will obtain and comply with appropriate regulatory requirements prior to construction.</li> <li>✓ <b>BR 3.5.2-7</b> It is recommended that a qualified biologist conduct a habitat assessment in advance of project implementation, to determine if individual project areas or their immediate vicinity support freshwater marsh, wetland, vernal pool, and/or riparian communities.</li> <li>✓ <b>BR 3.5.2-8</b> Where applicable, it is recommended that a formal wetland delineation be conducted by a qualified biologist to determine the location and extent of wetlands and waterways on parcels slated for</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>development. Please note that, while there is overlap, State and Federal definitions of wetlands, as well as which activities require notification pursuant to Fish and Game Code § 1602, differ.</p> <p>✓ <b>BR 3.5.2-9</b> Project-related activities that have the potential to change the bed, bank, and channel of streams and other waterways, may be subject to CDFW's regulatory authority pursuant to Fish and Game Code §1600 et seq., therefore notification is recommended. Fish &amp; Game Code §1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of a Lake and Streambed Alteration Agreement. For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593.</p>		
<p><b>BR 3.5.3</b> Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p>	<p>✓ <b>BR 3.5.3-1</b> For Individual transportation and future land use development projects near water resources, implementing agencies shall prepare an aquatic resources delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Aquatic Resource Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" under "Jurisdiction" on the U.S. Army Corps of Engineers website (<a href="http://www.spk.usace.army.mil/missions/regulatory.aspx">www.spk.usace.army.mil/missions/regulatory.aspx</a>), and submit it to the U.S. Army Corps of Engineers, Regulatory Division, California South Branch, 1325 J Street, Room 1350, Sacramento, California 95814, for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.</p> <p>✓ <b>BR 3.5.3-2</b> For Individual transportation and future land use development projects near water resources, implementing agencies shall include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.</p>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>BR 3.5.4</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.</p>	<p>✓ <b>BR 3.5.4-1</b> During final design, implementing agencies will design, construct, and maintain terrestrial wildlife crossings in order to minimize barrier effects and habitat fragmentation created by individual transportation projects and future land use developments.</p> <p>✓ <b>BR 3.5.4-2</b> During final design, implementing agencies will design, construct, and maintain any structure/culvert placed within a stream where endangered or threatened fish occur/may occur. The structure/culvert will not constitute a barrier to upstream or downstream movement of aquatic life or cause an avoidance reaction by fish that impedes their upstream or downstream movement. This includes, but is not limited to, the supply of water at an appropriate depth for fish migration.</p>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<b>BR 3.5.5</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	<ul style="list-style-type: none"> <li>✓ <b>BR 3.5.5-1</b> Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, protected trees or other locally protected biological resources. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation should be implemented when significance thresholds are exceeded. Mitigation should be consistent with the requirements of CEQA and/or follow applicable plans promulgated to protect species/habitat.</li> <li>✓ <b>BRI 3.5.5-2</b> Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to protected trees and other locally protected resources where feasible, defined in section 15364 of the CEQA Guidelines.</li> <li>✓ <b>BR 3.5.5-3</b> As part of project-level environmental review, implementing agencies will ensure that projects comply with the most recent general plans, policies, and ordinances, and conservation plans. Review of these documents and compliance with their requirements will be demonstrated in project-level environmental documentation. Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation.</li> </ul>	Ongoing over the life of the Plan	Implementing agency or project sponsor
<b>BR 3.5.6</b> Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.	<ul style="list-style-type: none"> <li>✓ <b>BR 3.5.6-1</b> Consult with federal, state, and/or local agencies that handle administration of HCPs and NCCPs</li> <li>✓ <b>BR 3.5.6-2</b> When feasible, the project will be designed in such a way that lands preserved under HCPs or NCCPs are avoided.</li> <li>✓ <b>BR 3.5.6-3</b> Sufficient conservation measures to fulfil the HCPs or NCCPs requirements be taken when avoidance is determined to be infeasible.</li> </ul>	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>CLIMATE CHANGE</b>			
<b>CC 3.6.1</b> Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	<ul style="list-style-type: none"> <li>✓ <b>CC 3.6.1-1</b> MCTC shall update future Regional Transportation Plans (including Sustainable Community Strategies) to incorporate policies and measures that will lead to further reduced GHG emissions. Such policies and measures may be derived from the General Plans, local jurisdictions' Climate Action Plans (CAPs), and other adopted policies and plans of its member agencies that include GHG mitigation and adaptation measures or other sources.</li> <li>✓ <b>CC 3.6.1-2</b> Local governments should adopt policies and develop practices that lead to GHG emission reductions. These activities will include, but are not limited to, providing technical assistance and information sharing on developing local Climate Action Plans.</li> <li>✓ <b>CC 3.6.1-3</b> Implementing and local agencies should adopt and implement Climate Action Plans (CAPs, also known as Plans for the Reduction of Greenhouse Gas Emissions as described in State CEQA Guidelines Section 15183.5 Tiering and Streamlining the Analysis of Greenhouse Gas Emissions) that do the following:</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> <li>✓ As necessary</li> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ MCTC</li> <li>✓ Implementing Agencies</li> <li>✓ Implementing agencies</li> </ul>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>➤ Quantify GHG emissions, both existing and projected over a specified period, resulting from activities within each agency’s jurisdiction;</li> <li>➤ Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;</li> <li>➤ Identify and analyze the GHG emissions resulting for specific actions or categories of actions anticipated within their respective jurisdictions;</li> <li>➤ Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;</li> <li>➤ Establish a mechanism to monitor the plan’s progress toward achieving that level and to require amendment if the plan is not achieving specified levels; and</li> <li>➤ Be adopted in a public process following environmental review.</li> </ul> <p>CAPs should, when appropriate, incorporate planning and land use measures from the California Attorney General’s latest list of example policies to address climate change at both the plan and project level. Specifically, at the plan level, land use plans can and should, when appropriate, incorporate planning and land use measures from the California Attorney General’s latest list of example policies to address climate change, including, but not limited to policies from that web page such as:</p> <ul style="list-style-type: none"> <li>➤ Smart growth, jobs/housing balance, transit-oriented development, and infill development through land use designations, incentives and fees, zoning, and public private partnerships.</li> <li>➤ Create transit, bicycle, and pedestrian connections through planning, funding, development requirements, incentives and regional cooperation, and create disincentives for auto use.</li> <li>➤ Energy and water-efficient buildings and landscaping through ordinances, development fees, incentives, project timing, prioritization, and other implementing tools.</li> <li>➤ In addition, implementing and local agencies should incorporate, as appropriate, policies to encourage implementation of the Attorney General’s list of project-specific mitigation measures.</li> </ul> <p>In addition, CAPs should also incorporate analysis of climate change adaptation, in recognition of the likely and potential effects of climate change in the future regardless of the level of mitigation and in conjunction with Executive Order S-13-08, which seeks to enhance the state’s management of climate impacts including sea level rise, increased temperatures, shifting precipitation, and extreme weather events by facilitating the development of state’s first climate adaptation strategy.</p> <p>✓ <b>CC 3.6.1-4</b> MCTC shall prepare an alternative planning strategy that show a future land use and transportation scenario which meets the reduction targets. The alternative planning strategy does not</p>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ MCTC</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>need to be consistent with financial constraint requirements or realistic latest planning assumptions for land use.</p> <p>✓ <b>CC 3.6.1-5</b> MCTC shall continue to work closely with its member agencies to help them participate in the statewide Active Transportation Program (ATP).</p> <p>✓ <b>CC 3.6.1-6</b> MCTC shall prepare an alternative planning strategy that show a future land use and transportation scenario which meets the reduction targets. The alternative planning strategy does not need to be consistent with financial constraint requirements or realistic latest planning assumptions for land use.</p> <p>✓ <b>CC 3.6.1-7</b> Project Level Environmental Documents</p> <p>Project level environmental documents shall analyze construction and maintenance and land use development project Greenhouse Gas (GHG) emissions.</p> <p>✓ <b>CC 3.6.1-8</b> Off-Model Reduction Strategies</p> <p>MCTC will work with other affected and responsible agencies to implement the following strategies that are quantified “off-model”:</p> <ul style="list-style-type: none"> <li>➤ Regional electric vehicle (EV) charging infrastructure programs.</li> <li>➤ Active transportation projects.</li> <li>➤ Vanpool program expansion.</li> <li>➤ Rideshare programs.</li> <li>➤ Rule 9410 Employer Trip Reductions.</li> <li>➤ ITS and other TSM projects.</li> </ul> <p>✓ <b>CC 3.6.1-9</b> Short-Range Improvement Plan - <i>Air Quality Measures</i></p> <p>The Short-Range Improvement Plan provides actions that will reduce air emissions between 2022 and 2026. As indicated in the needs assessment sections of the RTP/SCS, the majority of short-term measures improving air quality are related to system, demand, and control management strategies. Local governments, MCTC, and other regional, state, and federal agencies should take the following actions to facilitate the implementation of strategies necessary to ensure that air quality standards are met:</p> <ul style="list-style-type: none"> <li>➤ MCTC will continue to consult and coordinate with the other seven Valley MPOs and the SJVAPCD in providing focused/unified transportation/air quality planning.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p> <p>✓ Ongoing over the life of the Plan</p> <p>✓ Ongoing over the life of the Plan</p> <p>✓ Ongoing over the life of the Plan</p> <p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p> <p>✓ MCTC and other implementing agencies</p> <p>✓ Implementing agencies or project sponsors</p> <p>✓ MCTC and other responsible agencies</p> <p>✓ MCTC and other responsible agencies</p>



TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>➤ MCTC and the SJVAPCD will continue to coordinate/consult in activities aimed at achieving both federal and California air quality standards</li> <li>➤ Designated responsible governments and agencies will identify and consider Transportation Demand Measures and Transportation Control Measures during State Implementation Plan (SIP) development and carried out where appropriate.</li> <li>➤ MCTC will continue to support the SJVAPCD’s efforts to integrate appropriate policies and implementation measures identified in the Air Quality Guidelines for General Plans into local general plans.</li> <li>➤ MCTC, Madera County and its cities will encourage land-use patterns that reduce automobile dependency, energy consumption and support transit and other alternative modes.</li> <li>➤ MCTC will encourage local transit agencies to replace aging fleets with alternative-fueled buses.</li> <li>➤ MCTC and local transit agencies will support greater funding flexibility for bus purchases to promote the most energy-efficient models.</li> <li>➤ MCTC, in cooperation with Caltrans, will promote park-and-ride lots and parking management strategies where appropriate.</li> <li>➤ MCTC, Caltrans, cities and the county support alternate fuel strategies to reduce petroleum fuels. Alternative fuel technology can have a significant impact on reducing petroleum-based fuel consumption.</li> </ul> <p>✓ <b>CC 3.6.1-10</b> San Joaquin Valley Clean Transportation Center</p> <p>The San Joaquin Valley Clean Transportation Center, which opened in January 2016, provided an additional advancement in clean energy education and incorporation into both residential and business fleets. The Center provides a new regional resource in helping to improve air quality and reduce vehicle emissions. The Center has strong connections and relations with a national network of manufacturers, suppliers and fleets to help improve the regional transportation system. Funding is provided by a California Energy Commission grant through CALSTART.</p>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>CC 3.6.2</b> Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.</p>	<p>✓ <b>CC 3.6.2-1</b> See Mitigation Measures for Impact 3.6.1.</p>	<p>See measures under Impact 3.6.1</p>	<p>See agencies under Impact 3.6.1</p>
<b>CULTURAL AND TRIBAL RESOURCES</b>			
<p><b>CTR 3.7.1</b> Cause a substantial adverse change in the significance</p>	<p>✓ <b>CTR 3.7.1-1</b> As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources considering requirements set forth in Assembly Bill 52 (Gallo, Chapter 532 of 2014) and Senate Bill 18. If the project I also subject to the</p>	<p>Ongoing over the life of the Plan</p>	<p>Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p>of a historical resource as defined in § 15064.5.</p>	<p>federal National Environmental Policy Act (NEPA), the tribal requirements of Section 106 of the National Historic Preservation Act of 1966 may also apply.</p> <ul style="list-style-type: none"> <li>✓ <b>CTR 3.7.1-2</b> As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources. A record search at the appropriate Information Center will be conducted to determine whether the individual transportation improvement project or future land use development area has been previously surveyed and whether resources were identified.</li> <li>✓ <b>CTR 3.7.1-3</b> As necessary, prior to construction activities, the implementing agencies will obtain a qualified architectural historian to conduct historic architectural surveys as recommended by the Archaeological Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the individual transportation improvement project or future land use development area for cultural resources.</li> <li>✓ <b>CTR 3.7.1-4</b> Implementing agencies will comply with Section 106 of the National Historic Preservation Act if federal funding or approval is required. This law requires federal agencies to evaluate the impact of their actions on resources included in or eligible for listing in the National Register of Historic Places. Federal agencies must coordinate with the State Historic Preservation Officer in evaluating impacts and developing mitigation. These mitigation measures may include, but are not limited to the following:                         <ul style="list-style-type: none"> <li>➤ Carry out the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, relocation, or reconstruction of any impacted historic resource, which will be conducted in a manner consistent with the Secretary of the Interior’s Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.</li> </ul> </li> <li>✓ <b>CTR 3.7.1-5</b> In some instances, the following mitigation measure may be appropriate in lieu of the previous mitigation measure:                         <ul style="list-style-type: none"> <li>➤ Secure a qualified environmental agency and/or architectural historian, or other such qualified person to document any significant historical resource(s), by way of historic narrative, photographs, or architectural drawings, as mitigation for the effects of demolition of a resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.</li> </ul> </li> </ul>		
<p><b>CTR 3.7.2</b> Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.</p>	<ul style="list-style-type: none"> <li>✓ <b>CTR 3.7.2-1</b> As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources considering requirements set forth in Assembly Bill 52 (Gallo, Chapter 532 of 2014) and Senate Bill 18. If the project is also subject to the federal National Environmental Policy Act (NEPA), the tribal requirements of Section 106 of the</li> </ul>	<p>Ongoing over the life of the Plan</p>	<p>Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>National Historic Preservation Act of 1966 may also apply [reference Appendix B, Notice of Preparation (NOP) Comment Letters from the Native American Heritage Commission, dated April 28, 2017].</p> <ul style="list-style-type: none"> <li>✓ <b>CTR 3.7.2-2</b> As part of the appropriate environmental review of individual projects, the implementation agencies will consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area and identify the Native American(s) to contact to obtain information about the project site.</li> <li>✓ <b>CTR 3.7.2-3</b> Prior to construction activities and as necessary, the implementation agencies will obtain a qualified archaeologist to conduct a record search at the appropriate Information Center of the California Archaeological Inventory to determine whether the project area has been previously surveyed and whether resources were identified.</li> <li>✓ <b>CTR 3.7.2-4</b> As necessary prior to construction activities, the implementation agencies will obtain a qualified archaeologist or architectural historian (depending on applicability) to conduct archaeological and/or historic architectural surveys as recommended by the Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for cultural resources.</li> <li>✓ <b>CTR 3.7.2-5</b> If the record search indicates that the project is located in an area rich with cultural materials, the implementing agencies will retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.</li> <li>✓ <b>CTR 3.7.2-6</b> Construction activities and excavation will be conducted to avoid cultural resources (if found). If avoidance is not feasible, further work may need to be done to determine the importance of a resource. The implementation agencies will obtain a qualified archaeologist familiar with the local archaeology, and/or an architectural historian should make recommendations regarding the work necessary to determine importance. If the cultural resource is determined to be important under State or federal guidelines, impacts on the cultural resource will be mitigated.</li> <li>✓ <b>CTR 3.7.2-7</b> The project implementation agencies will stop construction activities and excavation in the area where cultural resources are found until a qualified archaeologist can determine the importance of these resources.</li> </ul>		
<p><b>CTR 3.7.3</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>	<ul style="list-style-type: none"> <li>✓ <b>CTR 3.7.3-1</b> The project sponsor of a 2022 RTP/SCS project involving ground disturbing activities (including grading, trenching, foundation work, and other excavations) shall 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</li> </ul>	<p>Ongoing over the life of the Plan</p>	<p>Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>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, the following measures shall apply:</p> <ul style="list-style-type: none"> <li>• 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 Worker Environmental Awareness Program (WEAP) 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.</li> <li>• Paleontological Worker Environmental Awareness Program (WEAP). Prior to the start of ground disturbance activity greater than two feet below existing grade, construction personnel shall be informed on the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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</li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>monitoring report outlining the results of the mitigation and monitoring. 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.</p> <ul style="list-style-type: none"> <li>✓ <b>CTR 3.7.3-2</b> As part of the appropriate environmental review of individual projects, the project implementation agencies will obtain a qualified paleontologist to identify and evaluate paleontological resources where potential impacts are considered high; the paleontologist will also conduct a field survey in these areas.</li> <li>✓ <b>CTR 3.7.3-3</b> Construction activities will avoid known paleontological resources, especially if the resources in a particular lithic unit formation have been determined through detailed investigation to be unique. If avoidance is not feasible, paleontological resources will be excavated by the qualified paleontologist and given to a local agency, State University, or other applicable institution, where they can be displayed.</li> </ul>		
<p><b>CTR 3.7.4</b> – Disturb any human remains, including those interred outside of formal cemeteries.</p>	<ul style="list-style-type: none"> <li>✓ <b>CTR 3.7.4-1</b> As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources considering requirements set forth in Assembly Bill 52 (Gallo, Chapter 532 of 2014) and Senate Bill 18. If the project is also subject to the federal National Environmental Policy Act (NEPA), the tribal requirements of Section 106 of the National Historic Preservation Act of 1966 may also apply.</li> <li>✓ <b>CTR 3.7.4-2</b> If the remains are of Native American origin, the coroner will contact the Native American Heritage Commission in order to ascertain the proper descendants from the deceased individual. The coroner will make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</li> <li>✓ <b>CTR 3.7.4-3</b> If the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission, in which case:                         <ul style="list-style-type: none"> <li>➤ The landowner or his authorized representative will obtain a Native American monitor - and an archaeologist, if recommended by the Native American monitor - and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance where the following conditions occur:                                 <ul style="list-style-type: none"> <li>▪ The Native American Heritage Commission is unable to identify a descendent.</li> <li>▪ The descendant identified fails to make a recommendation.</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>CTR 3.7.5</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p> <p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<ul style="list-style-type: none"> <li>▪ The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</li> </ul> <p>✓ <b>CTR 3.7.5-1</b> Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:</p> <ol style="list-style-type: none"> <li>a. A brief description of the project.</li> <li>b. The lead agency contact information.</li> <li>c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code§ 21080.3.1 (d)).</li> <li>d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code§ 21073).</li> </ol> <p>✓ <b>CTR 3.7.5-2</b> Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code§ 21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).</p> <ol style="list-style-type: none"> <li>a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code§ 21080.3.1 (b)).</li> </ol> <p>✓ <b>CTR 3.7.5-3</b> Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:</p> <ol style="list-style-type: none"> <li>a. Alternatives to the project.</li> <li>b. Recommended mitigation measures.</li> <li>c. Significant effects. (Pub. Resources Code§ 21080.3.2 (a)).</li> </ol> <p>✓ <b>CTR 3.7.5-4</b> Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:</p> <ol style="list-style-type: none"> <li>a. Type of environmental review necessary.</li> <li>b. Significance of the tribal cultural resources.</li> <li>c. Significance of the project's impacts on tribal cultural resources.</li> </ol>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code§ 21080.3.2 (a)).</p> <p>✓ <b>CTR 3.7.5-5</b> Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code§ 21082.3(c)(1)).</p> <p>✓ <b>CTR 3.7.5-6</b> Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:</p> <p>a. Whether the proposed project has a significant impact on an identified tribal cultural resource.</p> <p>b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code§ 21082.3 (b)).</p> <p>✓ <b>CTR 3.7.5-7</b> Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:</p> <p>a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or</p> <p>b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code§ 21080.3.2 (b)).2</p> <p>✓ <b>CTR 3.7.5-8</b> Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code§ 21082.3 (a)).</p> <p>✓ <b>CTR 3.7.5-9</b> Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if</p>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource,' the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code§ 21082.3 (e)).</p> <p>✓ <b>CTR 3.7.5-10</b> Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:</p> <ul style="list-style-type: none"> <li>a. Avoidance and preservation of the resources in place, including, but not limited to:                             <ul style="list-style-type: none"> <li>i. Planning and construction to avoid the resources and protect the cultural and natural context.</li> <li>ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.</li> </ul> </li> <li>b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:                             <ul style="list-style-type: none"> <li>i. Protecting the cultural character and integrity of the resource.</li> <li>ii. Protecting the traditional use of the resource.</li> <li>iii. Protecting the confidentiality of the resource.</li> </ul> </li> <li>c. 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.</li> <li>d. Protecting the resource. (Pub. Resource Code§ 21084.3 (b)).</li> <li>e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code§ 815.3 (c)).</li> <li>f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code§ 5097.991).</li> </ul> <p>✓ <b>CTR 3.7.5-11</b> Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:</p> <ul style="list-style-type: none"> <li>a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.</li> <li>b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.</li> <li>c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code§ 21082.3 (d)).</li> </ul>		



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	<ul style="list-style-type: none"> <li>➤ All mitigation measures will be included in project-level analysis, as appropriate. The implementing agencies will be responsible for ensuring adherence to the mitigation measures prior to construction. MCTC will be provided with documentation indicating compliance with mitigation measures.</li> <li>➤ Implementation of the following mitigation measures for tribal cultural resources is recommended to reduce impacts to a less-than-significant level. Implementing agencies will require the following measures as part of the individual transportation improvement project or future land use development review process:                             <ul style="list-style-type: none"> <li>▪ As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to tribal cultural resources considering requirements set forth in AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments noted above in items 1 through 11 and referenced in Appendix B, Notice of Preparation (NOP) Comment Letter dated April 28, 2017.</li> <li>▪ As part of the appropriate environmental review of individual projects, the implementation agencies will consult with the NAHC and affected Native American Tribes to determine whether known sacred sites are in the project area and identify the Native American(s) to contact to obtain information about the project site.</li> </ul> </li> </ul>		
<b>ENERGY AND ENERGY CONSERVATION</b>			
<p><b>EN 3.8.1</b> Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.</p>	<ul style="list-style-type: none"> <li>✓ <b>EN 3.8.1-1</b> Implementing agencies shall review energy impacts as part of any CEQA-required project-level environmental analysis and specify appropriate mitigation measures for any identified energy impacts.</li> <li>✓ <b>EN 3.8.1-2</b> During the design and approval of transportation improvements and future land use development projects, the following energy efficiency measures shall be incorporated when applicable:                             <ul style="list-style-type: none"> <li>➤ The design or purchase of any lighting fixtures shall achieve energy reductions beyond an estimated baseline energy use for such lighting.</li> <li>➤ LED technology shall be used for all new or replaced traffic lights, rail signals, and other new develop lighting features compatible with LED technology.</li> </ul> </li> <li>✓ <b>EN 3.8.1-3</b> Implementing agencies should consider various best practices and technological improvements that can reduce the consumption of fossil fuels such as:                             <ul style="list-style-type: none"> <li>➤ Expanding light-duty vehicle retirement programs.</li> <li>➤ Increasing commercial vehicle fleet modernization.</li> <li>➤ Implementing driver training modules on fuel consumption.</li> <li>➤ Replacing gasoline powered mowers with electric mowers.</li> <li>➤ Reducing idling from construction equipment.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>➤ Incentivizing alternative fuel vehicles and equipment</li> <li>➤ Developing infrastructure for alternative fueled vehicles.</li> <li>➤ Implementing truck idling rules, devices, and truck-stop electrification</li> <li>➤ Requiring electric truck refrigerator units.</li> <li>➤ Reducing locomotives fuel use.</li> <li>➤ Modernizing older off-road engines and equipment.</li> <li>➤ Encouraging freight mode shift.</li> <li>➤ Limit use and develop fleet rules for construction equipment.</li> <li>➤ Requiring zero-emission forklifts.</li> </ul> <p>✓ <b>EN 3.8.1-4</b> Implementing agencies should include energy analyses in environmental documentation and general plans with the goal of conserving energy through the wise and efficient use of energy. For any identified energy impacts, appropriate mitigation measures should be developed and monitored. MCTC recommends the use of Appendix F, Energy Conservation, of the <i>CEQA Guidelines</i>.</p> <p>✓ <b>EN 3.8.1-5</b> Project and land use development implementing agencies should streamline permitting and provide public information to facilitate accelerated construction of solar and wind power.</p> <p>✓ <b>EN 3.8.1-6</b> Project and land use development implementing agencies should adopt a “Green Building Program” to promote green building standards. Green buildings can reduce local environmental impacts, regional air pollutant emissions and global greenhouse gas emissions. Green building standards involve everything from energy efficiency, usage of renewable resources and reduced waste generation and water usage. For example, water-related energy use in 2017 consumed 20 percent of the state’s electricity. The residential sector accounts for 48 percent of both the electricity and natural gas consumption associated with urban water use. While interest in green buildings has been growing for some time, cost has been a main consideration as it may cost more up front to provide energy-efficient building components and systems. Initial costs can be a hurdle even when the installed systems will save money over the life of the building. Energy efficiency measures can reduce initial costs, for example, by reducing the need for over-sized air conditioners to keep buildings comfortable. Undertaking a more comprehensive design approach to building sustainability can also save initial costs through reuse of building materials and other means.</p> <p>✓ <b>EN 3.8.1-7</b> Where identified, local governments should alter zoning to improve jobs/housing balance, create communities where people live closer to work, and bike, walk, and take transit as a substitute for personal auto travel consistent and in support of the SCS. Creating walkable, transit-oriented modes would generally reduce energy use and greenhouse gas emissions. Residential energy use (electricity and natural gas) accounts for less than 10 percent of California’s greenhouse gas emissions. Furthermore, studies have shown that the type of housing (such as multi-family) and the size of a house have strong relationships to residential energy use. Residents of single-family detached housing consume over 20</p>		

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	<p>percent more primary energy than those of multifamily housing and 9 percent more than those of single-family attached housing.</p> <ul style="list-style-type: none"> <li>✓ <b>EN 3.8.1-8</b> Project and land use development implementing agencies should increase the number of AFVs (i.e., vehicles not powered strictly by gasoline or diesel fuel) both in publicly owned vehicles, as well as those owned by franchisees of these agencies, such as trash haulers, green waste haulers, street sweepers, and curbside recyclable haulers.</li> <li>✓ <b>EN 3.8.1-9</b> Bid solicitations for construction of projects should preference the use of alternative formulations of cement and asphalt with reduced GHG emissions to the extent that such cement and asphalt formulations are available at a reasonable cost in the marketplace. Solicitations should also preference the recycling of construction waste and debris if market conditions permit.</li> <li>✓ <b>EN 3.8.1-10</b> All mitigation measures listed in Chapter 3, Section 3.6 (Climate Change) of this EIR, are incorporated by reference and shall be implemented by implementing agencies to address energy conservation impacts.</li> </ul>		
<p><b>EN 3.8.2</b> - Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.</p>	<ul style="list-style-type: none"> <li>✓ <b>EN 3.8.2-1</b> See Mitigation Measures for Impact 3.8.1.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>
<b>GEOLOGY/SOILS/MINERAL RESOURCES</b>			
<p><b>GSM 3.9.1</b> Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> <li>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of</li> </ul>	<ul style="list-style-type: none"> <li>✓ <b>GSM 3.9.1-1</b> Implementing agencies will be responsible for ensuring that transportation improvement projects and future land use development projects are built to the seismic standards contained in the most recent edition of the Uniform Building Code (UBC).</li> <li>✓ <b>GSM 3.9.1-2</b> implementing agencies will ensure that transportation improvement projects and future land use development projects located within or across active fault zones comply with design requirements, published by the CGS, as well as local, regional, state, and federal design criteria for construction of projects in seismic areas.</li> <li>✓ <b>GSM 3.9.1-3</b> Implementing agencies will guarantee that geotechnical analysis is conducted within construction areas to establish soil types and local faulting prior to the construction of transportation improvements and future land use developments is subject to geotechnical analysis.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>

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Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p>Mines and Geology Special Publication 42.</p> <p>ii) Strong seismic ground shaking.</p> <p>iii) Seismic-related ground failure, including liquefaction.</p> <p>iv) Landslides.</p>			
<p><b>GSM 3.9.2</b> Result in substantial soil erosion or the loss of topsoil.</p>	<ul style="list-style-type: none"> <li>✓ <b>GSM 3.9.2-1</b> Implementing agencies will ensure that individual transportation improvement projects and future land use developments provide adequate slope drainage and appropriate landscaping to minimize the occurrence of slope instability and erosion.</li> <li>✓ <b>GSM 3.9.2-2</b> Transportation improvement project and future land use development design features will include measures to reduce erosion from storm water.</li> <li>✓ <b>GSM 3.9.2-3</b> Road cuts will be designed to maximize the potential for revegetation.</li> <li>✓ <b>GSM 3.9.2-4</b> Implementing agencies will ensure that transportation improvement projects and future land use developments avoid landslide areas and potentially unstable slopes wherever feasible.</li> <li>✓ <b>GSM 3.9.2-5</b> Where practicable, transportation improvement project and future land use development designs that would permanently alter unique geologic features will be avoided.</li> </ul>	<p>Ongoing over the life of the Plan</p>	<p>Implementing agency or project sponsor</p>
<p><b>GSM 3.9.3</b> Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.</p>	<ul style="list-style-type: none"> <li>✓ <b>GSM 3.9.3-1</b> Implementing agencies will ensure that geotechnical investigations are conducted by a qualified geologist to identify the potential for subsidence and expansive soils.</li> <li>✓ <b>GSM 3.9.3-2</b> Implementing agencies should take corrective measures, such as structural reinforcement and replacing soil with engineered fill, will be implemented in individual transportation improvement project and future land use development site designs, where applicable.</li> <li>✓ <b>GSM 3.9.3-3</b> Implementing agencies will ensure that, prior to preparing individual transportation improvement project and future land use development site designs, new and abandoned wells are identified within construction areas to ensure the stability of nearby soils.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>GSM 3.9.4</b> Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.</p>	<ul style="list-style-type: none"> <li>✓ <b>GSM 3.9.4-1</b> Implementing agencies will ensure that geotechnical investigations are conducted by a qualified geologist to identify the potential for subsidence and expansive soils.</li> <li>✓ <b>GSM 3.9.4-2</b> Implementing agencies should take corrective measures, such as structural reinforcement and replacing soil with engineered fill, will be implemented in individual transportation improvement project and future land use development site designs, where applicable.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>

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Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>GSM 3.9.4-3</b> Implementing agencies will ensure that, prior to preparing individual transportation improvement project and future land use development site designs, new and abandoned wells are identified within construction areas to ensure the stability of nearby soils.</li> </ul>		
<b>GSM 3.9.5</b> Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.	<ul style="list-style-type: none"> <li>✓ <b>GSM 3.9.5-1</b> Implementing agencies shall conduct a geotechnical investigation and a geotechnical report shall be prepared. The geotechnical report shall include a quantitative analysis to determine whether on-site soils would be suitable for an on-site wastewater treatment system. If it is determined that the soil could not support a conventional on-site treatment system, non-conventional systems shall be analyzed. In many cases, these types of systems can reduce significant wastewater impacts to less-than-significant levels. Implementation of these measures would reduce the significance of having soils incapable of supporting the use of traditional septic systems where sewers are not available for the disposal of wastewater. In some cases, it will not be feasible to provide alternative wastewater disposal systems due to space constraints, lack of a service provider, and/or cost. Implementation and enforcement of conventional and non-conventional system measures would be within the responsibility and jurisdiction of the implementing agencies. For these reasons, wastewater disposal impacts would remain significant.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>
<b>GSM 3.9.6</b> Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State.	<ul style="list-style-type: none"> <li>✓ <b>GSM 3.9.6-1</b> The implementing agency should protect against the loss of availability of a designated mineral resource through identification of locations with designated mineral resources and adoption and implementation of policies to conserve land that is most suitable for mineral resource extraction from development of incompatible uses.</li> <li>✓ <b>GSM 3.9.6-2</b> Where possible, transportation improvement project and future land use development sites will be designed by responsible agencies to limit potential impacts on mineral resource lands.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>
<b>Impact 3.9.7</b> - Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.	<ul style="list-style-type: none"> <li>✓ <b>GSM 3.9.7-1</b> The implementing agency should protect against the loss of availability of a locally-important mineral resource recovery site through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection of mineral resource production and extraction activities.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<b>HM 3.10.1</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	<ul style="list-style-type: none"> <li>✓ <b>HM 3.10.1-1</b> The implementation agency and project sponsors shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>

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Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>HM 3.10.2</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.</p>	<ul style="list-style-type: none"> <li>✓ <b>HM 3.10.2-1</b> Implementing agencies shall encourage the USDOT, the Office of Emergency Services, and Caltrans to continue to conduct driver safety training programs and encourage the private sector to continue conducting driver safety training.</li> <li>✓ <b>HM 3.10.2-2</b> Implementing agencies shall encourage the USDOT and the CHP to continue to enforce speed limits and existing regulations governing goods movement and hazardous materials transportation.</li> <li>✓ <b>HM 3.10.2-3</b> The implementing agencies and project sponsors shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>HM 3.10.3</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.</p>	<ul style="list-style-type: none"> <li>✓ <b>HM 3.10.3-1</b> The implementing agencies shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>HM 3.10.4</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or environment.</p>	<ul style="list-style-type: none"> <li>✓ <b>HM 3.10.4-1</b> Prior to approval of any improvement project or future land use development project, the project implementation agency shall consult all known databases of contaminated sites and undertake a standard Phase 1 Environmental Site Assessment in the process of planning, environmental clearance, and construction for projects included in the 2022 RTP/SCS. If contamination is found the implementing agency shall coordinate clean up and/or maintenance activities.</li> <li>✓ <b>HM 3.10.4-2</b> Where contaminated sites are identified, the project implementation agency shall develop appropriate mitigation measures to assure that worker and public exposure is minimized to an acceptable level and to prevent any further environmental contamination as a result of construction.</li> <li>✓ <b>HM 3.10.4-3</b> Local agencies should contact the Chevron Environmental Management Company (CEMC) to determine whether an improvement or future land use development project may be in the vicinity of the Tidewater Oil Company or Standard Oil Company historical pipeline alignments.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>HM 3.10.5</b> For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people</p>	<ul style="list-style-type: none"> <li>✓ <b>HM 3.10.5-1</b> Implementing agencies should comply with ALUC plans as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>

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Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
residing or working in the project area.			
<b>HM 3.10.6</b> For a project located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.	✓ <b>HM 3.10.6-1</b> Implementing agencies should analyze and adhere to all safety and compatibility issues as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>HM 3.10.7</b> Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	✓ <b>HM 3.10.7-1</b> Implementing agencies should adhere to all emergency plans as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>HM 3.10.8</b> Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.	✓ <b>HM 3.10.8-1</b> Implementing agencies should analyze and adhere to all safety and compatibility issues as a part of their design and construction of transportation facilities and their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within wildland areas.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>HYDROLOGY AND WATER QUALITY</b>			
<b>HW 3.11.1</b> Violate any water quality standards or waste discharge requirements.	✓ <b>HW 3.11.1-1</b> Improvement projects and new development will include upgrades to storm water drainage facilities to accommodate increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce velocity.  ✓ <b>HW 3.11.1-2</b> Transportation network improvements and future land use developments will comply with local, state and federal floodplain regulations. Proposed transportation improvements and applicable new developments will be engineered by responsible agencies to accommodate storm drainage flow.  ✓ <b>HW 3.11.1-3</b> Responsible agencies should ensure that operational best management practices for street cleaning, litter control, and catch basin cleaning are provided to prevent water quality degradation.	Ongoing over the life of the Plan	Implementing agency or project sponsor

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	<p>Responsible agencies implementing projects requiring continual water removal facilities should provide monitoring systems including long-term administrative procedures to ensure proper operations for the life of the Project.</p> <p>✓ <b>HW 3.11.1-4</b> Responsible agencies should ensure that new facilities include water quality control features such as drainage channels, detention basins, and vegetated buffers to prevent pollution of adjacent water resources by runoff.</p>		
<p><b>HW 3.11.2</b> Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).</p>	<p>✓ <b>HW 3.11.2-1</b> Transportation network improvements and future land use developments will comply with local, state and federal floodplain regulations. Proposed transportation improvements and applicable new developments will be engineered by responsible agencies to accommodate storm drainage flow. Responsible agencies should ensure that operational best management practices for street cleaning, litter control, and catch basin cleaning are provided to prevent water quality degradation. Responsible agencies implementing projects requiring continual water removal facilities should provide monitoring systems including long-term administrative procedures to ensure proper operations for the life of the Project.</p> <p>✓ <b>HW 3.11.2-2</b> Local agencies shall form Groundwater Sustainability Agencies (GSAs) in accordance with the collection of State legislation [AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley)] known as the Sustainable Groundwater Management Act (SGMA), as applicable, to manage high and medium priority basin sustainably and requires those GSAs to adopt Groundwater Sustainability Plans (GSPs) for crucial groundwater basins in California.</p>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>HW 3.11.3</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.</p>	<p>✓ <b>HW 3.11.3-1</b> Prior to construction within the vicinity of a watercourse, the project sponsor can and should obtain all necessary regulatory permits and authorizations from the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), California Coastal Commission, and local jurisdictions, and should comply with all conditions issued by applicable agencies. Required permit approvals and certifications may include, but not be limited to the following:</p> <ul style="list-style-type: none"> <li>➤ U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps should be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act.</li> <li>➤ Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above.</li> <li>➤ California Department of Fish and Wildlife (CDFW): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFW.</li> </ul>	<p>Ongoing over the life of the Plan</p>	<p>Implementing agency or project sponsor</p>



TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>A qualified environmental consultant can and should be retained and paid for by the project sponsor to make site visits as necessary; and as a follow-up, submit to the Lead Agency a letter certifying that all required conditions have been instituted during the grading activities.</p> <ul style="list-style-type: none"> <li>✓ <b>HW 3.11.3-2</b> Project sponsors can and should comply with the State-wide construction storm water discharge permit requirements including preparation of Storm Water Pollution Prevention Plans for transportation improvement construction projects. Roadway construction projects can and should comply with the Caltrans storm water discharge permit. BMPs can and should be identified and implemented to manage site erosion, wash water runoff, and spill control.</li> <li>✓ <b>HW 3.11.3-3</b> Project sponsors can and should implement BMPs to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. Plans demonstrating BMPs should be submitted for review and approval by the lead agency. At a minimum, the project sponsor can and should provide filter materials deemed acceptable to the lead agency at nearby catch basins to prevent any debris and dirt from flowing into the local storm drain system and creeks.</li> <li>✓ <b>HW 3.11.3-4</b> Project sponsors can and should submit an erosion and sedimentation control plan for review and approval by the appropriate government agency. All work should incorporate all applicable BMPs for the construction industry, including BMPs for dust, erosion and water quality. The measures should include, but are not limited to, the following:                         <ul style="list-style-type: none"> <li>➤ On sloped properties, the downhill end of the construction area must be protected with silt fencing (such as sandbags, filter fabric, silt curtains, etc.) and hay bales oriented parallel to the contours of the slope (at a constant elevation) to prevent erosion into the street, gutters, storm drains.</li> <li>➤ In accordance with an approved erosion control plan, the project sponsor should implement mechanical and vegetative measures to reduce erosion and sedimentation, including appropriate seasonal maintenance. One hundred (100) percent degradable erosion control fabric should be installed on all graded slopes to protect and stabilize the slopes during construction and before permanent vegetation gets established. All graded areas should be temporarily protected from erosion by seeding with fast growing annual species. All bare slopes must be covered with staked tarps when rain is occurring or is expected.</li> <li>➤ Minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. Maximize the replanting of the area with native vegetation as soon as possible.</li> <li>➤ Install filter materials acceptable to the appropriate agency at the storm drain inlets nearest to the project site prior to the start of the wet weather season; site dewatering activities; street washing activities; saw cutting asphalt or concrete; and in order to retain any debris flowing into the storm</li> </ul> </li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>drain system. Filter materials should be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding.</p> <ul style="list-style-type: none"> <li>➤ Ensure that concrete/granite supply trucks or concrete/plaster finishing operations do not discharge wash water into water courses, street gutters, or storm drains.</li> <li>➤ Direct and locate tool and equipment cleaning so that wash water does not discharge into the street, gutters, or storm drains.</li> <li>➤ Create a contained and covered area on the site for storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by the wind or in the event of a material spill. No hazardous waste material should be stored on-site.</li> <li>➤ Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly (or other interval approved by the lead agency) basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.</li> <li>➤ Remove all dirt, gravel, refuse, and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.</li> <li>➤ As appropriate, broom sweep the street pavement adjoining the project site on a daily basis. Caked-on mud or dirt should be scraped from these areas before sweeping. At the end of each workday, the entire site must be cleaned and secured against potential erosion, dumping, or discharge to the street, gutter, and/or storm drains.</li> <li>➤ All erosion and sedimentation control measures implemented during construction activities, as well as construction site and materials management should be in strict accordance with the control standards listed in the latest edition of the Erosion and Sediment Control Field Manual published by the RWQCB.</li> <li>➤ All erosion and sedimentation control measures should be monitored regularly by the project sponsor. If measures are insufficient to control sedimentation and erosion, then the project sponsor should develop and implement additional and more effective measures immediately.</li> </ul>		
<p><b>HW 3.11.4</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.</p>	<p>✓ <b>HW 3.11.4-1</b> Prior to construction, and when a potential drainage issue is known, a drainage study should be conducted by responsible agencies for new capacity-increasing projects and new land use developments, where applicable. Drainage systems should be designed to maximize the use of detention basins, vegetated areas, and velocity dissipaters to reduce peak flows where possible. Transportation and new development improvements will comply with federal, state and local regulations regarding storm water management. State-owned freeways must comply with Storm Water Discharge NPDES permit for Caltrans facilities.</p>	<p>✓ Not applicable</p>	<p>✓ Not applicable</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>HW 3.11.4-2</b> Responsible agencies should ensure that new facilities include water quality control features such as drainage channels, detention basins, and vegetated buffers to prevent pollution of adjacent water resources by runoff.</li> </ul>		
<p><b>HW 3.11.5</b> Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.</p>	<ul style="list-style-type: none"> <li>✓ <b>HW 3.11.5-1</b> Project sponsors can and should ensure that new facilities include structural water quality control features such as drainage channels, detention basins, oil and grease traps, filter systems, and vegetated buffers to prevent pollution of adjacent water resources by polluted runoff where required by applicable urban storm water runoff discharge permits.</li> <li>✓ <b>HW 3.11.5-2</b> Drainage of roadway runoff can and should comply with Caltrans’ storm water discharge permit. Wherever possible, roadways can and should be designed to convey storm water through vegetated median strips that provide detention capacity and allow for infiltration before reaching culverts.</li> <li>✓ <b>HW 3.11.5-3</b> Project sponsors can and should assure projects mitigate for changes to the volume of runoff, where any downstream receiving water body has not been designed and maintained to accommodate the increase in flow velocity, rate, and volume without impacting the water’s beneficial uses. Pre-project flow velocities, rates, and volumes must not be exceeded. This applies not only to increases in storm water runoff from the project site, but also to hydrologic changes induced by flood plain encroachment. Projects should not cause or contribute to conditions that degrade the physical integrity or ecological function of any downstream receiving waters.</li> <li>✓ <b>HW 3.11.5-4</b> Impacts can and should be reduced to the extent possible by providing culverts and facilities that do not increase the flow velocity, rate, or volume and/or acquiring sufficient storm drain easements that accommodate an appropriately vegetated earthen drainage channel.</li> <li>✓ <b>HW 3.11.5-5</b> Project sponsors of improvement projects on existing facilities can and should include upgrades to stormwater drainage facilities to accommodate any increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce flow velocities, including expansion and restoration of wetlands and riparian buffer areas. System designs can and should be completed to eliminate increases in peak flow rates from current levels.</li> <li>✓ <b>HW 3.11.5-6</b> Local jurisdictions can and should encourage Low Impact Development and incorporation of natural spaces that reduce, treat, infiltrate and manage storm water runoff flows in all new developments, where practical and feasible.</li> </ul>	<p>Ongoing over the life of the Plan</p>	<p>Implementing agency or project sponsor</p>
<p><b>HW 3.11.6</b> Otherwise substantially degrade water quality.</p>	<ul style="list-style-type: none"> <li>✓ <b>HW 3.11.6-1</b> Improvement projects along existing facilities and future land use developments will include upgrades to storm water drainage facilities to accommodate increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce velocity.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<b>HW 3.11.7</b> Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.	<ul style="list-style-type: none"> <li>✓ <b>HW 3.11.7-1</b> Prior to construction, and when a potential drainage issue is known, a drainage study should be conducted by responsible agencies for new capacity-increasing projects and new land use developments, where applicable. Drainage systems should be designed to maximize the use of detention basins, vegetated areas, and velocity dissipaters to reduce peak flows where possible.</li> <li>✓ <b>HW 3.11.7-2</b> Transportation and new development improvements will comply with federal, state and local regulations regarding storm water management. State-owned freeways must comply with Storm Water Discharge NPDES permit for Caltrans facilities.</li> <li>✓ <b>HW 3.11.7-3</b> Responsible agencies should ensure that new facilities include water quality control features such as drainage channels, detention basins, and vegetated buffers to prevent pollution of adjacent water resources by runoff.</li> <li>✓ <b>HW 3.11.7-4</b> Letters of Map Revision (LOMR) will be prepared and submitted to FEMA (when applicable) by responsible agencies where construction would occur within 100-year floodplains. The LOMR will include revised local base flood elevations for projects constructed within flood-prone areas.</li> </ul>	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>HW 3.11.8</b> Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	<ul style="list-style-type: none"> <li>✓ <b>HW 3.11.8-1</b> MCTC will encourage implementing and local agencies to conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows such that the project is consistent with federal, state, and local regulations and laws related to development in the floodplain.</li> <li>✓ <b>HW 3.11.8-2</b> MCTC will encourage implementing and local agencies to, the extent feasible and appropriate, prevent development in flood hazard areas that do not have appropriate protections.</li> </ul>	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>HW 3.11.9</b> Place within a 100-year flood hazard area structures which would impede or redirect flood flows.	<ul style="list-style-type: none"> <li>✓ <b>HW 3.11.9-1</b> MCTC will encourage implementing and local agencies to conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows such that the project is consistent with federal, state, and local regulations and laws related to development in the floodplain.</li> <li>✓ <b>HW 3.11.9-2</b> MCTC will encourage implementing and local agencies to, the extent feasible and appropriate, prevent development in flood hazard areas that do not have appropriate protections.</li> </ul>	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>HW 3.11.10</b> Inundation by seiche, tsunami, or mudflow	✓ Not applicable.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>LAND USE AND PLANNING AND RECREATION</b>			

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>LPR 3.12.1</b> Physically Divide an Established Community.</p>	<ul style="list-style-type: none"> <li>✓ <b>LPR 3.12.1-1</b> Individual transportation and future land use development projects will be consistent with local transportation system and land use plans and policies that designate areas for urban land use and transportation improvements, as identified by the agency with jurisdiction over said land(s).</li> <li>✓ <b>LPR 3.12.1-2</b> Prior to final approval of each individual transportation improvement project and future land use development project, the implementing agency will conduct the appropriate transportation improvement project-specific and future land use development-specific environmental review, to address impacts from land use and transportation system projects that may physically divide a community.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>LPR 3.12.2</b> Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the projects (Including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.</p>	<ul style="list-style-type: none"> <li>✓ <b>LPR 3.12.2-1</b> Individual transportation and future land use development projects will be consistent with local land use plans and policies that designate areas for urban and rural land use and preserve recreational, open space, and other lands.</li> <li>✓ <b>LPR 3.12.2-2</b> Prior to final approval of each individual improvement project and future land use development project, the implementing agency will conduct the appropriate transportation improvement project specific and future land use development-specific environmental review, including consideration of potential land use impacts.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>LPR 3.12.3</b> Conflict with any applicable habitat conservation plan or natural community conservation plan.</p>	<ul style="list-style-type: none"> <li>✓ <b>LPR 3.12.3-1</b> Consult with federal, state, and/or local agencies that handle administration of HCPs and NCCPs</li> <li>✓ <b>LPR 3.12.3-2</b> When feasible, the project will be designed in such a way that lands preserved under HCPs or NCCPs are avoided.</li> <li>✓ <b>LPR 3.12.3-3</b> Sufficient conservation measures to fulfil the HCPs or NCCPs requirements be taken when avoidance is determined to be infeasible.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<p><b>LPR 3.12.4</b> – Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.</p>	<ul style="list-style-type: none"> <li>✓ <b>LPR 3.12.4-1</b> Reference Mitigation Measures for Impacts LPR 3.12.2-1 and -2.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>LPR 3.12.5</b> – Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.</p>	<p>✓ <b>LPR 3.12.5-1</b> Reference Mitigation Measures for Impacts LPR 3.12.2-1 and -2.</p>	<p>Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>
<b>NOISE</b>			
<p><b>N 3.13.1</b> Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.</p>	<p>✓ <b>N 3.13.1-1</b> As part of the implementing agency’s appropriate environmental review of each project, a project specific noise evaluation shall be conducted, and appropriate mitigation identified and implemented.</p> <p>✓ <b>N 3.13.1-2</b> Implementing agencies should employ, where their jurisdictional authority permits, land use planning measures, such as zoning, restrictions on development, site design, and use of buffers to ensure that future development is compatible with adjacent transportation facilities and other noise generating land uses.</p> <p>✓ <b>N 3.13.1-3</b> Implementing agencies shall, to the extent feasible and practicable, maximize the distance between noise-sensitive land uses and new roadway lanes, roadways, rail lines, transit centers, park-and-ride lots, and other future noise generating facilities.</p> <p>✓ <b>N 3.13.1-4</b> Implementing agencies should construct sound reducing barriers between noise sources and noise-sensitive land uses. Sound barriers can be in the form of earth-berms or soundwalls. Constructing roadways so as appropriate and feasible that they are depressed below-grade of the existing sensitive land uses also creates an effective barrier between the roadway and sensitive receptors.</p> <p>✓ <b>N 3.13.1-5</b> Implementing agencies shall, to the extent feasible and practicable, improve the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise.</p> <p>✓ <b>N 3.13.1-6</b> Implementing agencies shall implement, to the extent feasible and practicable, speed limits and limits on hours of operation of rail and transit systems, where such limits may reduce noise impacts.</p> <p>✓ <b>N 3.13.1-7</b> Passenger stations, central maintenance facilities, decentralized maintenance facilities, and electric substations should be located away from sensitive receptors.</p>	<p>Ongoing over the life of the Plan</p>	<p>Implementing agency or project sponsor</p>
<p><b>N 3.13.2</b> Generation of excessive ground-borne vibration or ground-borne noise levels.</p>	<p>✓ <b>N 3.13.2-1</b> Mitigation measures identified to address Impact 3.13.1 shall be applied to address impacts associated with Impact 3.13.2.</p>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<b>N 3.13.3</b> For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.	✓ <b>N 3.13.3-1</b> Compliance with Occupational Safety and Health Administration’s (OSHA) hearing conservation amendment. The Permissible Exposure Level (PEL) is defined as an 8-hour time-weighted average sound level of 90 dBA integrating all sound levels from at least 90 dBA to at least 140 dBA. Project implementing agencies will comply with all local sound control and noise level rules, regulations, and ordinances.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>POPULATION, HOUSING AND EMPLOYMENT</b>			
<b>PHE 3.14.1</b> Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).	✓ <b>PHE 3.14.1-1</b> Local agencies will be encouraged to update general, area, community and specific plans to reflect projects included in the 2022 RTP and future land use allocations reflected in the SCS.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>PHE 3.14.2</b> Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.	✓ <b>PHE 3.14.2-1</b> Local agencies will be encouraged to update general, area, community and specific plans to reflect projects included in the 2022 RTP and future land use allocations reflected in the SCS. ✓ <b>PHE 3.14.2-2</b> For projects with the potential to displace homes or businesses, project and future development implementation agencies will evaluate alternate route alignments and transportation facilities that minimize the displacement of homes and businesses. An iterative design and impact analysis would help where impacts to persons or businesses are involved. Potential impacts will be minimized to the extent feasible. ✓ <b>PHE 3.14.2-3</b> Project implementation agencies should identify businesses and residences to be displaced. As required by law, relocation and assistance will be provided to displaced residents and businesses, in accordance with the federal Uniform Relocation and Real Property Acquisition Policies Act of 1970 and the State of California Relocation Assistance Act, as well as any applicable City and County policies. ✓ <b>PHE 3.14.2-4</b> Project implementation agencies will develop a construction schedule that minimizes potential neighborhood deterioration from protracted waiting periods.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>PHE 3.14.3</b> Displace substantial numbers of people, necessitating	✓ <b>PHE 3.14.3-1</b> Project implementation agencies will design new transportation facilities that protect access to existing community facilities. During the design phase of the individual improvement project,	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor

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Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p>the construction of replacement housing elsewhere.</p>	<p>community amenities and facilities should be identified and access to them considered in the design of the individual improvement project.</p> <p>✓ <b>PHE 3.14.3-2</b> Project implementation agencies will design roadway improvements, in a manner that minimizes barriers to pedestrians and bicyclists. During the design phase, pedestrian and bicycle routes will be determined that permit easy connections to community facilities nearby in order not to divide the communities.</p>		
<b>PUBLIC UTILITIES, OTHER UTILITIES AND SERVICES SYSTEMS</b>			
<p><b>PU 3.15.1</b> Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, and other public facilities.</p>	<p>✓ <b>PU 3.15.1-1</b> Prior to construction, the project implementation agency will ensure that all necessary local and state permits are obtained. The project implementation agency also will comply with all applicable conditions of approval. As deemed necessary by the governing jurisdiction, road encroachment permits may require the contractor to prepare a traffic control plan in accordance with professional engineering standards prior to construction. Traffic control plans should include the following requirements:</p> <ul style="list-style-type: none"> <li>➤ Identify all roadway locations where special construction techniques (e.g., directional drilling or night construction) would be used to minimize impacts to traffic flow.</li> <li>➤ Develop circulation and detour plans to minimize impacts to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.</li> <li>➤ Schedule truck trips outside of peak morning and evening commute hours.</li> <li>➤ Limit lane closures during peak hours to the extent possible.</li> <li>➤ Use haul routes, minimizing truck traffic on local roadways, to the extent possible.</li> <li>➤ Include detours for bicycles and pedestrians in all areas potentially affected by individual improvement project construction.</li> <li>➤ Install traffic control devices as specified in the Caltrans Manual of Traffic Controls for Construction and Maintenance Work Zones.</li> <li>➤ Develop and implement access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals, and schools. Access plans will be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions will be asked to identify detours for emergency vehicles, which will then be posted by the contractor. The facility owner or operator will be notified in advance of the timing, location, and duration of construction activities and the locations of detours and lane closures.</li> <li>➤ Store construction materials only in designated areas.</li> <li>➤ Coordinate with local transit agencies for temporary relocation of routes or bus stops in work zones, as necessary.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor</p>



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Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>PU 3.15.1-2</b> Transportation and future land use development projects requiring police protection, fire service, and emergency medical service will coordinate with the local fire department and police department to ensure that the existing public services and utilities would be able to handle the increase in demand for their services. If the current levels of service at the individual improvement project or future land use development site are found to be inadequate, infrastructure improvements and personnel requirements for the appropriate public service will be identified in each individual improvement project's CEQA documentation.</li> <li>✓ <b>PU 3.15.1-3</b> The growth inducing potential of individual transportation and future land use development projects will be carefully evaluated so that the full implications of the 2022 RTP/SCS are understood. Individual environmental documents will quantify indirect impacts (growth that could be facilitated or induced) on public services and utilities. Lead and responsible agencies should then make any necessary adjustments to the applicable general plan.</li> <li>✓ <b>PU 3.15.1-4</b> As part of transportation project-specific or future land use development project-specific environmental review, implementing agencies will evaluate the impacts resulting from the potential for severing underground utility lines during construction activities. Appropriate mitigation measures will be identified for all impacts. The implementing agencies will be responsible for ensuring adherence to mitigation measures. MCTC will be provided with documentation indicating compliance with mitigation measures.</li> <li>✓ <b>PU 3.15.1-5</b> Prior to construction, the implementing agency or contractor will identify the locations of existing utility lines. All known utility lines will be avoided during construction.</li> </ul>		
<p><b>PU 3.15.2</b> Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.</p>	<ul style="list-style-type: none"> <li>✓ <b>PU 3.15.2-1</b> During the CEQA review process for individual facilities, implementing agencies 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.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>
<p><b>PU 3.15.3</b> Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.</p>	<ul style="list-style-type: none"> <li>✓ <b>PU 3.15.3-1</b> Projects requiring wastewater service, solid waste collection, or potable water service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.</li> <li>✓ <b>PU 3.15.3-2</b> Reclaimed water will be used for landscaping purposes instead of potable water wherever feasible.</li> <li>✓ <b>PU 3.15.3-3</b> Each of the proposed transportation improvement projects or future land use developments will comply with applicable regulations related to solid waste disposal.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>PU 3.15.3-4</b> The construction contractor will work with Recycling Coordinators to ensure that source reduction techniques and recycling measures are incorporated into individual transportation improvement or future land use development project construction.</li> <li>✓ <b>PU 3.15.3-5</b> The amount of solid waste generated during construction will be estimated prior to construction, and appropriate disposal sites will be identified and utilized.</li> </ul>		
<p><b>PU 3.15.4</b> Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.</p>	<ul style="list-style-type: none"> <li>✓ <b>PU 3.15.4-1</b> During the CEQA review process for individual RTP/SCS projects, implementing agencies with responsibility for the construction of new storm water drainage facilities or the expansion of existing facilities to adequately meet projected capacity needs should apply necessary mitigation measures, including actions set forth in regional watershed management plans, 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.</li> <li>✓ <b>PU 3.15.4-2</b> As part of transportation project-specific and future land use development project-specific environmental review, implementing agencies will evaluate the impacts resulting from soil accumulation during construction of the transportation projects and future land use developments. Appropriate mitigation measures will be identified for all impacts. The implementing agencies will be responsible for ensuring adherence to the mitigation measures. MCTC will be provided with documentation indicating compliance with mitigation measures.</li> <li>✓ <b>PU 3.15.4-3</b> Implementing agencies should implement appropriate measures, such as the washing of construction vehicles undercarriages before leaving the construction site or increasing the use of street cleaning machines, to reduce the amount of soil on local roadways as a result of construction.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>
<p><b>PU 3.15.5</b> Have sufficient water supplies available to serve the project from existing entitlements and resources, or the need for new or expanded entitlements.</p>	<ul style="list-style-type: none"> <li>✓ <b>PU 3.15.5-1</b> Projects requiring potable water service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.</li> <li>✓ <b>PU 3.15.5-2</b> Reclaimed water will be used for landscaping purposes instead of potable water wherever feasible.</li> <li>✓ <b>PU 3.15.5-3</b> In January 2014 the Governor declared an emergency drought declaration for the State. Long-term water supply documents anticipate that drought (including severe single-year drought) are regular occurrences within the State. Because the 2022 RTP and SCS do not propose or approve any development of any water demand projects, the Governor's drought declaration does not indicate that there is a significant water supply impact associated with the RTP and SCS.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>	<ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	✓ <b>PU 3.15.5-4</b> Local agencies shall form <u>Groundwater Sustainability Agencies (GSAs)</u> in accordance with the collection of State legislation [AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley)] known as the <u>Sustainable Groundwater Management Act (SGMA)</u> , as applicable, to manage high and medium priority basin sustainably and requires those GSAs to adopt <u>Groundwater Sustainability Plans (GSPs)</u> for crucial groundwater basins in California.		
<b>PU 3.15.6</b> Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	✓ <b>PU 3.15.6-1</b> Projects requiring wastewater service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>PU 3.15.7</b> Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.	✓ <b>PU 3.15.7-1</b> Projects requiring solid waste collection will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.  ✓ <b>PU 3.15.7-2</b> Each of the proposed transportation improvement projects or future land use developments will comply with applicable regulations related to solid waste disposal.  ✓ <b>PU 3.15.7-3</b> The construction contractor will work with Recycling Coordinators to ensure that source reduction techniques and recycling measures are incorporated into individual transportation improvement or future land use development project construction.  ✓ <b>PU 3.15.7-4</b> The amount of solid waste generated during construction will be estimated prior to construction, and appropriate disposal sites will be identified and utilized.	✓ Ongoing over the life of the Plan	✓ Implementing agency or project sponsor
<b>PU 3.15.8</b> Comply with federal, state, and local statutes and regulations related to solid waste.	✓ <b>PU 3.15.8-1</b> During the CEQA review process for individual facilities, implementing agencies 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.	✓	✓
<b>SOCIAL AND ECONOMIC EFFECTS</b>			
<b>SE 3.16.1</b> Construction Impacts on Minority and Low-Income Populations.	✓ Impact is considered less-than-significant; no mitigation is required.	✓ Not applicable	✓ Not applicable

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>SE 3.16.2</b> Operational Impacts on Low-Income and Minority Populations.</p>	<p>✓ Impact is considered less-than-significant; no mitigation is required.</p>	<p>✓ Not applicable</p>	<p>✓ Not applicable</p>
<p><b>TRANSPORTATION/TRAFFIC</b></p>			
<p><b>TT 3.17.1</b> Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities transit.</p>	<p>✓ Not applicable.</p>	<p>✓ Not applicable</p>	<p>✓ Not applicable</p>
<p><b>TT 3.17.2</b> Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).</p>	<p>✓ <b>TT 3.17.2-1</b> Measures intended to reduce VMT are part of the RTP/SCS. These include increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use/transportation connection through increased densities and mixed uses, other Travel Demand Management measures described in the RTP and in local agency General Plans.</p> <p>✓ <b>TT 3.17.2-2</b> MCTC will continue to secure funding programs considering a project’s ability to enhance complete streets objectives where it is feasible.</p> <p>✓ <b>TT 3.17.2-3</b> Beyond the currently financially and institutionally feasible measures included in the 2022 RTP/SCS, MCTC will identify further reduction in VMT, and fuel consumption that could be obtained through land-use strategies, additional car-sharing programs, additional vanpools, and additional bicycle/pedestrian programs.</p> <p>✓ <b>TT 3.17.2-4</b> Transportation Planning: MCTC will assist local jurisdictions to encourage new developments to incorporate both local and regional transit measures into the project design that promote the use of alternative modes of transportation.</p> <p>✓ <b>TT 3.17.2-5</b> Local jurisdictions are encouraged to promote ride sharing programs e.g., by designating a certain percentage of parking spaces for high-occupancy vehicles, providing larger parking spaces to accommodate vans used for ridesharing, and designating adequate passenger loading and unloading and waiting areas.</p> <p>✓ <b>TT 3.17.2-6</b> Local jurisdictions are encouraged to support the use of public transit systems by enhancing safety and cleanliness on vehicles and in and around stations, providing shuttle service to public transit, offering public transit incentives, and providing public education and publicity about public transportation services.</p>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency, project sponsor, or MCTC</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>TT 3.17.2-7</b> Local jurisdictions are encouraged to support bicycling and walking by incorporating bicycle lanes into street systems in regional transportation plans, new subdivisions, and large developments, creating bicycle lanes and walking paths directed to the location of schools and other logical points of destination and provide adequate bicycle parking, and encouraging commercial projects to include facilities on-site to encourage employees to bicycle or walk to work.</li> <li>✓ <b>TT 3.17.2-8</b> Transit agencies are encouraged to support bicycling to transit facilities by providing additional bicycle parking, locker facilities, and bike lane access to transit facilities when feasible.</li> <li>✓ <b>TT 3.17.2-9</b> Project sponsors are encouraged to build or fund a major transit stop within or near the development.</li> <li>✓ <b>TT 3.17.2-10</b> Local jurisdictions and transit agencies are encouraged to continue to provide public transit incentives such as free or low-cost monthly transit passes to employees, or free ride areas to residents and customers.</li> <li>✓ <b>TT 3.17.2-11</b> Local jurisdictions and project sponsors are encouraged to incorporate bicycle lanes, routes and facilities into street systems, new subdivisions, and large developments.</li> <li>✓ <b>TT 3.17.2-12</b> Local jurisdictions are encouraged to require amenities for non-motorized transportation, such as secure and convenient bicycle parking.</li> <li>✓ <b>TT 3.17.2-13</b> Local jurisdictions are encouraged to ensure that the project enhances, and does not disrupt or create barriers to, non-motorized transportation.</li> <li>✓ <b>TT 3.17.2-14</b> Local jurisdictions are encouraged to connect parks and open space through shared pedestrian/bike paths and trails to encourage walking and bicycling.</li> <li>✓ <b>TT 3.17.2-15</b> Local jurisdictions are encouraged to create bicycle lanes and walking paths directed to the location of schools, parks, and other destination points.</li> <li>✓ <b>TT 3.17.2-16</b> Local jurisdictions are encouraged to work with the school districts to improve pedestrian and bike access to schools and to restore or expand school bus service using lower-emitting vehicles.</li> <li>✓ <b>TT 3.17.2-17</b> Local jurisdictions and transit agencies are encouraged to provide information on alternative transportation options for consumers, residents, tenants, and employees to reduce transportation-related emissions.</li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>TT 3.17.2-18</b> Local jurisdictions are encouraged to educate consumers, residents, tenants, and the public about options for reducing motor vehicle-related greenhouse gas emissions. Include information on trip reduction; trip linking; vehicle performance and efficiency (e.g., keeping tires inflated); and low or zero-emission vehicles.</li>   <li>✓ <b>TT 3.17.2-19</b> Project Selection: Local jurisdictions are encouraged to give priority to transportation projects that would contribute to a reduction in vehicle miles traveled per capita, while maintaining economic vitality and sustainability.</li>   <li>✓ <b>TT 3.17.2-20</b> System Interconnectivity: Local jurisdictions are encouraged to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling, and walking, by incorporating the following:                         <ul style="list-style-type: none"> <li>➤ Provide transportation centers that are multi-modal to allow transportation modes to intersect;</li> <li>➤ Provide adequate and affordable public transportation choices, including expanded bus routes and service, as well as other transit choices such as shuttles;</li> <li>➤ To the extent feasible, extend service and hours of operation to underserved arterials and population centers or destinations such as colleges;</li> <li>➤ Focus transit resources on high-volume corridors and high-boarding destinations such as colleges, employment centers and regional destinations;</li> <li>➤ Coordinate schedules and routes across service lines with neighboring transit authorities;</li> <li>➤ Support programs to provide “station cars” for short trips to and from transit nodes (e.g., neighborhood electric vehicles);</li> <li>➤ Employ transit-preferential measures, such as signal priority and bypass lanes. Where compatible with adjacent land use designations, right-of-way acquisition or parking removal may occur to accommodate transit-preferential measures or improve access to transit. The use of access management should be considered where needed to reduce conflicts between transit vehicles and other vehicles;</li> <li>➤ Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets;</li> <li>➤ Use park-and-ride facilities to access transit stations only at ends of regional transitways or where adequate feeder bus service is not feasible.</li> </ul> </li>   <li>✓ <b>TT 3.17.2-21</b> Transit System Infrastructure: Local jurisdictions are encouraged to upgrade and maintain transit system infrastructure to enhance public use, including:                         <ul style="list-style-type: none"> <li>➤ Provide transit stops and bus lanes that are safe, convenient, clean, and efficient;</li> <li>➤ Provide transit stops that have clearly marked street-level designation, and are accessible;</li> <li>➤ Provide transit stops that are safe, sheltered, benches are clean, and lighting is adequate;</li> </ul> </li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>➤ Place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals of three to four blocks, or no less than one-half mile.</li> <li>✓ <b>TT 3.17.2-1</b> Customer Service: Transit agencies are encouraged to enhance customer service and system ease-of-use, including:                             <ul style="list-style-type: none"> <li>➤ Continue to develop the Regional Pass system to reduce the number of different passes and tickets required of system users;</li> <li>➤ Expand “Smart Bus” technology, using GPS and electronic displays at transit stops to provide customers with “real-time” arrival and departure time information (and to allow the system operator to respond more quickly and effectively to disruptions in service);</li> <li>➤ Investigate the feasibility of an on-line trip-planning program.</li> </ul> </li> <li>➤ Before funding transportation improvements that increase roadway capacity and VMT, evaluate the feasibility and effectiveness of funding projects that support alternative modes of transportation and reduce VMT, including transit, and bicycle and pedestrian access.</li> <li>✓ <b>TT 3.17.2-22</b> System Monitoring: Local jurisdictions are encouraged to monitor traffic and congestion to determine when and where new transportation facilities are needed in order to increase access and efficiency.</li> <li>✓ <b>TT 3.17.2-23</b> Arterial Traffic Management: Local jurisdictions are encouraged to modify arterial roadways to allow more efficient bus operation, including bus lanes and signal priority/preemption where necessary.</li> <li>✓ <b>TT 3.17.2-24</b> HOV Lanes: Local jurisdictions are encouraged to support the construction of high-occupancy vehicle (HOV) lanes or similar mechanisms whenever necessary to relieve congestion and reduce emissions.</li> <li>✓ <b>TT 3.17.2-25</b> Ride-Share Programs: MCTC will continue to support regional ridesharing efforts, and local jurisdictions are encouraged to promote ride sharing programs as well, including:                             <ul style="list-style-type: none"> <li>➤ Designate a certain percentage of parking spaces for ride-sharing vehicles;</li> <li>➤ Designate adequate passenger loading, unloading, and waiting areas for ride-sharing vehicles;</li> <li>➤ Provide a web site or message board for coordinating shared rides;</li> <li>➤ Encourage private, for-profit community car-sharing, including parking spaces for car share vehicles at convenient locations accessible by public transit;</li> <li>➤ Hire or designate a rideshare coordinator to develop and implement ridesharing programs.</li> </ul> </li> <li>✓ <b>TT 3.17.2-26</b> Employer-based Trip Reduction: The San Joaquin Valley Air Pollution Control District’s Rule 9410 requires large employers (100-plus) to adopt Employer Trip Reduction Implementation Plan (eTRIP)</li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<p>to encourage employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Local jurisdictions are encouraged to support voluntary, employer-based trip reduction programs, including:</p> <ul style="list-style-type: none"> <li>➤ Provide assistance to regional and local ridesharing organizations;</li> <li>➤ Advocate for legislation to maintain and expand incentives for employer ridesharing programs;</li> <li>➤ Require the development of Transportation Management Associations for large employers and commercial/ industrial complexes;</li> <li>➤ Provide public recognition of effective programs through awards, top ten lists, and other mechanisms.</li> </ul> <p>✓ <b>TT 3.17.2-27</b> Ride Home Programs: Local jurisdictions are encouraged to implement a “guaranteed ride home” program for those who commute by public transit, ride-sharing, or other modes of transportation, and encourage employers to subscribe to or support the program.</p> <p>✓ <b>TT 3.17.2-28</b> Local Area Shuttles: Transit agencies are encouraged to utilize shuttles to serve neighborhoods, employment centers and major destinations.</p> <p>✓ <b>TT 3.17.2-29</b> Local jurisdictions and transit agencies are encouraged to create a free or low-cost local area shuttle system that includes a fixed route to popular tourist destinations or shopping and business centers.</p> <p>✓ <b>TT 3.17.2-30</b> Local jurisdictions are encouraged to work with existing shuttle service providers to coordinate their services.</p> <p>✓ <b>TT 3.17.2-31</b> Low- and No-Travel Employment Opportunities: Local jurisdictions are encouraged to facilitate employment opportunities that minimize the need for private vehicle trips, including:</p> <ul style="list-style-type: none"> <li>➤ Amend zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations;</li> <li>➤ Encourage telecommuting options with new and existing employers, through project review and incentives, as appropriate.</li> </ul> <p>✓ <b>TT 3.17.2-32</b> Local jurisdictions are encouraged to support bicycle use as a mode of transportation by enhancing infrastructure to accommodate bicycles and riders and providing incentives.</p> <p>✓ <b>TT 3.17.2-33</b> Development Standards for Bicycles: Local jurisdictions are encouraged to establish standards for new development and redevelopment projects to support bicycle use, including:</p> <ul style="list-style-type: none"> <li>➤ Amending the Development Code to include standards for safe pedestrian and bicyclist accommodations, by incorporating the following:                     <ul style="list-style-type: none"> <li>▪ “Complete Streets” policies that foster equal access by all users in the roadway design, wherever feasible;</li> </ul> </li> </ul>		



TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>▪ Bicycle and pedestrian access internally and in connection to other areas through easements;</li> <li>▪ Safe access to public transportation and other non-motorized uses through construction of dedicated paths;</li> <li>▪ Safe road crossings at major intersections, especially for school children and seniors;</li> <li>▪ Adequate, convenient, and secure bike parking at public and private facilities and destinations in all urban areas;</li> <li>▪ Street standards will include provisions for bicycle parking within the public right of way.</li> </ul> <p>✓ <b>TT 3.17.2-34</b> Local jurisdictions are encouraged to incorporate bicycle facilities, as appropriate in the new land use, including:</p> <ul style="list-style-type: none"> <li>➢ Construction of weatherproof bicycle facilities where feasible, and at a minimum, bicycle racks or covered, secure parking near the building entrances;</li> <li>➢ Provision and maintenance of changing rooms, lockers, and showers at large employers or employment centers.</li> <li>➢ Prohibit projects that impede bicycle and pedestrian access, such as large parking areas that cannot be safely crossed by non-motorized vehicles, and developments that block through access on existing or potential bicycle and pedestrian routes;</li> <li>➢ Encourage the development of bicycle stations at intermodal hubs, with attended or “valet” bicycle parking, and other amenities such as bicycle rental and repair, and changing areas with lockers and showers;</li> <li>➢ Conduct a connectivity analysis of the existing bikeway network to identify gaps and prioritize bikeway development where gaps exist.</li> </ul> <p>✓ <b>TT 3.17.2-35</b> Bicycle and Pedestrian Trails: Local jurisdictions are encouraged to establish a network of multi-use trails to facilitate safe and direct off-street bicycle and pedestrian travel and will provide bike racks along these trails at secure, lighted locations.</p> <p>✓ <b>TT 3.17.2-36</b> Bicycle Safety Program: Local jurisdictions are encouraged to develop and implement a bicycle safety educational program to teach drivers and riders the laws, riding protocols, routes, safety tips, and emergency maneuvers.</p> <p>✓ <b>TT 3.17.2-37</b> Bicycle and Pedestrian Project Funding: Local jurisdictions are encouraged to pursue and provide enhanced funding for bicycle and pedestrian facilities and access projects, including, as appropriate:</p> <ul style="list-style-type: none"> <li>➢ Apply for regional, State, and federal grants for bicycle and pedestrian infrastructure projects;</li> <li>➢ Establish development exactions and impact fees to fund bicycle and pedestrian facilities;</li> <li>➢ Use existing revenues, such as State gas tax subventions, sales tax funds, and general fund monies for projects to enhance bicycle use and walking for transportation.</li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
	<ul style="list-style-type: none"> <li>✓ <b>TT 3.17.2-38</b> Bicycle Parking: Local jurisdictions are encouraged to adopt bicycle parking standards that ensure bicycle parking sufficient to accommodate 5 to 10 percent of projected use at all public and commercial facilities, and at a rate of at least one per residential unit in multiple-family developments.</li> <li>✓ <b>TT 3.17.2-39</b> Local jurisdictions are encouraged to implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel.</li> <li>✓ <b>TT 3.17.2-40</b> Pedestrian and Bicycle Promotion: Local jurisdictions are encouraged to work with local community groups and downtown business associations to organize and publicize walking tours and bicycle events, and to encourage pedestrian and bicycle modes of transportation.</li> <li>✓ <b>TT 3.17.2-41</b> Trip Reduction Program: Local jurisdictions are encouraged to implement a program to reduce vehicle trips by employees, including:                         <ul style="list-style-type: none"> <li>➤ Providing incentives and infrastructure for vanpooling and carpooling, such as pool vehicles, preferred parking, and a website or bulletin board to facilitate ridesharing;</li> <li>➤ Providing subsidized passes for mass transit;</li> <li>➤ Offering compressed work hours, off-peak work hours, and telecommuting, where appropriate;</li> <li>➤ Offer a guaranteed ride home for employees who use alternative modes of transportation to commute.</li> </ul> </li> <li>✓ <b>TT 3.17.2-42</b> Bicycle Transportation Support: Local jurisdictions are encouraged to promote and support the use of bicycles as transportation, including:                         <ul style="list-style-type: none"> <li>➤ Providing bicycle stations with secure, covered parking, changing areas with storage lockers and showers, as well as a central facility where minor repairs can be made;</li> <li>➤ Providing bicycles, including electric bikes, for employees to use for short trips during business hours;</li> <li>➤ Implementing a police-on-bicycles program;</li> <li>➤ Providing a bicycle safety program, and information about safe routes to work.</li> </ul> </li> <li>✓ <b>TT 3.17.2-43</b> Transit Access to Municipal Facilities: Local jurisdiction and agency facilities are encouraged to be located on major transit corridors, unless their use is plainly incompatible with other uses located along major transit corridors.</li> <li>✓ <b>TT 3.17.2-44</b> Local jurisdictions are encouraged to implement Intelligent Transportation Systems improvements, where feasible, that will:                         <ul style="list-style-type: none"> <li>➤ Use technology to improve traffic signal timing in order to optimize traffic flow and transit service</li> <li>➤ Involve new equipment to improve on-time transit performance and provide real-time transit information at stops and stations.</li> </ul> </li> </ul>		

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>TT 3.17.3</b> Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).</p>	<p>✓ <b>TT 3.17.3-1</b> Implementing agencies should consider safety an objective in the design of RTP projects, and should plan to avoid, improve, or mitigate safety impacts in the course of project-level environmental review.</p> <p>✓ <b>TT 3.17.3-2</b> MCTC shall conduct a forum where policymakers can be educated and can develop consensus on regional transportation safety and security policies.</p> <p>✓ <b>TT 3.17.3-3</b> MCTC shall work with local officials to assist with implementation of regional transportation safety and security policies.</p>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency, project sponsor, or MCTC</p>
<p><b>TT 3.17.4</b> Result in inadequate emergency access.</p>	<p>✓ <b>TT 3.17.4-1</b> MCTC shall support local agencies with the rapid repair of transportation infrastructure in the event of an emergency. This will be accomplished by MCTC, in cooperation with local and State agencies, identifying critical infrastructure needs necessary for: a) emergency responders to enter the region, b) evacuation of affected facilities, and c) restoration of utilities. In addition, MCTC shall establish transportation infrastructure practices that promote and enhance security.</p>		<p>✓</p>
<b>WILDFIRE</b>			
<p><b>WF 3.17.1</b> – Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?</p> <p><b>WF 3.17.2</b> – Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?</p> <p><b>WF 3.17.3</b> – Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p>	<p>✓ <b>WF 3.18.1</b> If an individual transportation or land use project included in the 2022 RTP/SCS is located within or less than 2 miles from an SRA or very high fire hazard severity zones, 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:</p> <ul style="list-style-type: none"> <li>• Require adherence to the local hazards 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.</li> <li>• Encourage the use of fire-resistant vegetation native to Madera County and/or the local microclimate of the project site and discourage the use of fire-prone species especially nonnative, invasive species.</li> <li>• Require a fire safety plan be submitted to and approved by the local fire protection agency. The fire safety plan shall include all of 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.</li> <li>• 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.</li> <li>• Require fire extinguishers to be onsite 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.</li> </ul>	<p>✓ Ongoing over the life of the Plan</p>	<p>✓ Implementing agency or project sponsor and MCTC</p>

TABLE B-1 MITIGATION MONITORING PROGRAM

Impact(s)	Mitigation Measure (s)	Timing of Implementation	Responsible Agency or Party
<p><b>WF 3.17.4</b> – Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</p>			