



AMBAG Board of Directors Agenda

Association of Monterey Bay Area Governments

P.O. Box 2453, Seaside, California 93955-2453

Phone: (831) 883-3750

Fax: (831) 883-3755

Email: info@ambag.org

DATE: June 10, 2026

Time: 6:00 PM

**LOCATION: Monterey Bay Air Resources District, Board Room, 3rd Floor
24580 Silver Cloud Court
Monterey, CA 93940**

To participate virtually, use the following link:

Para participar de forma virtual, utilice el siguiente enlace:

<https://us06web.zoom.us/j/83020103933?pwd=jLHfuZBggIVPNRWzW049aahaglbdu0.1>

Or Telephone: US: +1 669 900 6833

Webinar ID: 830 2010 3933

Passcode: 783869

Members of the public who wish to address the AMBAG Board of Directors on an item to be considered at this meeting, can do so in person, virtually, or via email. Written public comment can be submitted at info@ambag.org or by emailing the Clerk of the Board at aflores@ambag.org. The subject line should read "Public Comment for the June 10, 2026 Board of Directors Meeting." Written comments will be distributed to the AMBAG Board of Directors prior to the meeting.

Miembros del publico que desean dirigirse a la mesa directiva de AMBAG con respecto a cualquier asunto en esta agenda, pueden hacerlo en persona, de forma virtual o por correo electrónico. Los comentarios públicos por escrito pueden enviarse a info@ambag.org o al correo electrónico de la Secretaria, aflores@ambag.org. El asunto del correo electrónico debe indicar: "Comentario público para la reunión de la mesa directiva del 10 de junio de 2026". Los comentarios por escrito se distribuirán a los miembros de la mesa directiva de AMBAG antes de la reunión.

AMBAG Board Member(s) Meeting Remotely:

Manu Koenig: 5200 Soquel Avenue, Santa Cruz, CA 95062 831-234-3922
Alex Miller: 28821 Avenida Diosa, Cathedral City, CA 92234 831-737-7673

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. JUST CAUSE ATTENDANCE

Recommended Action: INFORMATION

- Maura Twomey, Executive Director

Receive oral report.

4. ROLL CALL

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

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

7. COMMITTEE REPORTS

A. Executive/Finance Committee

Recommended Action: INFORMATION

- President McCarthy

Receive oral report.

B. Monterey Bay National Marine Sanctuary Advisory Council Meeting

Recommended Action: DIRECT

- President McCarthy

Receive a report on the May 15, 2026 SAC MBNMS meeting. The next meeting is scheduled on August 21, 2026.

8. EXECUTIVE DIRECTOR'S REPORT

Recommended Action: INFORMATION

- Maura Twomey, Executive Director

Receive a report from Maura Twomey, Executive Director.

9. CONSENT AGENDA

Recommended Action: APPROVE

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

A. Draft Minutes of the May 13, 2026 AMBAG Board of Directors Meeting

- Ana Flores, Clerk of the Board

Approve the draft minutes of the May 13, 2026 AMBAG Board of Directors meeting. (Page 7)

B. AMBAG Regional Clearinghouse Monthly Newsletter

- Regina Valentine, Senior Planner

Accept the clearinghouse monthly newsletter. (Page 13)

C. AMBAG Sustainability Programs Update

- Amaury Berteaud, Director of Sustainability Programs

Accept the AMBAG Sustainability Program update. (Page 17)

D. Monterey Bay Area Regional Climate Project Working Group (RCPWG) Memorandum of Understanding

- Amaury Berteaud, Director of Sustainability Programs

Approve the Monterey Bay Area Regional Climate Project Working Group (RCPWG) Memorandum of Understanding and authorize the Executive Director to execute the MOU. (Page 19)

E. Formal Amendment No. 12 to the Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2024-25 to FFY 2027-28

- Will Condon, Associate Planner

Approve Formal Amendment No. 12 to the Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2024-25 to FFY 2027-28 by adopting Resolution No. 2026-5. (Page 37)

F. Amendment No. 2 to the Regional Travel Demand Model Technical Support Services Contract

- Gina Schmidt, GIS Coordinator

Approve amending the Regional Travel Demand Model Technical Support Services Contract for a budget increase of \$50,000 and term extension to December 31, 2027. (Page 47)

G. Financial Update Report

- Jessica Agee, Director of Finance & Administration

Accept the financial update report which provides an update on AMBAG's current financial position and accompanying financial statements. (Page 91)

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

11. PLANNING

A. Final 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy and Final Environmental Impact Report

Recommended Action: APPROVE

- Heather Adamson, Director of Planning

The Board of Directors is asked to:

1. Hold public hearing;
2. Approve Resolution No. 2026-6 (Attachment 1) certifying the Final Environmental Impact Report prepared for the 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy (SCH#2024010524) and County RTPs and adopting Findings of Fact pursuant to the California Environmental Quality Act; a Statement of Overriding Considerations; and a Mitigation Monitoring and Reporting Program;
3. Approve Resolution No. 2026-7 (Attachment 2) finding the Sustainable Communities Strategy achieves the regional greenhouse gas reduction targets, adopting the Final 2026 Regional Growth Forecast, and adopting the 2050 Metropolitan Transportation Plan, including its Sustainable Communities Strategy. (Page 97)

12. ADJOURNMENT

Reference Items:

- A. 2026 Calendar of Meetings (Page 281)
- B. Acronym Guide (Page 283)

Next Meeting:

Date: August 12, 2026

Location: MBARD Board Room, 24580 Silver Cloud Court, Monterey, CA 93940

Executive/Finance Committee Meeting: 5:15 PM

Board of Directors Meeting: 6:00 PM

If requested, the agenda or materials shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. If you have a request for disability-related modification or accommodation, including auxiliary aids or services, contact Ana Flores, AMBAG, 831-883-3750, or email aflores@ambag.org at least 48 hours prior to the meeting date. Pursuant to Government Code Section 54952.7, please find Chapter 9, also known as the Ralph M. Brown Act using the following link:

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=2.&chapter=9.&part=1.&lawCode=GOV&title=5

Si se solicita, la agenda y materiales estarán disponibles en formatos alternativos apropiados para personas con discapacidad, requerido por Sección 202 de la Ley de Estadounidenses con Discapacidades de 1990 (42 USC, Sec. 12132) y las normas y reglamentos federales adoptados para su implementación. Si necesita alguna modificación o adaptación relacionada con una discapacidad, incluyendo ayudas o servicios auxiliares, comuníquese con Ana Flores, AMBAG, al 831-883-3750 o envíe un correo electrónico a aflores@ambag.org con al menos 48 horas de anticipación a la fecha de la reunión de la junta directiva. De conformidad con la Sección 54952.7 del Código de Gobierno, por favor consulte el Capítulo 9, también conocido como la Ley Ralph M. Brown.

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

May 13, 2026

1. CALL TO ORDER

The Board of Directors of the Association of Monterey Bay Area Governments, President McCarthy presiding, convened at 6:06 p.m. May 13, 2026 at the MBARD Board Room, 24580 Silver Cloud Court, Monterey, CA 93940.

President McCarthy stated that for quorum purposes, the actions items are going to be discussed prior to the informational items.

2. PLEDGE OF ALLEGIANCE

3. JUST CAUSE ATTENDANCE

None.

4. ROLL CALL

<u>AMBAG Board of Directors</u>			
PRESENT:			
Agency	Representative	Agency	Representative
Capitola	Susan Westman	County of Monterey	Glenn Church
Carmel-by-the-Sea	Hans Buder	County of Santa Cruz	Felipe Hernandez
Del Rey Oaks	Kim Shirley	County of San Benito	Mindy Sotelo
Greenfield	Rachel Ortiz		
Hollister	Rudy Picha	<u>Ex-Officio Members:</u>	
Marina	Brian McCarthy	Caltrans, District 5	Kelly McClendon
Monterey	Jean Rasch	MBARD	David Frisbey
Pacific Grove	Lori McDonnell	MST	Lisa Rheinheimer
Salinas	Margaret D'Arrigo		
Sand City	Mary Ann Carbone		
Scotts Valley	Derek Timm		
Seaside	Alex Miller		
Watsonville	Eduardo Montesino		
ABSENT:			
Gonzales	Scott Funk	<u>Ex-Officio Members:</u>	
King City	Oscar Avalos	3CE	Inaara Muhammad
San Juan Bautista	Jose Aranda	MPAD	Mary Ann Leffel
Santa Cruz	Scott Newsome	SBtCOG	Binu Abraham
Soledad	Fernando Ansaldo-Sanchez	SCCRTC	Sarah Christensen
County of Monterey	Kate Daniels	SC Metro	Corey Aldridge
County of Santa Cruz	Manu Koenig	TAMC	Todd Muck
County of San Benito	Angela Curro		

Others Present: Amaury Berteaud, Director of Sustainability Programs; Heather Adamson, Director of Planning; Gina Schmidt, GIS Coordinator; Paul Hierling, Principal Planner; Bhupendra Patel,

Director of Modeling; Regina Valentine, Senior Planner; Elizabeth Lippa, Administrative Assistant; Ana Flores, Clerk of the Board; and Maura Twomey, Executive Director.

5. CONSENT AGENDA

A. Draft Minutes of the March 11, 2026 AMBAG Board of Directors Meeting

The draft minutes of the March 11, 2026 AMBAG Board of Directors meeting were approved.

B. AMBAG Regional Clearinghouse Monthly Newsletter

The AMBAG Clearinghouse monthly newsletter was accepted.

C. AMBAG Sustainability Program Update

The Sustainability Program update was accepted.

D. Draft Amendment No. 2 to the FY 2025-26 Monterey Bay Region Overall Work Program (OWP) and Budget

The Draft Amendment No. 2 to the FY 2025-26 Monterey Bay Region OWP and Budget was approved.

E. Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2024-2025

The ACFR for FY 2024-2025 was accepted.

F. Financial Update Report

The financial update report was accepted.

Motion made by Director Hernandez, seconded by Director Carbone to approve the consent agenda. Motion passed unanimously.

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

None.

7. ADMINISTRATION

A. AB 2561: Public Hearing on Job Vacancies and Recruitment and Retention Efforts

Jessica Agee, Director of Finance gave a presentation on AB 2561 and a public hearing was held on job vacancies and recruitment and retention efforts.

President McCarthy opened the public hearing. There were no comments.

President McCarthy closed the public hearing.

B. Draft FY 2026-27 Monterey Bay Region Overall Work Program (OWP) and Budget

Bhupendra Patel, Director of Modeling gave a presentation on the draft FY 2026-27 OWP and Budget. The FY 2026-2027 OWP is 1) a federally required document to receive federal funds; 2) covers all AMBAG work programs and activities; 3) used as a project management tool by staff; and 4) implements the AMBAG Board adopted priorities; a) Performance Base Planning; b) Coordination with Federal Land Management Agency (FLMA); c) Coordination with Transit Operators; d) Modeling and Research, e) Planning and Forecasts; f) Sustainable Development Strategies; and g) Collaborative Planning and Implementation.

Motion made by Director McDonnell, seconded by Director Montesino to approve the FY 2026-27 OWP and budget. Motion passed unanimously.

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

None.

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

None.

9. COMMITTEE REPORTS

A. Executive/Finance Committee

President McCarthy reported that the Executive/Finance Committee approved the consent agenda that included 1) Minutes of the March 11, 2026 meeting 2) list of warrants as of February 28, 2026; and 3) accounts receivable as of February 28, 2026. The Executive/Finance Committee also received a report on the financials from Maura Twomey, Executive Director.

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

President McCarthy reported that the next Advisory Council meeting is scheduled on May 15, 2026 in Cambria, California. The agenda items include presentations on 1) Ocean Guardian Program; 2) Management Plan; 3) the Southern Region of the MBNMS and the Coastal Discovery Center. The Advisory Council will also discuss recommendations for a potential new seat for Maritime Industry/Offshore Energy.

10. EXECUTIVE DIRECTOR'S REPORT

Maura Twomey, Executive Director announced that Heather Adamson, Director of Planning was appointed as Chair of the Rural Counties Task Force.

11. ADJOURNMENT

The Board of Directors meeting adjourned at 6:48 PM.

Brian McCarthy, President

Maura F. Twomey, Executive Director

DRAFT AMBAG BOARD OF DIRECTORS MEETING ATTENDANCE & VOTING RECORD
BOARD MEETING DATE: May 13, 2026

Attendance (X= Present; AB= Absent)				
Voting (Y= Yes; N=No; A=Abstain)				
MEMBER	AMBAG REP	Attendance	Item 9	Item 11.B
Capitola	Susan Westman	X	Y	Y
Carmel-by-the-Sea	Hans Buder	X	Y	Y
Del Rey Oaks	Kim Shirley	X	Y	Y
Gonzales	Scott Funk	AB	N/A	N/A
Greenfield	Rachel Ortiz	X	Y	Y
Hollister	Rudy Picha	X	Y	Y
King City	Oscar Avalos	AB	N/A	N/A
Marina	Brian McCarthy	X	Y	Y
Monterey	Jean Rasch	X	Y	Y
Pacific Grove	Lori McDonnell	X	Y	Y
Salinas	Margaret D'Arrigo	X	Y	Y
San Juan Bautista	Jose Aranda	AB	N/A	N/A
Sand City	Mary Ann Carbone	X	Y	Y
Santa Cruz	Scott Newsome	AB	N/A	N/A
Scotts Valley	Derek Timm	X	Y	Y
Seaside	Alex Miller	X	Y	Y
Soledad	Fernando Ansaldo-Sanchez	AB	N/A	N/A
Watsonville	Eduardo Montesino	X	Y	Y
County Monterey	Kate Daniels	AB	N/A	N/A
County Monterey	Glenn Church	X	Y	Y
County Santa Cruz	Manu Koenig	AB	N/A	N/A
County Santa Cruz	Felipe Hernandez	X	Y	Y
County San Benito	Mindy Sotelo	X	Y	Y
County San Benito	Angela Curro	AB	N/A	N/A

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

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MEMORANDUM

TO: AMBAG Board of Directors

FROM: Maura F. Twomey, Executive Director

RECOMMENDED BY: Regina Valentine, Senior Planner

SUBJECT: AMBAG Regional Clearinghouse Monthly Newsletter

MEETING DATE: June 10, 2026

RECOMMENDATION:

It is recommended that the Board of Directors accept the May 2026 Clearinghouse monthly newsletter.

BACKGROUND/DISCUSSION:

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

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

FINANCIAL IMPACT:

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


COORDINATION:

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

ATTACHMENT:

1. Monthly Newsletters - Clearinghouse items May 1 – 31, 2026.

APPROVED BY:


Maura F. Twomey, Executive Director

Attachment 1

AMBAG REGIONAL CLEARINGHOUSE

The AMBAG Board of Directors will review these items on 6/10/26

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

ENVIRONMENTAL DOCUMENTS

20260501

**California State University Monterey Bay Stadium
Expanded Use Project**

California State University, Monterey Bay

Erin Harwayne

(831) 373-4341

Draft Environmental Impact Report* (DEIR)

The CSUMB Stadium Expanded Use Project proposes an expansion of existing programming at the CSUMB Stadium by CSUMB and the Monterey Bay Football Club (MBFC) and the construction and operation of two (2) new locker room facilities, two (2) new restroom buildings, and a gated event staging area just north of the stadium. The underlying purpose of the proposed project is to modernize and enhance the existing stadium to function as a flexible, multipurpose venue that better supports CSUMB's academic and athletic programs while accommodating expanded use, including partnerships with external organizations such as professional athletic entities (e.g., United Soccer League).

Project Location:

Monterey County

Seaside

Parcel: 031101044000

Public hearing information:

No public hearings scheduled at this time

Public review period ends **Monday, June 29, 2026**

PUBLIC HEARINGS

20260502

**Kern Council of Governments 2026 Regional
Transportation Plan**

Kern County Council of Governments

Becky Napier

(661) 635-2910

Notice of Availability

Kern COG is proposing a Draft 2026 Regional Transportation Plan/Sustainable Communities Strategy (2026 RTP/SCS), Draft 2027 Federal Transportation Improvement Program (FTIP), corresponding Conformity Analysis as well as Environmental Impact Report (EIR). Documents can be viewed at the Kern Council of Governments' website at www.kerncog.org. The Kern Council of Governments Board of Directors will consider adoption of the Draft 2026 RTP/SCS, Draft EIR, Draft 2027 FTIP, and the corresponding Draft Conformity Analysis 6:30 P.M. August 20, 2026. The meeting will be at the Kern Council of Governments' office, 1401 19th Street Suite 300, Bakersfield, CA 93301.

Project Location:

Regionwide

Kern County

Parcel: countywide

Public hearing information:

Kern Council of Governments, 1401 19th Street, Suite 300, Bakersfield, CA 93301

6/18/2026 6:30 PM

Public review period ends **Thursday, July 2, 2026**

Generated: 6/1/2026 5:43:45 P By: Regina Valentine, Senior Planner

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



MEMORANDUM

TO: AMBAG Board of Directors

FROM: Maura F. Twomey, Executive Director

RECOMMENDED BY: Amaury Berteaud, Director of Sustainability Programs

SUBJECT: AMBAG Sustainability Programs Update

MEETING DATE: June 10, 2026

RECOMMENDATION:

It is recommended the Board of Directors accept this report.

BACKGROUND/ DISCUSSION:

AMBAG Sustainability Program Elements

Energy Efficiency Program Development

On September 26, 2024, the California Public Utilities Commission (CPUC) issued decision D.24.09.31, approving the creation of the Central California Rural Regional Energy Network (CCR REN) with a \$36 million budget. The CCR REN is a partnership between AMBAG, the County of San Luis Obispo, County of Ventura, High Sierra Energy Foundation, and San Joaquin Valley Clean Energy Organization, with a vision to support an equitable and affordable clean energy transition for underserved communities. By leveraging regional collaboration, trusted local relationships, and promoting pragmatic responses to community needs, the CCR REN is working to support communities that have historically not participated in energy efficiency programs in 14 central California counties.

In the past month, AMBAG staff have continued to implement the CCR REN programs. Key activities included piloting of the Monterey Bay Residential Energy Modeling tool, outreach on the CCR REN energy efficiency kit, outreach to jurisdictions and special districts to discuss CCR REN program offerings, and outreach for small business participating in the CCR REN commercial program. AMBAG staff also continued coordinating with CCR REN partners, community stakeholders, and jurisdictional staff to obtain CPUC approval for the next energy efficiency portfolio cycle, from 2028 to 2031.

Planning Excellence!

**Monterey Bay Electric Vehicle Climate Adaptation and Resiliency Framework
(Monterey Bay EV CAR Framework)**

On August 31, 2023, the California Department of Transportation awarded AMBAG and Ecology Action a \$750,000 Sustainable Transportation Planning Grant (STPG) climate adaptation planning grant to fund the creation of a Monterey Bay Electric Vehicle Climate Adaptation and Resiliency Framework.

The Monterey Bay EV CAR Framework will create a roadmap in the Monterey Bay Area for assessing current charging infrastructure vulnerability to climate change and create strategies that ensure the build-out of EV charging infrastructure increases equity and resiliency in the face of climate change. The framework will include implementation plans for prioritized strategies, in order to provide communities with tangible pathways to implementation. This project will empower the Monterey Bay region to integrate climate and equity considerations as part of long-range EV infrastructure planning, and lead to the implementation of EV infrastructure resiliency strategies throughout Monterey Bay.

In the past month AMBAG staff worked with the technical consultant to begin drafting the 12 adaptation measures to be included in the EV CAR Framework.

ALTERNATIVES:

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

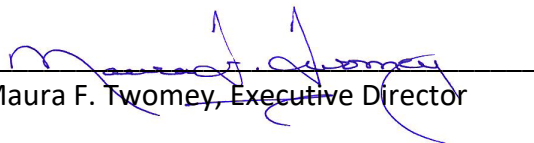
FINANCIAL IMPACT:

The budget is fully funded under a Caltrans Climate Adaptation Planning Grant, and the CCR REN funding agreement with the County of San Luis Obispo. All funding is programmed in the FY 2025-26 Overall Work Program and Budget.

COORDINATION:

AMBAG staff is coordinating with the Central California Rural REN partners, local jurisdictions, and local community stakeholders.

APPROVED BY:


Maura F. Twomey, Executive Director



MEMORANDUM

TO: AMBAG Board of Directors

FROM: Maura F. Twomey, Executive Director

RECOMMENDED BY: Amaury Berteaud, Director of Sustainability Programs

SUBJECT: Monterey Bay Area Regional Climate Project Working Group (RCPWG) Memorandum of Understanding

MEETING DATE: June 10, 2026

RECOMMENDATION:

It is recommended that the Board of Directors approve the Monterey Bay Area Regional Climate Project Working Group (RCPWG) Memorandum of Understanding and authorize the Executive Director to execute the MOU.

BACKGROUND/ DISCUSSION:

Climate change is a priority issue for organizations across the Monterey Bay Area. A focused and organized approach to accessing highly competitive State and federal sustainability and resilience funding and resources is required for the region to achieve climate targets and resilience outcomes. Access to large scale transformative grant opportunities has the potential to accelerate implementation of climate change mitigation and adaptation projects and programs across the three-county region. To this end, the Monterey Bay Area Regional Climate Project Working Group (RCPWG) was formed in 2022 to collaborate and access transformative funding opportunities to achieve the region's climate and resilience goals. The RCPWG has led the development of projects and grant applications and has been successfully awarded over \$33 million since 2022. Since 2022, AMBAG has been partnering with RCPWG to pursue funding on key initiatives including EV charging infrastructure and resiliency centers.

Members of the RCPWG benefit from learning about grant opportunities, jointly developing competitive grant proposals, and accessing an established network of consulting and Community Based organizations that can lead and contribute to the development of grants and implementation of projects that address climate change in the region.

Planning Excellence!

The primary activities of RCPWG members include:

- Share knowledge of grant opportunities and project updates across jurisdictions,
- Scope projects and design roles in grant applications and other funding proposals,
- Participate in grant-funded roles and projects,
- Evaluate grant application preparation and project execution process,
- Attend one call every six weeks, or as needed, to discuss RCPWG operations and grant opportunities,
- Collectively decide which grants to pursue and how to pursue them, and
- Support ongoing discussions of governance for RCPWG

Since 2022, the RCPWG has been awarded the following grants:

- \$15,713,981 award from the CA Air Resources Board to pioneer the Monterey Bay Municipal Fleet Electrification and Workforce Accelerator with member jurisdictions.
- \$14,346,751 award from the U.S. Department of Transportation to install 6 solar/battery microgrids and 252 public EV chargers in “disadvantaged” and low-income communities and implement workforce training. While RCPWG’s application was awarded, disbursement has been paused due to federal administration changes.
- \$2 million award from the Department of Energy (DOE) for residential decarbonization, electrification, and weatherization improvements.
- \$649,335 award from the CA Governor’s Office of Land Use and Climate Innovation (LCI) to develop the Monterey Bay Area Climate Adaptation and Resilience Implementation and Funding Roadmap.
- \$250,000 award from the National Oceanic and Atmospheric Administration (NOAA) to secure funding to implement priority projects identified in the Monterey Bay Area Climate Adaptation and Resilience Implementation and Funding Roadmap.
- \$100,000 award from Central Coast Community Energy (3CE) to develop RCPWG’s interim charter and an initial grant strategy and to support grant writing for electrification-focused funding proposals.
- \$15,000 award from the Urban Sustainability Directors’ Network (USDN) to explore governance options and develop strategies for engaging community-based organizations.

The grant RCPWG secured from the California Governor’s Office of Land Use and Climate Innovations’ Regional Resilience Grant Program in 2024, included formalizing the governance of the RCPWG by creating a Memorandum of Understanding (MOU). The RCPWG MOU aims to establish necessary administrative and governance structures to strengthen a uniquely innovative cooperative regional partnership and continue obtaining transformative funding that furthers the Monterey Bay’s access to climate mitigation and resiliency funding.

The MOU defines and formalizes the RCPWG’s membership and dues structure, annual contribution levels for current members, assigns AMBAG the role of RCPWG Fiscal Sponsor, defines payment terms, amendment processes, and compliance with relevant California state laws. The charter defines and formalizes the RCPWG’s membership categories, leadership structure, decision-making processes, annual budget and work plan development process, subcommittees, and meetings.

ALTERNATIVES:

None.

FINANCIAL IMPACT:

The budget is fully funded under contributions from partner agencies and CCR REN funding. All funding is programmed in the FY 2025-26 Overall Work Program and Budget.

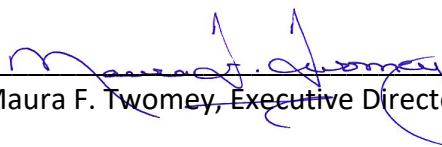
COORDINATION:

AMBAG staff is coordinating with local jurisdictions and local community stakeholders.

ATTACHMENT:

1. Monterey Bay Area Regional Climate Project Working Group (RCPWG) Memorandum of Understanding

APPROVED BY:



Maura F. Twomey, Executive Director

Attachment 1

THE MONTEREY BAY AREA REGIONAL CLIMATE PROJECT WORKING GROUP (RCPWG) MEMORANDUM OF UNDERSTANDING (“MOU”)

1. RCPWG Members and Purpose of MOU

The Monterey Bay Area Regional Climate Project Working Group (RCPWG) Memorandum of Understanding (“MOU”) is an agreement by and between the participating public agencies listed below:

CITY OF CAPITOLA

CITY OF CARMEL-BY-THE-SEA

CITY OF MARINA

CITY OF MONTEREY

CITY OF SALINAS

CITY OF SANTA CRUZ

CITY OF WATSONVILLE

COUNTY OF MONTEREY

COUNTY OF SAN BENITO

THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

The purpose of this MOU is to define and formalize the working relationship among the parties listed above (individually referred to as “Party” and collectively referred to as the “Parties”), in the Monterey Bay Area Regional Climate Project Working Group (RCPWG). This MOU defines the shared goals and objectives of the Parties as they collaborate in operating the RCPWG and establishes necessary administrative and governance structures to promote a cooperative relationship for ensuring successful development and implementation of RCPWG activities.

2. Mission

Climate change is a priority issue for organizations across the Monterey Bay Area region. A focused and coordinated approach to pursuing competitive funding and other resources needed is required to unite the region in achieving equitable and resilient outcomes. Access to large-scale, transformative grant opportunities has the potential to accelerate implementation of climate change mitigation and adaptation projects and programs across the tri-county Monterey Bay Area region, including increasing access to funding for individual jurisdictions.

The RCPWG's mission is to collaborate among organizations in the Monterey Bay Area, including Santa Cruz, San Benito, and Monterey counties, to develop, prioritize, secure funding for, and effectively and equitably implement regionally beneficial climate mitigation, adaptation, and hazard mitigation projects and programs. The RCPWG works with its members and regional partners to secure funding for regional grants that individual members may not have the ability to secure on their own; effectively and equitably allocate funding for ambitious climate action and resilience projects; establish more effective collaboration mechanisms to align policies and projects to best address our region's most pressing climate equity challenges; and activate working groups to support deeper coordination amongst RCPWG members and non-member agencies, foundations, nonprofits, academia, and other partners to advance specific project priorities.

3. Background

The RCPWG emerged as a concept in 2021-2022 when a group of local government and nonprofit representatives across the Monterey Bay Area, encompassing Monterey, San Benito, and Santa Cruz counties, began meeting informally on a monthly basis. Through these meetings, the group recognized an opportunity to pursue large regional grants for decarbonization and climate resilience by working collaboratively as a region, both to overcome individual capacity constraints and compete with larger, better-resourced metropolitan regions.

In February 2022, City of Santa Cruz, City of Watsonville, County of Monterey, County of San Benito, County of Santa Cruz, and Ecology Action, a regional nonprofit organization, each made an initial contribution to fund start-up activities to support regional collaboration on grant applications. The Community Foundation of Santa Cruz served as the RCPWG's initial fiscal sponsor and in 2023, fiscal sponsorship transitioned to the County of Santa Cruz.

Since 2022, the RCPWG was successfully awarded the following grants to support the development of RCPWG's governance structure and implement regional climate projects, totaling over \$33 million:

- \$15,713,981 award from the CA Air Resources Board to pioneer the Monterey Bay Municipal Fleet Electrification and Workforce Accelerator with member jurisdictions.
- \$14,346,751 award from the U.S. Department of Transportation to install 6 solar/battery microgrids and 252 public EV chargers in "disadvantaged" and low-income communities and implement workforce training. While RCPWG's application was awarded, disbursement has been paused due to federal administration changes.
- \$2 million award from the Department of Energy (DOE) for residential decarbonization, electrification, and weatherization improvements.

- \$649,335 award from the CA Governor’s Office of Land Use and Climate Innovation (LCI) to develop the Monterey Bay Area Climate Adaptation and Resilience Implementation and Funding Roadmap.
- \$250,000 award from the National Oceanic and Atmospheric Administration (NOAA) to secure funding to implement priority projects identified in the Monterey Bay Area Climate Adaptation and Resilience Implementation and Funding Roadmap.
- \$100,000 award from Central Coast Community Energy (3CE) to develop RCPWG’s interim charter and an initial grant strategy and to support grant writing for electrification-focused funding proposals.
- \$15,000 award from the Urban Sustainability Directors’ Network (USDN) to explore governance options and develop strategies for engaging community-based organizations.

4. Structure and Governance

The RCPWG shall be governed pursuant to the RCPWG Charter and By-laws, attached hereto as Exhibit A, which defines RCPWG’s membership types, leadership and decision-making structure, and channels for effective and transparent communication. The RCPWG is led by a Chair, Vice Chair, Fiscal Sponsor, and Strategy Team involving one or more representative(s) from each Party.

The Fiscal Sponsor provides administrative and financial management support to the RCPWG. Upon execution of this MOU, the Association of Monterey Bay Area Governments (AMBAG) shall assume the role of Fiscal Sponsor for a two-year term and the County of Santa Cruz shall transfer any remaining RCPWG project funds to AMBAG within 60 days of the MOU taking effect.

The RCPWG is funded by annual member contributions, set for a period of two years, based on a recommended sliding scale of \$5,000 to \$30,000. Local agency member contributions are individually determined based on each member’s ability to contribute to the RCPWG. Regional agency members contribute a recommended minimum of \$75,000, unless otherwise approved by the Strategy Team, to support RCPWG operations and specific outcomes identified by the regional agency in collaboration with the Chair, Vice Chair, and Fiscal Sponsor.

Annual RCPWG member contributions for FY 2026-27 and FY 2027-28 are as follows:

MEMBER AGENCY	ANNUAL DUES
City of Capitola	\$5,000

MEMBER AGENCY	ANNUAL DUES
City of Carmel-by-the-Sea	\$5,000
City of Marina	\$5,000
City of Monterey	\$5,000
City of Salinas	\$7,500
City of Santa Cruz	\$20,000
City of Watsonville	\$5,000
County of Monterey	\$30,000
County of San Benito	\$15,000
The Association of Monterey Bay Area Governments	\$75,000

On July 1, 2026 or upon the MOU Effective Date, AMBAG in its role as the RCPWG Fiscal Sponsor will invoice member agencies for their FY 2026-27 dues. On July 1, 2027, AMBAG in its role as the RCPWG Fiscal Sponsor will invoice member agencies for their FY 2027-28 dues. Member dues shall be payable within 45 days of invoice, unless otherwise mutually agreed in writing by the applicable member and Fiscal Sponsor. At a member’s request, and upon approval by the Fiscal Sponsor, invoices may be consolidated to cover multiple years of member dues.

5. Withdrawal and Termination

The MOU will continue until terminated by two-thirds majority vote of the Parties. Any Party can withdraw from the RCPWG on 30 days’ written notice to the other Parties.

Withdrawal shall not relieve a Party of obligations previously incurred under grant agreements, contracts, or approved work plans entered into prior to the effective date of withdrawal.

6. Adding a Partner to the MOU

Any local government located within the geographical area of the RCPWG, which shall encompass Monterey, San Benito, and Santa Cruz counties, is eligible to become a member of the RCPWG and a Party to the MOU. Any regional government agency located within this geographical area of the RCPWG is eligible to become a regional agency member of the RCPWG and a Party to the MOU. Any higher education institution located within the geographical area

of the RCPWG is eligible to become a higher education member of the RCPWG and a Party to the MOU.

Local agency member applications shall be automatically approved by the Strategy Team. The Strategy Team shall review member applications from regional agencies and higher education institutions and vote to add a new member to the RCPWG. A unanimous vote and re-signing of the MOU by all parties are required to formally add new members.

Current and new voting members must provide an annual contribution within 45 days of receiving an invoice to support the administration and operations of the RCPWG in accordance with Section 4 of this MOU.

Upon the addition of a new member, the RCPWG Fiscal Sponsor shall manage an amendment process to this MOU pursuant to Section 9 below to formalize the addition of a new member. This amendment process shall be initiated within one year of the approval to add a new member.

7. Agreement to Mediate Dispute

In the event a dispute arises between any of the Parties regarding the governance or operations of the RCPWG, and an informal resolution cannot be reached, the Parties agree to submit the dispute to mediation. The mediation shall be held before a neutral attorney, a retired judge, or a third party mediator. The selection of the mediator shall be determined by a two-thirds majority vote of the Strategy Team. Should the Strategy Team be unable to select a mediator, the Fiscal Sponsor shall select a mediator based on input from the Strategy Team. The Parties shall make their best efforts to schedule the mediation as soon as possible after the selection of the mediator. Costs for the mediation shall be split equally between the Parties to the dispute.

8. Counterparts

This MOU may be executed in counterparts, each of which is an original and all of which constitute one and the same instrument.

9. Amendments

This MOU may be amended only by a unanimous vote of all Parties to this MOU. Amendments must be in writing and executed by authorized representatives from all Parties. Amendments shall take place no more than once a year.

10. Liability

Each Party's respective employees remain subject to the direction and control of their respective employer and shall not be considered as an employee of the other Parties. Each

Party shall be responsible for the acts or omissions of its respective employees and volunteers and shall incur any liabilities arising out of the acts or omissions of its respective employees and volunteers relating to this MOU.

Each Party shall bear their own respective costs related to administering any obligations under this MOU and retain financial and any other responsibility for the employment, salary, benefits, and terms and conditions of all staff or employees assigned to work pursuant to this MOU.

Nothing in this MOU obligates any Party to assume liability for grants funds administered by or through the RCPWG or by or through the Fiscal Sponsor, except to the extent such Party separately agrees to obligations under a specific grant agreement.

11. Notices

Any and all notices required to be given pursuant to the terms of this MOU shall be provided electronically or in writing. Written notices shall be by personal service or sent by certified mail, return receipt requested, to the respective addresses set forth below. Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

City of Capitola

Jamie Goldstein
City Manager
420 Capitola Ave
Capitola, CA, 95010
(831) 475-7300
jgoldstein@ci.capitola.ca.us

City of Carmel-by-the-Sea

Brandon Swanson
Acting City Administrator
PO Box CC
Carmel-by-the-Sea, CA, 93921
(831) 620-2000
bswanson@ci.carmel.ca.us

City of Marina

Layne Long
City Manager
211 Hillcrest Ave,
Marina, CA 93933
(831) 884-1278
llong@cityofmarina.org

City of Monterey

Dante Hall
City Manager
580 Pacific Street
Monterey, CA 93940
(831) 646-3760
dhall@monterey.org

City of Salinas

Rene Mendez
City Manager
200 Lincoln Ave
Salinas CA 93901
(831) 758-7201
Rene.Mendez@salinas.gov

City of Santa Cruz

Matt Huffaker
City Manager
809 Center Street Room 10
Santa Cruz, CA 95060
(831) 420-5011
mhuffaker@santacruzca.gov

City of Watsonville

Tamara Vides
City Manager
275 Main Street, Suite 400
Watsonville, CA 95076
(831) 768-3034
tamara.vides@watsonville.gov

County of Monterey

Sonia De La Rosa
County Administrative Officer
168 W. Alisal St, 3rd Floor
Salinas, CA 93901
(831) 755-5029
DeLaRosaSM@countyofmonterey.gov

County of San Benito

Esperanza Colio Warren
County Executive Officer
481 Fourth Street
Hollister, CA 95023
(831) 636-4000
ecolio@sanbenitocountyca.gov

**The Association of Monterey Bay
Area Governments**

Maura F. Twomey
Executive Director
24580 Silver Cloud Ct
Monterey, CA, 93940
(831)264-5089
mtwomey@ambag.org

12. California Public Records Act

The Parties are public agencies subject to the disclosure requirements of the California Public Records Act (“CPRA”). If a Party’s proprietary information is contained in documents or information submitted to the other Parties pursuant to this MOU, and the Party claims that such information falls within one or more CPRA exemptions, the Party must clearly mark such information “Confidential” or “Confidential and Proprietary,” and identify the specific lines containing the information. In the event of a request for such information, the Party that received the CPRA request will make best efforts to provide notice to the applicable Party prior to such disclosure. If a Party contends that any such documents are exempt from disclosure under the CPRA and wishes to prevent disclosure, and the Party receiving the CPRA request disagrees, it is required to obtain a protective order, injunctive relief, or other appropriate remedy from a court of competent jurisdiction. If the Party seeking to prevent disclosure fails to obtain such remedy prior to disclosure of the requested records as required under the CPRA, the Party that received the CPRA request may disclose the requested information without any liability.

13. Entire Agreement and Modification

This MOU supersedes all previous MOUs and agreements between the Parties related to the subject of this MOU and constitutes the entire understanding of the Parties.

The Parties agree that this MOU is independent of any other contract(s), Memorandum of Agreement, and/or any other agreements not expressly pertaining to the RCPWG among or between the Parties.

14. Severability

The unenforceability, invalidity, or illegality of any provision(s) of this MOU shall not render the other provisions unenforceable, invalid, or illegal.

15. Governing Law

This MOU shall be governed by and interpreted in accordance with California Law.

16. Signatories and Warranty of Authority

IN WITNESS WHEREOF, the undersigned warrant and represent that each is authorized to execute this MOU and that their respective signatures serve to legally obligate their respective representatives, agents, successors, and assigns to comply with the provisions of this MOU, and the undersigned have executed this Memorandum of Understanding on the dates set forth below, to be effective on _____ (“Effective Date”) as established by the final signatory, AMBAG as RCPWG’s Fiscal Sponsor.

City of Capitola

Signature: _____ Date: _____
Jamie Goldstein, City Manager

City of Carmel-by-the-Sea

Signature: _____ Date: _____
Brandon Swanson, Acting City Administrator

City of Marina

Signature: _____ Date: _____
Layne Long, City Manager

City of Monterey

Signature: _____ Date: _____
Dante Hall, City Manager

City of Salinas

Signature: _____ Date: _____
Rene Mendez, City Manager

City of Santa Cruz

Signature: _____ Date: _____
Matt Huffaker, City Manager

City of Watsonville

Signature: _____ Date: _____
Tamara Vides, City Manager

County of Monterey

Signature: _____ Date: _____
Sonia De La Rosa, County Administrative Officer

County of San Benito

Signature: _____ Date: _____
Esperanza Colio Warren, County Executive Officer

The Association of Monterey Bay Area Governments

Signature: _____ Date: _____
Maura F. Twomey, Executive Director

EXHIBIT A

Monterey Bay Area Regional Climate Project Working Group Charter and By-laws ("RCPWG Charter and By-laws")

1. The Challenge and Opportunity

Climate change is a priority issue for organizations across the Monterey Bay Area region. A focused and coordinated approach to pursuing competitive funding and other resources needed is required to unite the region in achieving equitable and resilient outcomes. Access to large-scale, transformative grant opportunities has the potential to accelerate implementation of climate change mitigation and adaptation projects and programs across the three-county region, including increasing access to funding for individual jurisdictions.

2. Mission

The Monterey Bay Area Regional Climate Project Working Group (RCPWG) collaboratively develops, prioritizes, secures funding for, and effectively and equitably implements regionally beneficial climate mitigation, adaptation, resilience, and hazard mitigation projects and programs. The RCPWG collaborates among groups and organizations in the Monterey Bay Area region, which includes Santa Cruz, San Benito, and Monterey counties.

3. Membership

Members of the RCPWG benefit from being part of and collaborating with an established network of partners across the Monterey Bay Area to lead to the development and implementation of projects that address shared climate mitigation and adaptation priorities. RCPWG members benefit from defining and prioritizing regionally beneficial projects, learning about grant opportunities, accessing consultant support to develop joint grant applications, and collaborating on funded projects. RCPWG members have the opportunity to collaborate on grant applications to secure funding for priority projects and new staff positions.

RCPWG membership includes dues-paying local agencies, regional agencies, and higher education institutions.

Local Agency Members (voting members): Dues-paying cities and counties within the Monterey Bay Area, which includes Monterey, San Benito, and Santa Cruz counties are voting members of the RCPWG.

Regional Agency Members (voting members): Dues-paying regional agencies working across the entirety of the Monterey Bay Area are voting members of the RCPWG. Regional agencies may coordinate with the Chair and Vice Chair, and with consent of voting members, to define RCPWG aligned priorities and specific outcomes that their annual contribution will support.

Higher Education Members (voting members): Dues-paying higher education institutions based within the Monterey Bay Area are voting members of the RCPWG.

Advisory Members: Regional agencies, 501(c)3 nonprofit organizations, higher education institutions, or tribal organizations/governments may serve as non-voting advisors and attend RCPWG Strategy Team meetings upon consent of voting members.

Observers: Potential members may request to send up to two representatives to participate in RCPWG meetings as non-voting observers. Local agencies, regional agencies, and higher education institutions may participate as non-voting observers without prior approval required.

Members are expected to provide member agency staff rates on an annual basis to the Fiscal Sponsor and the Managing Consultant to support RCPWG grant writing efforts.

4. Leadership & Decision Making

The RCPWG is led by a Chair, Vice Chair, and Strategy Team and is supported by a Fiscal Sponsor and Managing Consultant (as defined below). All RCPWG decision-making and spending matters will be subject to any policies governing the Fiscal Sponsor. The RCPWG prioritizes consensus-based decision-making, whereby members deliberate with the aim of reaching an outcome that is supported by all voting members. When consensus cannot be reached, decisions will be made by consent, meaning the absence of objections, which supports accelerated decision making. Consensus requires all members to agree with the decision, while consent allows for disagreement as long as no one objects to the decision. If neither consensus nor consent is attainable, decisions will be made by a two-thirds majority vote.

Chair and Vice Chair: The RCPWG is led by a Chair and Vice Chair, designated by a two-thirds majority vote of the voting members of the RCPWG, each serving a one-year term and with no term limits. Any representative of a voting member organization is eligible to serve as Chair or Vice Chair.

The Chair and Vice Chair provide overall leadership and strategic guidance, including setting Strategy Team meeting agendas, chairing Strategy Team meetings, and facilitating an annual work planning process for the Managing Consultant. The Chair and Vice Chair, along with the Fiscal Sponsor, hold signature authority on behalf of the RCPWG, approves RCPWG-related invoices, and serve as the final decision-makers on RCPWG matters not addressed in the

Charter and By-laws. The Chair and Vice Chair may delegate responsibilities to the Managing Consultant, subject to available resources in the RCPWG's annual budget and work plan, except in instances where such delegation would create a conflict of interest for the Managing Consultant.

Strategy Team: The RCPWG Strategy Team includes one or more representative(s) from each member organization, including local agency members, regional agency members, higher education members, and advisory members. Decisions are made by voting members of the Strategy Team (dues-paying local agency members, regional agency members, and higher education members) with input from advisory members and observers. Each member organization is provided with one vote. If multiple representatives from any single member organization are present when a vote is called, a primary representative must be identified to cast the member agency's vote.

The Strategy Team provides strategic direction and collective governance to the RCPWG and RCPWG-sponsored projects with voting members serving as the RCPWG's primary decision-making body. The Strategy Team makes decisions with respect to which grants the RCPWG pursues, projects the RCPWG develops, subcommittee formation, and the future membership, leadership, and dues structure of the RCPWG as it evolves, including the formation of an ad-hoc steering or executive committee. The Strategy Team also provides strategic oversight on RCPWG projects and approves the annual work plan for the RCPWG's Managing Consultant, including stipends.

Fiscal Sponsor: The Fiscal Sponsor shall be designated by a two-thirds majority vote of the voting members of the RCPWG.

The Fiscal Sponsor serves as the overall funds holder and financial administrator for the RCPWG. The Fiscal Sponsor is responsible for receiving, managing, and disbursing RCPWG funds, including membership dues, grant awards to the RCPWG as the prime recipient or co-applicant, and other revenue secured by the RCPWG; administering contracts with consultants and contractors to support the RCPWG's approved work plan; maintaining financial records; and providing regular financial reports to the Chair, Vice Chair, and Strategy Team. The Fiscal Sponsor, along with the Chair and Vice Chair, holds signature authority on behalf of the RCPWG, approves RCPWG-related invoices, and serves as the final decision-makers on RCPWG matters not addressed in the Charter and By-laws.

The Fiscal Sponsor's responsibilities are limited to the activities expressly authorized by the RCPWG through approved budgets, work plans, and contracts. The Fiscal Sponsor shall not be liable for misuse of funds by subrecipients or contractors, except to the extent caused by the

Fiscal Sponsor's sole negligence or willful misconduct, and provided it exercises reasonable oversight consistent with applicable laws, grant requirements, and contractual obligations.

Managing Consultant: The RCPWG can be supported by a third-party Managing Consultant contracted by the Fiscal Sponsor to implement the RCPWG's work plan. All costs for the Managing Consultant shall be paid by the Fiscal Sponsor.

The Managing Consultant supports overall RCPWG administration and operations, under the direction of the Chair, Vice Chair, and Strategy Team, including supporting Strategy Team meetings, outreach and engagement, subcommittees, project and proposal development, grant writing, and funding opportunity coordination. The Managing Consultant's annual RCPWG work plan describes specific activities to be completed.

5. Budget and Work Plan

The RCPWG follows a two-year budget forecast cycle, with the annual base budget determined by the current level of local and regional agency member contributions to the RCPWG. Variable dues from new members provide the RCPWG with flexibility to undertake additional activities as part of the approved work plan or new activities approved by voting members.

The two-year budget forecast is supported by annual budgets and work plans, which are developed by the Managing Consultant in collaboration with the Chair and Vice Chair and are approved by voting members.

6. Subcommittees

Subcommittees of the RCPWG will be established to support the mission of the RCPWG with respect to specific focus areas (e.g. building electrification, transportation, waste, etc.). Subcommittees will have the primary focus of identifying, developing, and if awarded, implementing grants. Each subcommittee must have a minimum of three participating RCPWG members, and one member who is willing to serve as a Subcommittee Liaison.

The Subcommittee Liaison is responsible for creating agendas, facilitating subcommittee meetings, advancing the subcommittee toward its agreed upon purpose, and reporting back to the RCPWG (verbally or in writing) on the progress and decisions of the subcommittee. The RCPWG can initiate or sunset a subcommittee through standard voting procedures. Subcommittee Liaisons may delegate responsibilities to the Managing Consultant pending available resources in the RCPWG's annual budget and work plan.

7. Meetings

Members of the RCPWG are expected to attend and actively participate in regular RCPWG meetings, including mandatory attendance at up to two in-person meetings per year.

The RCPWG Strategy Team will meet virtually every six weeks for up to two hours. Additional virtual meetings may be held, as needed, to conduct RCPWG business. Two in-person meetings or retreats will be held each year, instead of or in addition to Strategy Team meetings, with meeting locations rotating between the three counties. Subcommittee meeting frequency will be determined by Subcommittee Liaisons based on input from subcommittee members.

A quorum, defined as three-fifths (3/5) of voting members, is required for any vote; quorum is not required for general discussion or meeting participation.

8. Amendments

This Charter and By-laws may be amended by a unanimous vote of voting members.

9. Acknowledgement

By executing the RCPWG MOU, each Party (voting member) acknowledges and agrees to the provisions of this Exhibit (RCPWG Charter and By-laws) and to participate in the RCPWG in accordance with its terms.

10. Record of Amendments

Amendment No.	Date Approved	Description of Change	Approved By

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MEMORANDUM

TO: AMBAG Board of Directors

FROM: Maura F. Twomey, Executive Director

RECOMMENDED BY: William Condon, Associate Planner

SUBJECT: Formal Amendment No. 12 to the Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2024-25 to FFY 2027-28

MEETING DATE: June 10, 2026

RECOMMENDATION:

Approve Formal Amendment No. 12 to the Monterey Bay Metropolitan Transportation Improvement Program (MTIP): FFY 2024-25 to FFY 2027-28 by adopting Resolution No. 2026-5 (Attachment 1).

BACKGROUND/ DISCUSSION:

The federally required Metropolitan Transportation Improvement Program (MTIP) is a comprehensive listing of surface transportation improvement projects for the tri-county Monterey Bay Region that receive federal funds or are subject to a federally required action, and/or are regionally significant.

AMBAG, as the federally designated Metropolitan Planning Organization (MPO) for the Monterey Bay region, prepares and adopts the MTIP at least once every two years. The MTIP covers a four-year period and must be financially constrained by year, meaning that the amount of dollars committed to the projects (also referred to as “programmed”) must not exceed the amount of dollars estimated to be available. The MTIP: FFY 2024-25 to FFY 2027-28 was adopted by the AMBAG Board at their September 11, 2024 meeting. It received state approval on November 15, 2024 and joint approval by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) on December 16, 2024. Upon the MTIP: FFY 2024-25 to FFY 2027-28 receiving federal approval, it was included in the 2025 Federal Statewide Transportation Improvement Program (FSTIP).

Planning Excellence!

What constitutes Formal Amendment to the adopted MTIP?

1. Federal regulations require that any addition or deletion of a project within the first four years of the adopted MTIP require formal amendment.
2. A significant change in project scope of work and/or cost estimate over \$20 million or 50% of the total project cost as programmed within the first four years requires a formal amendment to the adopted MTIP. There is no limit on adding funds to a grouped project listing.

Who approves Formal Amendments to the MTIP?

1. As per the federal requirements, each formal amendment to the MTIP is first circulated for public review and comments for a minimum of two weeks. Thereafter, the formal amendment is presented to the MPO Board for their approval.
2. After the MPO's approval, the formal amendment is submitted to the State Department of Transportation (Caltrans) for their approval.
3. After the State's approval, the formal amendment is forwarded to the FHWA and FTA for their joint approval.
4. Upon federal approval, the formal amendment by reference is included in the FSTIP.

Formal Amendment No. 12 to the MTIP: FFY 2024-25 to FFY 2027-28 updates two (2) projects, as listed in **Attachment 2**, Summary of Changes. The complete project listing included in Formal Amendment No. 12 is also enclosed with the agenda (**Attachment 3**) and can be viewed/downloaded using the AMBAG website link (www.ambag.org).

In accordance with the current federal regulations, the proposed Formal Amendment No. 12 is financially constrained to reasonably available resources. The projects included in Formal Amendment No. 12 have been developed in accordance with all applicable transportation planning requirements per 23 CFR Part 450 and are expected to support the establishment and achievement of performance management targets. The projects included in this Formal Amendment No. 12 also meet the following general requirements for a project to be approved by the U.S. Department of Transportation as a part of the MTIP:

- 1) Projects must be consistent with AMBAG's adopted 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS);
- 2) Projects must be financially constrained, and;
- 3) Projects must satisfy public review/comments requirements.

ALTERNATIVES:

The Board could take an action not to approve Formal Amendment No. 12 to the MTIP: FFY 2024-25 to FFY 2027-28. In this case, work on the projects included in this formal amendment could be put on hold.

FINANCIAL IMPACT:

This is a federally funded activity. Staff time to carry out the formal amendment process as well as cost for publication of the public notice in the local newspapers for public review and comment is programmed in the adopted FY 2025-26 Monterey Bay Region Overall Work Program (OWP) and Budget.

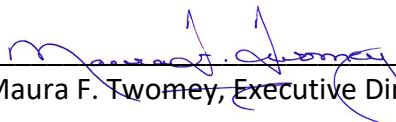
COORDINATION:

Formal Amendment No. 12 to the MTIP: FFY 2024-25 to FFY 2027-28 was prepared in coordination and consultation with the California Department of Transportation (Caltrans), Council of San Benito County Governments (SBtCOG), Monterey-Salinas Transit (MST), Santa Cruz County Regional Transportation Commission (SCCRTC), Santa Cruz Metropolitan Transit District (SCMTD) and Transportation Agency for Monterey County (TAMC).

ATTACHMENTS:

1. Resolution No. 2026-5
2. Summary of Changes
3. Project Programming Pages

APPROVED BY:



Maura F. Twomey, Executive Director

**A RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS
ADOPTING FORMAL AMENDMENT NO. 12 TO THE MONTEREY BAY METROPOLITAN
TRANSPORTATION IMPROVEMENT PROGRAM (MTIP)
FFY 2024-25 to FFY 2027-28**

WHEREAS, the Association of Monterey Bay Area Governments has been designated by the Governor of the State of California as the Metropolitan Planning Organization (MPO) for the Monterey Bay area; and

WHEREAS, Title 23 Code of Federal Regulations, Part 450, and Title 49 Code of Federal Regulations, Part 613, require that in each urbanized area, as a condition to the receipt of Federal capital or operating assistance, the MPO carries out, in cooperation with State, local agencies and publicly owned operators of mass transportation services, a continuing, cooperative and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, the Fixing America's Surface Transportation Act (FAST Act) calls for the development of at least a four-year Transportation Improvement Program (TIP), under direction of the MPO in cooperation with State and local officials, regional and local transit operators, and other affected transportation and regional planning and implementing agencies; and

WHEREAS, AMBAG has developed a four-year program of projects, consistent with AMBAG's *2045 Metropolitan Transportation Plan/Sustainable Communities Strategy*, the *2024 State Transportation Improvement Program*, the *2024 State Highway Operation and Protection Program*, and the area's Regional Transportation Improvement Programs and Short Range Transit Plans; and

WHEREAS, this document is financially constrained and prioritized by funding year, adding only those projects for which funding has been identified and committed in accordance with 23 CFR 450; and

WHEREAS, projects in Formal Amendment No. 12 satisfy the transportation conformity provisions of 40 CFR 93.122(g) and all applicable transportation planning requirements per 23 CFR Part 450 and are expected to support the establishment and achievement of performance management targets; and

WHEREAS, consultation with cognizant agencies was undertaken and the MTIP was considered with adequate opportunity for public review and comment, in accordance with 23 CFR 450:

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Association of Monterey Bay Area Governments does hereby approve and authorize the submission of Formal Amendment No. 12 to the *Monterey Bay Metropolitan Transportation Improvement Program FFY 2024-25 to FFY 2027-28* to the appropriate Federal and State agencies.

PASSED AND ADOPTED this 10th day of June 2026.

Attachment 2
Summary of Changes

MTIP FFY 2024-25 to FFY 2027-28
Formal Amendment No. 12

Project Number	Project Name	Change	Prior \$ (\$1,000)	New \$ (\$1,000)	% Change
TAM03MO	Scenic State Route 68 Corridor - Phase 1	New project.	\$0	\$98,619	100%
MST040M	Transit Infrastructure	FTA 5307: Add \$590K CON in FFY 2026/27 (was \$0); add \$500K CON in FFY 2027/28 (was \$0). FTA 5339: Add \$940K CON in FFY 2026/27 (was \$0); add \$800K CON in FFY 2027/28 (was \$0). TIRCP funds: Add \$560K CON in FFY 2026/27 (was \$0); add \$560K CON in FFY 2027/28 (was \$0). SB1 LPP funds: Add \$28K CON in FFY 2026/27 (was \$0). LCTOP funds: Add \$1,000K CON in FFY 2026/27 (was \$0). SB 125 funds: Add \$500K CON in FFY 2026/27 (was \$0); add \$500K CON in FFY 2027/28 (was \$0). Local agency funds: Add \$1,300K CON in FFY 2026/27 (was \$0); add \$1,300K CON in FFY 2027/28 (was \$0).	\$7,611	\$16,189	113%

**MTIP FFY 2024-25 to FFY 2027-28
Formal Amendment No. 12**

MPO ID: TAM03MO

CTIPS ID: 201-0000-0591

MTP ID: MON-CT011-CT

TITLE: Scenic State Route 68 Corridor - Phase 1

DESCRIPTION: In Monterey County, SR 68, PM 11.1 to PM 13.7: Construct Phase 1 of larger corridor project includes a 9-mile segment of SR 68. Install roundabouts at San Benancio, Corral de Tierra, and Laureles Grade intersections and two wildlife crossings.

COUNTY: Monterey County

SYSTEM: State Highway System

IMPLEMENTING AGENCY: Caltrans

PRJ MGR: Ryan Caldera

PHONE: (805) 458-8457

Dollars in Thousands

Fund Category: RIP

Fund Type: National Hwy System

Funding Agency: Transportation Agency For Monterey County

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$7,300	\$0	\$0	\$0	\$7,300
RW	\$0	\$0	\$0	\$6,149	\$0	\$0	\$6,149
CON	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total:	\$0	\$0	\$7,300	\$6,149	\$0	\$0	\$13,449

Fund Category:Local Funds

Fund Type:Transportation Safety & Investment Plan-Measure X

Funding Agency: Transportation Agency for Monterey County

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$15,570	\$0	\$0	\$15,570
CON	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total:	\$0	\$0	\$0	\$15,570	\$0	\$0	\$15,570

Fund Category: Future Need

Fund Type: Future Funds

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$0	\$0	\$69,600	\$0	\$69,600
Total:	\$0	\$0	\$0	\$0	\$69,600	\$0	\$69,600

Project Total:

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$7,300	\$0	\$0	\$0	\$7,300
RW	\$0	\$0	\$0	\$21,719	\$0	\$0	\$21,719
CON	\$0	\$0	\$0	\$0	\$69,600	\$0	\$69,600
Total:	\$0	\$0	\$7,300	\$21,719	\$69,600	\$0	\$98,619

MTIP FFY 2024-25 to FFY 2027-28
Formal Amendment No. 12

MPO ID: MST040M
CTIPS ID: 201-0000-0500
MTP ID: MON-MST004-MST

TITLE: Transit Infrastructure

DESCRIPTION: Purchase and install bus shelters and electronic signage, off-board fare vending machines, fleet and facility surveillance cameras, and support equipment. Repair existing, damaged shelters and equipment, and make ADA improvements as needed.

COUNTY: Monterey County

SYSTEM: Transit System

IMPLEMENTING AGENCY: Monterey Salinas Transit

PRJ MGR: MICHELLE OVERMEYER

PHONE: (831) 264-5877

Dollars in Thousands

Fund Category: FTA Funds

Fund Type: FTA5307 - Urbanized Area Formula Program

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$439	\$0	\$838	\$590	\$500	\$0	\$2,367
Total:	\$439	\$0	\$838	\$590	\$500	\$0	\$2,367

Fund Category: Local Funds

Fund Type: Agency

Funding Agency: Monterey Salinas Transit

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$268	\$500	\$2,769	\$1,300	\$1,300	\$0	\$6,137
Total:	\$268	\$500	\$2,769	\$1,300	\$1,300	\$0	\$6,137

Fund Category: Local Funds

Fund Type: Local Measure

Funding Agency: Monterey Salinas Transit

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$264	\$0	\$0	\$0	\$0	\$0	\$264

Total:	\$264	\$0	\$0	\$0	\$0	\$0	\$264
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Fund Category: FTA Funds

Fund Type: Bus and Bus Facilities Program - FTA 5339

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$123	\$0	\$1,881	\$940	\$800	\$0	\$3,744
Total:	\$123	\$0	\$1,881	\$940	\$800	\$0	\$3,744

Fund Category: FTA Funds

Fund Type: State of Good Repair Formula Grants

Funding Agency: Caltrans

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$10	\$0	\$97	\$0	\$0	\$0	\$107
Total:	\$10	\$0	\$97	\$0	\$0	\$0	\$107

Fund Category: Other State

Fund Type: Transit and Intercity Rail Capital Program (TIRCP)

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$1,136	\$560	\$560	\$0	\$2,256
Total:	\$0	\$0	\$1,136	\$560	\$560	\$0	\$2,256

Fund Category: FTA Funds

Fund Type: Bus and Bus Facilities Discretionary Program

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$323	\$0	\$0	\$0	\$323
Total:	\$0	\$0	\$323	\$0	\$0	\$0	\$323

Fund Category: State SB1

Fund Type: Road Repair and Accountability Act of 2017

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0

RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$67	\$0	\$0	\$0	\$67
Total:	\$0	\$0	\$67	\$0	\$0	\$0	\$67

Fund Category: State SB1 LPP

Fund Type: Local Partnership Program - Formula Distribution

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$0	\$28	\$0	\$0	\$28
Total:	\$0	\$0	\$0	\$28	\$0	\$0	\$28

Fund Category: Other State

Fund Type: Low Carbon Transit Operations Program (LCTOP)

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$0	\$1,000	\$0	\$0	\$1,000
Total:	\$0	\$0	\$0	\$1,000	\$0	\$0	\$1,000

Fund Category: Other State

Fund Type: SB 125 Transit Program

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$0	\$0	\$0	\$500	\$500	\$0	\$1,000
Total:	\$0	\$0	\$0	\$500	\$500	\$0	\$1,000

Project Total:

Phase	PRIOR	24/25	25/26	26/27	27/28	FUTURE	TOTAL
PE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RW	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CON	\$1,104	\$500	\$7,111	\$4,918	\$3,660	\$0	\$17,293
Total:	\$1,104	\$500	\$7,111	\$4,918	\$3,660	\$0	\$17,293



MEMORANDUM

TO: AMBAG Board of Directors

FROM: Maura F. Twomey, Executive Director

RECOMMENDED BY: Gina Schmidt, GIS Coordinator

SUBJECT: Amendment No. 2 to the Regional Travel Demand Model Contract

MEETING DATE: June 10, 2026

RECOMMENDATION:

Approve Amendment No. 2 to the Regional Travel Demand Model Technical Support Services Contract with Caliper Corporation for a budget increase of \$50,000 and term extension to December 31, 2027.

BACKGROUND/ DISCUSSION:

AMBAG issued a Request for Proposals (RFP) for Regional Travel Demand Model (RTDM) Technical Support Services for assistance in updating the Regional Travel Demand Model and supporting the MTP/SCS planning activities in March 2021. AMBAG Board approved Caliper Corporation as our consultant and entered into an agreement in April 2021 for \$250,000. Amendment No. 1 was approved in May 2025 of the current contract with Caliper Corporation for \$330,000. The current contract expires on June 30, 2027. AMBAG staff recommend AMBAG Board of Directors approval of Amendment No. 2 to the current Caliper Corporation contract to add additional \$50,000 and extend the contract expiration date to December 31, 2027. The proposed additional funding and time extension will allow us to continue to receive technical assistance (on-call as needed), finalize Activity Based Model with technical methodology document and model users guide for release. The RTDM is made available to Caltrans, RTPAs, and other local/regional agencies to conduct their planning activities. The Regional Travel Demand Model Technical Support Services agreement with Caliper Corporation would increase the total contract from \$330,000 to \$380,000 and extend the contract expiration date to December 31, 2027.

Planning Excellence!

ALTERNATIVES:

The Board of Directors may choose not to amend the Regional Travel Demand Model Technical Support Services Contract Amendment No. 2 with Caliper Corporation. AMBAG staff does not recommend this alternative as the model finalization is needed, technical documentation needs to be prepared, as well as packaging the model for distribution which is relied upon by agencies for local planning purposes.

FINANCIAL IMPACT:

AMBAG RTDM Modeling activities are funded with FHWA PL and FTA 5303 funds and are programmed in the FY 2026-2027 Overall Work Program and Budget for \$25,000, the remaining \$25,000 would occur in FY 2027-2028.

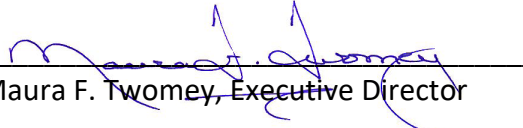
COORDINATION:

All modeling activities directly support the MTP/SCS planning activities which are coordinated with the Regional Transportation Planning Agencies of Council of San Benito County Governments, Transportation Agency of Monterey County, Santa Cruz County Regional Transportation Commission, Caltrans District 5, and the Planning Directors Forum which includes all the local jurisdictions.

ATTACHMENT:

1. Amendment No. 2 to the Regional Travel Demand Modeling Technical Support Services Contract with Caliper Corporation

APPROVED BY:


Maura F. Twomey, Executive Director

ATTACHMENT 1
AMENDMENT NO. 2
AGREEMENT FOR SERVICES

THIS Amendment No. 2 to the AGREEMENT is made and entered into this 10th day of June 2026, by and between the **Association of Monterey Bay Area Governments**, hereinafter called "**AMBAG**," and the **Caliper Corporation**, hereinafter called "**CONTRACTOR**."

WITNESSETH

WHEREAS, as the Metropolitan Planning Organization (MPO) for Monterey, Santa Cruz and San Benito Counties, AMBAG is charged with maintaining a level of Regional Travel Demand Model (RTDM) Technical Support Services to serve the Board of Directors; and

WHEREAS, AMBAG needs to obtain certain technical and/or specialized services of an independent contractor to assist AMBAG in the most economical manner; and

WHEREAS, the CONTRACTOR is qualified and experienced and has necessary technical and personnel resources to provide such RTDM Technical Support Services; and

WHEREAS, pursuant to its annual Overall Work Program (OWP), AMBAG will be engaged in many activities and projects that will require certain RTDM Technical Support Services to complete the goals of AMBAG; and

NOW, THEREFORE, AMBAG and CONTRACTOR for the considerations hereinafter set forth, mutually agree as follows:

THE PARTIES HEREBY AGREE AS FOLLOWS:

1. SCOPE OF WORK.

Consultant shall perform those services as specified in detail in Exhibit "A," entitled "Project Tasks/Services, Timeline and Budget," which is attached hereto and incorporated herein.

2. TERM.

A. The term of this Contract shall be from the date of its execution until the completion of the work contemplated by this Contract and its final acceptance by AMBAG unless terminated earlier as provided herein. CONTRACTOR shall complete all tasks **on or before December 31, 2027** unless otherwise extended by written authorization.

B. Services performed under this Contract shall commence only upon written Notice to Proceed by AMBAG to CONTRACTOR.

This Contract includes the following Exhibits:

Exhibit A. Project Tasks/Services, Timeline and Budget

Exhibit B. Debarment and Suspension Certification

Exhibit C. Federal Tax Form W-9, Request for Taxpayer Identification Number and Certification

Exhibit D: Disadvantaged Business Enterprises (DBE) Information Form

Exhibit E: Certifications

3. SCHEDULE OF PERFORMANCE.

The services of Consultant are to be completed according to the schedule set out in Exhibit "A," entitled "Project Tasks/Services, Timeline, and Budget," which is attached hereto and incorporated herein. Consultant will diligently proceed with the agreed Scope of Services and will provide such services in a timely manner in accordance with the "Project Tasks/Services, Timeline, and Budget."

4. CHANGE IN TERMS

- A. This contract may be amended or modified only by mutual written agreement of the parties.
- B. CONTRACTOR shall only commence work covered by an amendment after the amendment is executed and written notification to proceed has been provided by AMBAG.

5. COORDINATION/STAFFING

- A. CONTRACTOR shall assign **Dr. Ramachandran Balakrishna, as Project Manager** to personally participate in said project. AMBAG also retains the right to approve any substitution of the Project Manager. No portion of the work included in this Contract shall be subcontracted, except as provided herein, without the prior, written authorization of the AMBAG.
- B. Services described in the Scope of Work shall be performed by Contractor's staff, Subcontractor(s) or other members of the project team, hereinafter referred to as "Subcontractor(s)," listed in the "Project Tasks/Services, Timeline, and Budget," Exhibit A, attached hereto and incorporated by this reference.

6. COMPENSATION

- A. CONTRACTOR will be reimbursed for hours worked at the hourly rates specified in CONTRACTORs Cost Proposal (Exhibit A). The specified hourly rates shall include direct salary costs, employee benefits, overhead, and fee. These rates are not adjustable for the performance period set forth in this contract.

- B. In addition, CONTRACTOR will be reimbursed for incurred (actual) direct costs other than salary costs that are in the cost proposal and identified in the cost proposal and in the executed contract.
- C. Reimbursement for transportation and subsistence costs shall not exceed the rates specified on the CalHR Travel Reimbursements website (calhr.ca.gov).
- D. CONTRACTOR will be reimbursed, as promptly as fiscal procedures will permit. Invoices shall be submitted no later than 45 calendar days after the performance of work for which CONTRACTOR is billing, or upon completion of the Contract. Invoices shall detail the work performed on each task/milestone. Invoices shall follow the format stipulated for the approved Cost Proposal and shall reference this contract number and project title.
- E. CONTRACTOR shall not commence performance of work or services until this contract has been approved by AMBAG and written notification to proceed has been issued by AMBAG. No payment will be made prior to approval of any work, or for any work performed prior to approval of this contract.
- F. In no event shall compensation as described in Exhibit A exceed THREE-HUNDRED AND EIGHTY THOUSAND DOLLARS (\$380,000) total over the six year term of years for fiscal years ending in June 30, 2021 to December 31, 2027 without prior written consent of AMBAG.
It is mutually understood between the parties that funding for this contract is contingent on State Budget passage and federal and state funding as well as reimbursement from Caltrans.

7. INVOICING

- A. Invoices for services must be presented to AMBAG no later than the fifteenth day of each month for the month prior. CONTRACTOR shall submit an invoice to AMBAG stating the amount due for such services on a monthly basis throughout the duration of the project. Said monthly invoicing shall reflect the task worked on, the percentage of the task completed, and the total dollar amount for the task in comparison to the invoiced amount based upon the percentage of the task then completed. AMBAG shall reimburse the CONTRACTOR as promptly as its fiscal procedures permit, upon receipt of itemized invoices submitted in accordance with this Contract. Payment of the invoices will be made to CONTRACTOR after acceptance of work product and approval by AMBAG and upon reimbursement by the State of California. AMBAG will withhold 10% of each invoice until fully reimbursed by the State of California. Such reimbursements shall be based upon actual eligible costs incurred by the CONTRACTOR consistent with the "Project Tasks/Services, Timeline, and Budget," Exhibit A. No interest or carrying charges shall accrue to CONTRACTOR by reason of delayed payment.

- B. Prompt Payment to Subcontractor(s): A CONTRACTOR shall pay any Subcontractor(s) for satisfactorily completed work no later than ten (10) days of receipt of each payment from AMBAG. The ten (10) day period is applicable unless a longer period is agreed to in writing. Any delay or postponement of payment over thirty (30) days may take place only for good cause and with AMBAG's prior written approval. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the CONTRACTOR or Subcontractor in the event of a dispute involving late payment or nonpayment by the CONTRACTOR, deficient Subcontractor performance, and/or noncompliance by a Subcontractor. This clause applies to both DBE and non-DBE Subcontractor.
- C. Invoicing Format and Content: All invoices submitted to AMBAG for payment shall be sent directly to:

Association of Monterey Bay Area Governments
ATTN: Accounts Payable
P.O. 2453
Seaside, CA 93955

1. The invoice shall be entitled "Invoice" or otherwise clearly identify that the document is an Invoice, and shall contain the following information:
 - i. AMBAG's "Bill To" information as stated in the above paragraph;
 - ii. Invoice number and/or billing number specified by CONTRACTOR. The invoice number must be unique for each invoice submitted;
 - iii. Invoice date;
 - iv. Billing period specified with beginning and ending dates. The beginning date must not be sooner than the Notice to Proceed date of the Contract, or within any previous billing dates;
 - v. Percent of Task Completed;
 - vi. Total amount due for the billing period;
 - vii. Total Contract Value (as identified in 4A. above); and
 - viii. AMBAG Project Manager

8. FUNDING REQUIREMENTS

It is mutually understood between the parties that this contract may have been written before ascertaining the availability of funds or appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays that would occur if the contract were executed after that determination was made.

This contract is valid and enforceable only, if sufficient funds are made available to AMBAG for the purpose of this contract. In addition, this contract is subject to any additional restrictions, limitations, conditions, or any statute enacted by the Congress, State Legislature, or AMBAG governing board that may affect the provisions, terms, or funding of this contract in any manner.

It is mutually agreed that if sufficient funds are not appropriated, this contract may be amended to reflect any reduction in funds.

AMBAG has the option to void the contract under the termination clause, or by mutual agreement to amend the contract to reflect any reduction of funds.

9. CONTRACT COMPLETION RETAINER

CONTRACTOR is prohibited from holding retainage from Subcontractor(s). Any delay or postponement of payment may take place only for good cause and with AMBAG's prior written approval. Any violation of these provisions shall subject the violating CONTRACTOR to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code, if applicable. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the CONTRACTOR in the event of a dispute involving late payment or nonpayment by the CONTRACTOR, deficient Subcontractor(s) performance, and/or noncompliance by Subcontractor(s). This clause applies to both DBE and non-DBE Subcontractor(s).

10. SATISFACTORY PERFORMANCE

Payment for services under this Contract is contingent upon AMBAG's determination that the performance of the CONTRACTOR has been satisfactory and beneficial to AMBAG in the sole discretion of the Executive Director.

11. COVENANT AGAINST CONTINGENT FEES

The CONTRACTOR warrants that he/she has not employed or retained any company or person, other than a bona fide employee working for the CONTRACTOR; to solicit or secure this contract; and that he/she has not paid or agreed to pay any company or person other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award, or formation of this contract. For breach or violation of this warranty, AMBAG shall have the right to annul this contract without liability, or at its discretion; to deduct from the contract price or consideration, or otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

12. OWNERSHIP, CONFIDENTIALITY AND USE OF WORK PRODUCTS

- A. Ownership of any reports, data, studies, surveys, charts, memoranda, and any other documents, which are developed, compiled, or produced as a result of this Contract, whether or not completed, shall vest with AMBAG. AMBAG reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use the data.
- B. AMBAG shall receive copyright and ownership to all data and materials delivered under this contract upon formal acceptance, except for those data and materials that are subject to ownership or copyright of others prior to the execution of this contract. No distribution of the original or derived works shall be made prior to acceptance by AMBAG unless specified in the task order or authorized by the contracting officer. The contractor may maintain copyright and ownership of all original or derived works which are not required submittals under this contract.
- C. Methodology and materials developed under this Contract are the property of AMBAG and may be used by AMBAG as it sees fit, including the right to revise or publish the same without limitation. CONTRACTOR shall not be liable for use of such methodology, materials, software logic, and systems for purposes other than that for which it is developed.
- D. Subject to the California Public Records Act, all Work Products and Related Work Materials including Intellectual Property shall be held confidential by CONTRACTOR. Nothing furnished to CONTRACTOR, which is otherwise known to CONTRACTOR or is generally known, or has become known, to the related industry shall be deemed confidential.
- E. The CONTRACTOR shall not use, release, reproduce, distribute, publish, adapt for future use or otherwise use Work Products and Related Work Materials for purposes other than the performance of the Scope of Work, nor authorize others to do so, without prior written permission of AMBAG Legal Counsel; nor shall such materials be disclosed to any person or entity not connected with the performance of the work. CONTRACTOR shall also safeguard such confidential materials from unauthorized disclosure, using the same standard of care to avoid disclosure, as the CONTRACTOR treats its confidential information, but in no case less than reasonable care.
- F. All equipment, including, but not limited to, computer hardware, printing and duplication equipment, multimedia equipment, software tools and programs, and upgrade packages to existing equipment, procured in whole or part by funds provided under this Contract, are the property of AMBAG. AMBAG shall determine the disposition of all such property upon completion or termination of this Contract.
- G. AMBAG may utilize any Work Products or Related Work Materials provided by CONTRACTOR pursuant to this Contract, in any manner which AMBAG deems appropriate without additional compensation to CONTRACTOR.

- H. All TransCAD proprietary software and data, including any enhancements developed under this contract by Caliper Corporation, will be delivered pursuant to Caliper's standard License Agreement, with the provision that notwithstanding the fact that some portion of the software may be first produced and/or modified in the course of the contract, the only rights granted in the software are those in the License Agreement, and that notwithstanding any contract or FAR clauses, all software and proprietary data will be delivered with restricted rights. All software, including any new TransCAD procedures or stand-alone software, will be delivered in executable form.
- I. Notwithstanding anything to the contrary in the contract, Caliper is granted unrestricted permission to reuse, modify, and distribute to others any parts or all of the code that it develops under this contract, and nothing in the contract shall prohibit or limit Caliper's use of information, including but not limited to ideas, concepts, know-how, techniques, and methodologies previously known to it or developed by it in the course of the work

13. TERMINATION

A. Termination of Convenience of AMBAG

AMBAG may terminate this Contract at any time by giving notice to the CONTRACTOR of such termination (including the effective termination date) at least thirty (30) calendar days before the effective date of such termination. In such event, all finished or unfinished documents and other materials as described in this Contract, at the option of AMBAG, become AMBAG's property. If this Contract is terminated by AMBAG, as provided herein, AMBAG's only obligation shall be the payment of fees and expenses incurred prior to the termination date, for work deemed satisfactory and a benefit to AMBAG, in accordance with the cost provisions of this Contract.

B. Termination for Cause

If through any cause, the CONTRACTOR shall fail to fulfill in a timely and proper manner its obligations under this Contract, or if the CONTRACTOR violates any of the covenants, terms, or stipulations of this Contract, AMBAG shall thereupon have the right to terminate the Contract by giving not less than ten (10) calendar days written notice to the CONTRACTOR of the intent to terminate and specifying the effective date thereof. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, reports or other materials prepared by the CONTRACTOR under this Contract shall, at the option of CONTRACTOR, become AMBAG's property.

14. DISPUTES

AMBAG and CONTRACTOR are fully committed to working with each other throughout the Term of this Agreement and agree to communicate regularly with each other at all times so as to avoid and minimize disputes. AMBAG and

CONTRACTOR agree to act in good faith to prevent and resolve potential sources of conflict before they escalate into a question or controversy. AMBAG and CONTRACTOR each commit to resolving such dispute in an amicable, professional, and expeditious manner and agree to use the following procedure for resolving the dispute: (a) either party may give notice to the other of the dispute and will meet within three (3) business days to attempt to resolve the dispute; (b) a meeting or meetings shall be promptly between the representatives of the parties regarding the dispute to attempt in good faith to negotiate a resolution of the dispute; (c) if within thirty (30) days after a dispute has arisen, the parties have not succeeded in negotiating a resolution of the dispute, they agree to submit the dispute to mediation; (d) the mediator shall be jointly selected by the parties, or failing agreement on the selection of a mediator within thirty (30) days after the parties fail to negotiate an informal resolution of any dispute, the mediator shall be a retired judge or justice selected by the supervising judge of the Civil Division of the Monterey County California Superior Court. In any mediation conducted pursuant to this section, the provision of the California Evidence Code section 1152 shall be applicable to limit the admissibility of evidence disclosed by the parties in the course of the mediation; and € if the parties are not successful in resolving the dispute through the mediation, then the parties agree that the dispute shall be submitted to binding arbitration to a single arbitrator in accordance with the existing Rules of Practice of Judicial Arbitration and Mediation Services, Inc. (JAMS) within thirty (30) days of the close of mediation as declared by the mediator.

15. AMENDMENT OF SCOPE OF WORK

The parties may amend the Scope of Work subject to mutual prior written modification of the Contract.

16. CORRECTION OF WORK

The performance of services or acceptance of information furnished by CONTRACTOR shall not relieve the CONTRACTOR from obligation to correct any defective, inaccurate or incomplete work subsequently discovered and all such work shall be remedied by the CONTRACTOR on demand without cost to AMBAG.

17. DELAYS AND EXTENSIONS

Time is of the essence concerning performance of this Contract; however, the CONTRACTOR will be granted time extensions for delays beyond the Contractor's control. Time extensions will be equal to the length of the delay or as otherwise agreed upon in writing between the CONTRACTOR and AMBAG.

18. RETENTION OF RECORDS/AUDITS

For the purpose of determining compliance with Public Contract Code 10115, et seq. and Title 21, California Code of Regulations, Chapter 21, Section 2500 et seq., when applicable and other matters connected with the performance of the contract pursuant to Government Code 8546.7; CONTRACTOR, subcontractor, and AMBAG shall maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of the contract, including but not limited to, the costs of administering the contract. All parties shall make such materials available at their respective offices at all reasonable times during the contract period and for three years from the date of final payment under the contract, except in the event of litigation or settlement of claims arising from the performance of this contract, in which case Contractor agrees to maintain same until AMBAG, Caltrans, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or any of their duly authorized representatives, have disposed of all such litigation, appeals, claims or exceptions related thereto. Reference 49 CFR 18.39(i)(11).

The State of California, Office of the State Controller, California Department of Transportation (Caltrans), FHWA, or any duly authorized representative of the Federal or State Government shall have access to any books, records, and documents of CONTRACTOR and its certified public accountants (CPA) work papers that are pertinent to the contract and indirect cost rates (ICR) for audit, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested.

19. SUBCONTRACTING

In accordance with Government Code Section 7550, CONTRACTOR agrees to state in a separate section of any filed report the numbers and dollars amounts of all contracts and subcontracts relating to preparation of the report.

- A. Nothing contained in this contract or otherwise, shall create any contractual relation between AMBAG and any subcontractor(s), and no subcontract shall relieve CONTRACTOR of its responsibilities and obligations hereunder. CONTRACTOR agrees to be as fully responsible to AMBAG for the acts and omissions of its subcontractor(s) and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by CONTRACTOR. CONTRACTOR'S obligation to pay its subcontractor(s) is an independent obligation from AMBAG'S obligation to make payments to the CONTRACTOR.
- B. CONTRACTOR shall perform the work contemplated with resources available within its own organization and no portion of the work pertinent to this contract shall be subcontracted without written authorization by AMBAG, except that, which is expressly identified in the contract.

20. ASSIGNMENT

The Contract shall not be assigned by the CONTRACTOR, in whole or in part, without the prior written consent of AMBAG.

21. INDEMNIFICATION

To the full extent permitted by law, CONTRACTOR shall indemnify, hold harmless, release and defend AMBAG (with legal counsel acceptable to AMBAG), its officers, employees and agents from and against any and all actions, claims, demands, damages, disability, losses, expenses including attorney's fees and other defense costs and liabilities of any nature that may be asserted by any person or entity including CONTRACTOR, in whole or in part, arising out of Contractor's activities hereunder, including the activities of other persons employed or utilized by CONTRACTOR in the performance of this Contract (including design defects and regardless of AMBAG's approval, use or acceptance of the work or work product hereunder) excepting liabilities due to the admitted or adjudicated sole negligence or willful misconduct of AMBAG. If the adjudicated or admitted sole negligence or willful misconduct of AMBAG has contributed to a loss, CONTRACTOR shall not be obligated to indemnify AMBAG for the proportionate share of such loss caused by such sole negligence or willful misconduct. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable by or for CONTRACTOR under Worker's Compensation, disability or other employee benefit acts or the terms, applicability or limitations of any insurance held or provided by CONTRACTOR and shall continue to bind the parties after termination/completion of this Contract.

22. STATEMENT OF COMPLIANCE

A. CONTRACTOR'S signature affixed herein, and dated, shall constitute a certification under penalty of perjury under the laws of the State of California that CONTRACTOR has, unless exempt, complied with, the nondiscrimination program requirements of Government Code Section 12990 and Title 2, California Administrative Code, Section 8103. During the performance of this Contract, CONTRACTOR and its subcontractor(s) shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40), marital status, and denial of family care leave. CONTRACTOR and subcontractor(s) shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. CONTRACTOR and subcontractor(s) shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated there under (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are

incorporated into this Contract by reference and made a part hereof as if set forth in full.

CONTRACTOR and its subcontractor(s) shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement(s).

CONTRACTOR shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under this contract.

In addition, the CONTRACTOR agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

The CONTRACTOR shall comply with regulations relative to Title VI (nondiscrimination in federally-assisted programs of the Department of Transportation – Title 49 Code of Federal Regulations, Part 21 - Effectuation of Title VI of the 1964 Civil Rights Act). Title VI provides that the recipients of federal assistance will implement and maintain a policy of nondiscrimination in which no person in the state of California shall, on the basis of race, color, national origin, religion, sex, age, disability, be excluded from participation in, denied the benefits of or subject to discrimination under any program or activity by the recipients of federal assistance or their assignees and successors in interest.

The CONTRACTOR, with regard to the work performed by it during the Contract shall act in accordance with Title VI. Specifically, the CONTRACTOR shall not discriminate on the basis of race, color, national origin, religion, sex, age, or disability in the selection and retention of subcontractor(s), including procurement of materials and leases of equipment. The CONTRACTOR shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the U.S. DOT's Regulations, including employment practices when the Contract covers a program whose goal is employment.

B. Equal Employment Opportunity - The following equal employment opportunity requirements apply to the underlying contract:

1. Race, Color, Creed, National Origin, Sex - In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the CONTRACTOR agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. The CONTRACTOR agrees to take affirmative action to ensure that applicants are employed, and that employees

are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the CONTRACTOR agrees to comply with any implementing requirements FTA may issue.

2. Age - In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 623 and Federal transit law at 49 U.S.C. § 5332, the CONTRACTOR agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the CONTRACTOR agrees to comply with any implementing requirements FTA may issue.
3. Disabilities - In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the CONTRACTOR agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the CONTRACTOR agrees to comply with any implementing requirements FTA may issue.
4. The CONTRACTOR also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

23. FEDERAL CHANGES

Contractor shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Master Contract between Purchaser and FTA, as they may be amended or promulgated from time to time during the term of this contract. Contractor's failure to so comply shall constitute a material breach of this contract.

24. ENERGY CONSERVATION

The contractor agrees to comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

25. NO OBLIGATION BY THE FEDERAL GOVERNMENT

- A. AMBAG and CONTRACTOR acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the

Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations or liabilities to AMBAG, CONTRACTOR, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

- B. The CONTRACTOR agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided by the Federal Transit Administration (FTA). It is further agreed that the clause shall not be modified, except to identify the Subcontractor who will be subject to its provisions.

26. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS OR RELATED ACTS

- A. The CONTRACTOR acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § § 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of the underlying contract, the Contractor certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the CONTRACTOR further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the CONTRACTOR to the extent the Federal Government deems appropriate.
- B. The CONTRACTOR also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. § 5307, the Government reserves the right to impose the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(1) on the CONTRACTOR, to the extent the Federal Government deems appropriate.
- C. The CONTRACTOR agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the Subcontractor who will be subject to the provisions.

27. DEBARMENT AND SUSPENSION CERTIFICATION

CONTRACTOR'S signature affixed herein, shall constitute a certification under penalty of perjury under the laws of the State of California, that the CONTRACTOR has

complied with Title 2 CFR, Part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (nonprocurement)", which certifies that he/she or any person associated therewith in the capacity of owner, partner, director, officer, or manager, is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three (3) years; does not have a proposed debarment pending; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years. Any exceptions to this certification must be disclosed to AMBAG.

Exceptions will not necessarily result in denial of recommendation for award, but will be considered in determining CONTRACTOR responsibility. Disclosures must indicate to whom exceptions apply, initiating agency, and dates of action.

Exceptions to the Federal Government Excluded Parties List System maintained by the General Services Administration are to be determined by the Federal Highway Administration.

By signing and submitting the contract, the CONTRACTOR shall certify those clauses described in the "Debarment and Suspension Certification," Exhibit B attached hereto and incorporated herein by this reference and shall comply with all relevant conditions as set forth in the CONTRACT.

28. CONTRACTS INVOLVING FEDERAL PRIVACY ACT REQUIREMENTS

The following requirements apply to the Contractor and its employees that administer any system of records on behalf of the Federal Government under any contract:

- A. The CONTRACTOR agrees to comply with, and assures the compliance of its employees with, the information restrictions and other applicable requirements of the Privacy Act of 1974, 5 U.S.C. § 552a. Among other things, the CONTRACTOR agrees to obtain the express consent of the Federal Government before the CONTRACTOR or its employees operate a system of records on behalf of the Federal Government. The CONTRACTOR understands that the requirements of the Privacy Act, including the civil and criminal penalties for violation of that Act, apply to those individuals involved, and that failure to comply with the terms of the Privacy Act may result in termination of the underlying contract.
- B. The CONTRACTOR also agrees to include these requirements in each subcontract to administer any system of records on behalf of the Federal Government financed in whole or in part with Federal assistance provided by FTA.

29. INSURANCE/NOTIFICATION

Prior to the beginning, and throughout the duration, of the work, CONTRACTOR shall maintain insurance in conformance with the requirements set forth below. CONTRACTOR will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth here, it will be amended to do so. CONTRACTOR acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds in excess of the limits and coverage required in this contract and which is applicable to a given loss, will be available to AMBAG.

CONTRACTOR is covered by, and agrees to maintain, general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions with limits as specified below. Certificates of insurance shall be provided to AMBAG prior to commencement of work by CONTRACTOR.

CONTRACTOR agrees to indemnify, protect, defend and name AMBAG, its public officials, officers and employees as additional insured on the Commercial General Liability and Business Auto Insurance and hold harmless from any loss, damage or liability arising directly from any negligent act or omission by CONTRACTOR.

CONTRACTOR shall not be responsible for any loss, damage or liability arising from any act or omission by AMBAG, its officials, officers or employees.

CONTRACTOR shall provide the following types and amounts of insurance:

- A. Commercial General Liability Insurance using Insurance Services Office "Commercial General Liability" policy form CG 00 01, with an edition date prior to 2004, or the exact equivalent. Coverage for an additional insured shall not be limited to its vicarious liability. Defense costs must be paid in addition to limits. Limits shall be no less than \$1,000,000 per occurrence for all covered losses and no less than \$2,000,000 general aggregates.
- B. Workers' Compensation on a state-approved policy form providing statutory benefits as required by law with employer's liability limits no less than \$1,000,000 per accident for all covered losses.
- C. Business Auto Coverage on ISO Business Auto Coverage form CA 00 01 including owned, non-owned and hired autos, or the exact equivalent. Limits shall be no less than \$1,000,000 per accident, combined single limit. If CONTRACTOR owns no vehicles, this requirement may be satisfied by a non-owned auto endorsement to the general liability policy described above. If CONTRACTOR or CONTRACTOR'S employees use personal autos in any way on this project, CONTRACTOR shall obtain evidence of personal auto liability coverage for each such person.
- D. Errors and Omissions Liability CONTRACTOR shall provide evidence of professional liability insurance on a policy form appropriate to Contractor's profession. Limits shall be no less than \$1,000,000/claim.

- E. Certificate of Insurance CONTRACTOR shall file a certificate of insurance completed and filed with AMBAG within fifteen (15) days of execution of this Contract and prior to engaging any operation or activities set forth in this Contract. The foregoing policies shall provide that no cancellation, major change in coverage, or expiration by insurance company or insured during the term of this contract shall occur without thirty (30) days written notice to AMBAG prior to the effective date of such cancellation or change in coverage.
- F. All such insurance shall be written on an occurrence basis, or, if the policy is not written on an occurrence basis, such policy with the coverage required herein shall continue in effect for a period of two (2) years after completion of the contract.
- G. The Commercial General Liability and Business Auto insurance policies shall provide an endorsement naming AMBAG, its officers, agents, employees and volunteers as Additional Insured, and shall further provide that such insurance is primary insurance to any insurance or self-insurance maintained by AMBAG and that the insurance of the Additional Insured shall not be called upon to contribute to a loss covered by the insurance AMBAG.

30. CONFLICT OF INTEREST

CONTRACTOR shall disclose any financial, business, or other relationship with AMBAG that may have an impact upon the outcome of this contract, or any ensuing AMBAG project. CONTRACTOR shall also list current clients who may have a financial interest in the outcome of this contract, or any ensuing AMBAG project, which will follow.

CONTRACTOR covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. CONTRACTOR further covenants that in the performance of this Contract, no person having any such interest shall be employed.

CONTRACTOR shall at all times avoid conflicts of interest, or the appearance or perceived conflicts of interest, in the performance of this contract. CONTRACTOR shall file statements of financial interest on forms provided by AMBAG to the extent and at the times required by AMBAG's Conflict of Interest Code and applicable law.

CONTRACTOR hereby certifies that it does not now have, nor shall it acquire any financial or business interest that would conflict with the performance of services under this contract.

31. STATEMENT OF ECONOMIC INTEREST

If AMBAG determines CONTRACTOR comes within the definition of CONTRACTOR under the Political Reform Act (Government Code §87100), CONTRACTOR shall complete and file and shall require any other person doing work under this Contract to

complete and file a "Statement of Economic Interest" with AMBAG disclosing CONTRACTOR and/or such other person's financial interests.

32. MERGER

This Contract shall constitute the entire Contract between the parties and shall supersede any previous contracts, whether verbal or written, concerning the same subject matter. No modification of this Contract shall be effective unless and until evidence by a writing is signed by both parties.

33. DEFAULT

If CONTRACTOR should fail to perform any of his obligations hereunder, within the time and in the manner herein provided or otherwise violate any of the terms of this Contract, AMBAG may terminate this Contract by giving CONTRACTOR written notice of such termination, stating the reason for such termination. In such event, CONTRACTOR shall be entitled to receive as full payment for all services satisfactorily rendered and beneficial to AMBAG and expenses incurred hereunder, an amount which bears the same ratio to the total fees specified in the contract as the services satisfactorily rendered hereunder by CONTRACTOR bear to the total services otherwise required to be performed for such total fee; provided, however, that AMBAG may withhold payments not yet made to CONTRACTOR for the purpose of setoff until such time as the exact amount of damages due AMBAG from CONTRACTOR is determined.

34. NO WAIVER OF BREACH/TIME

The waiver by AMBAG of any breach of any term or promise contained in this Contract shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Contract. Time is of the essence in carrying out the duties hereunder.

35. THIRD PARTY BENEFICIARIES

Nothing contained in this Contract shall be construed to create and the parties do not intend to create any rights in third parties.

36. ATTORNEYS' FEES, APPLICABLE LAW AND FORUM

In the event either party brings an action or proceeding for damages arising out of the other's performance under this Contract or to establish the right or remedy of either party, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs as part of such action or proceeding, whether or not such action or proceeding is prosecuted to judgment. This Contract shall be construed and interpreted according to

California law, and any action to enforce the terms of this Contract or for the breach thereof shall be brought and tried in the County of Monterey.

37. INDEPENDENT CONTRACTOR

The parties intend that CONTRACTOR, in performing the services specified herein, shall act as an independent contractor and shall have control of the work and the manner in which it is performed. CONTRACTOR is not to be considered an agent or employee of AMBAG and is not entitled to participate in any pension plan, insurance, bonus or similar benefits AMBAG provides its employees. In the event AMBAG exercises its right to terminate this Contract, CONTRACTOR expressly agrees that he/she shall have no recourse nor right of appeal under rules, regulations, ordinances or laws applicable to employees.

38. TAXES

CONTRACTOR agrees to file tax returns and pay all applicable taxes on amounts paid pursuant to this Contract and shall be solely liable and responsible to pay such taxes and other obligations, including, but not limited to, state and federal income and FICA taxes. CONTRACTOR agrees to indemnify and hold AMBAG harmless from any liability which it may incur to the United States or to the State of California as a consequence of CONTRACTOR'S failure to pay, when due, all such taxes and obligations.

39. FEDERAL TAX FORMS

Prior to issuing the initial claim under this Contract, the CONTRACTOR shall submit Federal Tax Form W-9, Request for Taxpayer Identification Number and Certification to the following address:

**Association of Monterey Bay Area Governments
ATTN: Accounts Payable
P.O. 2453
Seaside, CA 93955**

or by FAX to: (831) 883-3755. Unless AMBAG receives a completed Tax Form W-9, payments for services performed under this CONTRACT shall be subject to federal backup withholding.

40. COMPLIANCE WITH LAWS, RULES AND REGULATIONS

A. CONTRACTOR shall study and comply with all applicable federal, state and local laws, rules and regulations affecting the CONTRACTOR and his/her work hereunder. CONTRACTOR represents and warrants to AMBAG that

CONTRACTOR has and will keep in effect during the term of this Contract all licenses, permits, qualifications and approvals of whatsoever nature which are legally required for CONTRACTOR to practice Contractor's profession and to do the work hereunder.

- B. CONTRACTOR agrees to abide by the requirements of the Immigration and Control Reform Act pertaining to assuring that all employees of CONTRACTOR performing any services under this Contract have a legal right to work in the United States of America, that all required documentation of such right to work is inspected, and that INS Form 1-9 (as it may be amended from time to time) is completed and on file for each employee. CONTRACTOR shall make the required documentation available upon request to AMBAG for inspection.
- C. CONTRACTOR warrants that this contract was not obtained or secured through rebates kickbacks or other unlawful consideration, either promised or paid to any AMBAG employee. For breach or violation of this warranty, AMBAG shall have the right in its discretion; to terminate the contract without liability; to pay only for the value of the work actually performed; or to deduct from the contract price; or otherwise recover the full amount of such rebate, kickback or other unlawful consideration.

41. FEDERAL AND STATE LOBBYING ACTIVITIES CERTIFICATION (43 CFR PART 18)

By signing this CONTRACT, the CONTRACTOR certifies, to the best of its knowledge and belief, that no State or Federal funds have been paid or will be paid, by or on behalf of CONTRACTOR, to any person for influencing or attempting to influence an officer or employee of any state or federal agency; a Member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress; or any employee of a Member of the Legislature or Congress, in connection with the awarding of any state or federal contract; the making of any state or federal grant, the making of any state or federal loan; the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any state or federal contract, grant, loan, or cooperative agreement.

If any funds other than federal appropriated funds have been paid, or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency; a Member of Congress; an officer or employee of Congress, or an employee of a Member of Congress; in connection with this federal contract, grant, loan, or cooperative agreement; CONTRACTOR shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed

by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The CONTRACTOR also agrees by signing this Contract that it will require that the language of this certification be included in all subcontracts funded wholly or in part by any funds provided herein and which exceed \$100,000 and that all such Subcontractor(s) shall certify and disclose accordingly.

42. CERTIFICATIONS AND ASSURANCES

- A. CONTRACTOR shall adhere to the requirements contained in AMBAG's annual Certification and Assurances (FHWA and FTA "Metropolitan Transportation Planning Process Certification") submitted as part of AMBAG's OWP, pursuant to 23 CFR 450.334 and 23 U.S.C. 134. This Certification shall be published annually in AMBAG's OWP. Such requirements shall apply to CONTRACTOR to the same extent as AMBAG and may include, but are not limited to:
1. Title VI of the Civil Rights Act of 1964 and Title VI Assurance executed by California under 23 U.S.C. 324 and 29 U.S.C. 794;
 2. Pub. Law 105-178, 112 Stat. 107 and any successor thereto, regarding the involvement of disadvantaged business enterprises in FHWA and FTA funded projects (Sec. 105(f), Pub. L. 970424, 96 Stat. 2100, 49 CFR part 26); and
 3. The Americans with Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, as amended) and the United States Department of Transportation (US DOT) implementing regulations (49 CFR 27, 37, and 38).
- B. CONTRACTOR shall additionally comply with the requirements contained in the annual FTA "Certifications and Assurances for FTA Assistance," including "Certifications and Assurances Required of Each Applicant" and the "Lobbying Certification" in compliance with 49 U.S.C. Chapter 53; published annually in AMBAG's OWP. Such assurances shall apply to CONTRACTOR to the same extent as AMBAG, and include but are not limited, the following areas:
1. Standard Assurances
 2. Debarment, Suspension, and Other Responsibility Matters for Primary Covered Transactions
 3. Drug Free Work Place Agreement
 4. Intergovernmental Review Assurance
 5. Nondiscrimination Assurance
 6. DBE Assurance
 7. Nondiscrimination on the Basis of Disability

8. Certification and Assurances required by the U.S. Office of Management and Budget

C. The CONTRACTOR shall require its Subcontractor(s) to comply with these Certifications, and agrees to furnish documentation to AMBAG to support this requirement that all of its contracts with Subcontractor(s) contain provisions requiring adherence to this section in its entirety.

43. COST PRINCIPLES AND ADMINISTRATIVE REQUIREMENTS

A. CONTRACTOR agrees that the Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31.000 et seq., shall be used to determine the cost allowability of individual items.

B. CONTRACTOR also agrees to comply with federal procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

C. Any costs for which payment has been made to CONTRACTOR that are determined by subsequent audit to be unallowable under 2 CFR, Part 200 and 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31.000 et seq., are subject to repayment by CONTRACTOR to AMBAG.

44. DISADVANTAGED BUSINESS ENTERPRISE (DBE)

A. The CONTRACTOR, subrecipient, or subcontractor(s) shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The CONTRACTOR shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of State or United States Department of Transportation (DOT) assisted contracts or in the administration of AMBAG's DBE Program. Failure by the CONTRACTOR to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as AMBAG deems appropriate, which may include but is not limited to:

1. Withholding monthly progress payments
2. Assessing sanctions
3. Liquidated damages
4. Disqualifying the contractor from future bidding as non-responsible

B. The contractor must make available to the Caltrans contract manager a copy of all DBE subcontracts upon request.

C. The contractor must utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless the contractor obtains authorization from Caltrans. Unless the Department provides prior authorization approving a request for termination or substitution of a listed DBE, the Contractor shall not be

entitled to any payment for work or materials unless it is performed or supplied by the listed DBEs.

- D. It is the policy of AMBAG, Caltrans, and DOT, that the Disadvantaged Business Enterprises (DBEs), as defined in 49 CFR Part 26, shall have an equal opportunity to receive and participate in DOT-assisted contracts. The CONTRACTOR and its Subcontractor(s) shall comply with the requirements of 49 CFR Part 26 and with AMBAG's DBE Program, as amended.
- E. A "DBE Information Form" is attached hereto and incorporated herein by this reference as Exhibit D. Even if no DBE participation will be reported, the CONTRACTOR shall complete and sign such form at the time this Contract is executed
- F. During the period of this Contract, the CONTRACTOR shall maintain records of all applicable subcontracts advertised and entered into germane to this Contract, documenting the actual DBE participation and records of materials purchased from DBE suppliers. Such documentation shall show the name and business address of each DBE Subcontractor(s) or vendor, and the total dollar amount actually paid each DBE Subcontractor(s) or vendor. Upon completion of the Contract, regardless of whether DBE participation is obtained, a summary of the DBE records shall be prepared, certified correct, and submitted on a form that shall be provided by AMBAG.

45. FLOW-DOWN PROVISIONS

Any subcontract entered into that exceeds \$10,000 as a result of this CONTRACT shall contain the following provisions of this Contract:

Section 4 (Coordination/Staffing); Section 6 (Invoicing); Section 8 (Contract Completion Retainer); Section 9 (Satisfactory Performance); Section 11 (Ownership, Confidentiality, and Use of Work Products); Section 12 (Termination); Section 13 (Disputes); Section 17 (Retention of Records/Audits); Section 20 (Indemnification); Section 21 (Statement of Compliance); Section 22 (Federal Changes); Section 23 (Energy Conservation); Section 24 (No Obligation by the Federal Government); Section 25 (Program Fraud and False or Fraudulent Statements and Related Acts); Section 26 (Debarment and Suspension Certification); Section 27 (Contracts Involving Federal Privacy Act Requirements); Section 28 (Insurance/Notification); Section 29 (Conflict of Interest); Section 36 (Independent Contractor); Section 39 (Compliance with Laws, Rules, and Regulations); Section 40 (Federal and State Lobbying Activities Certification (43 CFR Part 18)); Section 41 (Certifications and Assurances); and Section 42 (Cost Principles and Administrative Requirements); Section 43 (Disadvantaged Business Enterprise (DBE)).

46. INTERPRETATION

Notwithstanding the fact that one or more provisions of this Contract may have been drafted by one of the parties to this Contract, such provisions shall be interpreted as though they were a product of a joint drafting effort and no provisions shall be interpreted against a party on the ground that said party was solely or primarily responsible for drafting the language to be interpreted.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

AMBAG:

Signature: _____

Name: Maura F. Twomey

Title: Executive Director

Association of Monterey Bay Area Governments (AMBAG)

24580 Silver Cloud Court, Monterey, CA 93940

Signature: _____

Name: Brian McCarthy

Title: Board President

Association of Monterey Bay Area Governments (AMBAG)

24580 Silver Cloud Court, Monterey, CA 93940

CONSULTANT:

Signature: _____

Name: Howard Slavin

Title: President

Caliper Corporation

1172 Beacon Street, Suite 300, Newton, MA 02461

APPROVED TO AS TO FORM:

By: _____

Alex Lorca, AMBAG Legal Counsel

Box 791, Monterey CA 939242

EXHIBIT A. PROJECT TASKS/SERVICES, TIMELINE, AND BUDGET

Project Schedule- Original

The graphic below illustrates the proposed schedule for the project. We propose a kick-off meeting soon after the April 15, 2021 project start, with Tasks 1 and 3 beginning in parallel.

Task	Description	2021				2022				2023				2024				2025				2026	
		Q2	Q3	Q4		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
1	Upgrade current RTDM*																						
A	Model upgrades and updates																						
B	Model documentation and training																						
C	Technical support																						
2	2045 MTP/SCS modeling																						
A	Scenario development and coding																						
B	Scenario reporting/post-processing																						
3	Upgrade CC ABM*																						
A	Review/upgrade existing components																						
B	Add new components																						
C	Calibrate 2020 base year																						
4	Project management																						

*Sub-task start times are conditional on the timing of 2020 Census data availability

Project Tasks- Original

Task	Description	Hours								Cost	
		Slavin	Balakrishna	Bernardin	Lam	Ricotta	Sundaram	Akkinepally	Rabinowicz		
1	Upgrade current RTDM										
A	Model upgrades and updates	5		10	90	75	50	5	10		\$63,000
B	Model documentation and training		5		30	30	15				\$20,250
C	Technical support		5		20	20	10				\$13,875
	Task 1 Total Cost										\$97,125
2	2045 MTP/SCS modeling										
A	Scenario development and coding		5	5	30	20	5				\$16,875
B	Scenario reporting/post-processing				15	20					\$9,125
	Task 2 Total Cost										\$26,000
3	Upgrade CC ABM										
A	Review/upgrade existing components	5	50	5			50	50	10		\$39,500
B	Add new components	5	50	5	5	5	50	40	10		\$39,875
C	Calibrate 2020 base year		20		10	10	20	20			\$18,750
	Task 3 Total Cost										\$98,125
4	Project management/final deliverables	5	40		15	15	15	15	12		\$28,550
	Total Hours	20	175	25	215	195	215	130	42		1017
	Percentage of Total Project Hours	2%	17%	2%	21%	19%	21%	13%	4%		100%
	Project Cost	\$6,500	\$39,375	\$6,875	\$59,125	\$48,750	\$48,375	\$29,250	\$11,550		\$249,800

Project Schedule and Cost Adjustment - Amendment No. 1

Please note the following exhibit shows the cost breakdown by task for the additional \$80,000 added for Amendment No. 1

Task	Description	Hours				Cost	
		Slavin	Balakrishna	Lam	Sundaram		Rabinowicz
1	Create and validate 2022 scenario	2	20	15	20	0	\$14,925
	Task 1 Total Cost						\$14,925
2	Sensitivity testing						
A	Finalize list of sensitivity tests	3	5	5	5	0	\$4,900
B	Conduct tests and document findings	0	35	30	40	0	\$27,300
	Task 2 Total Cost						\$32,200
3	Enhance CC ABM						
A	Review/upgrade existing components	0	10	5	10	0	\$6,425
B	Add new reports/components	0	10	5	15	5	\$9,125
	Task 3 Total Cost						\$15,550
4	Documentation and technical support	0	15	20	15	0	\$13,200
5	Project management/final deliverables	5	10	0	0	0	\$4,125
	Total Hours	10	105	80	105	5	305
	Percentage of Total Project Hours	3%	34%	26%	34%	2%	100%
	Project Cost	\$3,250	\$26,250	\$22,800	\$26,250	\$1,450	\$80,000

Rate per hour

325

250

285

250

290

Project Tasks and Timeline Adjustment- Amendment No. 2

Please note the following exhibit shows the schedule by task for Amendment No. 2

Project Tasks

Task	Description	FY 2025-2026				FY 2026-2027				FY 2027-2028			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1	RTDM support												
A	Model upgrades and updates												
B	Draft model documentation and user guide												
C	Technical support												
D	Model training												
2	Project management/ final deliverables												
A	Model packaging for distribution												
B	Final model technical documentation and user												

**EXHIBIT B. DEBARMENT AND SUSPENSION
CERTIFICATION**

**TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29
DEBARMENT AND SUSPENSION CERTIFICATION**

1. All persons or firms, including Subcontractor(s), must complete this certification and certify, under penalty of perjury, that, except as noted below, he/she or any person associated therewith in the capacity of owner, partner, director, officer, or manager:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - b. Have not, within the three (3) year period preceding this certification, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, violation of Federal or state antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses listed in subparagraph (1)(b) of this certification; and
 - d. Have not, within the three (3) year period preceding this certification, had one or more public transactions (Federal, state, and local) terminated for cause or default.

2. If such persons or firms later become aware of any information contradicting the statements of paragraph (1), they will promptly provide that information to AMBAG.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of actions.

The certification in this clause is a material representation of fact relied upon by AMBAG. If it is later determined that the CONTRACTOR knowingly rendered an erroneous certification, in addition to remedies available to AMBAG, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment. The CONTRACTOR agrees to comply with the requirements of 49

CFR 29, Subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The CONTRACTOR further agrees to include a provision requiring such compliance in its lower tier covered transactions.

Name of Firm

Signature (original signature required)

Date

**EXHIBIT C. FEDERAL TAX FORM W-9, REQUEST FOR
TAXPAYER IDENTIFICATION NUMBER AND
CERTIFICATION**

**EXHIBIT D. DISADVANTAGED BUSINESS
ENTERPRISES (DBE) INFORMATION FORM**

EXHIBIT E. CERTIFICATIONS

CALIFORNIA LEVINE ACT DISCLOSURE STATEMENT

California Government Code § 84308, commonly referred to as the "Levine Act," precludes an Officer of a local government agency from participating in the award of a contract if he or she receives any political contributions totaling more than \$250 in the 12 months preceding the pendency of the contract award, and for three months following the final decision, from the person or company awarded the contract. This prohibition applies to contributions to the Officer, or received by the Officer on behalf of any other Officer, or on behalf of any candidate for office or on behalf of any committee. The Levine Act also requires disclosure of such contributions by a party to be awarded a specified contract. Please refer to the attached code for the complete statutory language.

Current members of the AMBAG Board of Directors are attached.

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any AMBAG Director(s) in the 12 months preceding the date of the issuance of this request for proposal or request for qualifications?

YES NO

If yes, please identify the Director(s): _____

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contributions of more than \$250 to any AMBAG Director(s) in the three months following the award of the contract?

YES NO

If yes, please identify the Director(s): _____

Answering yes to either of the two questions above does not preclude RAPS from awarding a contract to your firm. It does, however, preclude the identified Director(s) from participating in the contract award process for this contract.

DATE

(SIGNATURE OF AUTHORIZED OFFICIAL)

(TYPE OR WRITE APPROPRIATE NAME, TITLE)

(TYPE OR WRITE NAME OF COMPANY)

California Government Code Section 84308

- (a) The definitions set forth in this subdivision shall govern the interpretation of this section.
- (1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.
 - (2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if he or she lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.
 - (3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, local governmental agencies whose members are directly elected by the voters, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.
 - (4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.
 - (5) "License, permit, or other entitlement for use" means all business, professional, trade and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.
 - (6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.
- (b) No officer of an agency shall accept, solicit, or direct a contribution of more than two hundred fifty dollars (\$250) from any party, or his or her agent, or from any participant, or his or her agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for three months following the date a final decision is rendered in the proceeding if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition shall apply regardless of whether the officer accepts, solicits, or directs the contribution for himself or herself, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.
- (c) Prior to rendering any decision in a proceeding involving a license, permit or other entitlement for use pending before an agency, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than two hundred fifty dollars (\$250) from a party or from any participant shall disclose that fact on the record of the proceeding. No officer of an agency shall make, participate in making, or in any way attempt to use his or her official

position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution in an amount of more than two hundred fifty dollars (\$250) within the preceding 12 months from a party or his or her agent, or from any participant, or his or her agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7. If an officer receives a contribution which would otherwise require disqualification under this section, returns the contribution within 30 days from the time he or she knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, he or she shall be permitted to participate in the proceeding.

- (d) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars (\$250) made within the preceding 12 months by the party, or his or her agent, to any officer of the agency. No party, or his or her agent, to a proceeding involving a license, permit, or other entitlement for use pending before any agency and no participant, or his or her agent, in the proceeding shall make a contribution of more than two hundred fifty dollars (\$250) to any officer of that agency during the proceeding and for three months following the date a final decision is rendered by the agency in the proceeding. When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in subdivisions (b), (c), and this subdivision.
- (e) Nothing in this section shall be construed to imply that any contribution subject to being reported under this title shall not be so reported.

For more information, contact the Fair Political Practices Commission,
428 J Street, Suite 800,
Sacramento, CA 95814,
(916) 322-5660.

AMBAG Board of Directors

Agency	Representative	Agency	Representative
Capitola	Susan Westman	County of Monterey	Kate Daniels
Carmel-by-the-Sea	Hans Buder	County of Monterey	Glenn Church
Del Rey Oaks	John Uy	County of Santa Cruz	Felipe Hernandez
Gonzales	Scott Funk	County of Santa Cruz	Manu Koenig
Greenfield	Rachel Ortiz	County of San Benito	Angela Curro
Hollister	Rudy Picha	County of San Benito	Mindy Sotelo
King City	Oscar Avalos		
Marina	Brian McCarthy	<u>Ex-Officio Members:</u>	
Monterey	Jean Rasch	3CE (Central Coast	
Pacific Grove	Lori McDonnell	Community Energy)	
Salinas	Margaret D'Arrigo	Caltrans District 5	
San Juan Bautista	Jose Aranda	MBARD	
Sand City	Mary Ann Carbone	Monterey Peninsula	
Santa Cruz	Scott Newsome	Airport District	
Scotts Valley	Derek Timm	MST	
Seaside	Alex Miller	SBtCOG	
Soledad	Fernando Ansaldo-	SCCRTC	
	Sanchez	SCMETRO	
Watsonville	Eduardo Montesino	TAMC	

CERTIFICATION OF RESTRICTIONS ON LOBBYING

Approved by OMB
0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

<p>1. Type of Federal Action:</p> <p>a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p>a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award</p>	<p>3. Report Type:</p> <p>a. initial filing <input type="checkbox"/> b. material change</p> <p>For material change only: Year _____ quarter _____ Date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if Known:</p>		<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p>

Congressional District, if known:	Congressional District, if known:
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
Federal Use Only	Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503



MEMORANDUM

TO: AMBAG Board of Directors

FROM: Maura F. Twomey, Executive Director

RECOMMENDED BY: Jessica Agee, Director of Finance and Administration

SUBJECT: Financial Update Report

MEETING DATE: June 10, 2026

RECOMMENDATION:

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

BACKGROUND/ DISCUSSION:

The enclosed financial reports are for the 2025-2026 Fiscal Year (FY) and are presented as a consent item. The attached reports contain the cumulative effect of operations through March 31, 2026, as well as a budget-to-actual comparison. Amounts in the Financial Update Report are unaudited.

FINANCIAL IMPACT:

The Balance Sheet for March 31, 2026, reflects a cash balance of \$2,968,575.51. The accounts receivable balance is \$677,156.64, while the current liabilities balance is \$1,952,903.45. AMBAG has sufficient current assets on hand to pay all known current obligations.

AMBAG's Balance Sheet as of March 31, 2026, reflects a positive Net Position in the amount of \$379,354.82. This is due in part to the Profit and Loss Statement reflecting an excess of revenue over expense of \$180,346.26. Changes in Net Position are to be expected throughout the fiscal year (FY), particularly at the beginning due to the collection of member dues which are received in July and the timing of various year-end adjustments required after our financial audit.

The following table highlights key Budget to Actual financial data:

Budget to Actual Financial Highlights
For Period July 1, 2025 through March 31, 2026

Expenditures	Budget Through March 2026	Actual Through March 2026	Difference
Salaries & Fringe Benefits	\$ 2,727,312.00	\$ 2,280,090.34	\$ 447,221.66
Professional Services	\$ 6,522,669.00	\$ 5,568,083.32	\$ 954,585.68
Lease/Rentals	\$ 59,625.00	\$ 59,372.10	\$ 252.90
Communications	\$ 18,600.00	\$ 17,819.82	\$ 780.18
Supplies	\$ 97,500.00	\$ 40,929.01	\$ 56,570.99
Printing	\$ 9,568.00	\$ 200.73	\$ 9,367.27
Travel	\$ 68,028.00	\$ 36,136.12	\$ 31,891.88
Other Charges	\$ 115,575.00	\$ 114,688.58	\$ 886.42
Non-Federal Local Match	\$ 281,834.79	\$ 281,834.79	\$ -
Total	\$ 9,618,877.00	\$ 8,399,154.81	\$ 1,501,556.98
Revenue			
Federal/State/Local Revenue	\$ 9,896,382.00	\$ 8,579,501.07	\$ 1,316,880.93
Note: AMBAG is projecting a surplus, therefore budgeted revenues do not equal expenses.			

Revenues/Expenses (Budget to Actual Comparison):

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

Professional Services are under budget primarily due to the timing of work on projects performed by contractors. Projects early in their implementation are Pajaro Bridge Infrastructure Resilient Design Study (Pajaro BIRDS) and Central Coast Rural Regional Energy Network (Rural REN). This work is not performed in a linear fashion while the budget reflects linear programming. In addition, the Regional Early Action Planning Housing Program 2.0 (REAP) provides \$9,537,639.42 in funding of which a large portion will pass through to partner agencies.

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

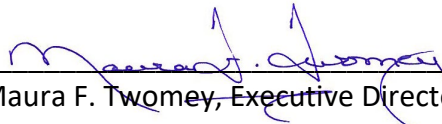
COORDINATION:

N/A

ATTACHMENTS:

1. Balance Sheet as of March 31, 2026
2. Profit and Loss: July 1, 2025 – March 31, 2026
3. Cash Activity for April 2026

APPROVED BY:



Maura F. Twomey, Executive Director

Balance Sheet - Attachment 1

As of March 31, 2026

	<u>March 31, 2026</u>	<u>March 31, 2026</u>
Assets		
Current Assets		
Cash and Cash Equivalents		
Mechanics Bank - Special Reserve	920,800.64	1,795,034.60
Mechanics Bank - Checking	298,405.02	157,868.85
Mechanics Bank - REAP 2.0 Checking	1,744,657.35	0.00
Petty Cash	500.00	1,952,903.45
LAIF Account	4,212.50	
Total Cash and Cash Equivalents	<u>2,968,575.51</u>	
Accounts Receivable	677,156.64	258,986.95
Total Accounts Receivable	<u>677,156.64</u>	1,888,153.69
Other Current Assets		11,721.21
Due from PRWFPA/RAPS	235.41	174,368.44
Prepaid Items	14,917.79	2,333,230.29
Total Other Current Assets	<u>15,153.20</u>	
Total Current Assets	<u>3,660,885.35</u>	<u>4,286,133.74</u>
Long-Term Assets		
Net OPEB Asset	96,473.00	
Deferred Outflows - Actuarial	533,833.49	
Deferred Outflows - PERS Contribution	272,963.59	
Total Long-Term Assets	<u>903,270.08</u>	
Capital Assets		
Capital Assets	439,462.41	199,008.56
Accumulated Depreciation	(338,129.28)	180,346.26
Total Capital Assets	<u>101,333.13</u>	379,354.82
Total Assets	<u>4,665,488.56</u>	<u>4,665,488.56</u>
Liabilities & Net Position		
Liabilities		
Current Liabilities		
Accounts Payable		1,795,034.60
Employee Benefits		157,868.85
Mechanics Bank - Line of Credit		0.00
Total Current Liabilities		<u>1,952,903.45</u>
Long-Term Liabilities		
Deferred Inflows - Actuarial		258,986.95
Net Pension Liability (GASB 68)		1,888,153.69
OPEB Liability		11,721.21
Deferred Revenue		174,368.44
Total Long-Term Liabilities		<u>2,333,230.29</u>
Total Liabilities		<u>4,286,133.74</u>
Net Position		
Beginning Net Position		199,008.56
Net Income/(Loss)		180,346.26
Total Ending Net Position		<u>379,354.82</u>
Total Liabilities & Net Position		<u>4,665,488.56</u>

Profit & Loss - Attachment 2

March 2026

	Mar-26	Mar-26
Income		
AMBAG Revenue		201,446.45
Cash Contributions		92,746.54
Grant Revenue		8,003,473.29
Non-Federal Local Match		281,834.79
Total Income		8,579,501.07
Expense		
Salaries		1,412,899.15
Fringe Benefits		867,191.19
Professional Services		5,568,083.32
Lease/Rentals		59,372.10
Communications		17,819.82
Supplies		40,929.01
Printing		200.73
Travel		36,136.12
Other Charges:		
BOD Allowances	3,800.00	
BOD Refreshments/Travel/Nameplates/Dinner/Other	3,616.40	
Workshops/Training	4,792.35	
CCR REN Travel/Classes/Events/Recruitment/Other	1,020.00	
SB1/MTIP/MTP/SCS/OWP/Public Participation Expenses	9,884.85	
Dues & Subscriptions	24,762.40	
Depreciation Expense	36,441.90	
Insurance	30,120.68	
Interest/Fees/Tax Expense	250.00	
Total Other Charges		114,688.58
Non-Federal Local Match		281,834.79
Total Expense		8,399,154.81
Net Income/(Loss)		180,346.26

AMBAG
Cash Activity - Attachment 3
For April 2026

Unaudited

Monthly Cash Activity	July-25	August-25	September-25	October-25	November-25	December-25	January-26	February-26	March-26	April-26	May-26	June-26	TOTAL
1. CASH ON HAND													
[Beginning of month]	4,212,310.51	3,798,610.52	2,971,516.09	2,933,212.41	2,878,828.47	5,363,754.84	5,224,446.91	5,026,543.52	4,091,928.66	2,968,575.51	2,993,212.86	2,993,212.86	
2. CASH RECEIPTS													
(a) AMBAG Revenue	107,036.69	64,088.60	3,616.46	43,522.07	5,101.71	102,922.92	7,600.31	2,755.11	12,382.05	2,966.33	0.00	0.00	351,992.25
(b) Grant Revenue	326,349.90	369,164.01	395,152.62	425,701.87	329,725.50	498,029.56	510,279.78	253,173.24	533,714.49	381,773.39	0.00	0.00	4,023,064.36
(c) REAP Advance Payment	0.00	0.00	0.00	0.00	2,575,133.53	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,575,133.53
(d) Borrowing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3. TOTAL CASH RECEIPTS	433,386.59	433,252.61	398,769.08	469,223.94	2,909,960.74	600,952.48	517,880.09	255,928.35	546,096.54	384,739.72	0.00	0.00	6,950,190.14
4. TOTAL CASH AVAILABLE	4,645,697.10	4,231,863.13	3,370,285.17	3,402,436.35	5,788,789.21	5,964,707.32	5,742,327.00	5,282,471.87	4,638,025.20	3,353,315.23	2,993,212.86	2,993,212.86	
5. CASH PAID OUT													
(a) Payroll & Related	309,774.68	241,785.75	242,393.93	247,674.65	247,891.62	260,697.48	291,031.89	254,178.32	255,332.85	255,841.96	0.00	0.00	2,606,603.13
(b) Professional Services	493,711.25	1,004,753.86	178,608.31	248,982.07	143,368.84	457,054.42	408,974.36	917,995.78	1,394,222.63	86,619.88	0.00	0.00	5,334,291.40
(c) Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(d) Lease/Rentals	12,382.77	0.00	6,320.95	5,968.00	5,968.00	6,320.95	6,426.36	6,515.58	7,051.56	7,172.73	0.00	0.00	64,126.90
(e) Communications	2,905.18	1,671.39	2,792.55	2,155.63	3,021.03	2,635.70	1,485.12	2,003.86	1,433.10	1,992.84	0.00	0.00	22,096.40
(f) Supplies	3,793.08	3,887.51	2,923.28	8,575.42	2,179.37	2,699.62	2,433.79	4,785.65	2,110.31	2,132.00	0.00	0.00	35,520.03
(g) Printing	0.00	0.00	0.00	0.00	0.00	70.74	0.00	0.00	0.00	202.74	0.00	0.00	273.48
(h) Travel	7,479.54	2,363.53	379.84	8,541.61	3,592.67	1,133.94	1,318.33	2,944.22	5,892.63	2,395.85	0.00	0.00	36,042.16
(i) Other Charges	17,040.08	5,885.00	3,653.90	1,710.50	19,012.84	9,647.56	4,113.63	2,119.80	3,406.61	3,744.37	0.00	0.00	70,334.29
(j) Loan Repayment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6. TOTAL CASH PAID OUT	847,086.58	1,260,347.04	437,072.76	523,607.88	425,034.37	740,260.41	715,783.48	1,190,543.21	1,669,449.69	360,102.37	0.00	0.00	8,169,287.79
7. CASH POSITION	3,798,610.52	2,971,516.09	2,933,212.41	2,878,828.47	5,363,754.84	5,224,446.91	5,026,543.52	4,091,928.66	2,968,575.51	2,993,212.86	2,993,212.86	2,993,212.86	



MEMORANDUM

TO: AMBAG Board of Directors

FROM: Maura F. Twomey, Executive Director

RECOMMENDED BY: Heather Adamson Director of Planning

SUBJECT: Final 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy and Final Environmental Impact Report

MEETING DATE: June 10, 2026

RECOMMENDATION:

The Board of Directors is asked to:

1. Hold public hearing;
2. Approve Resolution No. 2026-6 (Attachment 1) certifying the Final Environmental Impact Report prepared for the 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy (SCH# 2024010524) and County RTPs and adopting Findings of Fact pursuant to the California Environmental Quality Act; a Statement of Overriding Considerations; and a Mitigation Monitoring and Reporting Program (MMRP);
3. Approve Resolution No. 2026-7 (Attachment 2) finding the Sustainable Communities Strategy achieves the regional greenhouse gas reduction targets, adopting the Final 2026 Regional Growth Forecast, and adopting the 2050 Metropolitan Transportation Plan, including its Sustainable Communities Strategy.

BACKGROUND:

The 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) is the blueprint for a regional transportation system that further enhances our quality of life, promotes sustainability, and offers more mobility options for people and goods. The MTP/SCS is built on an integrated set of public policies, strategies, and investments to maintain, manage, and improve the transportation system so it meets the diverse needs of our changing region through 2050.

DISCUSSION:

Final Environmental Impact Report

Attachment 1 is the resolution certifying the Final Environmental Impact Report (EIR) prepared for the 2050 MTP/SCS and adopting the California Environmental Quality Act (CEQA) Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (Attachments A and B to the resolution).

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

The Final EIR incorporates changes made to the Draft EIR as a result of comments received during the public review period for the Draft EIR, and minor changes made to the Draft 2050 MTP/SCS. Changes made to the Draft EIR did not result in any new significant impacts not addressed in the Draft EIR or increase the severity of significant impacts identified in the Draft EIR.

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

Even after adoption of all feasible mitigation measures, the 2050 MTP/SCS will have significant impacts that cannot be fully mitigated to less than significant levels. AMBAG has prepared a Statement of Overriding Considerations in compliance with Public Resources Code §21081(b) and CEQA Guidelines §15093, which finds that specific economic, legal, social, technological, and other benefits of the 2050 MTP/SCS outweigh the significant and unavoidable impacts identified in the EIR. The Statement of Overriding Considerations is set forth in Attachment 1A to the CEQA Resolution (Attachment 1).

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

2026 Regional Growth Forecast

In October 2024, the Board of Directors accepted the Final Draft 2026 Regional Growth Forecast for planning purposes. More information regarding the Final 2026 Regional Growth Forecast is included in Appendix A of the 2050 MTP/SCS.

Final 2050 MTP/SCS

At its March 11, 2026, meeting, the Board reviewed the comments and draft responses received on Draft 2050 MTP/SCS. The changes were incorporated into the Final 2050 MTP/SCS.

Attachment 2 is the resolution finding that the SCS achieves the greenhouse gas reduction targets established by the California Air Resources Board (CARB) and adopting the Final 2026 Regional Growth Forecast and 2050 MTP/SCS.

Comments Received after the Close of the Comment Period but Before Agenda Publication

One new comment letter (Attachment 3) was submitted to AMBAG after the close of the Draft 2050 MTP/SCS and Draft EIR public comment period.

The comments should be considered by the AMBAG Board of Directors prior to taking action, but do not raise any new substantive issues that have not already been addressed in response to previously submitted comments on the 2050 MTP/SCS and/or EIR and do not pertain to the adequacy of the EIR or the 2050 MTP/SCS. Nevertheless, AMBAG staff has provided responses to the comments received for Board consideration (Attachment 4).

Please note that these late comments and associated responses do not constitute “significant new information” within the meaning of CEQA Guidelines Section 15088.5. For example, new or substantially worsened significant impacts were not identified nor were different new feasible EIR alternatives or mitigation measures. Therefore, the late comments and responses would not trigger Draft EIR recirculation.

Next Steps

Following the above recommended Board actions, staff will submit the Final 2050 MTP/SCS to Caltrans, Federal Highway Administration and Federal Transit Administration. The Final 2050 MTP/SCS also will be submitted to CARB to confirm the preliminary determination by its staff that implementation of the SCS would achieve the regional GHG reduction targets.

The 2050 MTP/SCS, including Appendices as well as the Final EIR and its Appendices, are available on the AMBAG website at www.ambag.org.

ALTERNATIVES:

The Board of Directors could choose not to certify the Final EIR, not to adopt the CEQA findings, and not to adopt the MMRP, and could choose not to adopt the 2050 MTP/SCS. AMBAG staff does not recommend this alternative as it would delay the adoption of the 2050 MTP/SCS and potentially cause delay or loss of transportation funding to the AMBAG region.

FINANCIAL IMPACT:

Planning activities for the 2050 MTP/SCS are funded with FHWA PL, FTA 5303, and SB 1 planning funds and are programmed in the FY 2025-26 Overall Work Program and Budget.

COORDINATION:

All MTP/SCS planning activities are coordinated with the MTP/SCS Executive Steering Committee and Staff Working Group which includes participation from Caltrans District 5, Monterey Salinas Transit, Santa Cruz Metropolitan Transit District, Santa Cruz County Regional Transportation Commission, Council of San Benito County Governments, and the Transportation Agency for Monterey County. All MTP/SCS planning activities also are coordinated with the Planning Directors Forum and the RTPAs Technical Advisory Committees which includes the local jurisdictions.

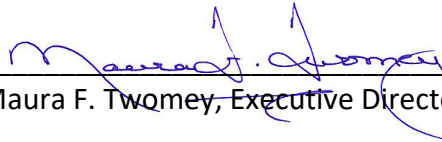
ATTACHMENTS:

1. Resolution No. 2026-6 certifying the Final Environmental Impact Report prepared for the 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy (SCH#2024010524) and County RTPs and adopting Findings of Fact pursuant to the California Environmental Quality Act; a Statement of Overriding Considerations; and a Mitigation Monitoring and Reporting Program;
 - A. Attachment A: CEQA Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program
 - B. Attachment B: Mitigation Monitoring and Reporting Program
2. Approve Resolution No. 2026-7 finding the Sustainable Communities Strategy achieves the regional greenhouse gas reduction targets, adopting the Final 2026

Regional Growth Forecast, and adopting the 2050 Metropolitan Transportation Plan, including its Sustainable Communities Strategy.

3. Comment letter received from LandWatch dated May 26, 2026
4. AMBAG Responses to Comments from LandWatch letter dated May 26, 2026

APPROVED BY:



Maura F. Twomey, Executive Director

A RESOLUTION OF THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG) BOARD OF DIRECTORS CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE 2050 METROPOLITAN TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (SCH#2024010524) AND COUNTY RTPs AND ADOPTING FINDINGS OF FACT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; A STATEMENT OF OVERRIDING CONSIDERATIONS; AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy (“Project”) proposes and encompasses the planning foundation for transportation improvements and regional growth throughout the Monterey Bay region through 2050; and

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

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

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

WHEREAS, AMBAG prepared a Program Environmental Impact Report (“EIR”) (SCH# 2024010204) and provided full disclosure and programmatic analysis of the significant environmental effects of the Project; and

WHEREAS, AMBAG issued a Notice of Preparation (“NOP”) of a Draft EIR on January 19, 2024 and circulated the NOP for an extended period of 40 days pursuant to State CEQA Guidelines §§15082(a), 15103 and 15375; and

WHEREAS, pursuant to State CEQA Guidelines §15206 and §15082, AMBAG publicly noticed and held two public scoping meetings in February 2024 for the purpose of soliciting comments from the public and potential responsible and trustee agencies, including details about the scope and content of the environmental information related to the responsible and trustee agencies’ areas of statutory responsibility, as well as the significant environmental issues, reasonable alternatives and mitigation measures that the responsible and trustee agencies would like to have analyzed in the Draft EIR; and

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WHEREAS, a Draft EIR was completed and released for public review on November 17, 2025, and AMBAG initiated a 74-day public comment period by filing a Notice of Completion and Notice of Availability with the Governor's Office of Land Use and Climate Innovation; and

WHEREAS, pursuant to Public Resources Code §20192, AMBAG also provided a Notice of Availability to all organizations and individuals who had previously requested such notice and published a Notice of Availability for the Draft EIR on or about November 17, 2025, in various newspapers of general circulation. In addition, AMBAG placed copies of the Draft EIR at the offices of AMBAG and on its website; and

WHEREAS, during the 75-day comment period, AMBAG consulted with and requested comments from responsible and trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines §15086; and

WHEREAS, during the official public review period for the Draft EIR, AMBAG received 4 written comment letters; and

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

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

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

WHEREAS, AMBAG made the Final EIR publicly available on its website on May 20, 2026 and

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

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

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WHEREAS, the AMBAG Board of Directors, at a regular session assembled on June 10, 2026, considered the significant environmental impacts of the 2050 MTP/SCS, including, but not limited to, the Final EIR, written and oral testimony given at meetings and hearings, and submission of testimony from the public, organizations and regulatory agencies; and

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

WHEREAS, AMBAG has prepared CEQA Findings in compliance with Public Resources Code §21081(a) and CEQA Guidelines Section §15091 for every significant impact of the 2050 MTP/SCS identified in the EIR and for each alternative evaluated in the EIR, including an explanation of the rationale for each finding (attached hereto in Attachment 1A); and

WHEREAS, the 2050 MTP/SCS will have significant unavoidable impacts that cannot be reduced to less than significant levels, and AMBAG has prepared a Statement of Overriding Considerations in compliance with Public Resources Code §21081(b) and CEQA Guidelines §15093 (attached hereto in Attachment 1A), which concludes that specific economic, legal, social, technological or other benefits of the 2050 MTP/SCS outweigh the significant and unavoidable impacts identified in the EIR; and

WHEREAS, AMBAG has prepared a Mitigation Monitoring and Reporting Program in compliance with Public Resources Code §21081.6 and CEQA Guidelines §15097 (attached hereto as Attachment 1B) to ensure compliance with the mitigation measures identified in the Final EIR during project implementation and operation; and

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

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

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

NOW THEREFORE:

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

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

BE IT FURTHER RESOLVED that, pursuant to CEQA Guidelines § 15090, the AMBAG Board of Directors certifies that the Final EIR (SCH #2024010524) has been completed in compliance with the CEQA (Public Resource Code §21000 et seq.), that the Final EIR and the information contained within it was presented to, and reviewed and considered by, the AMBAG Board of Directors prior to approving the Project, and that the Final EIR reflects the independent judgment and analysis of AMBAG; and

BE IT FURTHER RESOLVED that the AMBAG Board of Directors makes and adopts the Findings required in Public Resources Code §21081(a) and CEQA Guidelines §15091, which are attached hereto in Attachment 1A and incorporated fully by this reference; and

BE IT FURTHER RESOLVED that the AMBAG Board of Directors adopts the Statement of Overriding Considerations as required by Public Resources Code §21081(b) and CEQA Guidelines §15093, which is attached hereto in Attachment 1A and incorporated fully by this reference; and

BE IT FURTHER RESOLVED that the AMBAG Board of Directors adopts the Mitigation Monitoring and Reporting Program as required by Public Resources Code §21081.6 and CEQA Guidelines §15097, which is attached hereto as Attachment 1B and incorporated fully by this reference.

PASSED AND ADOPTED this 10th day of June 2026.

Brian McCarthy, President

Maura Twomey, Secretary

Attachment 1A

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

I. INTRODUCTION TO CEQA FINDINGS

These Findings of Fact are made pursuant to the California Environmental Quality Act (Pub. Res. Code Section 21000 et seq., “CEQA”) and the CEQA Guidelines (Cal. Code Regs. title 14, Section 15000 et seq.) by the Board of Directors of Association of Monterey Bay Area Governments (AMBAG), as the lead agency for the 2050 Metropolitan Transportation Plan and Sustainable Communities Strategy (“2050 MTP/SCS,” or the “project”). These Findings of Fact pertain to the Final Environmental Impact Report (“EIR”) SCH #2020010204 prepared for the 2050 MTP/SCS.

A. PROJECT DESCRIPTION SUMMARY

The proposed project by the Association of Monterey Bay Area Governments (AMBAG), described in Final EIR Chapter 2, “Project Description,” is the 2050 Metropolitan Transportation Plan and Sustainable Communities Strategy (MTP/SCS), which is a long-range planning document required by both State and Federal law and is an update of the 2045 AMBAG MTP/SCS. It contains a compilation of Regional Transportation Plans (RTPs) for Monterey, San Benito and Santa Cruz counties and is used to achieve a coordinated and balanced regional transportation system. The plan is organized into seven chapters, plus an executive summary, as follows: Chapter 1 – Vision, Chapter 2 – Transportation Investments, Chapter 3 – Financial Plan, Chapter 4 – Sustainable Communities Strategy, Chapter 5 – Outcomes, Chapter 6 – Public Participation, Chapter 7 – Glossary. Of the seven chapters of the 2050 MTP/SCS, Chapters 1, 2, 3, and 4 are those with the potential to create physical changes to the environment.

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

The 2050 MTP/SCS is based on a preferred land use scenario that consists of an intensified land use distribution approach that concentrates the forecasted population and employment growth in urban areas. The transportation network includes additional highway, local street improvements, active transportation and transit investments to serve a more concentrated urban growth pattern. Transportation system improvement projects identified in the 2050 MTP/SCS include: highway/roadway projects; bus rapid transit and rail projects; active transportation (bicycle and pedestrian projects); transportation demand management, transportation system management and intelligent transportation system (ITS) projects; and aviation projects.

The 2050 MTP/SCS would be implemented with several other existing AMBAG programs designed to reduce adverse impacts to transportation resources, air quality, GHG emissions and energy. These are described in Section 2.6, Relationship with Other Plans and Programs, of the Final EIR, and include the AMBAG Sustainability Program, Electric Vehicle Infrastructure for the Monterey Bay Area, Complete Streets Planning and Design Guidelines, Rideshare, Bike to School Day and Bike to

Work Day Program, Safe Routes to Schools Program, Central Coast Zero Electric Vehicle Strategy, Freeway Service Patrol and Motorist Assistance Program, and Seniors and Accessible Transportation Services.

The purpose of the 2050 MTP/SCS and the county level RTPs is to coordinate and facilitate the planning, programming and budgeting of all transportation facilities and services within the Monterey Bay region through 2050 and demonstrate how the region will integrate transportation and land use planning to meet the GHG reduction targets established by CARB. In developing the 2050 MTP/SCS and county level RTPs, AMBAG and the respective RTPAs followed the IJJA requirements that the RTP planning process provide for consideration of projects and strategies that will:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency;
- Increase the safety and security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility options available to people and freight;
- Protect and enhance the environment, promote energy conservation, improve the quality of life and promote consistency between transportation improvements and State and local planned growth, housing, and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system;
- Improve resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts; and
- Enhance travel and tourism.

For purposes of the EIR, the primary objective of the 2050 MTP/SCS and the county level RTPs is to comply with applicable regulatory requirements, including CTC Guidelines and SB 375, including SB 375's regional GHG reduction targets. AMBAG's specific objectives for the 2050 MTP/SCS are to additionally ensure that the SCS and the transportation system planned for the AMBAG region accomplishes the following:

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

B. TYPE OF EIR

The 2050 MTP/SCS EIR is a Program EIR. A Program EIR is prepared for a series of actions that can be

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

C. PROCEDURAL COMPLIANCE WITH CEQA

AMBAG published a Draft EIR on November 17, 2025, and a Final EIR on May 20, 2026, in compliance with CEQA requirements. AMBAG prepared the Draft and Final EIRs in accordance with CEQA and the CEQA Guidelines. As allowed for in CEQA Guidelines Section 15084(d)(2), AMBAG retained a consultant to assist with the preparation of the environmental documents. AMBAG, acting as lead agency, has directed, reviewed and edited as necessary all material prepared by the consultant, and such material reflects AMBAG’s independent judgment. In general, the preparation of the EIR included the following key steps and public notification efforts:

A 36-day scoping process began with AMBAG’s issuance of the Notice of Preparation (NOP) of an EIR. The NOP was filed with the State Clearinghouse on January 26, 2024, which started a 36-day comment period that ended March 1, 2024. AMBAG noticed and held two EIR scoping meetings during the NOP comment period to receive perspective and input from agencies, organizations and individuals on the scope and content of the environmental information to be addressed in the EIR. EIR scoping meetings were held virtually via zoom on February 21, 2024, and on February 22, 2024.

AMBAG issued the Draft EIR on November 17, 2025. The Notice of Availability for the Draft EIR was published in local newspapers (listed below) and distributed to a variety of government agencies, organizations and interested parties, including: local jurisdictions, tribal governments, state and federal agencies, resource agencies, water districts and boards, transportation agencies, community groups and organizations, business organizations, chambers of commerce, universities and school districts, senior/aging organizations, interested parties and members of the public.

Local Papers in Which Notice of Availability was Published

- Fresno Bee
- Hanford Sentinel
- Hollister Free Lance
- Merced Sun Star
- Monterey Herald
- San Jose Mercury News
- San Luis Obispo Tribune

- Santa Cruz Sentinel

The Notice of Completion for the Draft EIR and the Draft EIR were filed with the State Clearinghouse on November 13, 2025. The Draft EIR was available for a 74-day public review period starting November 17, 2025, and ending January 30, 2026. The Draft EIR was available for review on AMBAG’s website, as well as at the following in-person locations:

- AMBAG, 24580 Silver Cloud Court, Monterey, CA 93940
- Transportation Agency for Monterey County, 55B Plaza Circle, Salinas, CA 93901
- Santa Cruz County Regional Transportation Commission, 1101 Pacific Avenue, Suite 250, Santa Cruz, CA 95060
- Council of San Benito County of Governments, 650 San Benito Street, Suite 120, Hollister CA 95023

AMBAG hosted virtual and in person public workshops and public hearings on the Draft EIR and the Draft 2050 MTP/SCS on January 13, January 14, January 20, January 21, January 22, and January 27, 2026. All meetings were hosted online via zoom, except for the January 14 hearing, which offered an in-person and virtual option as part of an AMBAG Board meeting.

Following the close of the public review period, AMBAG revised the Draft EIR in response to comments received during the public review period on the Draft EIR and provided written responses addressing all significant environmental issues raised. Revisions made to the Draft EIR in response to Draft EIR comments, as well as minor corrections, clarifications, and updates to the Draft EIR, are shown throughout the Final EIR in strikethrough and underline text.

AMBAG published the Final EIR, which was posted on AMBAG’s website and filed with the State Clearinghouse, on May 20, 2026. AMBAG also provided written responses to all public agencies that commented on the Draft EIR on May 20, 2026, which is at least 10 days prior to certifying the EIR. The AMBAG Board of Directors held a public hearing on June 10, 2026, to consider certification of the Final EIR and approval of the project.

D. INCORPORATION OF FINAL EIR BY REFERENCE

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

E. REQUIREMENTS FOR CEQA FINDINGS

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

out unless the public agency makes one or more of the following findings with respect to each significant impact:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

Public Resources Code Section 21061.1 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.” CEQA Guidelines Section 15364 adds another factor: “legal” considerations. [See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.] The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project [*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417]. “[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.” [Id.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.] Alternatives and mitigation measures may also be determined to be infeasible if they do not “fully satisfy the objectives associated with a proposed project” or are “undesirable from a policy standpoint.” [*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 998, 1000.]

AMBAG has made one or more of the above specific written findings regarding each significant impact associated with the 2050 MTP/SCS. Those findings are presented below, along with a presentation of facts in support of the findings. The AMBAG Board of Directors certifies these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed. These findings are based on substantial evidence contained in the totality of the administrative record before the AMBAG Board of Directors, including but not limited to the Final EIR “supporting evidence” cited herein.

II. LOCATION AND CUSTODIAN OF THE RECORD

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

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

- The Notice of Preparation (NOP) and all other public notices issued by AMBAG in conjunction with the project.
- The Draft and Final EIRs, including appendices and technical studies included or referenced in the Draft and Final EIRs.
- All comments submitted by agencies or members of the public during the public comment period on the Draft EIR.
- All responses to the written comments included in the Final EIR.
- All comments and correspondence submitted to AMBAG with respect to the project.
- The Mitigation Monitoring and Reporting Program (MMRP) for the project.
- All Findings and resolutions adopted by AMBAG decision makers in connection with the project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by Rincon Consultants, consultants to AMBAG.
- All reports, memoranda, documentation, data output files relating to the land use and transportation modeling for the project.
- All documents and information submitted to AMBAG by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the project, up through the date the AMBAG Board of Directors approved the project.
- Minutes and/or verbatim transcripts of all information sessions, public meetings and public hearings held by AMBAG, in connection with the project.
- Any documentary or other evidence submitted to AMBAG at such information sessions, public meetings, and public hearings.
- Matters of common knowledge to AMBAG, including, but not limited to federal, State, and local laws and regulations.
- Any documents expressly cited in these Findings of Fact, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code Section 21167.6(e).

III. FINDINGS FOR IMPACTS IDENTIFIED AS INSIGNIFICANT

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 do not require findings of fact for impacts that are less than significant. Nevertheless, for the sake of completeness, the AMBAG Board of Directors hereby finds that the following environmental impacts of the 2050 MTP/SCS either have no impact or are less than significant. Under CEQA, no mitigation measures are required for impacts that are less than significant (CEQA Guidelines Section 15126.4(a)(3)). ***The findings below are for impacts that were analyzed in detail in the EIR, but are less than significant. These findings are based on the detailed discussions of impacts in Chapter 4 of the EIR.***

A. AGRICULTURAL AND FORESTRY RESOURCES

1. **Impact AG-2.** Proposed transportation improvements and land use projects envisioned by the 2050 MTP/SCS would not conflict with existing zoning for forest land, timberland, or timberland production, nor result in the loss of forest land or convert forest land to non-forest uses. Impacts would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – The 2050 MTP/SCS would not conflict with existing zoning for forest land, timberland, or timberland production, and would not result in the loss forest land or convert forest land to non-forest use.
 - c. **Supportive Evidence** - Please refer to pages 4.2-18 and 4.2-19 of the Final EIR.

B. AIR QUALITY AND HEALTH IMPACTS/RISKS

1. **Impact AQ-1.** The 2050 MTP/SCS would not conflict with or obstruct implementation of the AQMP. Impacts would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – The 2050 MTP/SCS would not conflict with or obstruct implementation of the Monterey Bay Air Resources District’s Air Quality Management Plan.
 - c. **Supportive Evidence** - Please refer to pages 4.3-30 and 4.3-31 of the Final EIR.
2. **Impact AQ-6.** Implementation of the 2050 MTP/SCS would not result in other emissions (such as those leading to odors) adversely impacting a substantial number of people. Impacts would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Since objectionable odors associated with the construction and operation of the projects from the 2050 MTP/SCS would either be temporary and regulated by local governing bodies (i.e., MBARD, counties, and cities), implementation of the 2050 MTP/SCS would not result in odors or emissions adversely affecting a substantial number of people. Impacts would be less than significant.
 - c. **Supportive Evidence** - Please refer to pages 4.3-47 and 4.3-48 of the Final EIR.

B. BIOLOGICAL RESOURCES

1. **Impact BIO-4.** Implementation of transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would not conflict with any local policies or ordinances

protecting biological resources, such as a tree preservation policy. This impact would be less than significant.

a. Mitigation – No mitigation is required.

b. Findings and Rationale – Projects included in the 2050 MTP/SCS would impact biological resources such as trees but must comply with city and county development requirements, including compliance with local policies, ordinances and applicable permitting procedures related to protection biological resources, including trees. Impacts would be less than significant.

c. Supportive Evidence - Please refer to pages 4.4-50 and 4.4-51 of the Final EIR.

2. Impact BIO-5. Implementation of transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. There would be no impact.

a. Mitigation – No mitigation is required.

b. Findings and Rationale – There are no adopted regional Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State habitat conservation plans within Monterey, San Benito, and Santa Cruz counties at the time of Draft EIR preparation and therefore no conflict with the 2050 MTP/SCS would occur.

c. Supportive Evidence - Please refer to pages 4.4-51 and 4.4-52 of the Final EIR.

C. CULTURAL RESOURCES

1. Impact CR-3. Implementation of proposed transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS could disturb human remains. Impacts would be less than significant.

a. Mitigation – No mitigation is required.

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

c. Supportive Evidence – Please refer to pages 4.5-24 and 4.5-25 of the Final EIR.

D. ENERGY

1. Impact E-1. Future transportation improvement projects and implementation of the land use scenario envisioned by the 2050 MTP/SCS would not result in a significant environmental

impact due to wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be less than significant.

a. Mitigation – No mitigation is required.

b. Findings and Rationale – The 2050 MTP/SCS would not increase overall per capita energy transportation consumption relative to baseline conditions, increase reliance on fossil fuels, or otherwise result in use of energy in an inefficient, wasteful, or unnecessary manner. Impacts would be less than significant.

c. Supportive Evidence – Please refer to pages 4.6-19 through 4.6-21 of the Final EIR.

2. Impact E-2. The 2050 MTP/SCS would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

a. Mitigation – No mitigation is required.

b. Findings and Rationale – The 2050 MTP/SCS would result in an approximately 13 percent reduction in total energy usage compared to 2022 baseline conditions and is consistent with State and local plans for renewable energy or energy efficiency.

c. Supportive Evidence – Please refer to pages 4.6-21 through 4.6-23 of the Final EIR.

E. GEOLOGY AND SOILS

1. Impact GEO-1. Implementation of proposed transportation improvements and future projects included in land use scenario envisioned in the 2050 MTP/SCS would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault, ground shaking, or seismic-related ground failure. Impacts would be less than significant.

a. Mitigation – No mitigation is required.

b. Findings and Rationale – All specific planned transportation projects, as well as all reasonably foreseeable future development that would occur under the land use scenario envisioned in the 2050 MTP/SCS, would be required to comply with the regulations set forth by the CBC, the Alquist-Priolo Act, and other applicable local design standards. Compliance with the CBC and provisions of the Alquist-Priolo Act, including compliance with a site-specific geotechnical investigation, would reduce the potential for seismic damage to occur as a result of implementation of 2050 MTP/SCS projects. Impacts would be less than significant.

c. Supportive Evidence - Please refer to pages 4.7-25 through 4.7-28 of the Final EIR.

2. **Impact GEO-2.** Transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would not cause substantial soil erosion or loss of topsoil. impacts would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Projects implementing the 2050 MTP/SCS would conform with applicable county codes related to erosion control and the Construction General Permit, which would include the implementation of best management practices to reduce sedimentation and erosion. Impacts related to erosion and loss of topsoil would be less than significant.
 - c. **Supportive Evidence** - Please refer to pages 4.7-28 through 4.7-30 of the Final EIR.
3. **Impact GEO-3.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would be located on potentially unstable soils, in areas of lateral spreading, subsidence, or high liquefaction potential, or areas of expansive soil. Adherence to applicable policies and regulations, as well as to the CBC would reduce risk such that impacts would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Projects implementing the 2050 MTP/SCS would conform with the California Building Code, local general plans and building standards, and Caltrans design criteria for transportation projects, where applicable. Impacts would be less than significant.
 - c. **Supportive Evidence** - Please refer to pages 4.7-30 through 4.7-33 of the Final EIR.
4. **Impact GEO-4.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS in rural areas could be located on soils incapable of adequately supporting septic tanks or alternative wastewater disposal systems. Compliance with existing regulations would minimize or reduce impacts. Impacts would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – The 2050 MTP/SCS does not include transportation projects that would require the use of septic tanks or alternative wastewater disposal systems. The few development projects in rural areas requiring septic tanks or alternative wastewater disposal systems would be required to comply with applicable County or City regulations. Impacts would be less than significant.
 - c. **Supportive Evidence** - Please refer to pages 4.7-33 and 4.7-34 of the Final EIR.

5. **Impact GEO-6.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would not result in the loss of availability of known mineral resources of value or locally-important mineral resource recovery sites. This impact would be less than significant.

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

b. **Findings and Rationale** – The 2050 MTP/SCS primarily involves transportation improvements infill and transit-oriented development. Development would not be located on sites with known mineral resources. Impacts would be less than significant.

c. **Supportive Evidence** - Please refer to pages 4.7-37 and 4.7-38 of the Final EIR.

F. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

1. **Impact GHG-2.** Operation of the 2050 MTP/SCS would not generate a net increase in GHG emissions by 2050 compared to baseline 2022 conditions. Impacts would be less than significant.

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

b. **Findings and Rationale** – The 2050 MTP/SCS would result in decreased operational regional GHG emissions compared to 2022 baseline conditions in 2050. Therefore, impacts would be less than significant.

c. **Supportive Evidence** – Please refer to pages 4.8-27 and 4.8-28 of the Final EIR.

2. **Impact GHG-3.** Implementation of the 2050 MTP/SCS would not conflict with regional SB 375 per capita passenger vehicle CO₂ emission reduction targets of 6 percent by 2035 from 2005 levels. Impacts would be less than significant.

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

b. **Findings and Rationale** – Implementation of the 2050 MTP/SCS would achieve the region's SB 375 emissions reduction targets. Therefore, impacts would be less than significant.

c. **Supportive Evidence** – Please refer to pages 4.8-27 and 4.8-29 of the Final EIR.

G. HAZARDS AND HAZARDOUS MATERIALS

1. **Impact HAZ-1.** Proposed transportation improvement projects and land use projects included in the 2050 MTP/SCS may facilitate the routine transport, use, or disposal of hazardous material, and may result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant.

- a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Mandatory compliance with existing regulations and programs would minimize the risk associated with these the routine transport, use and disposal of hazardous materials, as well as accident conditions related to these materials. Impacts would be less than significant.
 - c. **Supportive Evidence** – Please refer to pages 4.9-20 through 4.9-23 of the Final EIR.
2. **Impact HAZ-2.** Proposed transportation improvement projects and land use projects included in the 2050 MTP/SCS would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school. Impacts would be less than significant.
- a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Mandatory compliance with existing regulations and laws would minimize the potential impacts associated with hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. Impacts would be less than significant.
 - c. **Supportive Evidence** – Please refer to pages 4.9-23 and 4.9-24 of the Final EIR.
3. **Impact HAZ-4.** Transportation improvement projects and land use development included in the proposed 2050 MTP/SCS located within an airport land use plan or within two miles of a public or public use airport would not result in a safety hazard or excessive noise for people residing or working in the project area. Impacts would be less than significant.
- a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Compliance with existing federal, state and local regulations and oversight in place that would effectively reduce the inherent hazard associated with development near airports to an acceptable and safe level. Impacts would be less than significant.
 - c. **Supportive Evidence** – Please refer to pages 4.9-26 and 4.9-27 of the Final EIR.
4. **Impact HAZ-5.** Land use development and transportation projects included in the 2050 MTP/SCS would not impair implementation or physically interfere with adopted emergency response or evacuation plans. Impacts would be less than significant.
- a. **Mitigation** – No mitigation is required.

- b. Findings and Rationale** – Required regular updates to emergency response and evacuation plans would account for development and projects included in the 2050 MTP/SCS, and transportation projects have the potential to improve circulation, including during emergency response. Impacts would be less than significant.
- c. Supportive Evidence** – Please refer to pages 4.9-27 and 4.9-28 of the Final EIR.

H. HYDROLOGY AND WATER QUALITY

- 1. Impact HYD-1.** Transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would not violate water quality standards or waste discharge requirements, and would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation. Impacts would be less than significant. With compliance with existing regulations, impacts would be less than significant.
 - a. Mitigation** – No mitigation is required.
 - b. Findings and Rationale** – Construction of projects included in the 2050 MTP/SCS would be required to comply with the federal Clean Water Act, which requires that coverage under a National Pollutant Discharge Elimination System (NPDES) stormwater permit be obtained for construction. Mandatory implementation of the SWPPP would prevent substantial erosion or pollutants from degrading water quality or violating wastewater discharge requirements during project construction. Mandatory compliance with existing stormwater regulations and permit programs would prevent significant discharge of pollutants from operation of projects. Impacts would be less than significant.
 - c. Supportive Evidence** – Please refer to pages 4.10-33 through 4.10-36 of the Final EIR.
- 2. Impact HYD-2.** With compliance with existing regulations, transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that sustainable groundwater management of the basin would be impeded. Impacts would be less than significant.
 - a. Mitigation** – No mitigation is required.
 - b. Findings and Rationale** – Existing regulatory requirements at the local, state, and federal level include measures to minimize any increases in off-site stormwater runoff by encouraging on-site infiltration, which would effectively minimize the potential reduction in groundwater recharge to an acceptable level. Although implementation of projects under the 2050 MTP/SCS would result in the addition of new impervious surfaces and could potentially alter site specific patterns of groundwater recharge, compliance with applicable regulations would ensure project implementation would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that the sustainable groundwater management of the basin would be impeded.

Therefore, impacts of the proposed 2050 MTP/SCS to groundwater supply and recharge, and to sustainable groundwater management plans, would be less than significant.

- c. Supportive Evidence** – Please refer to page 4.10-36 through 4.10-38 of the Final EIR.
- 3. Impact HYD-3.** Transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would not substantially alter existing drainage patterns such that they would substantially increase the rate or amount of surface runoff or create or contribute runoff water which would exceed the capacity of stormwater drainage systems. Impacts would be less than significant.

 - a. Mitigation** – No mitigation is required.
 - b. Findings and Rationale** – Compliance with existing stormwater management and nonpoint source pollution control regulations would ensure alterations of drainage patterns caused by 2050 MTP/SCS transportation and land use projects would not increase the rate or amount of surface runoff such that flooding would occur, that the capacity of existing or planned stormwater drainage systems would be exceeded, or that substantial additional sources of polluted runoff would be created. Impacts would be less than significant.
 - c. Supportive Evidence** – Please refer to pages 4.10-39 and 4.10-40 of the Final EIR.
- 4. Impact HYD-4.** Transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would not substantially alter drainage patterns in a manner which would impede or redirect floor flows, or risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. This impact would be less than significant.

 - a. Mitigation** – No mitigation is required.
 - b. Findings and Rationale** – Transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would alter some site-specific drainage patterns and would potentially introduce new development in areas with risk of inundation. However, compliance with applicable regulations would ensure overall buildout would not substantially alter drainage patterns in the region in a manner which would impede or redirect floor flows, or risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. Impacts would be less than significant.
 - c. Supportive Evidence** – Please refer to pages 4.10-40 through 4.10-43 of the Final EIR.
- 5. Impact HYD-5.** Transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would comply with all applicable regulations such

that obstruction of a water quality control plan or sustainable groundwater management plan would not occur. Impacts would be less than significant.

a. Mitigation – No mitigation is required.

b. Findings and Rationale – Development under the 2050 MTP/SCS would not substantially degrade water quality or violate water quality standards because compliance with state regulation such as NPDES and MS4 permits would require implementation of BMPs and development to reduce discharge of runoff and maintain water quality. In addition, local ordinances require measures such as erosion control reduce the discharge of pollutants into storm drain systems. Although individual projects included in the 2050 MTP/SCS have the potential to adversely affect water quality at a project specific level, projects would adhere to existing regulations related to water quality. Therefore, impacts related to conflicts with a water quality control plan (the Central Coast RWQCB Basin Plan) would be less than significant.

c. Supportive evidence – Please refer to pages 4.10-43 through 4.10-45.

6. Impact HYD-C-1. Construction of cumulative development would increase impervious surfaces and would have the potential to increase erosion potential, alter drainage patterns, increase runoff volumes and velocity, infiltrate groundwater, and risk release of pollutants due to inundation. Compliance with existing regulations, such as National Pollutant Elimination System and local stormwater management requirements would reduce cumulative impacts to less than significant, and the 2050 MTP/SCS contribution would not be cumulatively considerable.

a. Mitigation – No mitigation is required.

b. Findings and Rationale – Future development in the cumulative impact analysis area, including projects implemented under the 2050 MTP/SCS, would incrementally increase impervious surfaces and could affect surface runoff, drainage patterns, and water quality. However, compliance with existing federal, state, and local regulations, including NPDES and MS4 permitting requirements, implementation of BMPs, and local drainage and erosion control standards would collectively reduce cumulative development impacts below applicable thresholds of significance related to hydrology and water quality. Therefore, cumulative hydrology and water quality impacts would be less than significant, and the contribution of the 2050 MTP/SCS would not be cumulatively considerable.

c. Supportive Evidence – Please refer to pages 4.10-46 through 4.10-48 of the Final EIR.

I. LAND USE

1. Impact LU-1. Implementation of proposed transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would not physically divide an established community.

- a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Implementation of the 2050 MTP/SCS land use strategies would integrate future development into existing communities along the existing transportation network and would therefore not physically divide established communities. Many proposed transportation projects, such as expansion of transit services or the building of active transportation infrastructure, are intended to improve mobility and accessibility and would, as a result, improve community connectivity. Impacts related to dividing an established community would therefore be less than significant.
 - c. **Supportive Evidence** – Please refer to pages 4.11-22 and 4.11-23 of the Final EIR.
2. **Impact LU-2.** The 2050 MTP/SCS would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation and result in a physical change to the environment not already addressed in other Final EIR resource chapters. This impact would be less than significant after implementation of mitigation for other resources discussed throughout the EIR.
- a. **Mitigation** – Mitigation measures are provided for applicable resources throughout their respective environmental issue area sections of the Final EIR to reduce impacts. No additional mitigation is required for this impact.
 - b. **Findings and Rationale** – The SCS land use and transportation projects envisioned within the 2050 MTP/SCS could result in conflicts with land use plans, policies, or regulations that result in a physical change to the environment. However, the 2050 MTP/SCS would not result in a physical change to the environment that has not already been addressed in the other resource chapters of the EIR. The impacts of any such conflicts are described throughout this section of the EIR.
 - c. **Supportive Evidence** – Please refer to pages 4.11-24 through 4.11-26 of the Final EIR.
3. **Impact LU-C-1.** Development in the cumulative impacts analysis area would not physically divide an established community. However, it could result in inconsistencies or conflicts with local land use plans and local coastal plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects; however, these inconsistencies or conflicts would not result in physical environmental effects beyond those addressed in other resource areas. The 2050 MTP/SCS contribution to cumulative impacts would not be cumulatively considerable, and the 2050 MTP/SCS contribution would not be cumulatively considerable.
- a. **Mitigation** – Mitigation measures are provided for applicable resources throughout their respective environmental issue area sections of the Final EIR to reduce impacts. No additional mitigation is required for this impact.

- b. Findings and Rationale** – Future development in the cumulative impact analysis area would incrementally change land use patterns and intensify development across the region. However, implementation of the 2050 MTP/SCS land use strategy would largely direct growth toward existing urbanized areas, promote infill development, and rely on established local land use plans and development regulations. While cumulative development would result in continued conversion of land to urban uses, compliance with adopted general plans, zoning regulations, and applicable local policies would ensure that cumulative land use impacts would not result in physical environmental effects beyond those addressed in other resource areas. Therefore, cumulative land use impacts would be less than significant, and the contribution of the 2050 MTP/SCS would not be cumulatively considerable.
- c. Supportive Evidence** – Please refer to pages 4.11-27 through 4.11-28 of the Final EIR.

J. POPULATION AND HOUSING

- 1. Impact POP-1.** The 2050 MTP/SCS would not induce substantial unplanned population growth, either directly or indirectly. This impact would be less than significant.
 - a. Mitigation** – No mitigation is required.
 - b. Findings and Rationale** – The 2050 MTP/SCS would accommodate forecasted growth through implementation of the envisioned 2050 MTP/SCS land use strategies to intensify density in developed areas, rather than induce unplanned growth. Transportation projects included in the 2050 MTP/SCS would not induce population growth as these projects would be growth accommodating and are generally intended to improve existing transportation networks. The land use and transportation projects in the 2050 MTP/SCS would therefore not result in substantial unplanned population growth. Impacts from implementation of the 2050 MTP/SCS would be less than significant.
 - c. Supportive Evidence** – Please refer to pages 4.13-12 through 4.13-15 of the Final EIR.
- 2. Impact POP-2.** Land use and transportation projects included in the 2050 MTP/SCS would temporarily displace existing housing and people during construction, but would not necessitate the construction of replacement housing elsewhere. Impacts related to housing and population displacement would be less than significant.
 - a. Mitigation** – No mitigation is required.
 - b. Findings and Rationale** – Land use development included in the 2050 MTP/SCS would temporarily displace existing housing and people as individual housing development sites are redeveloped. However, in the long term, the 2050 MTP/SCS would result in a net increase in housing units in the AMBAG region. Impacts would be less than significant.
 - c. Supportive Evidence** – Please refer to pages 4.13-15 and 4.13-17 of the Final EIR.

3. **Impact POP-C-1.** Population growth in the cumulative impacts analysis area is generally planned, and cumulative impacts to unplanned growth would be less than significant. Development in the cumulative impact analysis area would result in the temporary or permanent displacement of housing, but displacement would be localized and would not result in displacement at the regional scale. Cumulative population and housing displacement impacts would be less than significant, and the 2050 MTP/SCS contribution would not be cumulatively considerable.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Future development in the cumulative impact analysis area would result in population growth and an increase in housing and employment across the region. However, the population growth and housing development associated with implementation of the 2050 MTP/SCS would be consistent with adopted regional growth forecasts and local land use plans. The 2050 MTP/SCS would accommodate forecasted growth through planned development patterns rather than inducing substantial unplanned population growth. Therefore, cumulative population and housing impacts would be less than significant, and the contribution of the 2050 MTP/SCS would not be cumulatively considerable.
 - c. **Supportive Evidence** – Please refer to pages 4.13-18 through 4.13-19 of the Final EIR.
- 4.

K. PUBLIC SERVICES, RECREATION, AND UTILITIES

1. **Impact PSR-2.** The 2050 MTP/SCS would require the provision of new schools, the construction of which would result in substantial physical impacts. Impacts would be less than significant because of state regulations mandating development impact fees.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – The 2050 MTP/SCS would accommodate the growth of population, households, and jobs in the AMBAG region, which would result in increased demand for school services. Future project sponsors would be required by law to pay development impact fees at the time building permits are issued. These fees are used by the applicable school district to mitigate impacts associated with long-term operation and maintenance of school facilities. The fees would be determined at the time of the building permit issuance and would reflect the most current fee amount requested by the school district. Pursuant to Section 65996(3)(h) of the California Government Code (SB 50), payment of these fees “is deemed to be full and complete mitigation of impacts of any legislative or adjudicative act, or both, involving but not limited to, the planning, use, or development of real property, or any change in government organization or reorganization.” Impacts of the 2050 MTP/SCS on schools would therefore be less than significant.
 - c. **Supportive Evidence** – Please refer to pages 4.14-18 and 4.14-19 of the Final EIR.

L. TRANSPORTATION

1. **Impact TRA-1.** The 2050 MTP/SCS would not result in a significant impact due to conflicts with any programs addressing the circulation system. This impact would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Implementation of the 2050 MTP/SCS would improve transit ridership and circulation while also improving active transportation modes and facilities, such as constructing new pedestrian and bicycle facilities. The 2050 MTP/SCS also includes roadway projects that would improve circulation. The 2050 MTP/SCS would not conflict with programs addressing the circulation system.
 - c. **Supportive Evidence** – Please refer to pages 4.15-25 through 4.15-27 of the Final EIR.
2. **Impact TRA-3.** The 2050 MTP/SCS would not substantially increase hazards due to geometric design features or incompatible uses. Impacts would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – The regional growth pattern of the 2050 MTP/SCS does not define design level features of roadways. Specific transportation projects under the 2050 MTP/SCS would be subject to the design guidelines established by the State or the local jurisdiction with authority over the project, including curve radii on curving road segments, maximum road grade/slope, and minimum separating distance between intersections and driveways.
 - c. **Supportive Evidence** – Please refer to pages 4.15-32 and 4.15-33 of the Final EIR.
3. **Impact TRA-4.** The 2050 MTP/SCS would not result in inadequate emergency vehicle access. Impacts would be less than significant.
 - a. **Mitigation** – No mitigation is required.
 - b. **Findings and Rationale** – Standard construction procedures for development of a construction management plan would address 2050 MTP/SCS construction activities that could temporarily impair emergency access points. Projects included in the 2050 MTP/SCS would be subject to the design standards of local jurisdictions for new and existing development and roadways to ensure adequate emergency access. Impacts would be less than significant.
 - c. **Supportive Evidence** – Please refer to pages 4.15-33 and 4.15-34 of the Final EIR.

B. UTILITIES AND SERVICE SYSTEMS

1. **Impact UTIL-3.** Proposed transportation improvements and land use development projects envisioned by the 2050 MTP/SCS would be required to comply with all relevant statutes and regulations related to solid waste. This impact would be less than significant.

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

b. **Findings and Rationale** – Transportation improvements and land use development projects envisioned by the 2050 MTP/SCS would be required to comply with federal, State, and local statutes and regulations related to solid waste, as well as local jurisdiction goals and policies for recycling and diversion of solid waste. Therefore, the 2050 MTP/SCS would comply with relevant federal, state, and local statutes and regulations related to solid waste. This impact would be less than significant.

c. **Supportive Evidence** – Please refer to page 4.17-35 of the Final EIR.

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

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

V. FINDINGS FOR IMPACTS THAT ARE SIGNIFICANT AND UNAVOIDABLE

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

A. AESTHETICS AND VISUAL RESOURCES

1. **Impact AES-1.** Proposed transportation improvement projects and land use projects envisioned by the 2050 MTP/SCS would have a substantial adverse effect on scenic vistas. Impacts would remain significant and unavoidable.

a. **Mitigation** – For transportation projects under their jurisdiction, the Transportation Agency for Monterey County (TAMC), the Council of San Benito County Governments (SBtCOG) and the Santa Cruz County Regional Transportation Commission (SCCRTC) shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that would degrade scenic vistas or scenic

resources within a state scenic highway, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS.

AES-1(a) Discouragement of Architectural Features that Block Scenic Views.

Implementing agencies shall, or can and should, design projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. Setbacks and acoustical design of adjacent structures shall be preferentially used as mitigation for noise impacts arising from increased traffic volumes associated with adjacent land development. The use of sound walls, or any other architectural features that could block views from the scenic highways or other view corridors, shall be discouraged to the extent possible. Where use of sound walls is found to be necessary, walls shall incorporate offsets, accents and landscaping which resemble the surrounding landscape to visually integrate the wall with the surrounding environment, reduce visual monotony, and help maintain the quality of views from scenic highways or other view corridors. In addition, sound walls shall be complementary in color and texture to surrounding natural features.

AES-1(b) Tree Protection and Replacement. New roadways and extensions and widenings of existing roadways shall avoid the removal of existing mature trees to the extent possible. If avoidance is not possible, the implementing agency of a particular 2050 MTP/SCS project shall, or can and should, replace any trees lost at a minimum 2:1 basis and incorporate them into the landscaping design for the roadway. The implementing agency also shall ensure the continued vitality of replaced trees through periodic maintenance.

- b. **Findings and Rationale** – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Although the identified mitigation would help reduce impacts related to state-designated scenic highway corridors and scenic resources, individual transportation infrastructure projects as well as land use development included in the 2050 MTP/SCS would still result in obstructions to panoramic views and views of important landscape features or landforms (mountains, oceans, rivers, bays, or important man-made structures) as seen from public viewing areas. Given the extent of planned land use development and the potential for site specific visual obstructions from future land use and transportation projects, impacts related to the obstruction of scenic vistas from public viewing areas and impacts to state-designated scenic highway corridors and scenic resources would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or

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

c. **Supportive Evidence** – Please refer to pages 4.1-12 through 4.1-14 of the Final EIR.

2. **Impact AES-2.** Proposed transportation improvement projects and land use projects envisioned by the 2050 MTP/SCS would substantially degrade existing visual character in the AMBAG region. This would be a significant and unavoidable impact.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that would degrade scenic vistas or scenic resources within a state scenic highway, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS.

AES-1(a) Discouragement of Architectural Features that Block Scenic Views. Refer to Impact AES-1, above.

AES-1(b) Tree Protection and Replacement. Refer to Impact AES-1, above.

b. **Findings and Rationale** – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Although the identified mitigation would help reduce impacts related to state-designated scenic highway corridors and scenic resources, individual transportation infrastructure projects as well as land use development included in the 2050 MTP/SCS would still result in obstructions to panoramic views and views of important landscape features or landforms (mountains, oceans, rivers, bays, or important man-made structures) as seen from public viewing areas. Given the extent of planned land use development and the potential for site specific visual obstructions from future land use and transportation projects, impacts related to the obstruction of scenic vistas from public viewing areas and impacts to state-designated scenic highway corridors and scenic resources would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or

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

c. **Supportive Evidence** – Please refer to pages 4.1-14 and 4.1-15 of the Final EIR.

3. **Impact AES-3.** Proposed transportation improvement projects and land use projects envisioned by the 2050 MTP/SCS would substantially degrade existing visual character in the AMBAG region. Impacts would remain significant and unavoidable.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measure developed for the 2050 MTP/SCS program where applicable for transportation projects that would substantially degrade visual character, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement this measure, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

AES-3 Design Measures for Visual Compatibility. The implementing agency shall, or can and should, require measures that minimize contrasts in scale and massing between the project and surrounding natural forms and developments, including:

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

- Designing new structures to be compatible in scale, mass, character, and architecture with existing structures.
 - b. **Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. Implementation of Mitigation Measure AES-3 would reduce project-specific impacts to the extent feasible, but the incremental alteration of current rural or semi-rural character to a more suburban environment is considered a significant and unavoidable impact because mitigation measures may not be feasible for all projects. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.
 - c. **Supportive Evidence** – Please refer to pages 4.1-15 through 4.1-17 of the Final EIR.
4. **Impact AES-4.** Proposed transportation improvement projects and land use projects envisioned by the 2050 MTP/SCS would create new sources of substantial light or glare that would adversely affect day or nighttime views in the area. Impacts would remain significant and unavoidable.
- a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures for transportation projects that would result in light and glare impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.
- AES-4(a) Roadway Lighting.** Roadway lighting shall be minimized, consistent with safety and security objectives and shall not exceed the minimum height requirements of the local jurisdiction in which the project is proposed. This may be accomplished through the use of hoods, low intensity lighting and using as few lights as necessary to achieve the goals of the project.
- AES-4(b) Lighting Design Measures.** As part of planning, design and engineering for projects, implementing agencies shall, or can and should, ensure that projects

proposed near light-sensitive uses avoid substantial spillover lighting. Design measures include, but are not limited to, the following:

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

AES-4(c) Glare Reduction Measures. Implementing agencies shall, or can and should, minimize and control glare from transportation and infill development projects near glare-sensitive uses through the adoption of project design features such as:

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

- b. **Findings and Rationale** – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of

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

c. **Supportive Evidence** – Please refer to pages 4.1-18 through 4.1-20 of the Final EIR.

B. AGRICULTURE AND FORESTRY RESOURCES

1. **Impact AG-1.** Proposed transportation improvements and land use projects envisioned by the 2050 MTP/SCS would result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use, or conflict with existing zoning for agriculture or a Williamson Act contract. This would be a significant and unavoidable impact.
 - a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that would result in impacts to Important Farmland, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

- AG-1** **Agricultural Land Impact Avoidance and Minimization.** Implementing agencies shall implement measures, where feasible based on project and site specific considerations, that include, but are not limited to those identified below.
- Require project relocation or corridor realignment, where feasible, to avoid Farmland, agriculturally zoned land and/or land under Williamson Act contract;
 - Manage project construction to minimize the introduction of invasive species or weeds that may affect agricultural production on agricultural land

adjacent to project sites. Managing project construction may include washing construction equipment before bringing equipment on-site, using certified weed-free straw bales for construction Best Management Practices (BMPs), and other similar measures.

- Provide buffers, berms, setbacks, fencing, or other project design measures to protect surrounding agriculture, and to reduce conflict with farming that could result from implementation of transportation improvements and/or development included as a part of the MTP/SCS;
- Achieve compensatory mitigation in advance of impacts through purchase or creation of mitigation credits or the implementation of mitigation projects through Regional Advance Mitigation Planning, as deemed appropriate by permitting agencies; and/or
- Require acquisition of conservation easements on land in the same jurisdiction, if feasible, and at least equal in quality and size to converted Important Farmland, to offset the loss of Farmland.
- Institute new protection of farmland in the project area or elsewhere through the use of long-term restrictions on use, such as 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the , which, as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. Implementation of Mitigation Measure AG-1 would require avoidance or compensation for Important Farmland impacts by specific projects included in the 2050 MTP/SCS, thereby reducing the impact of conversion of Important Farmland to non-agriculture use and conflicts with agricultural zoning and Williamson Act contracts. However, the mitigation would not ensure that future land use and transportation projects could feasibly relocate or realign to avoid conversion of Farmland, lands zoned for agriculture, and lands under Williamson Act contract, or provide compensatory mitigation, sufficient to reduce impacts to a less than significant level. As a result, the aforementioned mitigation measure would reduce impacts, but impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.2-15 through 4.2-18 of the Final EIR.

C. AIR QUALITY AND HEALTH IMPACTS/RISKS

1. **Impact AQ-2.** Construction of proposed transportation improvements and land use projects envisioned by the 2050 MTP/SCS would result in a cumulatively considerable net increase in PM₁₀ or ozone precursor emissions. Impacts would be significant and unavoidable.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC, and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in fugitive dust and ozone precursor emissions, and where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions. In addition, implementation of Mitigation Measure GHG-1 in Section 4.8, *Greenhouse Gas Emissions/Climate*, would also reduce criteria air pollutant emissions during construction, providing a co-benefit.

AQ-2(a) Application of MBARD Feasible Mitigation Measures. For all projects, the implementing agency shall incorporate the most recent MBARD feasible mitigation measures and/or technologies for reducing inhalable particles based on analysis of individual sites and project circumstances. Current MBARD feasible mitigation measures include the following measures. Additional and/or modified measures may be adopted by MBARD prior to implementation of individual projects under the 2050 MTP/SCS. The most current list of feasible mitigation measures at the time of project implementation shall be used.

- Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Prohibit all grading activities during periods of high wind (over 15 miles per hour).
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area.
- Haul trucks shall maintain at least 2'0" of freeboard.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Cover inactive storage piles.

- Install wheel washers at the entrance to construction sites for all exiting trucks.
- Pave all roads on construction sites.
- Sweep streets if visible soil material is carried out from the construction site.
- Limit the area under construction at any one time.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District shall be visible to ensure compliance with Rule 402 (Nuisance).

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

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

- b. Findings and Rationale** – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs c ,which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Implementation of Measures AQ-2(a) through AQ-2(c) would reduce short-term construction emissions from individual projects and thus reduce the severity of impacts by requiring best practices for dust and exhaust emissions via readily available, lower-emitting diesel equipment, and/or equipment powered by alternative cleaner fuels (e.g., propane) or electricity, as well as on-road trucks using particulate exhaust filters. To the extent that an implementing agency requires an individual project to implement all feasible mitigation measures described above, individual project impacts may be reduced to a less than significant level. However, these mitigation measure may not be feasible or effective for all projects. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or

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

c. Supportive Evidence – Please refer to pages 4.3-31 through 4.3-34 of the Final EIR.

2. Impact AQ-3. Proposed transportation improvements and land use projects envisioned by the 2050 MTP/SCS would result in a cumulatively considerable net increase of PM₁₀. Long-term operational impacts related to criteria pollutant emissions would be significant and unavoidable.

a. Mitigation – AMBAG, in partnership with MBARD and implementing agencies, shall implement Mitigation Measure AQ-3(a) to reduce PM₁₀ emissions. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement Mitigation Measure AQ-3(b) to reduce PM₁₀ emissions, where relevant to land use projects implementing the 2050 MTP/SCS. Implementation of Mitigation Measure GHG-3(a) in Section 4.8, *Greenhouse Gas Emissions/Climate Change*, and Mitigation Measures TRA-2(a) and TRA-2(b) in Section 4.15, *Transportation*, would also reduce PM₁₀ emissions from the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

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

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

AQ-3(b) Long-term Regional Operational Emissions. Implementing agencies including transportation project sponsors, counties, and cities shall, or can and should,

implement long-term operational emissions reduction measures. Such reduction measures include the following:

- Require that all interior and exterior architectural coatings for all developments utilize coatings following MBARD Rule 426, Architectural Coatings.
- Increase building envelope energy efficiency standards in excess of applicable building standards and encourage new development to achieve zero net energy use.
- Install energy-efficient appliances, interior lighting, and building mechanical systems. Encourage installation of solar panels for new residential and commercial development.
- Locate sensitive receptors more than 500 feet of a freeway, 500 feet of urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
- Locate sensitive receptors more than 1,000 feet of a major diesel rail service or railyards. Where adequate buffer cannot be implemented, implement the following:
 - Install air filtration (as part of mechanical ventilation systems or stand-alone air cleaners) to reduce indoor pollution exposure for residents and other sensitive populations in buildings that are close to transportation network improvement projects.
 - Use air filtration devices rated MERV-13 [minimum efficiency report value] or higher.
- Plant trees and/or vegetation suited to trapping roadway air pollution and/or sound walls between sensitive receptors and the pollution source. The vegetation buffer should be thick, with full coverage from the ground to the top of the canopy. Install higher efficacy public street and exterior lighting.
- Use daylight as an integral part of lighting systems in buildings.
- Use passive solar designs to take advantage of solar heating and natural cooling.
- Install light colored “cool” roofs, cool pavements.
- Install solar and tankless hot water heaters.
- Exclude wood-burning fireplaces and stoves.
- Incorporate design measures and infrastructure that promotes safe and efficient use of alternative modes of transportation (e.g., neighborhood electric vehicles, bicycles) pedestrian access, and public transportation use. Such measures may include incorporation of electric vehicle charging stations, bike lanes, bicycle-friendly intersections, and bicycle parking and storage facilities.
- Incorporate design measures that promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles,

designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides).

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of AMBAG, which hereby adopts Mitigation Measure AQ-3(a), and partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. If implementing agencies adopt and require the mitigation described above, transportation related PM₁₀ emission impacts would be reduced because said measures encourage the use of cleaner vehicles and reduce vehicle trips. However, since implementation may not be feasible for specific projects or sites, reductions cannot be estimated and cannot be guaranteed on a project-by-project basis. Additionally, it is unlikely that an increase in daily PM₁₀ emissions above baseline conditions could be fully avoided in 2050, due to factors unrelated to discretionary approvals, such as population growth in the region. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.3-34 through 4.3-40 of the Final EIR.

3. Impact AQ-4. Implementation of the 2050 MTP/SCS would expose sensitive receptors to substantial pollutant concentrations. Impacts would be significant and unavoidable.

a. Mitigation – RTPAs shall, and other transportation project sponsor agencies can and should, implement Mitigation Measure AQ-3(b) to reduce long-term regional operational emissions. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement Mitigation Measure AQ-3(b) to reduce pollutant emissions, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

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

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the , which as CEQA

responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. Implementation of Measures AQ-3(b) would reduce fugitive dust emissions from individual projects and thus reduce the severity of impacts by requiring best practices for dust and emissions via watering, vegetative covers, reducing travel speed, and covering exposed areas. To the extent that an implementing agency requires an individual project to implement all feasible mitigation measures described above, individual project impact would be reduced to a less than significant level. However, these mitigation measure may not be feasible or effective for all projects. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.3-40 and 4.3-42 of the Final EIR.

4. Impact AQ-5. Future growth and development facilitated by the 2050 MTP/SCS land use scenarios and transportation projects would expose sensitive receptors to substantial hazardous air pollutant concentrations. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

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

- Retain a qualified air quality consultant to prepare a health risk assessment in accordance with CARB and OEHHA requirements to determine the exposure of nearby sensitive receptors to TAC concentrations.
- If impacts result in increased risks to sensitive receptors above MBARD significance thresholds, then design features or control measures must be included that will reduce the health risks at the location of the off-site sensitive receptors to a level below MBARD significance threshold. For example, plant trees and/or vegetation suited to trapping TACs and/or

sound walls between sensitive receptors and the pollution source would be recommended. This measure would trap TACs emitted from pollution sources such as highways, reducing the amount of TACs to which residents and other sensitive populations would be exposed.

- AMBAG will partner with MBARD and other implementing agencies to explore a program to retrofit existing residential buildings and other sensitive land uses near freeways or roadways where health risk impacts would exceed MBARD significance thresholds with air filtration devices rated MERV 13.
- Implement air pollution reduction strategies as described in Table 1 from the CARB *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways* technical advisory (2017) when reasonable and feasible for transportation system projects associated with the 2050 MTP/SCS.

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

- Avoid siting new sensitive land uses within 500 feet of a freeway or railway.
- Require development projects for new sensitive land uses to be designed to minimize exposure to roadway-related pollutants to the maximum extent feasible through inclusion of design components including air filtration and physical barriers.
- Do not locate sensitive receptors near the entry and exit points of a distribution center.
- Locate structures and outdoor living areas for sensitive uses as far as possible from the source of emissions. As feasible, locate doors, outdoor living areas, and air intake vents primarily on the side of the building away from the freeway or other pollution source. As feasible, incorporate dense, tiered vegetation that regains foliage year-round and has a long-life span between the pollution source and the project.
- Maintain a 50-foot buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year).
- Install, operate, and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets or exceeds the efficiency standard of MERV 13. The HV system should include the following features: installation of a high efficiency filter and/or carbon filter-to-filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE

85 percent supply filters should be used. Ongoing maintenance should occur.

- Retain a qualified HV consultant or Home Energy Rating Systems (HERS) rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources.
- Maintain positive pressure within the building.
- Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.
- Achieve a performance standard of at least four air exchanges per hour of recirculation. Achieve a performance standard of 0.25 air exchanges per hour of unfiltered infiltration if the building is not positively pressurized.
- Require project owners to provide a disclosure statement to occupants and buyers summarizing technical studies that reflect health concerns about exposure to highway exhaust emissions.
- Implement feasible attenuation measures needed to reduce potential air quality impacts to sensitive receptors such as air filtration systems.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of AMBAG, which hereby adopts Mitigation Measure AQ-5, and partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors and, for land use projects, cities and counties, which can and should adopt it. Although implementation of the above mitigation would reduce health risks, based on project-specific circumstances, it may not be feasible for all projects, and individual sensitive receptors may still be exposed to substantial hazardous air pollutant concentrations that would have significant health risk effects. Therefore, this impact remains significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.3-42 through 4.3-47 of the Final EIR.

D. BIOLOGICAL RESOURCES

- 1. Impact BIO-1.** Implementation of transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would have substantial adverse impacts on special-status

plant and animal species, either directly or through habitat modifications. Impacts would be significant and unavoidable.

- a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project-specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

BIO-1(a) Biological Resources Screening and Assessment. On a project-by-project basis, a preliminary biological resource screening shall, or can and should, be performed as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, the implementing agency shall retain a qualified biologist to conduct a biological resources assessment (BRA) to document the existing biological resources and to determine the potential impacts to those resources. Depending on the results of the BRA, design alterations, further technical studies (i.e., protocol surveys) and/or consultations with the USFWS, NMFS, CDFW and/or other local, state, and federal agencies may be required. These protocols may include, but are not limited to:

- Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS 2000)
- Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018)
- Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023)
- Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods (USFWS 1996)
- Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog (USFWS 2005)
- Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS and CDFW 2003)
- Considerations for Conserving the Foothill Yellow-legged Frog (CDFW 2018)
- Visual Encounter Survey Protocol for *Rana boylei* in Lotic Environments (University of California, Davis 2017)

- Draft USGS Western Pond Turtle (*Emys marmorata*) Visual Survey Protocol for the Southcoast Ecoregion (U.S. Geological Survey 2006)
- Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations (USFWS 2010)
- Swainson's Hawk Survey Protocols, Impact Avoidance, and Minimization Measures for Renewable Energy Projects in the Antelope Valley of Los Angeles and Kern Counties, California (California Energy Commission and CDFW 2010)
- Staff Report on Burrowing Owl Mitigation (CDFW 2012)
- Inland Survey Protocol for Marbled Murrelets (Pacific Seabird Group 2024)
- Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 1999)
- Bat surveys consistent with CDFW recommendations

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

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

If special-status plants species cannot be avoided and would be impacted by a project implemented under the 2050 MTP/SCS, the implementing agency shall require all impacts to be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted to implementing agency overseeing the project for approval.

BIO-1(d) Endangered/Threatened Animal Species Habitat Assessment and Protocol Surveys. If the BRA determines that suitable habitat may be present for

federally and/or state endangered or threatened animal species, the implementing agency shall require protocol habitat assessments/surveys to be completed in accordance with CDFW and/or USFWS/NMFS protocols prior to issuance of any construction permits/project approvals.

Alternatively, in lieu of conducting protocol surveys, the implementing agency may choose to assume presence within the project footprint and proceed with development of appropriate avoidance measures, consultation and permitting, as applicable.

If the target species is detected during protocol surveys, or protocol surveys are not conducted and presence is assumed based on suitable habitat, Mitigation Measure BIO-1(e) shall apply.

BIO-1(e) Endangered/Threatened Animal Species Avoidance and Compensatory Mitigation. If habitat is occupied or presumed occupied by federal and/or state listed species and would be impacted by the project, the implementing agency shall require re-design of the project in coordination with a qualified biologist to avoid impacting occupied/presumed occupied habitat to the extent feasible. If occupied or presumed occupied habitat cannot be avoided, the implementing agency shall provide the total acreages for habitat that would be impacted prior to the issuance of construction permits/approvals. The implementing agency shall purchase credits at a USFWS, NMFS and/or CDFW approved conservation bank if available for the affected species and/or provide compensatory mitigation to offset impacts to federal and/or state listed species habitat.

Compensatory mitigation shall be provided at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for permanent impacts. Compensatory mitigation may be combined/nested with special-status plant species and sensitive community restoration where applicable. Temporary impact areas shall be restored to pre-project conditions.

If on and/or off-site mitigation sites are identified the implementing agency shall retain a qualified biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites that are to be conserved for compensation of permanent impacts to federal and/or state listed species. The HMMP shall identify long term site management needs, routine monitoring techniques, techniques and success criteria, and shall determine if the conservation site has restoration needs to function as a suitable mitigation site. The HMMP shall be submitted to the agency overseeing the project for approval.

BIO-1(f) Endangered/Threatened Animal Species Avoidance and Minimization During Construction. The implementing agency shall apply the following measures to

aquatic and terrestrial species, where appropriate. Implementing agencies shall select from these measures as appropriate depending on site conditions, the species with potential for occurrence and the results of the biological resources screening and assessment (Mitigation Measure BIO-1[a]).

- Pre-construction surveys for federal and/or state listed species with potential to occur shall be conducted where suitable habitat is present by a qualified biologist not more than 48 hours prior to the start of construction activities. The survey area shall include the proposed disturbance area and all proposed ingress/egress routes, plus a 100-foot buffer. If any life stage of federal and/or state listed species is found within the survey area, the qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW. The results of the pre-construction surveys shall be submitted to the implementing agency for review and approval prior to start of construction.
- Ground disturbance shall be limited to the minimum necessary to complete the project. The project limits of disturbance shall be flagged. Areas of special biological concern shall have highly visible orange construction fencing.
- All work shall be conducted during the day-time hours to the maximum extent feasible. Any night lighting shall be minimized, and directed to illuminate the work site only.
- All food waste shall be secured in a closed container and removed from the site at the end of each work day.
- All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic species.
- All projects occurring within or adjacent to sensitive habitats that may support federally and/or state endangered/threatened species shall have a qualified biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS/NMFS or as outlined in project permits, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are being fully implemented.
- No endangered/threatened species shall be captured and relocated without authorization from the CDFW and/or USFWS/NMFS.
- If pumps are used for dewatering activities, all intakes shall be completely screened with wire mesh not larger than five millimeters to prevent animals from entering the pump system.
- If at any time during construction of the project an endangered/threatened species enters the construction site or otherwise may be impacted by the

project, all project activities shall cease. At that point, a qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW.

- All vehicle maintenance/fueling/staging shall occur more than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills.
- No equipment shall be permitted to enter wetted portions of any affected drainage channel.
- All equipment operating within streambeds (restricted to conditions in which water is not present) shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.
- At the end of each workday, excavations shall be secured with cover or a ramp shall be provided to prevent wildlife entrapment.
- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.

BIO-1(g) Non-Listed Special-Status Animal Species Avoidance and Minimization.

Depending on the species identified in the BRA, the implementing agency shall select from among the following to reduce the potential for impacts to non-listed special-status animal species:

- Pre-construction clearance surveys shall be conducted within 14 days prior to the start of construction (including staging and mobilization) to identify all special-status animal species that may occur on-site. All non-listed special-status species shall be relocated from the site. A report of the pre-construction survey shall be submitted to the implementing agency for their review and approval prior to the start of construction.
- A qualified biologist shall be present during all initial ground disturbing activities, including vegetation removal, to recover special-status animal species unearthed by construction activities.
- Upon completion of the project, a qualified biologist shall prepare a final compliance report documenting all compliance activities implemented for the project, including the pre-construction survey results.

BIO-1(h) Preconstruction Surveys for Nesting Birds. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the CFGC, the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act shall be conducted by a qualified biologist retained by the implementing agency no more than 10 days prior to vegetation removal activities.

A qualified biologist shall conduct preconstruction surveys for raptors. The survey for the presence of bald and golden eagles shall cover all areas within of the disturbance footprint plus a one-mile buffer where access can be secured. The survey area for all other nesting bird and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively.

If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 250 to 500 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest.

For special status raptor nests an avoidance buffer of up to one mile shall be established on a case-by-case basis in consultation with the USFWS and/or CDFW. The size of the buffer may be influenced by the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing and duration of the expected disturbance. The buffer shall be established between February 1 and August 31; however, buffers may be relaxed earlier than August 31 if a qualified ornithologist determines that a given nest has failed or that all surviving chicks have fledged and the nest is no longer in use. If on-site activities halt for more than 14 days during the nesting season, surveys for nesting birds shall be repeated prior to work resuming on-site.

A report of these preconstruction nesting bird surveys and nest monitoring (if applicable) shall be submitted to the implementing agency for review and approval prior to the start of construction.

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

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Compliance with the above mitigation measures, if implemented for specific projects, would reduce impacts

to special-status species and their habitat to less than significant levels because the mitigation measures require pre-project surveys and biological monitoring, focused biological surveys, avoidance or minimization of project related disturbance or loss of special-status species, compensation for disturbed or loss of special-status species habitat and coordination with permitting agencies, as required prior to project implementation. However, it cannot be guaranteed that all future project level impacts to special-status species can feasibly be mitigated to a less than significant level for all species. Additionally, complete avoidance is the only mitigation for fully protected species, which may not be feasible under some circumstances. Therefore, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.4-32 through 4.4-41 of the Final EIR.

2. **Impact BIO-2.** Implementation of transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would result in substantial adverse impacts on sensitive habitats, including sensitive natural communities, and state and federally protected wetlands. This impact would be significant and unavoidable.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

BIO-2(a) Aquatic Resources Delineation and Impact Avoidance. If the results of Mitigation Measure BIO-1(a) indicates projects implemented under the 2050 MTP/SCS occur within or adjacent to wetland, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, RWQCB and/or California Coastal Commission, a qualified biologist shall complete an aquatic resources delineation in accordance with the requirement set forth by each agency. The result shall be submitted to the implementing agency, USACE, RWQCB, CDFW and/or California Coastal Commission, as appropriate, for review and approval, and the project shall be designed to minimize impacts to jurisdictional areas to the extent feasible. The delineation shall serve as the basis to identify potentially jurisdictional areas to be protected

during construction, through implementation of the avoidance and minimization identified in Mitigation Measure B-2(c).

BIO-2(b) Wetlands, Drainages, and Riparian Habitat Compensatory Mitigation.

Impacts to jurisdictional wetlands, drainages, and riparian habitat shall be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist retained by the implementing agency, and shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan shall be developed by a qualified biologist to ensure the success of compensatory mitigation sites that are to be conserved for compensation of permanent impacts to jurisdictional water and wetlands. The mitigation and monitoring plan can be prepared in combination with HMMP defined under Mitigation Measure BIO-1(e) above, if applicable. The mitigation and monitoring plan shall identify long term site management needs, routine monitoring techniques, techniques and success criteria, and shall determine if the conservation site has restoration needs to function as a suitable mitigation site. The mitigation and monitoring plan shall be submitted to the regulatory agencies with permitting authority over the project. Alternatively, mitigation shall be accomplished through purchase of credits from an agency-approved wetlands mitigation bank.

BIO-2(c) Wetlands, Drainages, and Riparian Habitat Best Management Practices During Construction.

The following best management practices shall be required by the implementing agency for development within or adjacent to wetlands, drainages, or riparian habitat:

- Access routes, staging and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and ancillary construction areas outside of jurisdictional areas.
- To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.
- Project activities within the jurisdictional areas should occur during the dry season (typically between April 1 and October 31) in any given year, or as otherwise directed by the regulatory agencies.
- During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.
- Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project related activities, shall be prevented from contaminating the soil and/or entering wetlands, drainages or riparian habitat.

- All refueling, maintenance and staging of equipment and vehicles shall occur at least 100 feet from bodies of water or within secondary containment, and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills.

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

BIO-2(e) Sensitive Natural Community Avoidance and Mitigation. If the results of Mitigation Measure BIO-1(a) indicates projects implemented under the 2050 MTP/SCS would impact sensitive natural communities in addition to riparian habitat which is addressed by Mitigation Measure BIO-2(b), the implementing agency shall avoid impacts to sensitive natural communities through final project design modifications if feasible.

If the implementing agency determines that sensitive natural communities cannot be avoided, impacts shall be mitigated on-site or offsite at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist based on any applicable resource agency guidelines. Temporarily impacted areas shall be restored to pre-project conditions. A Restoration Plan shall be developed by a qualified biologist and submitted to the implementing agency for approval. Mitigation for impacts to sensitive natural communities can be developed and included in the HMMP defined under Mitigation Measure BIO-1(e) above, if applicable. The mitigation and monitoring plan shall identify long term site management needs, routine monitoring techniques, techniques and success criteria.

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

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

- During construction, limit the use of imported soils for fill. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species.
- To minimize colonization of disturbed areas and the spread of invasive species, the contractor shall stockpile topsoil and redeposit the stockpiled soil after construction or transport the topsoil to a permitted landfill for disposal.
- All erosion control materials, including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed.
- Exotic and invasive plant species shall be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project.
- All disturbed areas shall be hydroseeded with a mix of locally native species or sterile annuals upon completion of work in those areas.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Compliance with the above mitigation measures , if implemented for specific projects, would reduce impacts to sensitive communities and wetlands to less than significant levels because the mitigation measures require focused biological surveys, best management practices to avoidance or minimization impacts, compensation for disturbed or loss of sensitive communities and wetlands and coordination with permitting agencies, as required prior to project implementation. However, it cannot be guaranteed that all future project level impacts can feasibly be mitigated to a less than significant level for all sensitive habitats. As such, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.4-42 through 4.4-46 of the Final EIR.

3. Impact BIO-3. Implementation of transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would substantially interfere with wildlife movement,

including fish migration, and/or impede the use of a native wildlife nursery. This impact would be significant and unavoidable.

- a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

BIO-3(a) Project Design for Wildlife Connectivity. The implementing agency shall implement the following measures. All projects including long segments of fencing and lighting shall be designed to minimize impacts to wildlife movement. Fencing shall not be installed at the openings of culverts, undercrossings, or other wildlife passage structures unless required for public safety; where fencing is necessary, it shall be placed far enough from the structure entrance to avoid blocking wildlife access and shall include design features that maintain clear, functional movement pathways.

Where fencing or other project components are required for public safety concerns, these project components shall be designed to permit wildlife movement by incorporating design features such as:

- A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals;
- A minimum 12 inches between the top two fence wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled;
- If fencing or other project components must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures such as overpasses, underpasses, culverts, etc., shall be incorporated into the project design as appropriate;
- Culverts shall be maintained to be free of sediment and vegetation to ensure continued functionality for wildlife passage;
- Project designs shall incorporate terracing to facilitate terrestrial species movement where space allows;
- Culverts shall be upsized where appropriate to support passage of impacted species;
- Crossing structures shall incorporate bench designs where feasible to allow wildlife use of the crossings during flooding;

- Lighting installed as part of any project shall be designed to be minimally disruptive to wildlife (see mitigation measure AES-4(a) Roadway Lighting for lighting requirements); and
- Vegetative buffers, consisting of California native plant and tree species, shall be installed where feasible to provide a natural noise barrier between roadway projects and sensitive wildlife habitat, including movement corridors. The buffer shall be maintained in perpetuity to ensure noise levels from the roadway are minimized within adjacent sensitive habitat.

In addition, prior to design approval, implementing agencies shall conduct wildlife movement assessments to evaluate connectivity constraints and identify opportunities to maintain or enhance wildlife movement. These assessments shall consider the best available wildlife-movement protocols and shall inform design of fencing, crossings, and other project features. Post-construction monitoring shall be conducted, where feasible, to confirm wildlife use of implemented movement features and to identify any needed adaptive management.

When on-site design measures cannot fully reduce impacts, compensation shall be considered as a mitigation option, including but not limited to participation in RCISs and mechanisms authorized under SB 790, to reduce unavoidable connectivity impacts at a landscape scale.

BIO-3(b) Maintain Connectivity in Drainages. Permanent structures that would impede wildlife movement shall be avoided to the extent feasible within any drainage or river that serves as a wildlife migration corridor.

In addition, upon completion of construction within any drainage, areas of stream channel and banks that are temporarily impacted shall be returned to pre-construction contours and in a condition that allows for unimpeded passage through the area once the work has been complete.

If water is to be diverted around work sites, a diversion plan shall be submitted to the implementing agency for review and approval prior to issuance of project construction permits/approvals. The diversion shall be designed in a way as to not impede movement while the diversion is in place.

For projects affecting drainages that serve as wildlife movement corridors, implementing agencies shall complete pre-construction evaluations of species movement patterns to guide placement, design, and timing of work. Post-construction monitoring shall be conducted, where feasible, to verify that drainage-related movement remains functional and to inform adaptive management if needed.

BIO-3(c) Construction Best Management Practices to Minimize Disruption to Wildlife.

The following construction best management practices shall be incorporated by the implementing agency into all grading and construction plans to minimize temporary disruption to wildlife that could hinder wildlife movement:

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

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Compliance with the above mitigation measures would reduce impacts to wildlife movement by requiring projects to be designed in a way that maintains connectivity. However, it cannot be guaranteed that movement of terrestrial species will not be impeded at the regional scale due to the large scale of the 2050 MTP/SCS. Therefore, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.4-47 through 4.4-50 of the Final EIR.

E. CULTURAL RESOURCES

1. Impact CR-1. Implementation of proposed transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would cause a substantial adverse change in built environment cultural resources that are historical resources as defined in CEQA Guidelines Section 15064.5. Impacts would be significant and unavoidable.

a. Mitigation – To minimize impacts to historical resources for transportation projects under AMBAG jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project

sponsor agencies can and should, implement the following mitigation developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts to historic resources, and where feasible and necessary based on project- and site-specific considerations. Cities and counties in the AMBAG planning region can and should implement these measures, where relevant to land use projects implementing under the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

CR-1 Historical Resources Impact Minimization. Prior to individual project permit issuance, the implementing agency of a 2050 MTP/SCS project involving earth disturbance or construction of permanent above ground structures or roadways shall, or can and should, prepare a map defining the Area of Potential Effects (APE). This map shall indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known historical resources are located within the impact zone. If a structure greater than 45 years in age is within the identified APE, a survey and evaluation of the structure(s) to determine their eligibility for recognition under State, federal, or local historic preservation criteria shall be conducted. The evaluation shall be prepared by an architectural historian, or historical architect meeting the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. The evaluation shall comply with CEQA Guidelines section 15064.5(b). Study recommendations shall be implemented, which may include, but would not be limited to, the following:

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

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs a, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further find that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. Redevelopment or demolition that may be required to implement transportation improvements and/or infill development may result in the permanent loss or damage to historic structures. While implementation

of Mitigation Measure CR-1 would reduce impacts to the extent feasible through measures such as avoiding impacts or plans to minimize impacts, some project specific impacts may be unavoidable. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.5-20 through 4.5-22 of the Final EIR.

2. Impact CR-2. Implementation of proposed transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would cause a substantial adverse change in the significance of archaeological resources as defined in CEQA Guidelines Section 15064.5. Impacts would be significant and unavoidable.

a. Mitigation – To minimize impacts to cultural resources for transportation projects under AMBAG jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts to archaeological resources, and where feasible and necessary based on project- and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

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

submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area.

CR-2(b) Unanticipated Discoveries During Construction. If evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earthmoving activities (e.g., ceramic shard, trash scatters, lithic scatters), implementing agencies shall, or can and should, halt all ground-disturbing activity proximate to the discovery until a qualified archaeologist (36 CFR Section 61) can assess the significance of the find. If the find is a prehistoric archaeological site, the culturally affiliated California Native American tribe shall be notified. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, a testing plan shall be prepared and implemented. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the implementing agency to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics and other factors, shall recommend additional measures such as the preparation and implementation of a data recovery plan. Recommended mitigation measures will be consistent with State CEQA Guidelines Section 15126.4(b)(3) recommendations and may include but not be limited to preservation in place and/or data recovery. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area. If the find is a prehistoric archaeological site, the culturally affiliated California Native American tribe shall be notified and afforded the opportunity to monitor mitigative treatment. During evaluation or mitigative treatment, ground disturbance and construction work may continue in other parts of the project area that are distant enough from the find not to impact it, as determined by the qualified archaeologist.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Implementation of the above measures would reduce impacts to archaeological resources by requiring cultural resource searches and surveys of project areas and providing a procedure for discovered cultural archaeological resources. While implementation of Mitigation

Measures CR-2(a) and 2(b) would reduce impacts to the extent feasible, some project specific impacts may be unavoidable. Therefore, this impact remains significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.5-22 through 4.5-24 of the Final EIR.

F. GEOLOGY AND SOILS

1. **Impact GEO-5.** Implementation of proposed transportation improvements and the land use scenario envisioned by the 2050 MTP/SCS would have the potential to directly or indirectly destroy a unique paleontological resource or site or unique geological feature. Impacts would be significant and unavoidable.
 - a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies, and cities and counties in the AMBAG region can and should, implement the following mitigation developed for the 2050 MTP/SCS program. For development occurring outside of the TAMC, SBtCOG, and SCCRTC jurisdiction, project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

GEO-5 Paleontological and Geologic Resources Impact Minimization. The designated lead agency implementing a specific a 2050 MTP/SCS project involving ground disturbing activities (including grading, trenching, foundation work and other excavations) shall, or can and should, retain a qualified paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for Qualified Professional Paleontologist (SVP 2010), to conduct a Paleontological Resources Assessment (PRA). The PRA shall determine the age and paleontological sensitivity of geologic formations underlying the proposed disturbance area, consistent with SVP Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (SVP 2010) guidelines for categorizing paleontological sensitivity of geologic units within a project area. If underlying formations are found to have a high potential (sensitivity) for paleontological resources and/or would be considered a unique geologic feature, the following measures shall apply:

- **Avoidance.** Avoid routes and project designs that would permanently alter unique paleontological and geological features. If avoidance practices cannot feasibly be implemented, the following measures shall apply.

- **Paleontological Mitigation and Monitoring Program.** A qualified paleontologist shall prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity. This program shall outline the procedures for construction staff training, paleontological monitoring extent and duration (i.e., in what locations and at what depths paleontological monitoring shall be required), salvage and preparation of fossils, the final mitigation and monitoring report and paleontological staff qualifications.
- **Paleontological Worker Environmental Awareness Program (WEAP).** Prior to the start of ground disturbance activity, construction personnel shall be informed on the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.
- **Paleontological Monitoring.** Ground disturbing activity with the potential to disturb geologic units with high paleontological sensitivity, as determined by initial paleontological surveying or records search as deemed appropriate, 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, under the discretion of the qualified paleontologist, to weekly spot-checking. 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 shall 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, as defined by the specific receiving institution or collection, and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data and maps.
- **Final Paleontological Mitigation and Monitoring Report.** Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of cities and counties, which can and should adopt it for land use projects, and transportation project sponsor agencies, which can and should adopt it for transportation projects. Implementation of the above mitigation measure would reduce impacts to paleontological resources and unique geologic features by requiring a PRA and mitigation measures for any projects under the 2050 MTP/SCS that may impact such resources. While implementation of Mitigation Measure GEO-5 would reduce impacts to the extent feasible, some project specific impacts may be unavoidable. Therefore, this impact is significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.7-34 through 4.7-37 of the Final EIR.

G. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

1. Impact GHG-1. Construction of the transportation improvement projects and development within future land use patterns envisioned by the 2050 MTP/SCS would generate a net increase GHG emissions by 2050 compared to baseline 2022 conditions. Impacts would be significant and unavoidable.

a. Mitigation – For all transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects generating construction GHG emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Implementation of Mitigation Measures AQ-2(b) and AQ-2(c) in Section 4.3, *Air Quality and Health Impacts/Risks*, would also reduce GHG emissions from the 2050 MTP/SCS.

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

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

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. Implementation of Mitigation Measure GHG-1 would reduce short-term construction emissions from individual projects and thus reduce the severity of impacts by requiring best practices for exhaust emissions via readily available, lower-emitting diesel equipment, and/or equipment powered by alternative cleaner fuels (e.g., propane) or electricity, as well as on-road trucks using particulate exhaust filters. Implementation of Mitigation Measures AQ 2(a), AQ-2(b) and AQ-2(c) would also reduce GHG emissions from the 2050 MTP/SCS. However, these mitigation measure may not be feasible or effective for all projects. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.8-25 and 4.8-26 of the Final EIR.

2. Impact GHG-4. Implementation of the 2050 MTP/SCS would not achieve the State GHG reduction targets of 40 percent below 1990 levels by 2030 and 85 percent below 1990 levels by 2045. Therefore, the 2050 MTP/SCS would conflict with the State’s ability to achieve SB

32, AB 1279, 2022 Scoping Plan, and applicable local GHG reduction plan targets and goals. Impacts would be significant and unavoidable.

- a. **Mitigation** – For all transportation projects under their jurisdiction, SBtCOG, SCCRTC, and TAMC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects generating construction GHG emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions. Implementation of Mitigation Measures TRA-2(a) and TRA-2(b) in Section 4.15, *Transportation*, would also reduce GHG emissions from the 2050 MTP/SCS.

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

- Installation of electric vehicle charging stations beyond those required by State and local codes
- Utilization of electric vehicles and/or alternatively fueled vehicles in company fleet
- Provision of dedicated parking for carpools, vanpool, and clean air vehicles
- Provision of new or improved transit amenities (e.g., covered turnouts, bicycle racks, covered benches, signage, lighting, sidewalk connectivity, and accessible crosswalks) if project site is located along an existing transit route
- Optimize transit route networks and service levels to boost ridership
- Provision of employee lockers and showers
- Provision of on-site services that reduce the need for off-site travel (e.g., childcare facilities, automatic teller machines, postal machines, food services)
- Provision of alternative work schedule options, such as telework or reduced schedule (e.g., 9/80 or 10/40 schedules) for employees
- Implementation of transportation demand management programs to educate and incentivize residents and/or employees to use transit, smart commute, and alternative transportation options

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

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

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

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Implementation of project level GHG-reducing measures would reduce GHG emissions, but may not be feasible and cannot be guaranteed on a project by project basis. Additionally, it is speculative at this time to forecast whether project level GHG emission reductions would be sufficient to achieve regionwide reduction in GHG emissions of 40 percent below 1990 levels by 2030 and 85 percent below 1990 levels by 2045. In addition, in some instances, mandatory electric building features may be legally infeasible. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.8-30 through 4.8-35 of the Final EIR.

H. HAZARDS AND HAZARDOUS MATERIALS

1. Impact HAZ-3. The 2050 MTP/SCS includes land use projects and transportation projects that could occur on sites on the list of hazardous material sites compiled by Government Code Section 65962.5. Impacts would be significant and unavoidable.

a. Mitigation – For transportation and development projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can

and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in hazardous materials impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

HAZ-3 Site Remediation. If an individual project included in the 2050 MTP/SCS is located on or near a hazardous materials and/or waste site pursuant to Government Code Section 65962.5, the implementing agency shall prepare a Phase I ESA in accordance with the American Society for Testing and Materials' E-1527-05 standard. For work requiring any demolition or renovation, the Phase I ESA shall make recommendations for any hazardous building materials survey work that shall be done. All recommendations included in a Phase I ESA prepared for a site shall be implemented. If a Phase I ESA indicates the presence or likely presence of contamination, the implementing agency shall require a Phase II ESA, and recommendations of the Phase II ESA shall be fully implemented. Examples of typical recommendations provided in Phase I/II ESAs include removal of contaminated soil in accordance with a soil management plan approved by the local environmental health department; covering stockpiles of contaminated soil to prevent fugitive dust emissions; capturing groundwater encountered during construction in a holding tank for additional testing and characterization and disposal based on its characterization; and development of a health and safety plan for construction workers.

- b. Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. With implementation of this mitigation, impacts would be reduced to less than significant because project sites with hazardous material contamination that are on the list compiled by the Government Code Section 65962.5 would be identified prior to commencement of project construction. Additionally, prior to commencement of construction, measures to remediate contamination, such as containment and disposal of contaminated soil pursuant to federal and state regulations would be required. However, it cannot be guaranteed that all future project level impacts can feasibly be mitigated to a less than significant level. Therefore, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or

alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.9-24 through 4.9-26 of the Final EIR.

I. NOISE

1. **Impact N-1.** Construction activities associated with transportation projects and land use projects under the 2050 MTP/SCS would generate a substantial temporary increase in ambient noise levels in excess of standards or over existing noise levels, and would generate a substantial absolute noise increase over existing noise levels. Impacts would be significant and unavoidable.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in construction noise impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

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

- Implementing agencies of 2050 MTP/SCS projects shall ensure that, where residences or other noise sensitive uses are located within 200 feet of construction sites, appropriate measures shall be implemented to ensure compliance with local ordinance requirements relating to construction noise. Specific techniques may include, but are not limited to: restrictions on construction timing, use of sound blankets on construction equipment, and the use of temporary walls and noise barriers to block and deflect noise.
- Designate an on-site construction complaint and enforcement manager for projects within 200 feet of sensitive receivers.
- Implementing agencies of the 2050 MTP/SCS shall post phone numbers for the on-site enforcement manager at construction sites along with complaint procedures and who to notify in the event of a problem.
- For any project within 800 feet of sensitive receptors that requires pilings, the implementing agencies shall require caisson drilling or sonic pile driving as opposed to impact pile driving, where feasible. This shall be

accomplished through the placement of conditions on the project during its individual environmental review.

- Implementing agencies of 2050 MTP/SCS projects shall ensure that equipment and trucks used for project construction utilize the best available noise and vibration control techniques, including mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds.
- Implementing agencies of 2050 MTP/SCS projects shall ensure that impact equipment (e.g., jack hammers, pavement breakers and rock drills) used for project construction be hydraulically or electrically powered wherever feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatically powered tools is unavoidable, use of an exhaust muffler on the compressed air exhaust can lower noise levels from the exhaust by up to about 10 dBA. When feasible, external jackets on the impact equipment can achieve a reduction of 5 dBA. Whenever feasible, use quieter procedures, such as drilling rather than impact equipment operation.
- The following timing restrictions shall apply to MTP/SCS project construction activities located within 200 feet of a dwelling unit, or 800 feet if impact pile driving is involved, except where timing restrictions are already established in local codes or policies. Construction activities shall be limited to:
 - Monday through Friday: 7 a.m. to 6 p.m.
 - Saturday: 9 a.m. to 5 p.m.
- Implementing agencies of 2050 MTP/SCS projects shall locate stationary noise and vibration sources as far from sensitive receptors as feasible. Stationary noise sources that must be located near existing receptors will be adequately muffled.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. Implementation of required mitigation would reduce impacts from construction noise. However, even with application of Mitigation Measure N-1, construction noise from all 2050 MTP/SCS projects may not be reduced below applicable thresholds for some projects, and impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or

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

- c. Supportive Evidence** – Please refer to pages 4.12-15 through 4.12-18 of the Final EIR.
- 2. Impact N-2.** Construction activities associated with transportation projects and land use projects under the 2050 MTP/SCS would generate excessive groundborne vibration levels. Impacts would be significant and unavoidable.
- a. Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in construction noise impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement Mitigation Measures N-1, listed under Impact N-1, and N-2, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

N-1 Construction Noise Mitigation. (see mitigation measure above).

N-2 Construction Vibration Reduction. If construction equipment would generate vibration levels exceeding acceptable levels as established by FTA (as shown in Final EIR Table 4.12-2, implementing agencies of the 2050 MTP/SCS shall, or can and should, complete the following tasks:

- Prior to construction, survey the project site for vulnerable buildings, and complete geotechnical testing (preconstruction assessment of the existing subsurface conditions and structural integrity), for any older or historic buildings within 50 feet of pile driving. The testing shall be completed by a qualified geotechnical engineer and qualified historic preservation professional and/or structural engineer.
- Prepare and submit a report to the lead agency that contains the results of the geological testing. If recommended by the preconstruction report, implementing agencies shall require ground vibration monitoring of nearby historic structures. Methods and technologies shall be based on the specific conditions at the construction site. The preconstruction assessment shall include a monitoring program to detect ground settlement or lateral movement of structures in the vicinity of pile-driving activities and identify corrective measures to be taken should monitored vibration levels indicate the potential for building damage. In the event of unacceptable ground movement with the potential to cause structural damage, all impact work shall cease, and corrective measures shall be implemented to minimize the risk to the subject, or adjacent, historic structure.

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

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, and partially within the responsibility and jurisdiction of cities and counties, which can and should adopt them. Implementation of required mitigation would reduce impacts from construction vibration. However, even with application of Mitigation Measures N-1 and N-2, construction vibration from all 2050 MTP/SCS projects may not be reduced below applicable thresholds for some projects, and impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.12-18 through 4.12-21 of the Final EIR.

3. Impact N-3. Implementation of the 2050 MTP/SCS would generate a substantial permanent increase in ambient noise levels in excess of standards or over existing noise levels and generate a substantial absolute noise increase over existing noise levels. Impacts would be significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measure developed for the 2050 MTP/SCS program where applicable for transportation projects that result in significant transportation noise levels, and where feasible and necessary based on project and site specific considerations. The measure below does not apply to land use projects. Project specific environmental documents may adjust this mitigation measure as necessary to respond to site specific conditions.

N-3 Noise Assessment and Control for Transportation Noise Sources. Sponsor agencies of 2050 MTP/SCS transportation projects shall complete detailed noise assessments using applicable guidelines (e.g., FTA Transit Noise and Vibration Impact Assessment for rail and bus projects and the Caltrans Traffic Noise Analysis Protocol) for transportation projects that may impact noise sensitive receivers. The implementing agency shall ensure that a noise survey is conducted that, at minimum:

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

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

- b. Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsors, which can and should adopt it. This measure would reduce noise impacts through requiring noise studies and

feasible mitigation measures for transportation projects. Implementation of the above mitigation measure would reduce noise from mobile sources. However, even with implementation of Mitigation Measure N-3, mobile source noise from projects implementing the 2050 MTP/SCS may continue to impact nearby noise sensitive receivers and may not be reduced below applicable thresholds, based on project-specific circumstances. Impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.12-21 through 4.12-24 of the Final EIR.

4. **Impact N-4.** The proposed 2050 MTP/SCS land use scenario would encourage infill development near transit and other transportation facilities, which would generate a substantial increase in ambient noise levels in excess of standards or over existing noise levels. Impacts would be significant and unavoidable.

a. **Mitigation** – Cities and counties in the AMBAG region can and should implement the following measures, where relevant to land use projects implementing the 2050 MTP/SCS, and where feasible and necessary based on project and site-specific considerations. The mitigation measure outlined below does not apply to transportation projects. Project specific environmental documents may adjust this mitigation measure as necessary to respond to site specific conditions.

N-4 Noise Mitigation for Land Uses. If a 2050 MTP/SCS land use project is located in an area with exterior ambient noise levels above local noise standards, or where it could be exposed to substantial permanent increases in noise levels, the implementing agency can and should ensure that a noise study is conducted to determine the existing exterior noise levels in the vicinity of the project. If the project would be impacted by ambient noise levels, feasible attenuation measures shall be used to reduce operational noise to meet acceptable standards. In addition, noise insulation techniques shall be utilized to reduce indoor noise levels to thresholds set in applicable State and/or local standards. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads. The noise study and determination of appropriate mitigation measures shall be completed during the project's individual environmental review.

- b. **Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is within the responsibility and jurisdiction of cities and counties, which can and should adopt it. Implementation of the above mitigation measure would reduce noise exposure for infill development near transit and other transportation facilities. However, even with implementation of Mitigation Measure N-4 noise from projects implementing the 2050 MTP/SCS may continue to impact nearby noise sensitive receptors and may not be reduced below applicable thresholds, based on project-specific circumstances. Impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.
 - c. **Supportive Evidence** – Please refer to pages 4.12-24 and 4.12-25 of the Final EIR.
5. **Impact N-5.** The proposed 2050 MTP/SCS would result in new truck, bus, and train traffic that would generate excessive vibration levels. Impacts would be significant and unavoidable.
- a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that could generate excessive vibration impacts, and where feasible and necessary based on project and site specific considerations. These measures can and should also be implemented for future infill projects near transit pursuant to the 2050 MTP/SCS that would result in vibration impacts. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

N-5 Vibration Mitigation for Transportation Projects. Where local vibration and groundborne noise standards do not apply, implementing agencies of 2050 MTP/SCS projects shall comply with guidance provided by the FTA in the most recent version of the *Transit Noise and Vibration Impact Assessment* to assess impacts to buildings and sensitive receptors and reduce vibration and groundborne noise. FTA thresholds, as shown in Table 4.12-2, shall be used except in areas where local standards for groundborne noise and vibration have been established. Methods that would be considered to reduce vibration and groundborne noise impacts include, but are not limited to:

- **Rail Traffic**
 - Maximizing the distance between tracks and sensitive uses
 - Conducting rail grinding on a regular basis to keep tracks smooth

- Conducting wheel truing to re-contour wheels to provide a smooth-running surface and removing wheel flats
 - Providing special track support systems such as floating slabs, resiliently supported ties, high-resilience fasteners and ballast mats;
 - Implementing operational changes such as limiting train speed and reducing nighttime operations.
- **Bus and Truck Traffic**
 - Constructing noise barriers
 - Use noise reducing tires and wheel construction on bus wheels
 - Use vehicle skirts (i.e., a partial enclosure around each wheel with absorptive treatment) on freight vehicle wheels

b. Findings and Rationale – The AMBAG Board of Directors finds that for transportation projects, this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsors, which can and should adopt it. The above mitigation measures, if implemented for specific projects, would reduce vibration impacts to a less than significant level. However, even with implementation of Mitigation Measure N-5, vibration from projects implementing the 2050 MTP/SCS may continue to be excessive, based on project-specific circumstances. Impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.12-26 and 4.12-27 of the Final EIR.

6. Impact N-6. Proposed transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would be located in close proximity to existing airports such that applicable exterior and interior noise thresholds would be exceeded. Impacts would be significant and unavoidable.

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

N-6 Noise Mitigation Near Airports. Local lead agencies for all new development proposed to be located within the vicinity of an existing airport influence zone, as

defined by the locally ALUCP or local general plan, or within two miles of an airport that does not have an ALUCP or a private airstrip, shall require a site specific noise compatibility study. The study shall consider and evaluate existing aircraft noise, based on specific aircraft activity data for the airport in question, and shall include recommendations for site design and building construction to assure that people residing in the project area are not exposed to excessive noise levels. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads, such as dual paned windows. The noise study and determination of appropriate mitigation measures shall be completed during the project's individual environmental review.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is within the responsibility and jurisdiction of cities and counties, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. To the extent that a local agency requires an individual project to implement the feasible mitigation measures included in Mitigation Measure N-6, the appropriate design and building construction would ensure compliance with relevant plans or codes, and this impact would be reduced to a less than significant level. However, even with implementation of Mitigation Measure N-6, noise from projects implementing the 2050 MTP/SCS may continue to impact nearby noise sensitive receptors and exceed acceptable standards, based on project-specific circumstances. Impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.12-28 through 4.12-30 of the Final EIR.

J. PUBLIC SERVICES AND RECREATION

1. Impact PSR-1. The 2050 MTP/SCS would result in new or expanded governmental facilities, the implementation of which would result in substantial physical impacts. This impact would be significant and unavoidable.

a. Mitigation – Cities and counties in the AMBAG region, as well as other public service providers, can and should implement this measure, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

PSR-1 Increased Public Service Demand. During the CEQA review process for individual facilities, the implementing agency with responsibility for construction of new public service facilities or the expansion of existing facilities, including those of fire and police services, parks, and other public facilities, can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce significant impacts associated with air quality, noise, transportation, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new public or expanded public service facilities.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is within the responsibility and jurisdiction of cities, counties, and other public service providers, which can and should adopt it. Population growth in the AMBAG region would occur regardless of the potential implementation of the 2050 MTP/SCS. Mitigation Measure PSR-1, implementing agencies to apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. However, due to the variety of project-specific circumstances, these mitigation measures may not be feasible or effective for every project. Therefore, this impact would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.14-16 through 4.14-18 of the Final EIR.

2. Impact PSR-3. The 2050 MTP/SCS would increase the use of existing parks and recreational facilities, resulting in substantial physical deterioration, and would include recreational facilities that would have an adverse effect on the environment. This impact would be significant and unavoidable.

a. Mitigation – Cities and counties in the AMBAG region, and recreation agencies, can and should implement the following measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

PSR-3 Impact Reduction from New Recreational Facilities. During project specific design and CEQA review, the cities and counties in the AMBAG region, and other agencies with responsibility for the construction of new or expanded recreation facilities, can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction of such facilities. The environmental impacts associated with such construction should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce significant impacts associated with air quality, noise, transportation, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction of new or expanded recreation facilities, including recreational trails.

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

c. Supportive Evidence – Please refer to pages 4.14-19 through 4.14-21 of the Final EIR.

K. TRANSPORTATION

1. Impact TRA-2. The 2050 MTP/SCS would result in an increase to daily VMT per capita between the baseline 2022 conditions and the 2050 conditions. Per capita VMT impacts from implementation of the 2050 MTP/SCS would be significant and unavoidable. The induced travel impact at the regional level would be less than significant.

a. Mitigation – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that would increase the capacity of a

roadway, and where feasible and necessary based on project and site specific considerations. For land use projects under their jurisdiction, the cities and counties in the AMBAG region shall implement the following mitigation measure. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

TRA-2(a) Land Use Project VMT Analysis and Reduction. Regionally, implementing agencies shall require implementation of VMT reduction strategies through transportation demand management programs, impact fee programs, mitigation banks or exchange programs, in-lieu fee programs, and other land use project conditions that reduce VMT. Programs shall be designed to reduce VMT from existing land uses, where feasible, and from new discretionary residential or employment land use projects. The design of programs shall focus on VMT reduction strategies that increase travel choices and improve the comfort and convenience of sharing rides in private vehicles, using public transit, biking, or walking.

At a project level, implementing agencies shall evaluate VMT as part of project specific CEQA review and discretionary approval decisions for land use projects. Where project level significant impacts are identified, implementing agencies shall identify and implement measures that reduce VMT. Examples include but are not limited to:

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

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

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

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. If implementing agencies adopt and require this mitigation, impacts would be reduced because less VMT would be added to the AMBAG region. However, the implementation of project level VMT-reducing measures such as mixed uses and TOD may not be feasible and cannot be guaranteed on a project by project basis. Regional VMT-reduction programs, such as VMT banks, may also not be feasible as there are no procedures or policies in place to establish such programs, and project-specific VMT reduction measures may not be feasible for individual transportation projects. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.15-27 through 4.15-31 of the Final EIR.

L. TRIBAL CULTURAL RESOURCES

1. **Impact TCR-1.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would cause a substantial adverse change in the significance of a tribal cultural resource. Impacts would be significant and unavoidable.

- a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts to tribal cultural resources, and where feasible and necessary based on project- and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

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

- Avoidance and preservation of the resources in place, including, but not limited to planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity considering the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource
 - Protecting the traditional use of the resource
 - Protecting the confidentiality of the resource
 - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places
- Native American monitoring by the appropriate tribe for all projects in areas identified as sensitive for potential tribal cultural resources and/or in the vicinity (within 100 feet) of known tribal cultural resources
- If potential tribal cultural resources are encountered during ground-disturbing activities; work in the immediate area must halt and the appropriate tribal representative(s), the implementing agency, and an

archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find and determine the proper course of action

- b. Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. Mitigation Measure TCR-1 would require AB 52 compliance and would result in necessary mitigation being identified through tribal consultation to avoid impacts to tribal cultural resources. This measure would protect the resource's character, traditional use, and confidentiality. With such protection, implementation of the above measure would reduce impacts to tribal cultural resources. However, it cannot be guaranteed that all future project-level impacts can be mitigated and as such, impacts would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

Supportive Evidence – Please refer to pages 4.16-7 through 4.16-9 of the Final EIR.

M. UTILITIES AND SERVICE SYSTEMS

- 3. Impact UTIL-1.** Proposed transportation improvements and land use projects envisioned by the 2050 MTP/SCS would require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which would cause significant environmental effects. This impact would be significant and unavoidable.
- a. Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that require new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region, and other utility providers, can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

- UTIL-1(a) Water and Wastewater Treatment Facilities.** During the CEQA review process for individual facilities, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region and other utility providers with responsibility for the construction of new water or wastewater treatment and collection facilities or the expansion of existing facilities can and should apply necessary mitigation measures to reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality and others that apply to specific construction or expansion of water or wastewater treatment and collection facilities projects.
- UTIL-1(b) Stormwater Facilities.** During the CEQA review process for individual facilities, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region and special districts with responsibility for the construction of new stormwater drainage facilities or the expansion of existing facilities to adequately meet projected capacity needs can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of storm water drainage facilities projects.
- UTIL-1(c) Stormwater Control Methods.** During the CEQA review process for individual facilities, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should incorporate stormwater control, retention, and infiltration features, such as detention basins, bioswales, vegetated median strips, and permeable paving, early into the design process to ensure such features are analyzed during environmental review. Implement mitigation measures identified for such features on a project specific basis, where feasible and necessary based on project and site specific considerations.

UTIL-1(d) Power, Natural Gas, or Telecommunications Facilities. During the CEQA review process, cities, counties, and AMBAG region energy and telecommunications providers and regulatory agencies with responsibility for the construction or approval of new electric power, natural gas, or telecommunications facilities or the expansion of existing facilities to adequately meet projected capacity needs can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of natural gas and electric facilities projects.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Mitigation Measure UTIL-1(a) through UTIL-1(d), if implemented, would reduce impacts associated with the construction of additional water and wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities because it would require implementing agencies to apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. However, due to the variety of project-specific circumstances, these mitigation measures may not be feasible or effective for every project. Therefore, this impact would be significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.17-28 through 4.17-32 of the Final EIR.

4. Impact UTIL-2 Proposed transportation improvements and land use projects envisioned by the 2050 MTP/SCS would generate solid waste in excess of the capacity of local infrastructure. This impact would be significant and unavoidable.

- a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts related to solid waste, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

UTIL-2 Solid Waste Generation and Disposal. During the CEQA review process for individual facilities, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region can and should implement, the following measures where feasible:

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

- b. **Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs , which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that this mitigation measure is partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. Implementation of Mitigation Measure UTIL-2 would reduce impacts associated with solid waste generation because it would require that land use and transportation projects apply landfill diversion strategies including reusing building materials, maintaining structures where applicable, and developing construction waste management plans. However, due to the variety of project-specific circumstances, these mitigation measures may not be feasible or effective for every project. Therefore, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific

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

c. **Supportive Evidence** – Please refer to pages 4.17-33 and 4.17-34 of the Final EIR.

5. **Impact UTIL-4.** Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2050 MTP/SCS would increase water demand in the AMBAG region such that water supplies may be insufficient to serve envisioned development. Impacts would be significant and unavoidable.

a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that have water supply impacts, where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

UTIL-4(a) General Water Conservation Measures. Agencies implementing land use and transportation projects that could increase water demand shall, or can and should, coordinate with relevant water services to ensure demand can be accommodated and identify a water consumption budget. Any existing water conservation measures that reduce demand for potable water, such as reducing water use for landscape irrigation for transportation projects or use of water-conserving fixtures in envisioned land use projects, should be employed. Reclaimed water should be used when possible.

UTIL-4(b) Water Supply for Construction Dust Suppression. Implementing agencies shall, or can and should, ensure that for all 2050 MTP/SCS projects, where feasible, reclaimed and/or desalinated water is used for dust suppression during construction activities. This measure shall, or can and should, be noted on construction plans and shall be spot checked by the implementing agency.

UTIL-4(c) Landscape Watering. In jurisdictions that do not already have an applicable local regulatory program related to landscape watering, implementing agencies shall, or can and should, design 2050 MTP/SCS projects that would include landscaping shall be designed with drought tolerant plants and drip irrigation. When feasible, native plant species shall be used. In addition,

landscaping associated with proposed improvements shall be maintained using reclaimed and/or desalinated water when feasible.

UTIL-4(d) Porous Pavement and Bioswale Installation. In jurisdictions that do not already have an appropriate local regulatory program related to porous pavement, implementing agencies for a 2050 MTP/SCS project that involves streetscaping, parking, transit and/or land use improvements shall, or can and should, ensure that porous pavement materials are utilized, where feasible, to allow for groundwater percolation. Additionally, if a project would substantially increase impervious surfaces the sponsor shall ensure that bioswales are installed, where feasible, to facilitate groundwater recharge using stormwater runoff from the project site while improving water quality if not already required by the appropriate jurisdiction's local regulatory programs.

b. Findings and Rationale – The AMBAG Board of Directors finds that these mitigation measures are partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt them. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt them. Implementation of the above measures would reduce impacts on water supply in the AMBAG region. However, the population growth forecast coupled with existing groundwater over-drafting and regular droughts indicate that demand may outpace supply in certain areas. The land use scenario envisioned by the 2050 MTP/SCS along with 2050 MTP/SCS transportation projects would result in the need for additional water supply, even with the implementation of mitigation measures listed above. Given the overdraft conditions of area groundwater basins and other regional water supply concerns, impacts would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.17-35 through 4.17-38 of the Final EIR.

N. WILDFIRE

1. Impact W-1. Proposed transportation improvements and land use projects envisioned by the 2050 MTP/SCS would be located in or near Very High FHSZs, and exposure of people or structures to a significant risks of loss, injury, or death from wildfires could occur. Impacts would be significant and unavoidable.

- a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts related to wildland fire, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

W-1 Wildfire Risk Reduction. If an individual transportation or land use project included in the 2050 MTP/SCS is within or less than two miles from a High or Very High FHSZ in the State Responsibility Area (SRA) as established by California Public Resources Code (PRC) Sections 4201 through 4204, or as High or Very High in the Local Responsibility Area (LRA) designated pursuant to California Government Code, Sections 51175 through 51189, the implementing agency shall require appropriate mitigation to reduce the risk. Examples of mitigation to reduce risk of loss, injury or death from wildlife include, but are not limited to:

- Enforce defensible space regulations compliant with PRC Section 4291 or stricter as designated by the local governing body to keep overgrown and unmanaged vegetation, accumulations of trash and other flammable material away from structures.
- Provide public education about wildfire risk, fire prevention measures, and safety procedures and practices to allow for safe evacuation and/or options to shelter-in-place during a wildfire emergency.
- Ensure sufficient emergency water supply and operations for wildland fire suppression.
- Encourage the development of landscaping maintenance schedules to include removal/ treatment of annual invasive species which may contribute to increased fuel loading.
- Encourage the use of fire-resistant vegetation native to Santa Cruz, Monterey, and San Benito counties and/or the local microclimate of the project site and discourage the use of fire-prone species especially non-native, invasive species.
- Require a fire safety plan be submitted to and approved by the local fire protection agency. The fire safety plan shall include all the fire safety features incorporated into the project and the schedule for implementation of the features. The local fire protection agency may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase of the project.
- Prohibit certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service

for the project site location. Example activities that should be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings.

- Require fire extinguishers to be on site during construction of projects. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction personnel shall receive training on the proper methods of using a fire extinguisher.
- Encourage the use of external sprinklers for new development mapped within Very High FHSZs.
- Complete corridor-specific evaluations and implement traffic management measures, including coordination with local emergency response agencies.
- Incorporate post-fire debris-flow, erosion, or landslide risk assessments during the design phase for hillside facilities or projects located in areas subject to post-fire geologic hazards.

b. Findings and Rationale – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should do it. 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. This measure 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 2050 MTP/SCS projects to inadvertently ignite a wildfire. However, for individual projects, this mitigation measure may not be feasible to prevent a significant risk of wildfires or fully protect people and structures from the risks of wildfires in all cases. Thus, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.18-18 through 4.18-21 of the Final EIR.

- 2. Impact W-2.** Proposed transportation improvements and land use projects envisioned by the 2050 MTP/SCS would be located in or near Very High FHSZs. This would increase wildfire risk associated with the construction or maintenance of infrastructure such as roads, post-fire landslides and flooding, and wildfire risk to people and structures. Impacts would be significant and unavoidable.

- a. **Mitigation** – For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts related to wildland fire, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.

W-1 Wildfire Risk Reduction (see mitigation measure above).

- b. **Findings and Rationale** – The AMBAG Board of Directors finds that this mitigation measure is partially within the responsibility and jurisdiction of the RTPAs, which as CEQA responsible agencies for the 2050 MTP/SCS, will adopt it. The AMBAG Board of Directors further finds that these mitigation measures are partially within the responsibility and jurisdiction of transportation project sponsor agencies and, for land use projects, cities and counties, which can and should adopt it. 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. This measure would also reduce the potential for construction of 2050 MTP/SCS projects to inadvertently ignite a wildfire. However, for individual projects, this mitigation measure may not prevent a wildfire risk associated with the construction or maintenance of infrastructure such as roads, post-fire landslides and flooding, or fully protect people and structures from the risks of wildfires in all cases. Thus, this impact would remain significant and unavoidable. The AMBAG Board of Directors finds that no other mitigation measures or alternatives are feasible that would reduce this impact to less than significant levels. The AMBAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the EIR infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

- c. **Supportive Evidence** – Please refer to pages 4.18-22 through 4.18-24 of the Final EIR.

VI. FINDINGS ON SIGNIFICANT AND UNAVOIDABLE CUMULATIVE IMPACTS

A. INTRODUCTION

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

The 2050 MTP/SCS addresses cumulative conditions within the AMBAG region by design. The Plan area is comprised of 3.3 million acres and includes three counties and 18 cities. It integrates transportation investments with land use strategies for an entire region of the state that shares, or

is connected by, common economic, social, and environmental characteristics. As such, the regional environmental analysis of the 2050 MTP/SCS presented throughout the EIR is essentially a cumulative analysis consistent with CEQA requirements. Furthermore, the Final EIR contains detailed analysis of regional (cumulative) impacts, which are differentiated from localized impacts that may occur at the county level. In addition, the Final EIR analyzes cumulative impacts for each resource area over a larger cumulative impact analysis area, the geographic scope of which depends on the specific resources benign analyzed.

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

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

For the following impacts, the AMBAG Board of Directors hereby finds that in Section V of these Findings of Fact, mitigation measures have been identified in the EIR that will reduce the proposed project’s incremental contribution to the following significant cumulative impacts, but not to a less than significant (i.e., less than cumulatively considerable) level. Findings regarding responsibilities for adopting and implementing each of the below-listed mitigation measures are described in Section V of these Findings of Fact.

The significant cumulative impacts and the mitigation measures that will reduce them, but not to a less than cumulatively considerable level are as follows:

AESTHETICS

- 1. Impact AES-C-1.** Development in the Cumulative Impact Analysis area would have a substantial adverse effect on a scenic vista, substantially damage scenic resources within a state scenic highway, degrade existing visual character, or adversely affect night sky lighting. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable.
 - a. Mitigation** – Mitigation Measures AES-1(a), AES-1(b), AES-3, AES-4(a), AES-4(b), and AES-4(c)
 - b. Findings and Rationale** – The combination of forecasted development in the AMBAG region and planned development in neighboring counties will result in a different visual environment than currently exists. The cumulative impacts from development in the cumulative impact analysis on night sky lighting and visual character are considered significant, and the contribution of the 2050 MTP/SCS to these impacts is cumulatively considerable. Implementation of Mitigation Measures AES-1(a), AES-1(b), AES-3, AES-4(a), AES-4(b), and AES-4(c) would reduce potential impacts to aesthetic resources. However,

even with implementation of mitigation measures, impacts would be significant and would be cumulatively considerable, and therefore significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.1-22 through 4.1-23 of the Final EIR.

AGRICULTURE AND FORESTRY RESOURCES

2. **Impact AG-C-1.** Development in the cumulative impact analysis area would result in conversion of agricultural land to non-agricultural uses. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable. Impacts to forestry resources would not be cumulatively considerable.

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

b. **Findings and Rationale** – Future development within the cumulative impact analysis area would convert agricultural land to non-agricultural uses and may result in conflicts with agricultural zoning and Williamson Act contracts. In addition, future development adjacent to agricultural land has the potential to result in a loss of farmland due to land use conflicts, which adds to the cumulative conversion of agricultural lands, including areas designated as Important Farmland by the FMMP. Cumulative impacts to agricultural resources would be significant. Implementation of Mitigation Measure AG-1 would reduce the contribution of the proposed 2050 MTP/SCS to cumulative agricultural land impacts. However, the mitigation would not ensure that the future land use development pattern and transportation projects could feasibly relocate or realign to avoid impacts, or that compensatory mitigation would be feasible and effective, and impacts would remain significant and unavoidable. The contribution of the proposed 2050 MTP/SCS to cumulative impacts would therefore remain cumulatively considerable post-mitigation, and therefore significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.2-21 through 4.2-22 of the Final EIR.

AIR QUALITY AND HEALTH IMPACTS/RISKS

3. **Impact AQ-C-1.** Development in the cumulative Impact Analysis Area would result in an increase of regional particulate matter emissions and would expose sensitive receptors to diesel particulates and toxic air contaminants. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable.

a. **Mitigation** – Mitigation Measures AQ-2(a), AQ-2(b), AQ-2(c), AQ-3(a), AQ-3(b), and AQ-5

b. **Findings and Rationale** – Future development within the cumulative impact analysis area would generate cumulative construction emissions that could impact air quality. Given existing air pollution conditions in surrounding areas, the 2050 MTP/SCS would have a cumulatively considerable contribution to regional air quality impacts. Implementation of Mitigation Measures AQ-1 through AQ-5 would reduce the contribution to cumulative air quality impacts. However, the 2050 MTP/SCS contribution would remain cumulatively considerable, and therefore significant and unavoidable, after mitigation because PM₁₀

emissions reductions and reductions of diesel particulate and air contaminant emissions. cannot be guaranteed for every project.

c. Supportive Evidence – Please refer to pages 4.3-49 through 4.3-50 of the Final EIR.

BIOLOGICAL RESOURCES

4. Impact BIO-C-1. Development in the cumulative impact analysis area would have substantial adverse impacts on special-status plant and animal species, sensitive natural communities, and interfere with wildlife movement. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable.

a. Mitigation – Mitigation Measures BIO-1(a), BIO-1(b), BIO-1(c), BIO-1(d), BIO-1(e), BIO-1(f), BIO-1(g), BIO-1(h), BIO-1(i), BIO-2(a), BIO-2(b), BIO-2(c), BIO-2(d), BIO-2(e), BIO-2(f), BIO-3(a), BIO-3(b), and BIO-3(c)

b. Findings and Rationale – Biological resources impacts resulting from cumulative development within the cumulative impact analysis area would include direct and indirect impacts to sensitive/special-status species or their habitat; impacts to riparian, wetland, or other sensitive natural communities; or interference with wildlife movement. Given the extent of future development anticipated in the cumulative impact analysis area, these cumulative impacts would likely be significant. Due to the potential direct and indirect impacts that may occur as a result of the 2050 MTP/SCS, the proposed 2050 MTP/SCS contribution to this impact would be cumulatively considerable. However, it cannot be guaranteed that all future project level impacts can feasibly be mitigated to a less than significant level. Mitigation Measures BIO-1(a) through BIO-3(c) would reduce impacts, but impacts would remain significant and unavoidable. The contribution of the proposed 2050 MTP/SCS to cumulative impacts would therefore remain cumulatively considerable, and therefore significant and unavoidable, post-mitigation.

c. Supportive Evidence – Please refer to pages 4.4-52 through 4.1-53 of the Final EIR.

CULTURAL RESOURCES

5. Impact CR-C-1. Implementation of the proposed transportation improvements and the land use scenario envisioned under the 2050 MTP/SCS would cause substantial impacts to known and unknown cultural, historical, or archaeological resources. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable.

a. Mitigation – Mitigation Measures CR-1, CR-2(a), and CR-2(b)

b. Findings and Rationale – Cumulative impacts to known and unknown cultural, historical, or archaeological resources would be significant, and the 2050 MTP/SCS contribution to them would be cumulatively considerable. Mitigation Measures CR-1, CR-2(a), and CR-2(b) would reduce impacts associated with 2050 MTP/SCS projects through impact minimization for historical and archaeological resources. However, it cannot be guaranteed that all future project level impacts can feasibly be mitigated to a less than

significant level. As such, the 2050 MTP/SCS contribution would remain cumulatively considerable, and therefore significant and unavoidable, after mitigation.

- c. **Supportive Evidence** – Please refer to page 4.5-27 through 4.5-28 of the Final EIR.

GEOLOGY, SOILS, AND MINERAL RESOURCES

- 6. **Impact GEO-C-2.** Excavation and ground disturbance associated with development in the cumulative impacts analysis area would damage or destroy subsurface paleontological resources. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable.

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

- b. **Findings and Rationale** – The 2050 MTP/SCS could cause a substantial adverse change in or disturb known and unknown paleontological resources and would therefore result in a cumulatively considerable contribution to the significant impact. Mitigation measures outlined in Section 4.7, *Geology and Soils*, would reduce paleontological resource impacts associated with 2050 MTP/SCS projects. However, the 2050 MTP/SCS contribution would remain cumulatively considerable after mitigation because it cannot be guaranteed that all future project level impacts can feasibly be mitigated to a less than significant level. As such, the 2050 MTP/SCS contribution to cumulative impacts to paleontological resources would be cumulatively considerable after mitigation, and therefore significant and unavoidable.

- c. **Supportive Evidence** – Please refer to pages 4.7-40 through 4.7-41 of the Final EIR.

GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

- 7. **Impact GHG-C-1.** Development in the cumulative impacts analysis area, as well as projects implementing the 2050 MTP/SCS, would generate temporary short-term GHG emissions which would result in a significant cumulative impact, and the 2050 MTP/SCS contribution would be cumulatively considerable. Construction and operational GHG emissions as a result of implementation of the 2050 MTP/SCS would have a cumulatively considerable contribution to a significant cumulative impact related to exceeding state GHG reduction targets.

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

- b. **Findings and Rationale**— Construction activities associated with transportation improvement projects and future land use projects envisioned by the 2050 MTP/SCS would generate temporary GHG emissions. Construction-related GHG emissions of the 2050 MTP/SCS would be significant, even after implementation of Mitigation Measure GHG-1. Therefore, when construction emissions are combined with other ongoing emissions, the cumulative impact would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable. The transportation projects and land use

scenario envisioned in the 2050 MTP/SCS would also generate operational GHG emissions. Implementation of Mitigation Measure GHG-4(a), transportation-related greenhouse gas reduction measures, and Mitigation Measures GHG-4(b), project level energy consumption and water use reduction, would reduce impacts related to GHG emissions, and Mitigation Measures TRA-2(a) and TRA-2(b) would reduce VMT associated with future land use development and increases in roadway capacity, subsequently reducing GHG emissions. Other ongoing land uses and operation of future development in the cumulative impact analysis area would also generate GHG emissions. Combined, the GHG emissions from operational activities in the cumulative impact analysis area could exceed State reduction targets; the resulting cumulative impact would be significant, the 2050 MTP/SCS would have a cumulatively considerable contribution to this cumulative impact, both pre- and post- mitigation. Therefore, cumulative GHG emissions impacts would be significant and unavoidable.

- c. **Supportive evidence**-- Please refer to pages 4.8-35 through 4.8-36 of the Final EIR.

HAZARDS AND HAZARDOUS MATERIALS

8. Impact HAZ-C-1. Development in the cumulative impacts analysis area, as well as projects implementing the 2050 MTP/SCS, could result in hazards and exposure to hazardous materials. The 2050 MTP/SCS would have cumulatively considerable contributions to significant cumulative impacts related to hazards and hazardous materials.

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

- b. **Findings and Rationale** – Land use development envisioned as part of the 2050 MTP/SCS could result in the development of sites listed in environmental databases pursuant to Government Code Section 65962.5. Although development of listed sites would be required to undergo remediation and comply with Mitigation Measure HAZ-3, it cannot be guaranteed that all future project level impacts can feasibly be mitigated to a less than significant level. Cumulative impacts related to hazards and hazardous materials would be significant and implementation of the 2050 MTP/SCS would result in cumulatively considerable impacts post-mitigation, and therefore significant and unavoidable, impacts.

- c. **Supportive Evidence** – Please refer to page 4.9-29 through 4.9-30 of the Final EIR.

NOISE

9. Impact N-C-1. Development in the cumulative impact analysis area would result in cumulative significant impacts related to construction and operational noise and vibration, and excessive noise in proximity to airports. The 2050 MTP/SCS contribution to cumulative impacts would be cumulatively considerable.

- a. **Mitigation** – Mitigation Measures N-1, N-2, N-3, N-4, N-5, and N-6

- b. Findings and Rationale** – Construction noise and vibration resulting from either the transportation projects or the land use scenario could combine with other ongoing noise or additional construction noise within the AMBAG region, resulting in localized construction noise levels exceeding local standards. In addition, long-term operational noise and vibration associated with increased roadway traffic, transit operations, and other transportation facilities could combine with existing ambient noise conditions to affect sensitive receptors. Cumulative impacts of construction noise and vibration, as well as operational noise and vibration, and exposure to excessive noise in proximity to airports, would be significant. Implementation of Mitigation Measures N-1 and N-2 would reduce some construction noise and vibration impacts, while Mitigation Measures N-3 through N-6 would reduce operational noise and vibration, and airport-related noise, impacts; however, the 2050 MTP/SCS contribution to the cumulative impact would be cumulatively considerable post-mitigation, and therefore significant and unavoidable.
- c. Supportive Evidence** – Please refer to pages 4-12-32 through 4.12-34 of the Final EIR.

PUBLIC SERVICES AND RECREATION

- 10. Impact PSR-C-1.** Development in the cumulative impact analysis area would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and the use of recreational facilities, the construction of which could cause significant environmental effects. Cumulative impacts would be significant. The 2050 MTP/SCS contribution to cumulative impacts would be cumulatively considerable.
 - a. Mitigation** – Mitigation Measures PSR-1 and PSR-3
 - b. Findings and Rationale** – Future transportation improvements and land use projects throughout the cumulative impact analysis area would generate demand for fire protection, police services, parks and recreational facilities, schools, and other public facilities to the extent that the construction of new or expanded facilities would be required, the construction of which would cause significant environmental impacts. The 2050 MTP/SCS would also increase demand for services and facilities to the extent that new or expanded facilities would be required, the construction of which would result in significant effects. However, it cannot be guaranteed that all future project level impacts can feasibly be mitigated to a less than significant level. These impacts would be significant and unavoidable, even with implementation of Mitigation Measures PSR-1 and PSR-3. Thus, cumulative impacts related to public services and recreation would be significant, and the 2050 MTP/SCS' contribution to the cumulative public services and recreation impacts would be cumulatively considerable post-mitigation, and therefore significant and unavoidable.
 - c. Supportive Evidence** – Please refer to page 4.14-22 of the Final EIR.

TRANSPORTATION

- 11. Impact TRA-C-1.** Development in the cumulative impact analysis area would result in

significant and unavoidable increase in daily VMT per capita from baseline 2022 conditions. The 2050 MTP/SCS contribution to cumulative VMT impacts would be cumulatively considerable.

- a. **Mitigation** – Mitigation Measures TRA-2(a) and TRA-2(b)
- b. **Findings and Rationale** – Per capita VMT in the cumulative impact area would be unlikely to reach 25 percent below 2019 VMT per capita by 2035 and 30 percent below 2019 VMT per capita by 2045, due to increased VMT in the region even without implementation of the 2050 MTP/SCS. The implementation of project-level VMT-reducing measures in Mitigation Measures TRA-2(a) and TRA-2(b) such as mixed uses and TOD may not be feasible and cannot be guaranteed on a project by project basis. Regional VMT reduction programs, such as VMT banks, may also not be feasible as there are no procedures or policies in place to establish such programs, and project-specific VMT -reduction measures may not be feasible for individual transportation projects. Thus, cumulative impacts on VMT would be significant and the 2050 MTP/SCS contribution to VMT impacts would be cumulatively considerable post-mitigation, and therefore significant and .
- c. **Supportive Evidence** – Please refer to pages 4.15-34 through 4.15-36 of the Final EIR.

TRIBAL CULTURAL RESOURCES

12. Impact TCR-C-1. Development in the cumulative impact analysis area could result in significant impacts to tribal cultural resources that would result in a significant cumulative impact. The 2050 MTP/SCS contribution to this impact would be cumulatively considerable.

- a. **Mitigation** – Mitigation Measure TCR-1
- b. **Findings and Rationale** – Development in the AMBAG area would increase under the 2050 MTP/SCS by increasing mobility and growth. The increase in growth in previously undisturbed areas contributes to regional impacts on tribal cultural resources. If there may be tribal cultural resources at the location of a project site, tribal consultation in accordance with AB 52 consistent with Mitigation Measure TCR-1 would help ensure protection of tribal cultural resources, but 2050 MTP/SCS impacts would remain significant and unavoidable. Tribal territory often crosses the boundaries of multiple jurisdictions within and outside of the AMBAG region, and there could be several impacts to tribal cultural resources that together would result in a significant cumulative impact. The cumulative impact would be significant, and the overall contribution of the 2050 MTP/SCS to significant cumulative tribal cultural resources impacts would be cumulatively considerable pre- and post-mitigation, and therefore significant and unavoidable, despite implementation of Mitigation Measure TCR-1.
- c. **Supportive Evidence** – Please refer to pages 4.16-11 through 4.16-12 of the Final EIR.

UTILITIES AND SERVICE SYSTEMS

13. Impact UTIL-C-1. Development in the cumulative impact analysis area would result in substantial adverse physical impacts associated with the provision of new or physically altered utility infrastructure, the construction of which could cause significant environmental effects. Cumulative impacts would be significant. The 2050 MTP/SCS contribution to cumulative impacts would be cumulatively considerable.

- a. **Mitigation** – Mitigation Measures UTIL-1(a), UTIL-1(b), UTIL-1(c), UTIL-1(d), UTIL-2, UTIL-4(a), UTIL-4(b), UTIL-4(c), UTIL-4(d)
- b. **Findings and Rationale** – Future transportation improvements and land use projects throughout the cumulative impact analysis area would require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which would cause significant environmental effects. This development would also generate solid waste in excess of the capacity of local infrastructure and increase water demand in the AMBAG region such that water supplies may be insufficient to serve envisioned development. Cumulative impacts to public services, recreation, and utilities would be cumulatively considerable pre- and post-mitigation, and therefore the cumulative impact would be significant and unavoidable.
- c. **Supportive Evidence** – Please refer to pages 4.17-39 through 4.17-40 of the Final EIR.

WILDFIRE

14. Impact W-C-1. Development in the cumulative impact analysis area could be located in or near a state responsibility area or a very high fire hazard severity zone. As significant risk of loss, injury, or death could occur as a result of impairing emergency response and evacuation, exposing project occupants to wildfire, exacerbating fire risk, or exposing project occupants to wildfire-related risks, impacts related to wildfire would be significant. The 2050 MTP/SCS contribution to this impact would be cumulatively considerable.

- a. **Mitigation** – Mitigation Measure W-1
- b. **Findings and Rationale** – The combination of cumulative projects being constructed concurrently could substantially increase the frequency of fire in the area above natural conditions. Cumulative impacts would be significant. Implementation of Mitigation Measure W-1 would minimize the 2050 MTP/SCS contribution to this cumulative impact, but it cannot be guaranteed that all future project level impacts can feasibly be mitigated to a less than significant level. The overall cumulative increase in fire frequency would continue to be substantial and impacts for risks exacerbated by construction and from the aftermath of wildfires would remain cumulatively considerable post-mitigation, and therefore significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.18-26 through 4.18-27 of the Final EIR.

VII. FINDINGS REGARDING ALTERNATIVES

A. LEGAL REQUIREMENTS FOR ALTERNATIVES

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

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

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

The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative does not provide substantial advantages over the proposed project; and (1) through the imposition of mitigation measures the environmental effects of a project can be reduced to an acceptable level, or (2) there are social, economic, technological, or other considerations that make the alternative infeasible. (Pub. Res. Code Section 21002, 21002.1; CEQA Guidelines Section 15092.)

The proposed 2050 MTP/SCS alternatives were selected for review in the EIR because of their potential to avoid or substantially lessen certain project impacts, or because they were required under CEQA Guidelines (e.g., the No project alternative). The alternatives are described and evaluated in detail in Chapter 7, Sections 7.3 through 7.5, of the 2050 MTP/SCS Final EIR.

The three alternatives considered for the proposed 2050 MTP/SCS are:

- Alternative 1: No Project Alternative, which is comprised of a land use pattern that reflects existing land use trends and a transportation network comprised of transportation projects that are currently in construction or are funded in the short range Metropolitan Transportation Improvement Program;
- Alternative 2: Infill and Transit Focus, which includes the same population, housing, and employment growth as the proposed 2050 MTP/SCS, but emphasizes a more compact land use pattern and increased investment in regional and transit infrastructure and services to reduce VMT and decreased investments in streets, roads, and highways compared to the proposed 2050 MTP/SCS; and
- Alternative 3: Infill and Operational/Complete Streets, which includes a compact land use pattern similar to Alternative 2, combined with a greater emphasis on operational improvements, complete streets, and active transportation investments, while reducing reliance on highway capacity expansion. Alternative 3 was determined to be environmentally superior to the proposed 2050 MTP/SCS. However, all of the alternatives are rejected for the reasons stated below in Section VII.C.

B. PROJECT OBJECTIVES

An EIR must only evaluate reasonable alternatives to a project that could feasibly attain most of the project objectives and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6(a)).

The purpose of the 2050 MTP/SCS and the county level RTPs is to coordinate and facilitate the planning, programming and budgeting of all transportation facilities and services within the Monterey Bay region through 2050 and demonstrate how the region will integrate transportation and land use planning to meet the GHG reduction targets established by CARB. In developing the 2050 MTP/SCS and county level RTPs, AMBAG and the respective RTPAs followed the IJJA requirements that the RTP planning process provide for consideration of projects and strategies that will:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency;
- Increase the safety and security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility options available to people and freight;
- Protect and enhance the environment, promote energy conservation, improve the quality of life and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system;

- Improve resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts; and
- Enhance travel and tourism.

For purposes of the EIR, the primary objective of the 2050 MTP/SCS and the county level RTPs is to comply with applicable regulatory requirements, including CTC Guidelines and SB 375, including SB 375's regional GHG reduction targets. AMBAG's specific objectives for the 2050 MTP/SCS are to additionally ensure that the SCS and the transportation system planned for the AMBAG region accomplishes the following:

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

C. FINDINGS ON ALTERNATIVES EVALUATED IN THE EIR

1. No Project Alternative (Alternative 1)

- a. **Description** – The No Project Alternative assumes that the transportation network would be comprised of committed transportation projects fully programmed through construction included in AMBAG's Fiscal Years 2024/25 – 2027/28 Metropolitan Transportation Improvement Program. The growth in population, jobs, and homes would be the same as the growth forecast for the proposed 2050 MTP/SCS. This alternative assumes the same housing and employment growth as the 2050 MTP/SCS, but that growth would occur based on existing land use trends in the AMBAG region as opposed to more compact development envisioned by the 2050 MTP/SCS.

- b. **Findings and Rationale** – The No Project Alternative would result in a less dense development pattern compared to the 2050 MTP/SCS, with this alternative continuing existing land use trends. Because of the increased land development outside of existing urbanized areas, the No Project Alternative would result in more ground disturbance than the 2050 MTP/SCS. Consequently, compared to the 2050 MTP/SCS, the No Project Alternative would have greater overall impacts to aesthetics and visual resources; agricultural and forestry resources; biological resources; geology, soils, and mineral resources; land use and planning; noise; transportation; tribal cultural resources; and wildfire. It would have similar impacts as the 2050 MTP/SCS to cultural resources; energy; greenhouse gas emissions/climate change; hazards and hazardous materials; hydrology and water quality; public services and recreation; and utilities and service systems. Please refer to pages 7-6 through 7-17 of the Final EIR.

The AMBAG Board of Directors finds that specific economic, financial, legal, social, technological or other considerations make the No Project Alternative infeasible and rejects this alternative for the following reasons. The No Project Alternative is legally

infeasible because it would not meet federal and state legal requirements for RTPs, and would not meet the SB 375 requirement for preparation of an SCS. Also, it would not reduce any of the project's significant impacts to less than significant levels, would increase many of these impacts, and would not meet basic objectives of the proposed 2050 MTP/SCS listed in Section VI.B.

2. Infill and Transit Focus Alternative (Alternative 2)

- a. Description** – The Infill and Transit Focus Alternative is intended to reduce VMT by locating the places where people work and live within urban centers and closer to transit. This alternative assumes the same total growth in population, jobs, and housing numbers as the 2050 MTP/SCS. This alternative includes a more compact growth footprint and increased use of transit service to generate an increase in transit ridership and corresponding decrease in VMT. This alternative assumes more investment (approximately \$1 billion more) in transit infrastructure and services and less investment in local streets, roads, and highways compared to the proposed 2050 MTP/SCS.
- b. Findings and Rationale** –Under Alternative 2, land use patterns would be concentrated in infill and TOD areas. Alternative 2 would result in a higher density development pattern than the 2050 MTP/SCS. As shown in Table 7-7 of the Final EIR, overall impacts to the following resources would be less: aesthetics and visual resources; agriculture and forestry resources; biological resources; cultural resources; energy; geology, soils, and mineral resources; tribal cultural resources; and wildfire. GHG emissions and VMT would also decrease under this alternative, though this decrease would be negligible (less than a one percent change). Please refer to pages 7-17 through 7-27 of the Final EIR.

The AMBAG Board of Directors finds that specific economic, financial, legal, social, technological or other considerations make the Infill and Transit Focus Alternative infeasible and rejects this alternative for the following reasons. It would not reduce any of the project's significant impacts to less than significant levels, and would not meet project mobility goals, which help achieve the basic objectives of the proposed 2050 MTP/SCS listed in Section VI.B. The inability to meet project mobility goals also makes this alternative undesirable from a policy standpoint. Lastly, Alternative 2 is not feasible because AMBAG does not have land use authority and cannot require local agencies to make major changes to their general plans that would be required in order for Alternative 2 to be implemented.

3. Infill and Operational/Complete Streets (Alternative #3)

- a. Description** – The Infill and Operational/Complete Streets Alternative is intended to reduce VMT by emphasizing a more compact land use pattern similar to Alternative 2, while prioritizing operational improvements, safety, Complete Streets, and active transportation projects. This alternative assumes the same total growth in population, jobs, and housing numbers as the 2050 MTP/SCS. Compared to the 2050 MTP/SCS, this alternative emphasizes smaller-scale transportation investments such as multimodal

infrastructure and operational improvements within existing communities, and includes fewer highway projects.

b. Findings and Rationale – The Infill and Operational/Complete Streets Alternative would result in a more compact land use pattern and smaller-scale transportation improvements focused within existing communities, compared to the 2050 MTP/SCS. As shown in Table 7-7 of the Final EIR, this alternative would result in reduced overall impacts to aesthetics and visual resources; agriculture and forestry resources; biological resources; cultural resources; energy; geology, soils, and mineral resources; tribal cultural resources; and wildfire. Assuming all environmental issue areas are weighted equally, Alternative 3 is the environmentally superior alternative. Please refer to pages 7-27 through 7-38 of the Final EIR.

The AMBAG Board of Directors finds that specific economic, financial, legal, social, technological or other considerations make the Infill and Operational/Complete Streets Alternative infeasible and rejects this alternative for the following reasons. It would not reduce any of the project’s significant impacts to less than significant levels, and would not meet project mobility goals, which help achieve the basic objectives of the proposed 2050 MTP/SCS listed in Section VI.B. The inability to meet project mobility goals also makes this alternative undesirable from a policy standpoint. Lastly, Alternative 2 is not feasible because AMBAG does not have land use authority and cannot require local agencies to make major changes to their general plans that would be required in order for Alternative 2 to be implemented.

D. FINDINGS ON ALTERNATIVES CONSIDERED IN THE EIR BUT REJECTED

Section 7.2 of the Final EIR describes three alternatives that were considered but rejected from detailed consideration: an Aggressive VMT Reduction Alternative, a Road Pricing Alternative, and a Fiscally Unconstrained Alternative. These three alternatives are summarized below:

- **Aggressive VMT Reduction Alternative.** The Aggressive VMT Reduction Alternative would pursue substantial reductions in VMT through measures such as high-density development, transit expansion, and widespread adoption of telecommuting, active transportation, and trip-reducing strategies. While this approach could theoretically lower VMT, it was found infeasible in the AMBAG region due to its large rural component, dispersed land uses, and reliance on in-person work in agriculture and service industries. Additional factors making the Aggressive VMT Reduction Alternative infeasible include long commute distances, interregional travel to the San Francisco Bay Area, tourism-related travel, agricultural goods movement, seasonal farmworker trips, income variability, and an aging population, all of which limit the effectiveness of infill development and transit strategies.
- **Road Pricing Alternative.** The Road Pricing Alternative would aim to reduce VMT through mechanisms such as VMT fees, tolling, or congestion pricing, consistent with statewide guidance for such measures. However, pricing strategies are generally most effective in large, highly urbanized regions with robust transit systems and high travel demand, which do not reflect the conditions of the predominantly rural and automobile-dependent AMBAG region. Because the AMBAG region does not contain areas with the high-density land uses

and robust transit systems as found in large metropolitan cities, and because AMBAG does not have the legal authority to impose VMT fees, this alternative was not considered feasible.

- **Fiscally Unconstrained Alternative.** The Fiscally Unconstrained Alternative would assume implementation of all potential future transportation projects identified by AMBAG and the RTPAs, including projects not supported by reasonably anticipated funding. Although this alternative could provide greater transportation capacity and service improvements than the 2050 MTP/SCS, it was rejected because it is inconsistent with federal and state requirements that regional transportation plans be fiscally constrained. Without secured or reasonably foreseeable funding, the alternative cannot be implemented and therefore does not meet CEQA's requirement for a feasible alternative.

The AMBAG Board of Directors adopts and incorporates by reference the specific reasons for rejecting these alternatives contained in Final EIR Section 7.2 as the grounds for rejecting these measures.

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

Some comments on the Draft EIR suggested additional EIR mitigation measures or refinements to EIR alternatives. In response to Draft EIR comments, some mitigation measures were revised, including Mitigation Measures BIO-1(a), BIO-3(a), BIO-3(b), and WF-1.

Where the suggestions requested minor modifications or variations in adequate mitigation measures or alternatives or components of alternatives analyzed in the Draft EIR, or requested mitigation measures or alternatives that were too vague or speculative to be addressed, these requests were declined as unnecessary. Similarly, suggestions that were specific to individual transportation improvement projects included in the 2050 MTP/SCS were declined because the EIR is a programmatic-level analysis of the 2050 MTP/SCS in its entirety, and individual projects would undergo separate future environmental review. The AMBAG Board of Directors adopts and incorporates by reference the specific reasons for declining such mitigation measures or alternatives contained in the responses to comments in the Final EIR as one ground for rejecting these measures. The responses to comments are provided as Appendix H to the Final EIR.

Additionally, for other mitigation measure suggestions, several specific modifications were made to certain mitigation measures in response to Draft EIR comments, as explained below. Certain other mitigation measures suggested in Draft EIR comments ostensibly could reduce impacts, but these other mitigation measure suggestions were rejected because they were already encompassed in the EIR's existing mitigation measures. For supporting evidence, see the responses to comments on these rejected mitigation measures set forth in Appendix H to the Final EIR.

A. FINDINGS ON COMMENTERS' SUGGESTED MITIGATION MEASURES

1. John Uy: Comment 1.6

The commenter acknowledges wildfire risk and recommends additional mitigation for Very High Fire Hazard Severity Zones. They suggest requiring corridor-specific evacuation/traffic management plans and post-fire debris-flow or landslide checks for hillside facilities.

Findings and Rationale – The AMBAG Board of Directors finds that even with implementation of Mitigation Measure W-1, Wildfire Risk Reduction, wildfire impacts would remain significant and unavoidable. Although the Final EIR identifies specific projects that may result in increased wildfire risk, the discussion does not provide a project-level analysis of wildfire impacts. Rather, the EIR provides a program-level evaluation of potential impacts associated with implementation of the MTP/SCS. Because detailed design, construction timing, and site conditions are not yet known, the Draft EIR appropriately evaluates impacts at a broad, programmatic level and identifies performance-based mitigation to be implemented after project-specific analysis in future CEQA documents is prepared as required under CEQA Guidelines Sections 15162, 15163, and 15168.

However, the AMBAG Board of Directors hereby finds that certain modifications to Mitigation Measures WF-1 are feasible and have been made in the Final EIR. In response to this comment, the following edits have been made to Mitigation Measure WF-1 in Section 4.18, *Wildfire*, of the Final EIR:

W-1 Wildfire Risk Reduction

If an individual transportation or land use project included in the 2050 MTP/SCS is within or less than two miles from a High or Very High FHSZ in the State Responsibility Area (SRA) as established by California Public Resources Code (PRC) Sections 4201 through 4204, or as High or Very High in the Local Responsibility Area (LRA) designated pursuant to California Government Code, Sections 51175 through 51189, 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:

...

- Complete corridor-specific evaluations and implement traffic management measures, including coordination with local emergency response agencies.
- Incorporate post-fire debris-flow, erosion, or landslide risk assessments during the design phase for hillside facilities or projects located in areas subject to post-fire geologic hazards.

2. California Department of Fish and Wildlife: Comment 4.10

The commenter notes that the Draft EIR references an outdated 2003 survey protocol for marbled murrelets and recommends updating Mitigation Measure BIO-1(a) to require use of the 2024 Pacific Seabird Group inland survey protocol instead.

Findings and Rationale – The AMBAG Board of Directors hereby finds that the proposed modification to Mitigation Measure BIO 1(a) is feasible and has been made in the Final EIR.

To incorporate the updated protocol provided by CDFW, the following edits have been made to Mitigation Measure BIO-1(a) in Section 4.4, *Biological Resources*, of the Final EIR:

BIO-1(a) Biological Resources Screening and Assessment

On a project-by-project basis, a preliminary biological resource screening shall, or can and should, be performed as part of the environmental review process to determine whether the project has any potential to impact biological resources.... These protocols may include, but are not limited to:

...

- Staff Report on Burrowing Owl Mitigation (CDFW 2012)
- Inland Survey Protocol for Marbled Murrelets (Pacific Seabird Group 2024)
- Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 1999)

3. California Department of Fish and Wildlife: Comment 4.16

The commenter recommends incorporating a mitigation measure that would require a qualified biologist conduct a habitat assessment for projects tiered from the 2050 MTP/SCS to determine if a project site and its vicinity contain suitable habitat to support bats.

Findings and Rationale – The AMBAG Board of Directors hereby finds that the proposed modification to Mitigation Measure BIO 1(a) is feasible and has been made in the Final EIR. Mitigation Measure BIO-1(a) outlines specific protocols and has been revised to include the following:

On a project-by-project basis, a preliminary biological resource screening shall, or can and should, be performed as part of the environmental review process to determine whether the project has any potential to impact biological resources.... These protocols may include, but are not limited to:

...

- Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 1999)
- Bat surveys consistent with CDFW recommendations

4. California Department of Fish and Wildlife: Comment 4.32

The commenter recommends adding a new mitigation measure that would require project-specific wildlife movement studies, use of preconstruction survey data to develop corridor improvements, and post-construction monitoring. The commenter also suggests adding baseline survey protocols, site-selection and design criteria, and reporting requirements for wildlife movement monitoring.

Findings and Rationale – The AMBAG Board of Directors hereby finds that the proposed modification to Mitigation Measures BIO 3(a) and BIO-3(b) are feasible and have been made in the Final EIR . In response to this comment, Mitigation Measure BIO-3(a) has been revised as follows:

The implementing agency shall implement the following measures. All projects, including those with long segments of fencing or lighting, shall be designed to minimize impacts to wildlife movement. Fencing shall not be installed at the openings of culverts, undercrossings, or other wildlife passage structures unless required for public safety; where fencing is necessary, it shall be placed far enough from the structure entrance to avoid blocking wildlife access and shall include design features that maintain clear, functional movement pathways.

Where fencing or other components are required for public safety, designs shall incorporate features such as:

- 16-inch minimum clearance at the fence bottom;
- 12-inch minimum spacing between the top two fence wires or use of a rail/mesh to avoid entanglement;
- Incorporation of wildlife overcrossings, undercrossings, culverts, or similar structures where fencing or infrastructure would otherwise restrict movement;
- Culverts shall be maintained to be free of sediment and vegetation to ensure continued functionality for wildlife passage;
- Project designs shall incorporate terracing to facilitate terrestrial species movement where space allows;
- Culverts shall be upsized where appropriate to support passage of impacted species;
- Crossing structures shall incorporate bench designs where feasible to allow wildlife use of the crossings during flooding;
- Lighting designed to be minimally disruptive to wildlife (see AES-3(a)); and
- Vegetative buffers of California native species where feasible.

In addition, prior to design approval, implementing agencies shall conduct wildlife movement assessments to evaluate connectivity constraints and identify opportunities to maintain or enhance wildlife movement. These assessments shall use the best available wildlife-movement protocols and shall inform design of fencing, crossings, and other project features. Post-construction monitoring shall be conducted, where feasible, to confirm wildlife use of implemented movement features and to identify any needed adaptive management.

When on-site design measures cannot fully reduce impacts, compensation shall be used as a mitigation option, including but not limited to participation in Regional Conservation Investment Strategies (RCISs) and mechanisms authorized under SB 790, to offset unavoidable connectivity impacts at a landscape scale.

Additionally, Mitigation Measure BIO-3(b) has been revised as follows:

...

For projects affecting drainages that serve as wildlife movement corridors, implementing agencies shall complete pre-construction evaluations of species movement patterns to guide placement, design, and timing of work. Post-construction monitoring shall be conducted, where feasible, to verify that drainage-related movement remains functional and to inform adaptive management if needed.

5. California Department of Fish and Wildlife: Comment 4.33

The commenter recommends adding a new mitigation measure that would require on-site features to habitat connectivity be evaluated and included in projects.

Findings and Rationale – The AMBAG Board of Directors finds commenter’s recommendation has been addressed to the extent feasible through existing mitigation requirements or revisions associated with responses to other comments from the California Department of Fish and Wildlife. As described in Response 4.33, Mitigation Measure BIO-3(a) already requires project design to consider wildlife connectivity, with detailed evaluation and implementation appropriately addressed during project-level CEQA review wherein site-specific information would be available. Please see Response 4.33 for a full explanation as to why no revisions are required to the Draft EIR mitigation measures as a result of this comment.

6. California Department of Fish and Wildlife: Comment 4.34

The commenter suggests that the Draft EIR establish measures for wildlife-friendly designs for covered activities.

Findings and Rationale – The AMBAG Board of Directors finds commenter’s recommendation has been addressed to the extent feasible through existing mitigation requirements or revisions associated with responses to other comments from the California Department of Fish and Wildlife. The suggested measures are already incorporated into the Draft EIR through Mitigation Measure BIO-3(a), which includes a non-exhaustive list of wildlife-friendly design parameters. Please see Response 4.34 for a full explanation as to why no revisions are required to the Draft EIR mitigation measures as a result of this comment.

7. California Department of Fish and Wildlife: Comment 4.35

The commenter suggests that the Draft EIR establish measures for wildlife-friendly fencing, including placement restrictions and designing fencing to deter wildlife from crossing roads and other infrastructure to reduce vehicle collisions with wildlife.

Findings and Rationale – The AMBAG Board of Directors finds commenter’s recommendation has been addressed to the extent feasible through existing mitigation requirements or revisions associated with responses to other comments from the California Department of Fish and Wildlife. Mitigation Measure BIO-3(a) has been revised in response to Comment 4.32 to address fencing placement and design considerations near wildlife passage structures, consistent with the commenter’s recommendations. Please see Response 4.35 for a full explanation as to why no additional revisions are required to the Draft EIR mitigation measures as a result of this comment.

8. California Department of Fish and Wildlife: Comment 4.36

The commenter suggests that the Draft EIR establish measures for culvert improvements including culvert maintenance, implementing terracing, and upsizing to support passage of impacted species.

Findings and Rationale – The AMBAG Board of Directors finds commenter’s recommendation has been addressed to the extent feasible through existing mitigation requirements or revisions associated with responses to other comments from the California Department of Fish and Wildlife. Mitigation Measures BIO-3(a) and BIO-3(b) have been revised in response to Comment 4.32 to include culvert-related design and maintenance considerations where applicable. Please see Response 4.36 for a full explanation as to why no additional revisions are required to the Draft EIR mitigation measures as a result of this comment.

9. California Department of Fish and Wildlife: Comment 4.37

The commenter suggests that the Draft EIR establish measures to consider design features that would support wildlife movement such as limit lengths of wildlife crossings; allow for light penetration; maximize crossing heights or add bridges; encourage the use of corridors by using natural cover types; encourage the use of bench designs to allow crossings during flooding; and smaller animal escape areas.

Findings and Rationale – The AMBAG Board of Directors finds commenter’s recommendation has been addressed to the extent feasible through existing mitigation requirements or revisions associated with responses to other comments from the California Department of Fish and Wildlife. Mitigation Measure BIO-3(a), which includes wildlife-friendly design options to be applied as feasible during project-level design, has been refined to address these recommendations in response to Comment 4.32. Please see Response 4.37 for a full explanation as to why no additional revisions are required to the Draft EIR mitigation measures as a result of this comment.

10. California Department of Fish and Wildlife: Comment 4.42

The commenter recommends that on- or off-site compensatory mitigation should be implemented to offset unavoidable impacts to wildlife corridors if redesigns or other measures do not fully avoid impacts.

Findings and Rationale – The AMBAG Board of Directors finds commenter’s recommendation has been addressed to the extent feasible through existing mitigation requirements or revisions associated with responses to other comments from the California Department of Fish and Wildlife. In response to Comment 4.32, Mitigation Measure BIO-3(a) has been revised to identify compensatory mitigation, including participation in Regional Conservation Investment Strategies and mechanisms authorized under SB 790, as an allowable option when on-site measures cannot fully reduce impacts. Please see Response 4.42 for a full explanation as to why no additional revisions are required to the Draft EIR mitigation measures as a result of this comment.

11. California Department of Fish and Wildlife: Comment 4.43

The commenter recommends that the 2050 MTP/SCS evaluate the development of advanced mitigation credits to support future projects and address impacts to connectivity. The commenter reiterates that SB 790 allows for CDFW to approve compensatory mitigation credits for wildlife connectivity improvements.

Findings and Rationale – The AMBAG Board of Directors finds that the commenter’s recommendation has been addressed to the extent feasible through existing mitigation requirements or revisions associated with responses to other comments from the California Department of Fish and Wildlife. The Draft EIR has been revised to acknowledge SB 790 and identify its mechanisms as optional compensation tools for future projects. Project-level use of such credits would be determined by implementing agencies, consistent with CEQA and Fish and Game Code requirements. Please see Response 4.43 for a full explanation as to why no additional revisions are required to the Draft EIR mitigation measures as a result of this comment.

12. California Department of Fish and Wildlife: Comment 4.44

The commenter states that the 2050 MTP/SCS could seek out the development of Mitigation Credit Agreements as part of Regional Conservation Investment Strategy.

Findings and Rationale – The AMBAG Board of Directors finds commenter’s recommendation has been addressed to the extent feasible through existing mitigation requirements or revisions associated with responses to other comments from the California Department of Fish and Wildlife. Mitigation Measure BIO-3(a) has been revised in response to Comment 4.32 to recognize Regional Conservation Investment Strategies mitigation credit mechanisms and strategies authorized under SB 790 as an optional approach for addressing unavoidable impacts to wildlife connectivity at the project level. Please see Response 4.44 for a full explanation as to why no additional revisions are required to the Draft EIR mitigation measures as a result of this comment.

IX. FINDINGS ON RESPONSES TO COMMENTS ON THE DRAFT EIR AND REVISIONS TO THE FINAL EIR
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Findings and Rationale – Appendix H of the Final EIR includes the comments received on the Draft EIR and responses to those comments. The focus of the responses to comments is on the

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

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

X. FINDINGS ON MITIGATION MONITORING AND REPORTING PROGRAM

The AMBAG Board of Directors finds that a Mitigation Monitoring and Reporting Program (MMRP) for the 2050 MTP/SCS has been prepared for the project and has been adopted concurrently with these Findings of Fact (Public Resources Code, Section 21081.6(a)(1)).

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

The purpose of the MMRP is to ensure the adopted mitigation measures adopted in the Findings of Fact for 2050 MTP/SCS are implemented, in accordance with CEQA requirements. The Findings of Fact adopt feasible mitigation measures to reduce the significant environmental impacts of the 2050 MTP/SCS. The mitigation measures adopted in the 2050 MTP/SCS EIR Findings are listed in Section V of these Findings of Fact.

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

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

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

1. Implementation of the 2050 MTP/SCS would alter views of scenic vistas (Impact AES-1)
2. Implementation of the 2050 MTP/SCS would substantially damage scenic resources along

- designated scenic corridors, including state scenic highways. (Impact AES-2)
3. Implementation of the 2050 MTP/SCS would substantially degrade existing visual character in the AMBAG region. (Impact AES-3)
 4. Implementation of the 2050 MTP/SCS would create new sources of substantial light and glare that would adversely affect day or nighttime views in the area. (Impact AES-4)
 5. Implementation of the 2050 MTP/SCS could directly or indirectly convert Important Farmland to non-agricultural uses or conflict with agricultural zoning or Williamson Act contracts. (Impact AG-1)
 6. Implementation of the 2050 MTP/SCS would create PM₁₀ and ozone precursor emissions and violate air quality standards, contribute substantially to existing or projected air quality violations, or result in a cumulatively considerable net increases in PM₁₀ or ozone precursor emissions. (Impact AQ-2)
 7. Implementation of the 2050 MTP/SCS would increase PM₁₀ emissions in the region, which could contribute substantially to a projected air quality violation. (Impact AQ-3)
 8. Implementation of the 2050 MTP/SCS land use scenario could expose sensitive receptors to substantial air pollutant concentrations. (Impact AQ-4)
 9. Implementation of the 2050 MTP/SCS would expose sensitive receptors to substantial hazardous air pollutant concentrations. (Impact AQ-5)
 10. Implementation of the 2050 MTP/SCS could adversely impact special-status plant and animal species, either directly or through habitat modifications. (Impact BIO-1)
 11. Implementation of the 2050 MTP/SCS could adversely impact natural communities and federally protected wetlands. (Impact BIO-2)
 12. Implementation of the 2050 MTP/SCS could impede wildlife movement, including fish migration and/or impede the use of a native wildlife nursery. (Impact BIO-3)
 13. Implementation of the 2050 MTP/SCS would cause a substantial adverse change in or disturb known and unknown historical resources. (Impact CR-1)
 14. Implementation of the 2050 MTP/SCS would cause a substantial adverse change in or disturb known and unknown archaeological resources. (Impact CR-2)
 15. Implementation of the 2050 MTP/SCS would directly or indirectly destroy a unique paleontological resource or site or unique geological feature. (Impact GEO-5)
 16. Implementation of the 2050 MTP/SCS would generate a net increase in construction GHG emissions by 2050 compared to baseline 2022 conditions. (Impact GHG-1)
 17. Implementation of the 2050 MTP/SCS would conflict with the State's ability to achieve the State GHG reduction targets. (Impact GHG-4)
 18. Implementation of the 2050 MTP/SCS would involve land use and transportation projects that could occur on sites on the list of hazardous material sites compiled by Government Code Section 65962.5. (Impact HAZ-3).
 19. Implementation of the 2050 MTP/SCS would create temporary substantial noise level increases in discrete locations that could exceed standards in local General Plans or noise ordinances. (Impact N-1)
 20. Implementation of the 2050 MTP/SCS would create temporary substantial groundborne vibration level increases. (Impact N-2)
 21. Implementation of the 2050 MTP/SCS would generate a substantial permanent increase in ambient noise levels in excess of standards or over existing noise levels and generate a substantial absolute noise increase over existing noise levels. (Impact N-3)

22. Implementation of the 2050 MTP/SCS would encourage infill development near transit and other transportation facilities, which would generate a substantial increase in ambient noise levels in excess of standards or over existing noise levels. (Impact N-4).
23. Implementation of the 2050 MTP/SCS would result in new truck, bus and train traffic that would generate excessive vibration levels. (Impact N-5)
24. Implementation of the 2050 MTP/SCS would include projects that would be located in close proximity to existing airports such that applicable exterior and interior noise thresholds would be exceeded. (Impact N-6)
25. Implementation of the 2050 MTP/SCS result in new or expanded governmental facilities, the implementation of which would result in substantial physical impacts. (Impact PSR-1)
26. Implementation of the 2050 MTP/SCS increase the use of existing parks and recreational facilities, resulting in substantial physical deterioration, and would include recreational facilities that would have an adverse physical effect on the environment. (Impact PSR-3)
27. Implementation of the 2050 MTP/SCS result in an increase to Daily VMT per capita between the baseline 2022 conditions and 2050 conditions. (Impact TRA-2)
28. Implementation of the 2050 MTP/SCS would cause a substantial adverse change in the significance of a tribal cultural resource. (Impact TCR-1)
29. Implementation of the 2050 MTP/SCS would require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which would cause significant environmental effects. (Impact UTIL-1)
30. Implementation of the 2050 MTP/SCS would generate solid waste in excess of the capacity of local infrastructure. (Impact UTIL-2)
31. Implementation of the 2050 MTP/SCS would increase water demand in the AMBAG region such that water supplies may be insufficient to serve envisioned development. (Impact UTIL-4)
32. Implementation of the 2050 MTP/SCS would involve transportation and land use projects located in in or near an SRA or very high fire hazard severity zone, and significant risks of loss, injury, or death from wildfires would occur. (Impact W-1)
33. Implementation of the 2050 MTP/SCS would involve transportation improvements and land use projects located in or near very high fire hazard severity zones, which would increase wildfire risk associated with the construction or maintenance of infrastructure such as roads, post-fire landslides and flooding, and wildfire risk to people and structures. (Impact W-2)
34. Development in the Cumulative Impact Analysis Area would affect night sky lighting and degrade existing visual character. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable. (Impact AES-C-1)
35. Development in the Cumulative Impact Analysis Area would result in conversion of agricultural land to non-agricultural uses. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable. (Impact AG-C-1)
36. Development in the Cumulative Impact Analysis Area would result in an increase of regional PM₁₀ emissions and would expose sensitive receptors to diesel particulates and toxic air contaminants. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable. (Impact AQ-C-1)
37. Development in the Cumulative Impact Analysis Area would have substantial adverse impacts on special-status plant and animal species, sensitive natural communities, and

- interfere with wildlife movement. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable. (Impact BIO-C-1)
38. Implementation of the proposed transportation improvements and the land use scenario envisioned under the 2050 MTP/SCS would cause substantial impacts to known and unknown cultural, historical, or archaeological resources. Cumulative impacts would be significant and the contribution of the 2050 MTP/SCS would be cumulatively considerable. (Impact CR-C-1)
 39. The 2050 MTP/SCS would have cumulatively considerable contributions to significant cumulative impacts related to paleontological resources. (Impact GEO-C-1)
 40. The 2050 MTP/SCS would have cumulatively considerable contributions to short term construction GHG emissions, and to inability to meet long-term State GHG reduction targets. (Impact GHG-C-1)
 41. Development in the cumulative impacts analysis area, as well as projects implementing the 2050 MTP/SCS, could result in hazards and exposure to hazardous materials. The 2050 MTP/SCS would have cumulatively considerable contributions to significant cumulative impacts related to hazards and hazardous materials. (Impact HAZ-C-1)
 42. Development in the cumulative impact analysis area would result in cumulative significant and unavoidable impacts related to construction and operational noise and vibration, and excessive noise in proximity to airports. The 2050 MTP/SCS contribution to cumulative impacts would be cumulatively considerable. (Impact N-C-1)
 43. Development in the cumulative impact analysis area would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental effects. The 2050 MTP/SCS contribution to cumulative impacts would be cumulatively considerable. (Impact PSR-C-1)
 44. Development in the cumulative impact analysis area would result in significant and unavoidable increase in daily VMT per capita from baseline 2022 conditions. The 2050 MTP/SCS contribution to cumulative impacts would be cumulatively considerable. (Impact TRA-C-1)
 45. Development in the cumulative impact analysis area could result in significant impacts to tribal cultural resources that would result in a significant cumulative impact. The 2050 MTP/SCS contribution to this impact would be cumulatively considerable. (Impact TCR-C-1)
 46. Development in the cumulative impact analysis area would result in substantial adverse physical impacts associated with the provision of new or physically altered utility infrastructure, the construction of which could cause significant environmental effects. Cumulative impacts would be significant, and the 2050 MTP/SCS contribution to this impact would be cumulatively considerable (Impact UTIL-C-1).
 47. Development in the cumulative impact analysis area could be located in or near a state responsibility area or a very high fire hazard severity zone. As significant risk of loss, injury, or death could occur, impacts related to wildfire would be significant. The 2050 MTP/SCS contribution to this impact would be cumulatively considerable. (Impact W-C-1)

In accordance with Section 15093 of the CEQA Guidelines, and having reduced the adverse significant environmental effects of the project to the extent feasible, having considered the entire administrative record on the project, and having weighed the benefits of the project against its unavoidable adverse

impacts after mitigation, the AMBAG Board of Directors hereby finds that the following legal, economic, social, environmental, or other benefits of the project outweigh its unavoidable adverse impacts and render them acceptable based upon the following considerations. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact:

- a. The implementation of 2050 MTP/SCS transportation projects will provide for a comprehensive transportation system of facilities and services that meets the public's need for the movement of people and goods and that is consistent with the social, economic and environmental goals and policies of the region. (See Final EIR Chapter 2).
- b. The SCS will contribute to a reduction in per capita GHG emissions from passenger vehicles and light trucks, helping the Monterey Bay region achieve the regional GHG reduction targets set by the CARB. (See Impact GHG-3.)
- c. The project will promote consistency between the California Transportation Plan 2050, the 2050 MTP/SCS, county-level regional transportation plan and other plans developed by cities, counties, districts, Native American tribal governments and state and federal agencies in responding to Statewide and interregional transportation issues and needs. (See Final EIR Chapter 5.)
- d. The construction of transportation projects will result in both short-term and long-term economic benefits to the AMBAG region and its residents. Transportation projects will provide for a number of jobs relating to construction and maintenance. The 2050 MTP/SCS program includes approximately \$16 billion of transportation investments in the region (see 2050 MTP/SCS Table 3-2), which will result in direct and indirect employment benefits.



2050 Metropolitan Transportation Plan/ Sustainable
Communities Strategy and Regional Transportation
Plans for Monterey, San Benito and Santa Cruz Counties

Mitigation Monitoring and Reporting Program
SCH# 2024010524

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Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) requires that an agency adopt a Mitigation Monitoring or Reporting Program (MMRP) prior to approving a project that includes mitigation measures to reduce or avoid significant effects on the environment. This document is the MMRP for the 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) and Regional Transportation Plans (RTPs) for Monterey, San Benito and Santa Cruz Counties. This MMRP has been prepared in compliance with the requirements of CEQA, including Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines.

This MMRP lists in tabular format the mitigation measures for each issue area identified in the Final EIR for the 2050 MTP/SCS and RTPs (SCH #2024010524) and proposed for adoption in the CEQA Findings of Fact. This MMRP is designed to ensure adopted mitigation measures are implemented. This MMRP clarifies the process for the Association of Monterey Bay Area Governments (AMBAG), responsible agencies, and implementing agencies/project sponsors to ensure these mitigation measures are implemented, and designates responsibility for implementing, monitoring, and reporting mitigation.

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

Implementing agencies or project sponsors considering approval of future projects under the 2050 MTP/SCS and RTPs for Monterey, San Benito and Santa Cruz Counties would utilize the EIR as a basis in determining mitigation measures for subsequent activities. Implementing agencies or project sponsors may be one of the following agencies:

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

Association of Monterey Bay Area Governments
2050 Metropolitan Transportation Plan/Sustainable Communities Strategy and Regional Transportation Plans for Monterey, San Benito and Santa Cruz Counties

- Marina
- Monterey
- Pacific Grove
- Salinas
- Sand City
- Seaside
- Soledad

- San Benito County and its incorporated cities:
 - Hollister
 - San Juan Bautista

- Santa Cruz County and its incorporated cities:
 - Capitola
 - Santa Cruz
 - Scotts Valley
 - Watsonville

The Final EIR mitigation measures are programmatic first-tier mitigation that will be implemented by AMBAG and the Regional Transportation Planning Agencies (RTPAs), which consists of SBtCOG, SCCRTC and TAMC. The MMRP for the Program EIR may be used as a tool for incorporating mitigation measures into future second-tier projects, as provided for in CEQA Guidelines Section 15168(c)(3). As such, the mitigation measures can and should be implemented by the above implementing and project sponsor agencies during future project-specific design and second-tier environmental review. When the RTPAs are the direct source of funding for transportation network improvement projects, RTPAs will require as a grant condition the implementation of those 2050 MTP/SCS mitigation measures that are applicable to, and feasible for, the project type being funded. The implementing agency or project sponsor agency for each future project will be responsible for assuring the project-specific mitigation measures it adopts are enforceable and will be responsible for monitoring those mitigation measures.

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

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Aesthetics</p> <p>For transportation projects under their jurisdiction, the Transportation Agency for Monterey County (TAMC), the Council of San Benito County Governments (SBtCOG) and the Santa Cruz County Regional Transportation Commission (SCRTC) shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that would degrade scenic vistas or scenic resources within a state scenic highway, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS.</p>				
<p>AES-1(a) Discouragement of Architectural Features that Block Scenic Views. Implementing agencies shall, or can and should, design projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. Setbacks and acoustical design of adjacent structures shall be preferentially used as mitigation for noise impacts arising from increased traffic volumes associated with adjacent land development. The use of sound walls, or any other architectural features that could block views from the scenic highways or other view corridors, shall be discouraged to the extent possible. Where use of sound walls is found to be necessary, walls shall incorporate offsets, accents and landscaping which resemble the surrounding landscape to visually integrate the wall with the surrounding environment, reduce visual monotony, and help maintain the quality of views from scenic highways or other view corridors. In addition, sound walls shall be complementary in color and texture to surrounding natural features.</p>	<p>Confirm that architectural plans and building plans satisfy the design standards, components and materials listed in the mitigation measure.</p> <p>Confirm structures and walls are constructed consistent with plans.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies</p> <p>Implementing agencies for transportation projects are Regional Transportation Planning Agencies (RTPAs) and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review.</p>				
<p>AES-1(b) Tree Protection and Replacement. New roadways and extensions and widenings of existing roadways shall avoid the removal of existing mature trees to the extent possible. If avoidance is not possible, the implementing agency of a particular 2050 MTP/SCS project shall, or can and should, replace any trees lost at a minimum 2:1 basis and incorporate them into the landscaping design for the roadway. The implementing agency also shall ensure the continued vitality of replaced trees through periodic maintenance.</p>	<p>Grading and site plans shall avoid the removal of existing mature trees to the extent possible.</p> <p>Place conditions of approval on project to require tree replacement at a minimum 2:1 ratio.</p> <p>Maintain replacement trees to ensure their success.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Monitor survivability of replacement trees periodically following construction.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies</p> <p>Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review, and implemented during construction where appropriate.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measure developed for the 2050 MTP/SCS program where applicable for transportation projects that would substantially degrade visual character, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement this measure, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				
<p>AES-3 Design Measure for Visual Compatibility. The implementing agency shall, or can and should, require measures that minimize contrasts in scale and massing between the project and surrounding natural forms and developments, including:</p> <ul style="list-style-type: none"> ▪ Siting or designing projects to minimize their intrusion into important viewsheds; ▪ Avoiding large cuts and fills when the visual environment (natural or urban) would be substantially disrupted; ▪ Ensuring that re-contouring provides a smooth and gradual transition between modified landforms and existing grade; ▪ Developing transportation systems to be compatible with the surrounding environments (e.g., colors and materials of construction material; scale of improvements); ▪ Protecting or replacing trees in the project area based on local regulations and ordinances applicable to individual projects; ▪ Designing and installing landscaping to add natural elements and visual interest to soften hard edges, as well as to restore natural features along corridors where possible after widening, interchange modifications, re-alignment, or construction of ancillary facilities. The implementing agency shall provide a performance security equal to the value of the landscaping/irrigation installation to ensure compliance with landscaping plans; and ▪ Designing new structures to be compatible in scale, mass, character, and architecture with existing structures. 	<p>Ensure grading plans and landscape plans avoid large cut and fills, provide re-contouring, replace trees and restore vegetation cover. Confirm that architectural plans and building plans incorporate design compatible with surrounding existing structures.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review, and implemented during construction where appropriate.</p>				
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures for transportation projects that would result in light and glare impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>AES-4(a) Roadway Lighting. Roadway lighting shall be minimized, consistent with safety and security objectives and shall not exceed the minimum height requirements of the local jurisdiction in which the project is proposed. This may be accomplished through the use of hoods, low intensity lighting and using as few lights as necessary to achieve the goals of the project.</p>	<p>Confirm that site plans satisfy the lighting requirements listed in the mitigation measure. Confirm lights are installed as described and shown on site plans.</p>	<p>During project permitting and environmental review; during construction, as applicable.</p>	<p>Once during plan review. Once at completion of construction.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.</p>				
<p>AES-4(b) Lighting Design Measures. As part of planning, design and engineering for projects, implementing agencies shall, or can and should, ensure that projects proposed near light-sensitive uses avoid substantial spillover lighting. Design measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Lighting shall consist of cutoff-type fixtures that cast low angle illumination to minimize incidental spillover of light into adjacent properties and undeveloped open space. Fixtures that project light upward or horizontally shall not be used. ▪ Lighting shall be directed away from habitat and open space areas adjacent to the project site. ▪ Light mountings shall be downcast and the height of the poles minimized to reduce potential for backscatter into the nighttime sky and incidental spillover of light onto adjacent private properties and undeveloped open space. Light poles will be 20 feet high or shorter. Luminary mountings shall have non-glare finishes. ▪ Exterior lighting features shall be directed downward and shielded in order to confine light to the boundaries of the subject project. Where more intense lighting is necessary for safety purposes, the design shall include landscaping to block light from sensitive land uses, such as residences. <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.</p>	<p>Confirm that development and building plans satisfy the lighting requirements listed in the mitigation measure. Confirm lights are installed as described and shown on plans.</p>	<p>During project permitting and environmental review; during construction, as applicable.</p>	<p>Once during plan review. Once at completion of construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>AES-4(c) Glare Reduction Measures. Implementing agencies shall, or can and should, minimize and control glare from transportation and infill development projects near glare-sensitive uses through the adoption of project design features such as:</p> <ul style="list-style-type: none"> ▪ Planting trees along transportation corridors to reduce glare from the sun; ▪ Creating tree wells in existing sidewalks; ▪ Adding trees in new curb extensions and traffic circles; ▪ Adding trees to public parks and greenways; ▪ Landscaping off-street parking areas, loading areas and service areas; ▪ Limiting the use of reflective materials, such as metal; ▪ Using non-reflective material, such as paint, vegetative screening, matte finish coatings and masonry; ▪ Screening parking areas by using vegetation or trees; ▪ Using low reflective glass where feasible; ▪ Complying with applicable general plan policies or local controls related to glare; and ▪ Tree species planted to comply with this measure shall provide substantial shade cover when mature. Utilities shall be installed underground along these routes wherever feasible to allow trees to grow and provide shade without need for severe pruning. 	<p>Confirm that development and building plans satisfy the glare reduction requirements listed in the mitigation measure.</p> <p>Confirm measures are installed as described and shown on plans.</p>	<p>During project permitting and environmental review; during construction, as applicable.</p>	<p>Once during plan review. Once at completion of construction.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.</p>				
<p>Agriculture and Forestry Resources For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that would result in impacts to Important Farmland, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>AG-1 Impact Avoidance and Minimization. Implementing agencies shall implement measures, where feasible based on project and site specific considerations, that include, but are not limited to those identified below.</p> <ul style="list-style-type: none"> ▪ Require project relocation or corridor realignment, where feasible, to avoid Farmland, agriculturally-zoned land and/or land under Williamson Act contract; ▪ Manage project construction to minimize the introduction of invasive species or weeds that may affect agricultural production on agricultural land adjacent to project sites. Managing project construction may include washing construction equipment before bringing equipment on-site, using certified weed-free straw bales for construction Best Management Practices (BMPs), and other similar measures; ▪ Provide buffers, berms, setbacks, fencing, or other project design measures to protect surrounding agriculture, and to reduce conflict with farming that could result from implementation of transportation improvements and/or development included as a part of the MTP/SCS; ▪ Achieve compensatory mitigation in advance of impacts through purchase or creation of mitigation credits or the implementation of mitigation projects through Regional Advance Mitigation Planning, as deemed appropriate by permitting agencies; ▪ Require acquisition of conservation easements on land in the same jurisdiction, if feasible, and at least equal in quality and size to converted Important Farmland, to offset the loss of Farmland; and/or ▪ Institute new protection of farmland in the project area or elsewhere through the use of long-term restrictions on use, such as 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.). 	<p>Require project relocation or corridor realignment into project-specific design plans or environmental review.</p> <p>Require use of BMPs to minimize invasive species introduction during construction.</p> <p>Require the use of design features to protect surrounding agriculture.</p> <p>Require acquisition of conservation easements at a minimum 1:1 ratio.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies</p> <p>Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
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Air Quality and Health Impacts/Risks

For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC, and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in fugitive dust and ozone precursor emissions, and where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions. In addition, implementation of Mitigation Measure GHG-1 in Section 4.8, *Greenhouse Gas Emissions/Climate Change*, would also reduce criteria air pollutant emissions during construction, providing a co-benefit.

<p>AQ-2(a) Application of MBARD Feasible Mitigation Measures. For all projects, the implementing agency shall incorporate the most recent MBARD feasible mitigation measures and/or technologies for reducing inhalable particles based on analysis of individual sites and project circumstances. Current MBARD feasible mitigation measures include the following measures. Additional and/or modified measures may be adopted by MBARD prior to implementation of individual projects under the 2050 MTP/SCS. The most current list of feasible mitigation measures at the time of project implementation shall be used.</p> <ul style="list-style-type: none"> ▪ Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure. ▪ Prohibit all grading activities during periods of high wind (over 15 miles per hour). ▪ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). ▪ Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area. ▪ Haul trucks shall maintain at least 2'0" of freeboard. ▪ Cover all trucks hauling dirt, sand, or loose materials. ▪ Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land. ▪ Plant vegetative ground cover in disturbed areas as soon as possible. ▪ Cover inactive storage piles. ▪ Install wheel washers at the entrance to construction sites for all exiting trucks. ▪ Pave all roads on construction sites. ▪ Sweep streets if visible soil material is carried out from the construction site. ▪ Limit the area under construction at any one time. 	<p>Construction plans shall show MBARD's standard dust control measures; implementing agency shall ensure implementation.</p> <p>During project permitting and environmental review; during construction.</p>	<p>Once during plan review; periodically during construction</p>	<p>Implementing agencies/project sponsor.</p>
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Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<ul style="list-style-type: none"> Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District shall be visible to ensure compliance with Rule 402 (Nuisance). 				
<p>Implementing Agencies Implementing agencies for 2050 MTP/SCS transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented during construction where appropriate.</p>				
<p>AQ-2(b) Diesel Equipment Emissions Standards. The implementing agency shall ensure, to the extent feasible, that diesel construction equipment meeting CARB Tier 4 emission standards for off-road heavy-duty diesel engines is used. If use of Tier 4 equipment is not feasible, diesel construction equipment meeting Tier 3 (or if infeasible, Tier 2) emission standards shall be used, and engines shall be retrofitted with CARB Level 3 Verified Diesel Emissions Control Strategy if available for the equipment. These measures shall be noted on all construction plans and the implementing agency shall perform periodic site inspections.</p>	<p>Construction plans shall ensure that that construction equipment is subject to the CARB Regulation for In-use Off-road Diesel Vehicles and, if feasible, construction equipment meets Tier 4 standards or at least Tier 2 standards with retrofitted Level 3 Verified Diesel Emissions Control Strategy, if available; and perform periodic site inspections.</p>	<p>During project permitting and environmental review during construction.</p>	<p>Once during project plan review; periodically during construction</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for 2050 MTP/SCS transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.</p>				
<p>AQ-2(c) Electric Construction Equipment. The implementing agency shall ensure that to the extent possible, construction equipment utilizes electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.</p>	<p>Construction plans shall ensure that electricity from power poles is used to the extent possible.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Once during project plan review; periodically during construction</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for 2050 MTP/SCS transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.</p>				
<p>AMBAG, in partnership with MBARD and implementing agencies, shall implement Mitigation Measure AQ-3(a) to reduce PM₁₀ emissions. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement Mitigation Measure AQ-3(b) to reduce PM₁₀ emissions, where relevant to land use projects implementing the 2050 MTP/SCS. Implementation of Mitigation Measure GHG-3(a) in Section 4.8, <i>Greenhouse Gas Emissions/Climate Change</i>, and Mitigation Measures TRA-2(a) and TRA-2(b) in Section 4.15, <i>Transportation</i>, would also reduce PM₁₀ emissions from the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>AQ-3(a) PM₁₀ Emissions Reduction. To help reduce regional PM₁₀ emissions, AMBAG and the RTPAs, in partnership with MBARD and implementing agencies, shall:</p> <ul style="list-style-type: none"> ▪ Support the use of existing air quality and transportation funds and seek additional funds to continue the implementation of the CARB Carl Moyer Program, which is intended to retrofit and replace trucks and locomotives to reduce particulate matter. ▪ Incentivize the reduction of mobile PM emissions from mobile exhaust and entrained PM sources such as tire wear, brake wear, and roadway dust through funding. ▪ Hold forums and workshops to encourage land use projects to incorporate transportation demand management (TDM) strategies as part of the project design to reduce the number of vehicular trips across the transportation network. Potential strategies could include ridesharing, carpooling, subsidized public transit, flexible work hours, and parking management measures. <p>Implementing Agencies AMBAG and the RTPAs, in partnership with MBARD and implementing agencies, are responsible for implementing this measure. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during operation where appropriate.</p>	<p>Evaluate PM₁₀ emissions and ensure reduction of emissions below MBARD standards by reduction measures listed in this mitigation measure or other measures of equivalent effectiveness.</p>	<p>During project permitting and environmental review; during operation.</p>	<p>Once during project-level environmental review; periodically during operation.</p>	<p>Implementing agencies/project sponsor.</p>
<p>AQ-3(b) Long term Regional Operational Emissions Implementing agencies including transportation project sponsors, counties, and cities shall, or can and should, implement long-term operational emissions reduction measures. Such reduction measures include the following:</p> <ul style="list-style-type: none"> ▪ Require that all interior and exterior architectural coatings for all developments utilize coatings following MBARD Rule 426, <i>Architectural Coatings</i>. ▪ Increase building envelope energy efficiency standards in excess of applicable building standards and encourage new development to achieve zero net energy use. ▪ Install energy-efficient appliances, interior lighting, and building mechanical systems. Encourage installation of solar panels for new residential and commercial development. ▪ Locate sensitive receptors more than 500 feet of a freeway, 500 feet of urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day. 	<p>Require coatings compliant with MBARD Rule 426. Require energy efficient project design features. Require location of sensitive receptors, and if applicable implement listed mitigation to reduce pollution exposure. Require project design features that encourage alternative modes of transportation and ride sharing.</p>	<p>During project permitting and environmental review. Periodically during operation.</p>	<p>Once during project-level environmental review; periodically during operation.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<ul style="list-style-type: none"> ▪ Locate sensitive receptors more than 1,000 feet of a major diesel rail service or railyards. Where adequate buffer cannot be implemented, implement the following: <ul style="list-style-type: none"> ▫ Install air filtration (as part of mechanical ventilation systems or stand-alone air cleaners) to reduce indoor pollution exposure for residents and other sensitive populations in buildings that are close to transportation network improvement projects. ▫ Use air filtration devices rated MERV-13 [minimum efficiency report value] or higher. ▪ Plant trees and/or vegetation suited to trapping roadway air pollution and/or sound walls between sensitive receptors and the pollution source. The vegetation buffer should be thick, with full coverage from the ground to the top of the canopy. ▪ Install higher efficacy public street and exterior lighting ▪ Use daylight as an integral part of lighting systems in buildings. ▪ Use passive solar designs to take advantage of solar heating and natural cooling. ▪ Install light colored “cool” roofs, cool pavements. ▪ Install solar and tankless hot water heaters. ▪ Exclude wood-burning fireplaces and stoves. ▪ Incorporate design measures and infrastructure that promotes safe and efficient use of alternative modes of transportation (e.g., neighborhood electric vehicles, bicycles) pedestrian access, and public transportation use. Such measures may include incorporation of electric vehicle charging stations, bike lanes, bicycle-friendly intersections, and bicycle parking and storage facilities. ▪ Incorporate design measures that promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides). <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during operation where appropriate.</p>			

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				
<p>AQ-5 Health Risk Reduction Measures Transportation implementing agencies shall, or can and should, implement the following measures:</p> <ul style="list-style-type: none"> ▪ Retain a qualified air quality consultant to prepare a health risk assessment in accordance with CARB and OEHHA requirements to determine the exposure of nearby sensitive receptors to TAC concentrations. ▪ If impacts result in increased risks to sensitive receptors above MBARD significance thresholds, then design features or control measures must be included that will reduce the health risks at the location of the off-site sensitive receptors to a level below the MBARD significance threshold. For example, plant trees and/or vegetation suited to trapping TACs and/or sound walls between sensitive receptors and the pollution source would be recommended. This measure would trap TACs emitted from pollution sources such as highways, reducing the amount of TACs to which residents and other sensitive populations would be exposed. ▪ AMBAG will partner with MBARD and other implementing agencies to explore a program to retrofit existing residential buildings and other sensitive land uses near freeways or roadways where health risk impacts would exceed MBARD significance thresholds with air filtration devices rated MERV 13. ▪ Implement air pollution reduction strategies as described in Table 1 from the CARB <i>Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways</i> technical advisory (2017) when reasonable and feasible for transportation system projects associated with the 2050 MTP/SCS. <p>In addition, consistent with the general guidance contained in CARB's <i>Air Quality and Land Use Handbook</i> (2005) and <i>Technical Advisory on Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways</i> (2017), appropriate measures shall include one or more of the following methods, as determined by a qualified professional, as applicable. The implementing agency shall incorporate health risk reduction measures based on analysis of individual land use sites and project circumstances. These measures may include:</p> <ul style="list-style-type: none"> ▪ Avoid siting new sensitive land uses within 500 feet of a freeway or railway. 	<p>Retain air quality consultant to conduct project-level hot spot analysis. Ensure a project-level health risk assessment is prepared by a qualified air quality consultant. Ensure project-level environmental review and site plans incorporate the measures to reduce particulate impacts, as listed in this mitigation measure.</p>	<p>During project permitting and environmental review; during operation.</p>	<p>Once during project-level environmental review; periodically during construction; following construction, during operation.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<ul style="list-style-type: none"> ▪ Require development projects for new sensitive land uses to be designed to minimize exposure to roadway-related pollutants to the maximum extent feasible through inclusion of design components including air filtration and physical barriers. ▪ Do not locate sensitive receptors near the entry and exit points of a distribution center. ▪ Locate structures and outdoor living areas for sensitive uses as far as possible from the source of emissions. As feasible, locate doors, outdoor living areas, and air intake vents primarily on the side of the building away from the freeway or other pollution source. As feasible, incorporate dense, tiered vegetation that regains foliage year-round and has a long-life span between the pollution source and the project. ▪ Maintain a 50-foot buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year). ▪ Install, operate, and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets or exceeds the efficiency standard of the MERV 13. The HV system should include the following features: installation of a high efficiency filter and/or carbon filter-to-filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85 percent supply filters should be used. Ongoing maintenance should occur. ▪ Retain a qualified HV consultant or Home Energy Rating Systems (HERS) rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources. ▪ Maintain positive pressure within the building. ▪ Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air. ▪ Achieve a performance standard of at least four air exchanges per hour of recirculation. Achieve a performance standard of 0.25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized. ▪ Require project owners to provide a disclosure statement to occupants and buyers summarizing technical studies that reflect health concerns about exposure to highway exhaust emissions. ▪ Implement feasible attenuation measures needed to reduce potential air quality impacts to sensitive receptors such as air filtration systems. 			

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Implementing Agencies Implementing agencies for 2050 MTP/SCS transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during operation where appropriate.</p>				
<p>Biological Resources For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project-specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.</p>				
<p>BIO-1(a) Biological Resources Screening and Assessment. On a project-by-project basis, a preliminary biological resource screening shall, or can and should, be performed as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, the implementing agency shall retain a qualified biologist to conduct a biological resources assessment (BRA) to document the existing biological resources and to determine the potential impacts to those resources. Depending on the results of the BRA, design alterations, further technical studies (i.e., protocol surveys) and/or consultations with the USFWS, NMFS, CDFW and/or other local, state, and federal agencies may be required. These protocols may include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS 2000) ▪ Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) ▪ Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023) ▪ Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods (USFWS 1996) ▪ Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog (USFWS 2005) ▪ Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS and CDFW 2003) 	<p>Ensure preliminary biological resource screening to determine whether the project has any potential to impact biological resources and incorporate measures listed in this mitigation measure if impacts are found. Retain a qualified biologist to conduct a biological resources assessment (BRA) if the project would have potential to impact biological resources. Based on the BRA, conduct applicable protocol-level surveys and agency consultations (including USFWS, NMFS, and CDFW) as required.</p>	<p>During project permitting and environmental review.</p> <p>Once.</p>	<p>Implementing agencies/project sponsor.</p>	

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<ul style="list-style-type: none"> ▪ Considerations for Conserving the Foothill Yellow-legged Frog (CDFW 2018) ▪ Visual Encounter Survey Protocol for Rana Boylii in Lotic Environments (University of California, Davis 2017) ▪ Draft USGS Western Pond Turtle (Emys marmorata) Visual Survey Protocol for the Southcoast Ecoregion (U.S. Geological Survey 2006) ▪ Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations (USFWS 2010) ▪ Swainson's Hawk Survey Protocols, Impact Avoidance, and Minimization Measures for Renewable Energy Projects in the Antelope Valley of Los Angeles and Kern Counties, California (California Energy Commission and CDFW 2010) ▪ Staff Report on Burrowing Owl Mitigation (CDFW 2012) ▪ Inland Survey Protocol for Marbled Murrelets (Pacific Seabird Group 2024) ▪ Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 1999) ▪ Bat surveys consistent with CDFW recommendations <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				
<p>BIO-1(b) Special-Status Plant Species Surveys. If completion of the project-specific BRA determines that special-status plant species have potential to occur on-site, the implementing agency shall require surveys for special-status plants to be completed prior to any vegetation removal, grubbing, or other construction activity of each project (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency for review. If special-status plant species are identified, Mitigation Measure BIO-1(c) shall apply.</p>	<p>If there is a potential for special-status plant species to occur on site, surveys for special status plants shall be completed. Ensure a report of the survey is provided to the implementing agency for review.</p>	<p>During project permitting and environmental review; prior to construction but no earlier than two years before construction commences.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review, prior to project construction but no earlier than two years before construction commences.</p>				
<p>BIO-1(c) Special-Status Plant Species Avoidance, Minimization and Mitigation. If state- or federally-listed and/or CRPR 1 and 2 species are found during special-status plant surveys [pursuant to Mitigation Measure BIO-1(b)], then the implementing agency shall require the project be redesigned to avoid impacting these plant species to the extent feasible. If CRPR 3 and 4 species are found, the biologist shall evaluate to determine if they meet criteria to be considered special-status, and if so, the same process as identified for CRPR 1 and 2 species shall apply. If special-status plants species cannot be avoided and would be impacted by a project implemented under the 2050 MTP/SCS, the implementing agency shall require all impacts shall be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted to implementing agency overseeing the project for approval.</p>	<p>Ensure redesign of the project to avoid impacting rare plant species if state- or federally- listed and/or CRPR 1 and 2 species are found. Ensure biologist evaluates CRPR 3 and 4 species to determine whether special-status. If avoidance is not possible, mitigation to fully offset project impacts shall be required pursuant to a qualified biologist. Ensure a restoration plan be developed for the project.</p>	<p>Prior to issuance of project construction permits and approvals.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to issuance of project construction permits and approvals.</p>				
<p>BIO-1(d) Endangered/ Threatened Animal Species Habitat Assessment and Protocol Surveys. If the BRA determines that suitable habitat may be present for federally and/or state endangered or threatened animal species, the implementing agency shall require protocol habitat assessments/surveys to be completed in accordance with CDFW and/or USFWS/NMFS protocols prior to issuance of any construction permits/project approvals. Alternatively, in lieu of conducting protocol surveys, the implementing agency may choose to assume presence within the project footprint and proceed with development of appropriate avoidance measures, consultation and permitting, as applicable.</p>	<p>If suitable habitat for federally and/or state endangered or threatened animal species exists, protocol habitat assessments/surveys shall be completed in accordance with CDFW and/or USFWS/NMFS protocols.</p>	<p>Prior to issuance of project construction permits and approvals.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>If the target species is detected during protocol surveys, or protocol surveys are not conducted and presence is assumed based on suitable habitat, Mitigation Measure BIO-1(e) shall apply.</p>	<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to issuance of project construction permits and approvals.</p>	<p>Prior to issuance of construction permits and approvals.</p>	<p>In accordance with project HMMP, as applicable.</p>	<p>Implementing agencies/project sponsor.</p>
<p>BIO-1(e) Endangered/ Threatened Animal Species Avoidance and Compensatory Mitigation. If habitat is occupied or presumed occupied by federal and/or state listed species and would be impacted by the project, the implementing agency shall require re-design of the project in coordination with a qualified biologist to avoid impacting occupied/presumed occupied habitat to the extent feasible. If occupied or presumed occupied habitat cannot be avoided, the implementing agency shall provide the total acreages for habitat that would be impacted prior to the issuance of construction permits/approvals. The implementing agency shall purchase credits at a USFWS, NMFS and/or CDFW approved conservation bank if available for the affected species and/or provide compensatory mitigation to offset impacts to federal and/or state listed species habitat.</p> <p>Compensatory mitigation shall be provided at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for permanent impacts. Compensatory mitigation may be combined/nested with special-status plant species and sensitive community restoration where applicable. Temporary impact areas shall be restored to pre-project conditions. If on and/or off-site mitigation sites are identified the implementing agency shall retain a qualified biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites that are to be conserved for compensation of permanent impacts to federal and/or state listed species. The HMMP shall identify long term site management needs, routine monitoring techniques, techniques and success criteria, and shall determine if the conservation site has restoration needs to function as a suitable mitigation site. The HMMP shall be submitted to the agency overseeing the project for approval.</p>	<p>If habitat is occupied by federal and/or state listed species, implementing agency shall require project plans include project-specific mitigation measures to avoid and minimize impacts to habitat for endangered or threatened species. If avoidance is not possible, credits shall be purchased according to the mitigation measure, and a qualified biologist must provide a HMMP.</p>	<p>Prior to issuance of construction permits and approvals.</p>	<p>In accordance with project HMMP, as applicable.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be implemented prior to issuance of project construction permits and approvals.</p>				
<p>BIO-1(f) Endangered/Threatened Species Avoidance and Minimization During Construction. The implementing agency shall apply the following measures to aquatic and terrestrial species, where appropriate. Implementing agencies shall select from these measures as appropriate depending on site conditions, the species with potential for occurrence and the results of the biological resources screening and assessment (Mitigation Measure BIO-1[a]).</p> <ul style="list-style-type: none"> ▪ Pre-construction surveys for federal and/or state listed species with potential to occur shall be conducted where suitable habitat is present by a qualified biologist not more than 48 hours prior to the start of construction activities. The survey area shall include the proposed disturbance area and all proposed ingress/egress routes, plus a 100-foot buffer. If any life stage of federal and/or state listed species is found within the survey area, the qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW. The results of the pre-construction surveys shall be submitted to the implementing agency for review and approval prior to start of construction. ▪ Ground disturbance shall be limited to the minimum necessary to complete the project. The project limits of disturbance shall be flagged. Areas of special biological concern shall have highly visible orange construction fencing. ▪ All work shall be conducted during the day-time hours to the maximum extent feasible. Any night lighting shall be minimized, and directed to illuminate the work site only. ▪ All food waste shall be secured in a closed container and removed from the site at the end of each work day. ▪ All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic species. ▪ All projects occurring within or adjacent to sensitive habitats that may support federally and/or state endangered/threatened species shall have a qualified biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said 	<p>If applicable, project plans shall include project-specific mitigation measures to avoid and minimize impacts to endangered or threatened species.</p>	<p>Prior to and ongoing throughout project construction.</p>	<p>Periodically through construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS/NMFS or as outlined in project permits, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are begin fully implemented.</p> <ul style="list-style-type: none"> ▪ No endangered/threatened species shall be captured and relocated without authorization from the CDFW and/or USFWS/NMFS. ▪ If pumps are used for dewatering activities, all intakes shall be completely screened with wire mesh not larger than five millimeters to prevent animals from entering the pump system. ▪ If at any time during construction of the project an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. At that point, a qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW. ▪ All vehicle maintenance/fueling/staging shall occur more than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. ▪ No equipment shall be permitted to enter wetted portions of any affected drainage channel. ▪ All equipment operating within streambeds (restricted to conditions in which water is not present) shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access. ▪ At the end of each workday, excavations shall be secured with cover or a ramp shall be provided to prevent wildlife entrapment. ▪ All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling. <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to and ongoing through project construction.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>BIO-1(g) Non-Listed Special Status Animal Species Avoidance and Minimization. Depending on the species identified in the BRA, the implementing agency shall select from among the following to reduce the potential for impacts to non-listed special status animal species:</p> <ul style="list-style-type: none"> ▪ Pre-construction clearance surveys shall be conducted within 14 days prior to the start of construction (including staging and mobilization) to identify all special-status animal species that may occur on-site. All non-listed special-status species shall be relocated from the site. A report of the pre-construction survey shall be submitted to the implementing agency for their review and approval prior to the start of construction. ▪ A qualified biologist shall be present during all initial ground disturbing activities, including vegetation removal, to recover special status animal species unearthed by construction activities. ▪ Upon completion of the project, a qualified biologist shall prepare a final compliance report documenting all compliance activities implemented for the project, including the pre-construction survey results. 	<p>If applicable, project plans shall include project-specific mitigation measures to reduce impacts to non-listed special status species.</p>	<p>Prior to, during and after project construction.</p>	<p>During all initial ground disturbance, as applicable.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to, during, and after project construction.</p>				
<p>BIO-1(h) Preconstruction Surveys for Nesting Birds For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the CFGC, the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act shall be conducted by a qualified biologist retained by the implementing agency no more than 10 days prior to vegetation removal activities. A qualified biologist shall conduct preconstruction surveys for raptors. The survey for the presence of bald and golden eagles shall cover all areas within of the disturbance footprint plus a one-mile buffer where access can be secured. The survey area for all other nesting bird and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively. If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 250 to 500 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest.</p>	<p>If applicable, a survey for nesting birds shall be completed; if necessary, a buffer shall be created.</p>	<p>Prior to construction activities; during construction activities, as needed.</p>	<p>Once prior to construction; as needed during construction activities.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>For special status raptor nests an avoidance buffer of up to one mile shall be established on a case-by-case basis in consultation with the USFWS and/or CDFW. The size of the buffer may be influenced by the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing and duration of the expected disturbance. The buffer shall be established between February 1 and August 31; however, buffers may be relaxed earlier than August 31 if a qualified ornithologist determines that a given nest has failed or that all surviving chicks have fledged and the nest is no longer in use.</p> <p>If on-site activities halt for more than 14 days during the nesting season, surveys for nesting birds shall be repeated prior to work resuming on-site. A report of these preconstruction nesting bird surveys and nest monitoring (if applicable) shall be submitted to the implementing agency for review and approval prior to the start of construction.</p> <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented once prior to commencement of project construction, and then during construction activities as needed.</p>				
<p>BIO-1(j) Worker Environmental Awareness Program. Prior to initiation of construction activities, all personnel associated with project construction shall attend Worker Environmental Awareness Program training, conducted by a qualified biologist retained by the implementing agency, to aid workers in recognizing special-status resources and review of the limits of construction and mitigation measures required. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers and other personnel involved with construction of the project.</p> <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p> <p>For transportation projects under their jurisdiction, TAMC, SBtCOG and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.</p>	<p>Construction personnel shall attend WEAP training prior to construction.</p>	<p>During project permitting and environmental review.</p>	<p>Once prior to construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>BIO-2(a) Aquatic Resources Delineation and Impact Avoidance. If the results of Mitigation Measure BIO-1(a) indicates projects implemented under the 2050 MTP/SCS occur within or adjacent to wetland, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, RWQCB and/or California Coastal Commission, a qualified biologist shall complete an aquatic resources delineation in accordance with the requirement set forth by each agency. The result shall be submitted to the implementing agency, USACE, RWQCB, CDFW and/or CCC, as appropriate, for review and approval, and the project shall be designed to minimize impacts to jurisdictional areas to the extent feasible. The delineation shall serve as the basis to identify potentially jurisdictional areas to be protected during construction, through implementation of the avoidance and minimization identified in Mitigation Measure B-2(c).</p> <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>	<p>If applicable, a jurisdictional delineation shall be completed and submitted to the applicable agencies listed in this mitigation measure.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>BIO-2(b) Wetlands, Drainages, and Riparian Habitat Compensatory Mitigation. Impacts to jurisdictional wetlands, drainages, and riparian habitat shall be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist retained by the implementing agency, and shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan shall be developed by a qualified biologist to ensure the success of compensatory mitigation sites that are to be conserved for compensation of permanent impacts to jurisdictional water and wetlands. The mitigation and monitoring plan can be prepared in combination with HMMP defined under Mitigation Measure BIO-1(e) above, if applicable. The mitigation and monitoring plan shall identify long term site management needs, routine monitoring techniques, techniques and success criteria, and shall determine if the conservation site has restoration needs to function as a suitable mitigation site. The mitigation and monitoring plan shall be submitted to the regulatory agencies with permitting authority over the project. Alternatively, mitigation shall be accomplished through purchase of credits from an agency-approved wetlands mitigation bank.</p>	<p>Ensure, if applicable, project plans mitigate impacts to jurisdictional wetlands and riparian habitats at a ratio to fully offset project impacts, as determined by a qualified biologist. Ensure a mitigation and monitoring plan is developed by a qualified biologist.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				
<p>BIO-2(c) Wetlands, Drainages, and Riparian Habitat Best Management Practices During Construction. The following best management practices shall be required by the implementing agency for development within or adjacent to wetlands, drainages, or riparian habitat:</p> <ul style="list-style-type: none"> ▪ Access routes, staging and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and ancillary construction areas outside of jurisdictional areas. ▪ To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project. ▪ Project activities within the jurisdictional areas should occur during the dry season (typically between April 1 and October 31) in any given year, or as otherwise directed by the regulatory agencies. ▪ During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site. ▪ Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project related activities, shall be prevented from contaminating the soil and/or entering wetlands, drainages or riparian habitat. ▪ All refueling, maintenance and staging of equipment and vehicles shall occur at least 100 feet from bodies of water or within secondary containment, and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review, and implemented prior to project construction and during construction activities.</p>	<p>If applicable, ensure project plans incorporate the best management practices listed in this mitigation measure.</p>	<p>During project permitting and environmental review; prior to construction activities; during construction activities.</p>	<p>Once prior to construction; ongoing during construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>BIO-2(d) Landscaping Plan. If landscaping is proposed for a specific project, a qualified biologist/landscape architect retained by the implementing agency shall prepare a landscape plan. Drought tolerant, locally native plant species shall be used. Noxious, invasive and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List and/or California Invasive Plant Council Inventory shall not be permitted. Species selected for planting shall be regionally appropriate native species that are known to occur in the adjacent native habitat types.</p> <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>	<p>Retain a qualified biologist/landscape architect, if applicable, to prepare a landscaping plan that includes all requirements in this mitigation measure; species shall be regionally appropriate native species found in adjacent native habitats.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>BIO-2(e) Sensitive Natural Community Avoidance and Mitigation. If the results of Mitigation Measure BIO-1(a) indicates projects implemented under the 2050 MTP/SCS would impact sensitive natural communities in addition to riparian habitat which is addressed by Mitigation Measure BIO-2(b), the implementing agency shall avoid impacts to sensitive natural communities through final project design modifications if feasible. If the implementing agency determines that sensitive natural communities cannot be avoided, impacts shall be mitigated on-site or offsite at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist based on any applicable resource agency guidelines. Temporarily impacted areas shall be restored to pre-project conditions. A Restoration Plan shall be developed by a qualified biologist and submitted to the implementing agency for approval. Mitigation for impacts to sensitive natural communities can be developed and included in the HMMP defined under Mitigation Measure BIO-1(e) above, if applicable. The mitigation and monitoring plan shall identify long term site management needs, routine monitoring techniques, techniques and success criteria.</p> <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>	<p>If applicable, project plans shall include final project design modifications shall be developed to avoid impacts to sensitive vegetation communities. If avoidance is not possible, impacts shall be mitigated at a ratio to fully offset project impacts, as determined by a qualified biologist. Ensure temporarily impacted areas are restored to pre-project conditions. Ensure a qualified biologist develops a Restoration Plan. Restoration Plan measures can be developed and included in the HMMP prepared pursuant to Mitigation Measure BIO-1(e), if applicable.</p>	<p>During project permitting and environmental review.</p>	<p>Once following construction and then, when applicable, in accordance with the Restoration Plan.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>BIO-2(f) Invasive Weed Prevention and Management Program. Prior to start of construction for each project that occurs within or adjacent to native habitats, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist retained by the implementing agency to prevent invasion of native habitat by non-native plant species. The plan shall be submitted to the implementing agency for review and approval. A list of target species shall be included, along with measures for early detection and eradication.</p> <p>The plan, which shall be implemented by the implementing agency, shall also include, but not be limited to, the following measures to prevent the introduction of invasive weed species:</p> <ul style="list-style-type: none"> ▪ During construction, limit the use of imported soils for fill. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species. ▪ To minimize colonization of disturbed areas and the spread of invasive species, the contractor shall stockpile topsoil and redeposit the stockpiled soil after construction or transport the topsoil to a permitted landfill for disposal. ▪ All erosion control materials, including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed. ▪ Exotic and invasive plant species shall be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project. ▪ All disturbed areas shall be hydroseeded with a mix of locally native species or sterile annuals upon completion of work in those areas. <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review, and implemented prior to project construction and during construction activities.</p> <p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation measures for applicable transportation projects identified in Appendix B, where feasible and necessary based on project and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.</p>	<p>Retain a qualified biologist to develop an Invasive Weed Prevention and Management Program if project is in or next to native habitats.</p>	<p>During project permitting and environmental review; prior to construction activities; during construction activities.</p>	<p>Once prior to construction; ongoing during construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>BIO-3(a) Project Design for Wildlife Connectivity. The implementing agency shall implement the following measures. All projects including long segments of fencing and lighting shall be designed to minimize impacts to wildlife movement. Fencing shall not be installed at the openings of culverts, undercrossings, or other wildlife passage structures unless required for public safety; where fencing is necessary, it shall be placed far enough from the structure entrance to avoid blocking wildlife access and shall include design features that maintain clear, functional movement pathways.</p> <p>Where fencing or other project components is required for public safety concerns, these project components shall be designed to permit wildlife movement by incorporating design features such as:</p> <ul style="list-style-type: none"> ▪ A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals; ▪ A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; ▪ If fencing or other project components must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures such as overpasses, underpasses, culverts, etc., shall be incorporated into the project design as appropriate; ▪ Culverts shall be maintained to be free of sediment and vegetation to ensure continued functionality for wildlife passage; ▪ Project designs shall incorporate terracing to facilitate terrestrial species movement where space allows; ▪ Culverts shall be upsized where appropriate to support passage of impacted species; ▪ Crossing structures shall incorporate bench designs where feasible to allow wildlife use of the crossings during flooding; ▪ Lighting installed as part of any project shall be designed to be minimally disruptive to wildlife (see mitigation measure AES-4(a) Roadway Lighting for lighting requirements). ▪ Vegetative buffers, consisting of California-native plant and tree species, shall be installed where feasible to provide a natural noise barrier between roadway projects and sensitive wildlife habitat, including movement corridors. The buffer shall be maintained in perpetuity to ensure noise levels from the roadway are minimized within adjacent sensitive habitat. 	<p>Project plans for projects with fencing and lighting shall be designed to minimize impacts to wildlife.</p> <p>Project plans shall incorporate wildlife crossing structures, when a crossing is applicable.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>In addition, prior to design approval, implementing agencies shall conduct wildlife movement assessments to evaluate connectivity constraints and identify opportunities to maintain or enhance wildlife movement. These assessments shall consider the best available wildlife-movement protocols and shall inform design of fencing, crossings, and other project features. Post-construction monitoring shall be conducted, where feasible, to confirm wildlife use of implemented movement features and to identify any needed adaptive management.</p> <p>When on-site design measures cannot fully reduce impacts, compensation shall be considered as a mitigation option, including but not limited to participation in RCISs and mechanisms authorized under SB 790, to reduce unavoidable connectivity impacts at a landscape scale.</p>	<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>			
<p>BIO-3(b) Maintain Connectivity in Drainages. Permanent structures that would impede wildlife movement shall be avoided to the extent feasible within any drainage or river that serves as a wildlife migration corridor. In addition, upon completion of construction within any drainage, areas of stream channel and banks that are temporarily impacted shall be returned to pre-construction contours and in a condition that allows for unimpeded passage through the area once the work has been complete. If water is to be diverted around work sites, a diversion plan shall be submitted to the implementing agency for review and approval prior to issuance of project construction permits/approvals. The diversion shall be designed in a way as to not impede movement while the diversion is in place.</p> <p>For projects affecting drainages that serve as wildlife movement corridors, implementing agencies shall complete pre-construction evaluations of species movement patterns to guide placement, design and timing of work. Post-construction monitoring shall be conducted, where feasible, to verify that drainage-related movement remains functional and to inform adaptive management if needed.</p> <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>	<p>Ensure construction plans and building plans avoid placement of permanent structures in drainages or rivers such that wildlife movement would be impeded. Ensure temporary impacts to stream channels are restored. If applicable, ensure a diversion plan is provided for the project.</p>	<p>During project permitting and environmental review. Ensure temporary impacts to stream channels are restored after construction is completed.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>BIO-3(c) Construction Best Management Practices to Minimize Disruption to Wildlife. The following construction best management practices shall be incorporated by the implementing agency into all grading and construction plans to minimize temporary disruption to wildlife that could hinder wildlife movement:</p> <ul style="list-style-type: none"> ▪ Designation of a 20 mile per hour speed limit in all construction areas. ▪ Daily construction work schedules shall be limited to daylight hours only. ▪ Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition. ▪ All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week. ▪ No pets are permitted on the project site during construction. <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be implemented prior to the issuance or project grading and construction permits.</p>	<p>Ensure construction plans incorporate best management practices to minimize disruption to wildlife.</p>	<p>Prior to issuance of grading and construction permits.</p>	<p>Periodically during construction</p>	<p>Implementing agencies/project sponsor, and onsite construction manager.</p>
Cultural and Historic Resources				
<p>To minimize impacts to historical resources for transportation projects under AMBAG jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts to historic resources, and where feasible and necessary based on project- and site-specific considerations. Cities and counties in the AMBAG planning region can and should implement these measures, where relevant to land use projects implementing under the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				
<p>CR-1 Historical Resources Impact Minimization. Prior to individual project permit issuance, the implementing agency of a 2050 MTP/SCS project involving earth disturbance or construction of permanent above ground structures or roadways shall, or can and should, prepare a map defining the Area of Potential Effects (APE). This map shall indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known historical resources are located within the impact zone. If a structure greater than 45 years in age is within the identified APE, a survey and evaluation of the structure(s) to determine their eligibility for recognition under State, federal, or local historic preservation criteria shall be conducted. The evaluation shall be prepared by an architectural historian, or historical architect meeting the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. The evaluation shall comply with CEQA Guidelines section 15064.5(b).</p>	<p>Prepare a map defining the Area of Potential Effects. Retain an architectural historian, or historical architect, to determine eligibility of structure for recognition under state, federal, or local historic preservation criteria, if applicable.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party			
<p>Study recommendations shall be implemented, which may include, but would not be limited to, the following:</p> <ul style="list-style-type: none"> ▪ Realign or redesign projects to avoid impacts on known historic resources where possible. ▪ If avoidance of a significant architectural/built environment resource is not feasible, additional mitigation options include, but are not limited to, specific design plans for historic districts, or plans for alteration or adaptive re-use of a historical resource that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings. ▪ Comply with existing local regulations and policies that exceed or reasonably replace any of the above measures that protect historic resources. 	<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review.</p>	<p>To minimize impacts to cultural resources for transportation projects under AMBAG jurisdiction, TAMC, SBtCOG, and SCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts to archaeological resources, and where feasible and necessary based on project- and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>	<p>CR-2(a) Archaeological Resources Impact Minimization. Before construction activities, implementing agencies shall, or can and should, retain a qualified archaeologist to conduct a record search at the Northwest Information Center to determine whether the project area has been previously surveyed and whether resources were identified. When recommended by the Information Center, implementing agencies shall, or can and should, retain a qualified archaeologist to conduct archaeological surveys before construction activities. Implementing agencies shall, or can and should, follow recommendations identified in the survey, which may include, but would not be limited to: subsurface testing, designing and implementing a Worker Environmental Awareness Program (WEAP), construction monitoring by a qualified archaeologist, or avoidance of sites and preservation in place. Recommended mitigation measures will be consistent with CEQA Guidelines Section 15126.4(b)(3) recommendations and may include but not be limited to preservation in place and/or data recovery. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard DPR Primary</p>	<p>Retain a qualified archaeologist to conduct a record search to determine whether the project area has been previously surveyed and whether resources were identified. Implement recommendations identified in the survey. Project construction plans shall include required components to stop work if archaeological resources are uncovered.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Ongoing throughout construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area.</p>				
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.</p>				
<p>CR-2(b) Unanticipated Discoveries During Construction. If evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earthmoving activities (e.g., ceramic shard, trash scatters, lithic scatters), implementing agencies shall, or can and should, halt all ground-disturbing activity proximate to the discovery until a qualified archaeologist (36 CFR Section 61) can assess the significance of the find. If the find is a prehistoric archaeological site, the culturally affiliated California Native American tribe shall be notified. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, a testing plan shall be prepared and implemented. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the implementing agency to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics and other factors, shall recommend additional measures such as the preparation and implementation of a data recovery plan. Recommended mitigation measures will be consistent with State CEQA Guidelines Section 15126.4(b)(3) recommendations and may include but not be limited to preservation in place and/or data recovery. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area. If the find is a prehistoric archaeological site, the culturally affiliated California Native American tribe shall be notified and afforded the opportunity to monitor mitigative treatment. During evaluation or mitigative treatment, ground disturbance and construction work may continue in other parts of the project area that</p>	<p>Place conditions of approval on project to ensure that if archaeological resources are uncovered work is halted until the procedures described in this mitigation measure have been completed.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Ongoing throughout construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>are distant enough from the find not to impact it, as determined by the qualified archaeologist.</p> <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.</p>				
<p>Geology and Soils For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies, and cities and counties in the AMBAG region can and should, implement the following mitigation developed for the 2050 MTP/SCS program. For development occurring outside of the TAMC, SBtCOG, and SCCRTC jurisdiction, project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				
<p>GEO-5 Paleontological and Geologic Resources Impact Minimization. The designated lead agency implementing a specific 2050 MTP/SCS project involving ground disturbing activities (including grading, trenching, foundation work and other excavations) shall, or can and should, retain a qualified paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for Qualified Professional Paleontologist (SVP 2010), to conduct a Paleontological Resources Assessment (PRA). The PRA shall determine the age and paleontological sensitivity of geologic formations underlying the proposed disturbance area, consistent with SVP Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (SVP 2010) guidelines for categorizing paleontological sensitivity of geologic units within a project area. If underlying formations are found to have a high potential (sensitivity) for paleontological resources and/or would be considered a unique geologic feature, the following measures shall apply:</p> <ul style="list-style-type: none"> ▪ Avoidance. Avoid routes and project designs that would permanently alter unique paleontological and geological features. If avoidance practices cannot feasibly be implemented, the following measures shall apply. ▪ Paleontological Mitigation and Monitoring Program. A qualified paleontologist shall prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity. This program shall outline the procedures for construction staff training, paleontological monitoring extent and duration (i.e., in what locations and at what depths paleontological monitoring shall be required), salvage and preparation of fossils, the final mitigation and monitoring report and paleontological staff qualifications. 	<p>Retain a qualified paleontologist to conduct a PRA. Place conditions of approval on project to ensure procedures described in this mitigation measure are completed before and throughout construction, if the project area is underlying high sensitivity or unique geologic features.</p>	<p>During project permitting and environmental review.</p>	<p>Ongoing throughout construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<ul style="list-style-type: none"> ▪ Paleontological Worker Environmental Awareness Program (WEAP). Prior to the start of ground disturbance activity, construction personnel shall be informed on the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. ▪ Paleontological Monitoring. Ground disturbing activity with the potential to disturbed geologic units with high paleontological sensitivity, as determined by initial paleontological surveying or records search as deemed appropriate, 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, under the discretion of the qualified paleontologist, to weekly spot-checking. 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 shall 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, as defined by the specific receiving institution or collection, and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data and maps. ▪ Final Paleontological Mitigation and Monitoring Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated. 				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				
<p>Greenhouse Gas Emissions/Climate Change For all transportation projects under their jurisdiction, TAMC, SBTCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects generating construction GHG emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Implementation of Mitigation Measures AQ-2(b) and AQ-2(c) in Section 4.3, <i>Air Quality and Health Impacts/Risks</i>, would also reduce GHG emissions from the 2050 MTP/SCS.</p>				
<p>GHG-1 Construction GHG Reduction Measures. The project sponsor shall incorporate the most recent GHG reduction measures and/or technologies for reducing GHG emissions measures for off-road construction vehicles during construction. The measures shall be noted on all construction plans and the project sponsor shall perform periodic site inspections. Current GHG-reducing measures include the following:</p> <ul style="list-style-type: none"> ▪ Use of on-road heavy-duty trucks that meet the CARB’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation; ▪ All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the five-minute idling limit; ▪ Substitute gasoline-powered in place of diesel-powered equipment, where feasible; ▪ Use of alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, in place of diesel-powered equipment for 15 percent of the fleet, to the extent electric powered equipment is not feasible; ▪ Use of materials sourced from local suppliers; ▪ Recycling of at least 75 percent of construction waste materials; and ▪ Project proponents shall incentivize that construction workers carpool, and/or use electric vehicles to commute to and from the project site. <p>Implementing Agencies Implementing agencies for AMBAG transportation projects are RTPAs, and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate.</p>	<p>Ensure construction plans specify construction equipment is subject to the CARB Regulation for In-use Off-road Diesel Vehicles and, if feasible, construction equipment meets Tier 4 standards; or at least Tier 2 standards; and perform periodic site inspections. Ensure periodic site inspections are conducted.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Once during project plan review; periodically during construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>For all transportation projects under their jurisdiction, SBtCOG, SCCRTC, and TAMC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects generating construction GHG emissions, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions. Implementation of Mitigation Measures T-2(a) and T-2(b) in Section 4.15, <i>Transportation</i>, would also reduce GHG emissions from the 2050 MTP/SCS.</p>				
<p>GHG-4(a) Transportation-Related GHG Reduction Measures. The implementing agency shall incorporate the most recent GHG reduction measures and/or technologies for reducing VMT and associated transportation related GHG emissions. GHG-reducing mitigation measures include the following:</p>	<p>Place conditions of approval on the requirement of implementation of GHG and/or VMT reduction measures described in this mitigation.</p>	<p>During project permitting and environmental review; during operation.</p>	<p>Once during project-level environmental review and discretionary approval decisions for land use projects.</p>	<p>Implementing agencies/project sponsor.</p>
<ul style="list-style-type: none"> ▪ Installation of electric vehicle charging stations beyond those required by State and local codes 				
<ul style="list-style-type: none"> ▪ Utilization of electric vehicles and/or alternatively-fueled vehicles in company fleet 				
<ul style="list-style-type: none"> ▪ Provision of dedicated parking for carpools, vanpool, and clean air vehicles 				
<ul style="list-style-type: none"> ▪ Provision of new or improved transit amenities (e.g., covered turnouts, bicycle racks, covered benches, signage, lighting, sidewalk connectivity, and accessible crosswalks) if project site is located along an existing transit route 				
<ul style="list-style-type: none"> ▪ Optimize transit route networks and service levels to boost ridership 				
<ul style="list-style-type: none"> ▪ Provision of employee lockers and showers 				
<ul style="list-style-type: none"> ▪ Provision of on-site services that reduce the need for off-site travel (e.g., childcare facilities, automatic teller machines, postal machines, food services) 				
<ul style="list-style-type: none"> ▪ Provision of alternative work schedule options, such as telework or reduced schedule (e.g., 9/80 or 10/40 schedules) for employees 				
<ul style="list-style-type: none"> ▪ Implementation of transportation demand management programs to educate and incentivize residents and/or employees to use transit, smart commute, and alternative transportation options 				
<p>Implementing Agencies</p>				
<p>Implementing agencies for AMBAG transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review, and implemented during operation where appropriate.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>GHG-4(b) Land Use Project Energy Consumption and Water Use Reduction Measures. For land use projects under their jurisdiction, the cities and counties in the AMBAG region can and should implement measures to reduce energy consumption, water use, solid waste generation, and VMT, all of which contribute to GHG emissions. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p> <ul style="list-style-type: none"> ▪ Require new commercial construction to install solar energy systems or be solar-ready ▪ Require new residential and commercial development to install low flow water fixtures ▪ Require new residential and commercial development to install water-efficient drought-tolerant landscaping, including the use of compost and mulch ▪ Require new development to exceed the applicable Title 24 energy-efficiency requirements ▪ Encourage new development to be fully electric <p>Implementing Agencies Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during operation where appropriate.</p>	<p>Use project-level analysis of energy consumption, solid waste generation, and water use and incorporate mitigation measures as needed to specifications described in measure.</p> <p>Place conditions of approval on the project requiring energy- and water-saving measures.</p>	<p>During project permitting and environmental review; during operation.</p>	<p>Once during project-level environmental review and discretionary approval decisions for land use projects.</p> <p>Once prior to issuance of an occupancy permit.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Hazards and Hazardous Materials</p>				
<p>For transportation and development projects under their jurisdiction, TAMC, SBTCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in hazardous materials impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>	<p>Where applicable, prepare a Phase I ESA meeting the specifications of this mitigation measure.</p> <p>Place conditions of approval on project requiring incorporation of recommendations of the Phase I ESA, and if applicable, Phase II ESA.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Once prior to issuing grading or demolitions permits; periodically during construction.</p>	<p>Implementing agencies/project sponsor.</p>
<p>HAZ-3 Site Remediation. If an individual project included in the 2050 MTP/SCS is located on or near a hazardous materials and/or waste site pursuant to Government Code Section 65962.5, the implementing agency shall prepare a Phase I ESA in accordance with the American Society for Testing and Materials' E-1527- 05 standard. For work requiring any demolition or renovation, the Phase I ESA shall make recommendations for any hazardous building materials survey work that shall be done. All recommendations included in a Phase I ESA prepared for a site shall be implemented. If a Phase I ESA indicates the presence or likely presence of contamination, the implementing agency shall require a Phase II ESA, and recommendations of the Phase II ESA shall be fully implemented. Examples of typical recommendations provided in Phase I/II ESAs include removal of</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>contaminated soil in accordance with a soil management plan approved by the local environmental health department; covering stockpiles of contaminated soil to prevent fugitive dust emissions; capturing groundwater encountered during construction in a holding tank for additional testing and characterization and disposal based on its characterization; and development of a health and safety plan for construction workers.</p>				
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review and implemented during project construction, as applicable.</p>				
<p>Noise</p>				
<p>For transportation projects under their jurisdiction, TAMC, SBTCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in construction noise impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.</p>				
<p>N-1 Construction Noise Reduction. To reduce construction noise levels to achieve applicable standards and prevent a substantial increase in ambient noise levels, implementing agencies for transportation and land use projects shall implement the measures identified below where feasible and necessary.</p> <ul style="list-style-type: none"> ▪ Implementing agencies of 2050 MTP/SCS projects shall ensure that, where residences or other noise sensitive uses are located within 200 feet of construction sites, appropriate measures shall be implemented to ensure compliance with local ordinance requirements relating to construction noise. Specific techniques may include, but are not limited to: restrictions on construction timing, use of sound blankets on construction equipment, and the use of temporary walls and noise barriers to block and deflect noise. ▪ Designate an on-site construction complaint and enforcement manager for projects within 200 feet of sensitive receivers. ▪ Implementing agencies of the 2050 MTP/SCS shall post phone numbers for the on-site enforcement manager at construction sites along with complaint procedures and who to notify in the event of a problem. 	<p>Ensure consistency with local noise ordinance requirements relating to construction for sensitive uses. Place conditions of approval on project to require construction noise reduction measures detailed in this mitigation.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Ongoing throughout construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<ul style="list-style-type: none"> ▪ For any project within 800 feet of sensitive receptors that requires piling, the implementing agencies shall require caisson drilling or sonic pile driving as opposed to impact pile driving, where feasible. This shall be accomplished through the placement of conditions on the project during its individual environmental review. ▪ Implementing agencies of 2050 MTP/SCS projects shall ensure that equipment and trucks used for project construction utilize the best available noise and vibration control techniques, including mufflers, intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds. ▪ Implementing agencies of 2050 MTP/SCS projects shall ensure that impact equipment (e.g., jack hammers, pavement breakers and rock drills) used for project construction be hydraulically or electrically powered wherever feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatically powered tools is unavoidable, use of an exhaust muffler on the compressed air exhaust can lower noise levels from the exhaust by up to about 10 dBA. When feasible, external jackets on the impact equipment can achieve a reduction of 5 dBA. Whenever feasible, use quieter procedures, such as drilling rather than impact equipment operation. ▪ The following timing restrictions shall apply to MTP/SCS project construction activities located within 200 feet of a dwelling unit, or 800 feet if impact pile driving is involved, except where timing restrictions are already established in local codes or policies. Construction activities shall be limited to: <ul style="list-style-type: none"> ▫ Monday through Friday: 7 a.m. to 6 p.m. ▫ Saturday: 9 a.m. to 5 p.m. ▪ Implementing agencies of 2050 MTP/SCS projects shall locate stationary noise and vibration sources as far from sensitive receptors as feasible. Stationary noise sources that must be located near existing receptors will be adequately muffled. <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>For transportation projects under their jurisdiction, TAMC, SBTCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in construction noise impacts, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement Mitigation Measures N-1, listed under Impact N-1, and N-2, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				
<p>N-2 Construction Vibration Reduction. If construction equipment would generate vibration levels exceeding acceptable levels as established by FTA (as shown in Final EIR Table 4.12-2), implementing agencies of the 2050 MTP/SCS shall, or can and should, complete the following tasks:</p> <ul style="list-style-type: none"> ▪ Prior to construction, survey the project site for vulnerable buildings, and complete geotechnical testing (preconstruction assessment of the existing subsurface conditions and structural integrity), for any older or historic buildings within 50 feet of pile driving. The testing shall be completed by a qualified geotechnical engineer and qualified historic preservation professional and/or structural engineer. ▪ Prepare and submit a report to the lead agency that contains the results of the geological testing. If recommended by the preconstruction report implementing agencies shall require ground vibration monitoring of nearby historic structures. Methods and technologies shall be based on the specific conditions at the construction site. The preconstruction assessment shall include a monitoring program to detect ground settlement or lateral movement of structures in the vicinity of pile-driving activities and identify corrective measures to be taken should monitored vibration levels indicate the potential for building damage. In the event of unacceptable ground movement with the potential to cause structural damage, all impact work shall cease, and corrective measures shall be implemented to minimize the risk to the subject, or adjacent, historic structure. ▪ To minimize disturbance within 550 feet of pile-driving activities, implement “quiet” pile-driving technology, such as predrilling of piles and the use of more than one pile driver to shorten the duration of pile driving), where feasible, in consideration of geotechnical and structural requirements and conditions as defined as part of the geotechnical testing, if testing was feasible. ▪ Use cushion blocks to dampen noise from pile driving. ▪ Phase operations of construction equipment to avoid simultaneous vibration sources 	<p>If applicable, place conditions of approval on project to require construction noise reduction measures detailed in this mitigation.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Ongoing throughout construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Implementing Agencies</p> <p>Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction, as applicable.</p>				
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measure developed for the 2050 MTP/SCS program where applicable for transportation projects that result in significant transportation noise levels, and where feasible and necessary based on project and site specific considerations. The measure below does not apply to land use projects. Project specific environmental documents may adjust this mitigation measure as necessary to respond to site specific conditions.</p>				
<p>N-3 Noise Assessment and Control for Transportation Noise Sources.</p> <p>Sponsor agencies of 2050 MTP/SCS transportation projects shall complete detailed noise assessments using applicable guidelines (e.g., FTA Transit Noise and Vibration Impact Assessment for rail and bus projects and the Caltrans Traffic Noise Analysis Protocol) for transportation projects that may impact noise sensitive receivers. The implementing agency shall ensure that a noise survey is conducted that, at minimum:</p> <ul style="list-style-type: none"> ▪ Determines existing and projected noise levels ▪ Determines the amount of attenuation needed to reduce potential noise impacts to applicable State and local standards ▪ Identifies potential alternate alignments that allow greater distance from, or greater buffering of, noise-sensitive areas ▪ If warranted, recommends methods for mitigating noise impacts, including: <ul style="list-style-type: none"> ▫ Appropriate setbacks ▫ Sound attenuating building design, including retrofit of existing structures with sound attenuating building materials ▫ Use of sound barriers (earthen berms, sound walls, or some combination of the two) <p>Where new or expanded roadways, rail, or transit projects are found to expose receivers to noise that exceed acceptable standards or to a substantial permanent absolute increase in ambient noise levels, the implementing agency shall implement techniques as recommended in the project specific noise assessment. The preferred methods for mitigating noise impacts will be the use of appropriate setbacks (design adjustments) and sound attenuating building design, including retrofit of existing structures with sound attenuating building materials where feasible. In instances where use of these techniques is not feasible, the use of sound barriers (earthen berms, sound walls, or some combination of the two) shall be considered. Long expanses of walls or fences shall be interrupted with</p>	<p>Prior to issuance of grading or building permits, ensure noise assessments have been completed. Place conditions of approval to require implementation of recommendations in project-specific noise assessments.</p>	<p>During project permitting and environmental review; during construction and operation.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>offsets and provided with accents to prevent monotony. Landscape pockets and pedestrian access through walls should be provided. Whenever possible, a combination of elements shall be used, including solid fences, walls, and landscaped berms. Other techniques such as rubberized asphalt or “quiet pavement” can be used where feasible to reduce road noise for new roadway segments or modifications requiring repaving. The effectiveness of noise reduction measures shall be monitored by taking noise measurements and installing adaptive mitigation measures to achieve applicable standards.</p>	<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.</p>			
<p>N-4 Noise Mitigation for Land Uses. If a 2050 MTP/SCS land use project is located in an area with exterior ambient noise levels above local noise standards, or where it could be exposed to substantial permanent increases in noise levels, the implementing agency can and should ensure that a noise study is conducted to determine the existing exterior noise levels in the vicinity of the project. If the project would be impacted by ambient noise levels, feasible attenuation measures shall be used to reduce operational noise to meet acceptable standards. In addition, noise insulation techniques shall be utilized to reduce indoor noise levels to thresholds set inapplicable State and/or local standards. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads. The noise study and determination of appropriate mitigation measures shall be completed during the project’s individual environmental review.</p>	<p>If applicable, ensure a noise study is conducted. If the project would be impacted, place conditions of approval on implementation of noise reduction measures detailed in this mitigation.</p>	<p>During project permitting and environmental review; during construction and operation.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that could generate excessive vibration impacts, and where feasible and necessary based on project and site specific considerations. These measures can and should also be implemented for future infill projects near transit pursuant to the 2050 MTP/SCS that would result in vibration impacts. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.</p>				
<p>N-5 Vibration Mitigation for Transportation Projects. Where local vibration and groundborne noise standards do not apply, implementing agencies of 2050 MTP/SCS projects shall comply with guidance provided by the FTA in the most recent version of the <i>Transit Noise and Vibration Impact Assessment</i> to assess impacts to buildings and sensitive receptors and reduce vibration and groundborne noise. FTA thresholds, as shown in Table 4.12-3, shall be used except in areas where local standards for groundborne noise and vibration have been established. Methods that would be considered to reduce vibration and groundborne noise impacts include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ Rail Traffic <ul style="list-style-type: none"> ▫ Maximizing the distance between tracks and sensitive uses ▫ Conducting rail grinding on a regular basis to keep tracks smooth ▫ Conducting wheel truing to re-contour wheels to provide a smooth-running surface and removing wheel flats ▫ Providing special track support systems such as floating slabs, resiliently supported ties, high-resilience fasteners and ballast mats; ▫ Implementing operational changes such as limiting train speed and reducing nighttime operations. ▪ Bus and Truck Traffic <ul style="list-style-type: none"> ▫ Constructing noise barriers ▫ Use noise reducing tires and wheel construction on bus wheels ▫ Use vehicle skirts (i.e. a partial enclosure around each wheel with absorptive treatment) on freight vehicle wheels 	<p>Comply with all applicable local and/or FTA vibration and groundborne noise standards.</p>	<p>During project permitting and environmental review; during construction and operation.</p>	<p>Ongoing during construction and project operation, as applicable.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for AMBAG transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.</p>				
<p>These measures can and should also be implemented for future land use development projects near existing public or public use airports. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>N-6 Noise Mitigation Near Airports. Local lead agencies for all new development proposed to be located within the vicinity of an existing airport influence zone, as defined by the locally ALUCP or local general plan, or within two miles of an airport that does not have an ALUCP or a private airstrip, shall require a site specific noise compatibility study. The study shall consider and evaluate existing aircraft noise, based on specific aircraft activity data for the airport in question, and shall include recommendations for site design and building construction to assure that people residing in the project area are not exposed to excessive noise levels. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads, such as dual paned windows. The noise study and determination of appropriate mitigation measures shall be completed during the project’s individual environmental review.</p> <p>Implementing Agencies</p> <p>Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.</p>	<p>If applicable, require a site-specific noise compatibility study. Place conditions of approval on adherence to recommendations to site design and building construction, as recommended in the study.</p>	<p>During project permitting and environmental review; during construction and operation.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Public Services and Recreation</p>				
<p>Cities and counties in the AMBAG region, as well as other public service providers, can and should implement this measure, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p> <p>PSR-1 Increased Public Service Demand. During the CEQA review process for individual facilities, the implementing agency with responsibility for construction of new public service facilities or the expansion of existing facilities, including those of fire and police services, parks, and other public facilities, can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce significant impacts associated with air quality, noise, transportation, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new public or expanded public service facilities.</p>	<p>Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of public service facilities.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Implementing Agencies Implementing agencies are cities, counties, and/or implementing agencies for land use projects, and other public service providers. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>	<p>Cities and counties in the AMBAG region, and recreation agencies, can and should implement the following measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>	<p>PSR-3 Impact Reduction from New Recreational Facilities. During project specific design and CEQA review, the cities and counties in the AMBAG region, and other agencies with responsibility for the construction of new or expanded recreation facilities, can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction of such facilities. The environmental impacts associated with such construction should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce significant impacts associated with air quality, noise, transportation, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction of new or expanded recreation facilities, including recreational trails.</p>	<p>Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of recreation facilities, including recreational trails.</p>	<p>During project permitting and environmental review.</p> <p>Once.</p> <p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects, including recreation trails, are cities, counties, and recreation agencies. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>	<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that would increase the capacity of a roadway, and where feasible and necessary based on project and site specific considerations. For land use projects under their jurisdiction, the cities and counties in the AMBAG region shall implement the following mitigation measure. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>	<p>Transportation</p>	<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that would increase the capacity of a roadway, and where feasible and necessary based on project and site specific considerations. For land use projects under their jurisdiction, the cities and counties in the AMBAG region shall implement the following mitigation measure. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>	<p>Implementing agencies for transportation projects, including recreation trails, are cities, counties, and recreation agencies. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>TRA-2(a) Land Use Project VMT Analysis and Reduction. Regionally, implementing agencies shall require implementation of VMT reduction strategies through transportation demand management programs, impact fee programs, mitigation banks or exchange programs, in-lieu fee programs, and other land use project conditions that reduce VMT. Programs shall be designed to reduce VMT from existing land uses, where feasible, and from new discretionary residential or employment land use projects. The design of programs shall focus on VMT reduction strategies that increase travel choices and improve the comfort and convenience of sharing rides in private vehicles, using public transit, biking, or walking.</p> <p>At a project level, implementing agencies shall evaluate VMT as part of project specific CEQA review and discretionary approval decisions for land use projects. Where project level significant impacts are identified, implementing agencies shall identify and implement measures that reduce VMT. Examples include but are not limited to:</p> <ul style="list-style-type: none"> ▪ Provide carsharing, vanpool, bike sharing, and ride-sharing programs ▪ Implement or provide access to commute reduction programs ▪ Encourage telecommute programs ▪ Incorporate affordable housing into the project ▪ Increase density, infill, and transit oriented development ▪ Increase mixed uses within the project area ▪ Incorporate improved pedestrian connections within the project/neighborhood ▪ Incentivize development in low VMT communities ▪ Incentivize housing near commercial and offices ▪ Increase access to goods and services, such as groceries, schools, and daycare ▪ Orient the project toward transit, bicycle, and pedestrian facilities ▪ Implement complete streets ▪ Provide traffic calming ▪ Provide bicycle parking ▪ Reduce parking requirements ▪ Separate out parking costs ▪ Provide parking cash-out programs 	<p>Require the inclusion VMT reduction strategies included in this mitigation measure at a program and project-level.</p>	<p>During project permitting and environmental review; during operation.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for land use projects are cities and counties. Mitigation shall, or can and should, be applied during project permitting and environmental review and implemented during project operation, as applicable.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>TRA-2(b) Transportation Project VMT Analysis and Reduction. Transportation project sponsor agencies shall evaluate transportation projects that involve increasing roadway capacity for their potential to increase VMT. Where project level increases are found to be potentially significant, implementing agencies shall, or can and should, identify and implement measures that reduce VMT. Examples of measures that reduce the VMT associated with increases in roadway capacity include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ Tolling new lanes to encourage carpools and fund transit improvements ▪ Converting existing general purpose lanes to high occupancy vehicle lanes ▪ VMT banks ▪ Implementing or funding offsite travel demand management ▪ Providing a bus rapid transit system ▪ Implement bus on shoulder operations during peak congestion periods ▪ Improving pedestrian or bicycle networks, or transit service ▪ Providing transit passes ▪ Incorporating neighborhood electric vehicle network <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Mitigation shall, or can and should, be applied during project permitting and environmental review and implemented during project operation, as applicable.</p>	<p>Evaluate the potential for projects to increase VMT. Where project-level significant impacts are identified, develop and implement mitigation measures to reduce VMT.</p>	<p>During project permitting and environmental review; during operation.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Tribal Cultural Resources</p> <p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall, and transportation project sponsor agencies can and should, implement the following mitigation developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts to tribal cultural resources, and where feasible and necessary based on project- and site-specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				
<p>TCR-1 Tribal Cultural Resources Impact Minimization. Implementing agencies shall, or can and should, comply with AB 52, which may require formal tribal consultation. If the implementing agency determines that a project may cause a substantial adverse change to a tribal cultural resource, they shall, or can and should, implement mitigation measures identified in the consultation process required under PRC Section 21080.3.2, or shall, or can and should, implement the following measures where feasible to avoid or minimize the project specific significant adverse impacts:</p>	<p>Ensure compliance with AB 52; and when applicable, implement measures identified in this mitigation measure.</p>	<p>During project permitting and environmental review; during construction.</p>	<p>Ongoing throughout project construction.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<ul style="list-style-type: none"> ▪ Avoidance and preservation of the resources in place, including, but not limited to planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria. ▪ Treating the resource with culturally appropriate dignity considering the tribal cultural values and meaning of the resource, including, but not limited to, the following: <ul style="list-style-type: none"> ▫ Protecting the cultural character and integrity of the resource ▫ Protecting the traditional use of the resource ▫ Protecting the confidentiality of the resource ▫ Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places ▪ Native American monitoring by the appropriate tribe for all projects in areas identified as sensitive for potential tribal cultural resources and/or in the vicinity (within 100 feet) of known tribal cultural resources ▪ If potential tribal cultural resources are encountered during ground-disturbing activities; work in the immediate area must halt and the appropriate tribal representative(s), the implementing agency, and an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find and determine the proper course of action 				
<p>Utilities and Service Systems</p>				
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that require new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region, and other utility providers, can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>UTIL-1(a) Water and Wastewater Treatment Facilities. During the CEQA review process for individual facilities, TAMC, SBTCOG, and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region and other utility providers with responsibility for the construction of new water or wastewater treatment and collection facilities or the expansion of existing facilities can and should apply necessary mitigation measures to reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality and others that apply to specific construction or expansion of water or wastewater treatment and collection facilities projects.</p>	<p>Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of wastewater treatment and collection facilities.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies are cities, counties, and utility agencies for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				
<p>UTIL-1(b) Stormwater Facilities. During the CEQA review process for individual facilities, TAMC, SBTCOG, and SCCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region and special districts with responsibility for the construction of new stormwater drainage facilities or the expansion of existing facilities to adequately meet projected capacity needs can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of storm water drainage facilities projects.</p>	<p>Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of stormwater facilities.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies are cities, counties, and utility agencies for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				
<p>UTIL-1(c) Stormwater Control Methods. During the CEQA review process for individual facilities, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should incorporate stormwater control, retention, and infiltration features, such as detention basins, bioswales, vegetated median strips, and permeable paving, early into the design process to ensure such features are analyzed during environmental review. Implement mitigation measures identified for such features on a project specific basis, where feasible and necessary based on project and site specific considerations.</p>	<p>Require incorporation of stormwater controls detailed in this measure for the construction and expansion of individual facilities.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				
<p>UTIL-1(d) Power, Natural Gas, or Telecommunications Facilities. During the CEQA review process, cities, counties, and AMBAG region energy and telecommunications providers and regulatory agencies with responsibility for the construction or approval of new electric power, natural gas, or telecommunications facilities or the expansion of existing facilities to adequately meet projected capacity needs can and should apply necessary mitigation measures to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities. Such conditions should include those necessary to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of natural gas and electric facilities projects.</p>	<p>Require mitigation to avoid or reduce significant environmental impacts related to project-specific construction and expansion of power, natural gas, or telecommunications facilities.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies are cities, counties, and utility agencies for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts related to solid waste, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				
<p>UTIL-2 Solid Waste Generation and Disposal. During the CEQA review process for individual facilities, TAMC, SBtCOG and SCRTC shall implement, and transportation project sponsor agencies, and cities and counties in the AMBAG region can and should implement, the following measures where feasible:</p> <ul style="list-style-type: none"> ▪ Provide an easily accessible area that is dedicated to the collection and storage of non-hazardous recycling materials. ▪ Maintain or reuse existing building structures and materials during building renovations and redevelopment. ▪ Use salvaged, refurbished, or reused materials to help divert such items from landfills. ▪ Divert construction waste from landfills, where feasible, through means such as: <ul style="list-style-type: none"> ▫ Submitting and implementing a construction waste management plan that identifies materials to be diverted from disposal; ▫ Establishing diversion targets, possibly with different targets for different types and scales of development; ▫ Helping project sponsors and implementing agencies share information on available materials with one another, to aid in the transfer and use of salvaged materials <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies are cities, counties, and utility agencies for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>	<p>Place conditions of approval of individual projects on the implementation of mitigation detailed in this measure.</p> <p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>	
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that have water supply impacts, where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>UTIL-4(a) General Water Conservation Measures. Agencies implementing land use and transportation projects that could increase water demand shall, or can and should, coordinate with relevant water services to ensure demand can be accommodated, identify a water consumption budget, and implement the use of water conservation measures identified in this mitigation.</p> <p>Any existing water conservation measures that reduce demand for potable water, such as reducing water use for landscape irrigation for transportation projects or use of water-conserving fixtures in envisioned land use projects, should be employed. Reclaimed water should be used when possible.</p>	<p>Coordinate with water services to ensure demand can be accommodated, identify a water consumption budget, and implement the use of water conservation measures identified in this mitigation.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies are cities and counties for land use projects. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				
<p>UTIL-4(b) Water Supply for Construction Dust Suppression. Implementing agencies shall, or can and should, ensure that for all 2050 MTP/SCS projects, where feasible, reclaimed and/or desalinated water is used for dust suppression during construction activities. This measure shall, or can and should, be noted on construction plans and shall be spot checked by the implementing agency.</p>	<p>Place conditions of approval of individual projects on the implementation of mitigation detailed in this measure.</p>	<p>During project permitting and environmental review.</p>	<p>Ongoing throughout construction.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation and land use projects are RTPAs, transportation project sponsor agencies, and Metropolitan Planning Organizations. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				
<p>UTIL-4(c) Landscape Watering. In jurisdictions that do not already have an applicable local regulatory program related to landscape watering, implementing agencies shall, or can and should, design 2050 MTP/SCS projects that would include landscaping shall be designed with drought tolerant plants and drip irrigation. When feasible, native plant species shall be used. In addition, landscaping associated with proposed improvements shall be maintained using reclaimed and/or desalinated water when feasible.</p>	<p>If applicable, place conditions of approval on the inclusion of landscaping features described in this mitigation.</p>	<p>During project permitting and environmental review.</p>	<p>Once.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>				

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<p>UTIL-4(d) Porous Pavement and Bioswale Installation. In jurisdictions that do not already have an appropriate local regulatory program related to porous pavement, implementing agencies for a 2050 MTP/SCS project that involves streetscaping, parking, transit and/or land use improvements shall, or can and should, ensure that porous pavement materials are utilized, where feasible, to allow for groundwater percolation. Additionally, if a project would substantially increase impervious surfaces the sponsor shall ensure that bioswales are installed, where feasible, to facilitate groundwater recharge using stormwater runoff from the project site while improving water quality if not already required by the appropriate jurisdiction's local regulatory programs.</p> <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during project permitting and environmental review.</p>	<p>If applicable, place conditions of approval on utilization of porous pavement and/or bioswales. Construction plans shall show use of these materials.</p>	<p>During project permitting and environmental review.</p>	<p>Ongoing throughout construction.</p>	<p>Implementing agencies/project sponsor.</p>
<p>Wildfire</p>				
<p>For transportation projects under their jurisdiction, TAMC, SBtCOG, and SCCRTC shall implement, and transportation project sponsor agencies can and should implement, the following mitigation measures developed for the 2050 MTP/SCS program where applicable for transportation projects that result in impacts related to wildland fire, and where feasible and necessary based on project and site specific considerations. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2050 MTP/SCS. Project specific environmental documents may adjust these mitigation measures as necessary to respond to site specific conditions</p>	<p>W-1 Wildfire Risk Reduction. If an individual transportation or land use project included in the 2050 MTP/SCS is within or less than two miles from a High or Very High FHSZ in the State Responsibility Area (SRA) as established by California Public Resources Code (PRC) Sections 4201 through 4204, or as High or Very High in the Local Responsibility Area (LRA) designated pursuant to California Government Code, Sections 51175 through 51189, 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"> ▪ Enforce defensible space regulations compliant with PRC Section 4291 or stricter as designated by the local governing body to keep overgrown and unmanaged vegetation, accumulations of trash and other flammable material away from structures. ▪ Provide public education about wildfire risk, fire prevention measures, and safety procedures and practices to allow for safe evacuation and/or options to shelter-in-place during a wildfire emergency. ▪ Ensure sufficient emergency water supply and operations for wildland fire suppression. 			
<p>W-1 Wildfire Risk Reduction. If a project is within two miles of High or Very High FHSZ SRA or LRA, implement mitigation described in this measure, such as maintaining and enforcing defensible space.</p>	<p>During project permitting and environmental review; during construction and operation.</p>	<p>Ongoing throughout project construction.</p>	<p>Implementing agencies/project sponsor.</p>	

Mitigation Measures	Action Required	Implementation Timing	Monitoring Frequency	Responsible Agency or Party
<ul style="list-style-type: none"> ▪ Encourage the development of landscaping maintenance schedules to include removal/treatment of annual invasive species which may contribute to increased fuel loading. ▪ Encourage the use of fire-resistant vegetation native to Santa Cruz, Monterey, and San Benito counties and/or the local microclimate of the project site and discourage the use of fire-prone species especially non-native, invasive species. ▪ Require a fire safety plan be submitted to and approved by the local fire protection agency. The fire safety plan shall include all the fire safety features incorporated into the project and the schedule for implementation of the features. The local fire protection agency may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase of the project. ▪ Prohibit certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service for the project site location. Example activities that should be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings. ▪ Require fire extinguishers to be on site during construction of projects. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction personnel shall receive training on the proper methods of using a fire extinguisher. ▪ Encourage the use of external sprinklers for new development mapped within Very High FHSZs. ▪ Complete corridor-specific evaluations and implement traffic management measures, including coordination with local emergency response agencies. ▪ Incorporate post-fire debris-flow, erosion, or landslide risk assessments during the design phase for hillside facilities or projects located in areas subject to post-fire geologic hazards. <p>Implementing Agencies Implementing agencies for transportation projects are RTPAs and transportation project sponsor agencies. Implementing agencies for land use projects are cities and counties. This mitigation measure shall, or can and should, be applied during permitting and environmental review and implemented during construction and operation, as applicable.</p>				

**A RESOLUTION OF THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG)
BOARD OF DIRECTORS FINDING THE SUSTAINABLE COMMUNITIES STRATEGY ACHIEVES THE
REGIONAL GREENHOUSE GAS REDUCTION TARGETS, ADOPTING THE FINAL 2026 REGIONAL
GROWTH FORECAST, AND ADOPTING THE 2050 METROPOLITAN TRANSPORTATION PLAN,
INCLUDING ITS SUSTAINABLE COMMUNITIES STRATEGY**

WHEREAS, AMBAG is the federally designated metropolitan planning organization (MPO), pursuant to Title 23 United States Code Sections 134(a) and (g); and

WHEREAS, Title 23, Part 450 and Title 49 of the Code of Federal Regulations (CFR), require AMBAG as the MPO to prepare and update a long-range Metropolitan Transportation Plan (MTP) every four years; and

WHEREAS, Section 65080(d) of the California Government Code requires AMBAG to prepare and update a Sustainable Communities Strategy (SCS) every four years; and

WHEREAS, AMBAG has coordinated with the Santa Cruz County Regional Transportation Commission, the Transportation Agency for Monterey County and San Benito County Council of Governments, which each prepared a County Regional Transportation Plan; and

WHEREAS, each respective County Regional Transportation Plan is integrated within the 2050 MTP/SCS; and

WHEREAS, from March 2023 through June 2026, through the conduct of a continuing, comprehensive and coordinated transportation planning process in conformance with applicable federal and state requirements, AMBAG developed its latest MTP with a 2050 horizon year, which incorporates an SCS for the Monterey Bay Area region; and

WHEREAS, the 2050 MTP, including its SCS, contains an integrated set of public policies, strategies and investments to maintain, manage and improve the transportation system in the AMBAG region through the year 2050 and calls for development of an integrated intermodal transportation system that facilitates the efficient, economic movement of people and goods; and

WHEREAS, the 2050 MTP/SCS considers, analyzes and reflects, as appropriate, the metropolitan transportation planning process as identified in federal law, including the federal the Moving Ahead for Progress in the 21st Century Act, the Fixing America's Surface Transportation Act, and the Infrastructure Investment and Jobs Act, as well as the National Highway System Designation Act of 1995, and is based on reasonably available funding provisions; and

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WHEREAS, the 2050 MTP/SCS integrates a Congestion Management Process identifying the most serious congestion problems and evaluating and incorporating, as appropriate, all reasonably available actions to reduce congestion, such as travel demand management and operational management strategies for all corridors with any proposed capacity increase; and

WHEREAS, the North Central Coast Air Basin, within which the AMBAG region is located, meets Federal Criteria Pollutant Ambient Air Quality Standards, is in Attainment Status for these standards, and the 2050 MTP/SCS is therefore exempt from a Clean Air Act conformity analysis; and

WHEREAS, the 2026 Regional Growth Forecast was developed for planning purposes by working with local jurisdictions, and projects growth based on the most recent planning assumptions, including existing land use plans and policies and demographic and economic trends; and

WHEREAS, the Draft 2026 Regional Growth Forecast was accepted by the AMBAG Board of Directors on October 9, 2024, for planning purposes; and

WHEREAS, pursuant to Government Code Section 65080(b)(2)(E) and federal public participation requirements, the 2050 MTP/SCS, was developed through a strategic, proactive, comprehensive public outreach and involvement program, which included: an adopted public participation plan; advertising in local and regional newspapers; distribution of public information materials, such as brochures and newsletters; a dedicated website; nine noticed public hearings to receive testimony on the Draft 2050 MTP/SCS and its Environmental Impact Report; six workshops and public hearings in January 2026 to facilitate public comment on the Draft 2050 MTP/SCS, and interagency coordination and involvement; and

WHEREAS, pursuant to Government Code Section 65080(b)(2)(B), the AMBAG 2050 MTP/SCS: (i) identifies the general location of uses, residential densities and building intensities within the region; (ii) identifies areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth; (iii) identifies areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Government Code Section 65584; (iv) identifies a transportation network to service the transportation needs of the region; (v) gathers and considers the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Government Code Section 65080.01; and (vi) considers the state housing goals specified in Sections Government Code 65580 and 65581; and

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WHEREAS, pursuant to Government Code Section 65080(b)(2)(G), the SCS considered spheres of influence adopted by the Santa Cruz, Monterey and San Benito County Local Agency Formation Commissions; and

WHEREAS, pursuant to Government Code Section 65080(b)(2)(B)(vii), the SCS set forth a forecasted development pattern for the region, which, when integrated with the transportation network and other transportation measures and polices, will reduce the greenhouse gas emissions from automobiles and light trucks to achieve the regional greenhouse gas emission targets set by the California Air Resources Board (CARB); and

WHEREAS, for the 2050 MTP/SCS, CARB set the per capita greenhouse gas emission reduction target for automobiles and light trucks for the AMBAG region at 6 percent by 2035 from a 2005 base year; and

WHEREAS, by separate resolution on this date, the AMBAG Board of Directors certified the Final EIR for the 2050 MTP/SCS, and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, as required by the California Environmental Quality Act (CEQA); and

WHEREAS, on this date, the AMBAG Board of Directors held a duly noticed public hearing prior to considering certifying the Final EIR; adopting the CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; and adopting the Final 2050 MTP/SCS; and

WHEREAS, prior to taking action on the 2050 MTP/SCS, the AMBAG Board of Directors has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the Final EIR, and all oral and written evidence presented to it during all meetings and hearings; and

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

NOW THEREFORE:

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

BE IT FURTHER RESOLVED that the AMBAG Board of Directors finds that the 2050 MTP/SCS achieves the regional greenhouse gas reduction targets established by the CARB and meets the requirements of Senate Bill 375, as amended, as codified in Government Code §65080(b) et seq.; and

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BE IT FURTHER RESOLVED that the AMBAG Board of Directors does hereby adopt the Final 2026 Regional Growth Forecast and the Final 2050 MTP/SCS for the Monterey Bay Area region.

PASSED AND ADOPTED this 10th day of June 2026.

Brian McCarthy, President

Maura Twomey, Secretary

May 26, 2026

Attachment 3

Heather Adamson, Executive Director
Association of Monterey Bay Governments (AMBAG)
24580 Silver Cloud Court
Monterey, CA 93940
hadamson@ambag.org

Re: LandWatch comments on Final EIR for the 2050 MTP/SCS; update to Regional Travel Demand Model

Dear Ms. Adamson:

A critical goal of AMBAG's 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) is to reduce Vehicle Miles Traveled (VMT), in part by requiring mitigation for excessive VMT. That mitigation includes provision of affordable housing. Thus, implementing the 2050 MTP/SCS requires a methodology to estimate VMT reductions from new affordable housing.

Similarly, the goal of AB 130 is to develop a program to fund VMT reduction as mitigation for development projects, in part by identifying the Location Efficient Areas in which affordable housing could be subsidized as mitigation, consistent with the SCS. Thus, implementing AB 130 also requires a comparable methodology to estimate VMT reductions from funding affordable housing.

Building affordable housing near low-wage jobs can substantially reduce VMT from long commutes. For example, new affordable housing on the Monterey Peninsula would reduce VMT because the Peninsula has a substantial jobs/housing imbalance and many of the jobs are low-wage hospitality and service jobs.

The 2050 MTP/SCS FEIR acknowledges that AMBAG's Travel Demand Model lacks the data needed to capture the VMT benefit of co-locating affordable housing near low-wage jobs. Specifically, the model does not have a data set for current and future affordable housing locations, and it does not classify employment centers by wage levels. Without this data and the refinement of AMBAG's Travel Demand Model neither the 2050 MTP/SCS nor AB 130 can be implemented.

AMBAG must upgrade its Travel Demand Model to capture this data because accurate modeling is required to implement AB 130 and the 2050 MTP/SCS.

1. Implementing both AB 130 and AMBAG's 2050 MTP/SCS requires a methodology to estimate VMT reductions from funding affordable housing. AMBAG should upgrade its Regional Travel Demand Model to identify the Location Efficient Areas for affordable housing, which include areas proximate to low-wage jobs.

The Governor's Office of Land Use and Climate Innovation (LCI) must develop regulations to implement AB 130's program for mitigating VMT impacts by funding affordable housing. (Pub. Resources Code, § 21080.44.) LCI's regulations must provide a "methodology for estimating the anticipated reduction in vehicle miles traveled associated with affordable housing," particularly affordable housing to be funded in Location Efficient Areas, which is the top priority for using the VMT mitigation funds. (Id., § 21080.44(c), (d).) Location Efficient Areas are supposed to be areas in which locating affordable housing will most substantially reduce VMT.

LCI's methodology for identifying Location Efficient Areas must account "for relevant factors influencing vehicle miles traveled reduction, including proximity to transit, **job access**, walkability, and the level of affordability, and the length of the affordability period, of the affordable housing or related infrastructure project." (Id., § 21080.44(d)(4).) LandWatch's DEIR comments establish that substantial VMT reductions could be achieved by locating affordable housing proximate to low-wage jobs, e.g., the Peninsula's low-wage hospitality and service jobs, in order eliminate long commutes from more affordable housing, e.g., housing located in the Salinas Valley.

In identifying Location Efficient Areas, LCI's regulations must "consider the location efficient area's consistency with an adopted sustainable communities strategy." (Id., § 21080.44(d)(2).) Thus, a Regional Travel Demand Model capable of identifying Location Efficient Areas consistent with the adopted Sustainable Community Strategy will be an essential tool to implement AB 130's VMT mitigation program. And because AMBAG's 2050 MTP/SCS identifies affordable housing provision as VMT mitigation, AMBAG's commitment to develop a Regional Travel Demand Model that will identify Location Efficient Areas should be part of that mitigation.

2. Responses to comments on the 2050 MTP/SCS DEIR establish that the Regional Travel Demand Model lacks the data needed to programmatically identify Location Efficient Areas.

LandWatch's comments on the MTP/SCS DEIR pointed out that typical project level EIR relying on the CalEEMod/CAPCOA approach for estimating VMT reductions only captures reduced trip *numbers* for affordable housing, not reduced trip *lengths*, for example the reduced trips lengths from providing affordable housing proximate to low-wage jobs. LandWatch asked a number of questions about whether AMBAG's Regional Travel Demand Model does better – specifically, whether it models the benefit of co-locating affordable housing proximate to low wage jobs, e.g., locating affordable housing in Monterey (where low-wage hospitality workers currently have long-commutes from Salinas) versus locating further affordable housing in Salinas itself.

AMBAG's FEIR evades the questions LandWatch asked. The comment responses repeatedly assert that AMBAG's model is more sophisticated than CalEEMod because it dynamically computes trip lengths at the household level using destination choice models, rather than applying fixed trip-rate assumptions. (Responses 2.12, 2.47–2.59, 2.82–2.90.) The responses argue that "housing is not a direct factor; households and their characteristics influence travel patterns," and that trip length and mode choice adjust based on origin-destination relationships across the network. The responses do not clearly acknowledge that AMBAG's model did not and cannot determine the VMT reduction associated with co-locating low wage jobs and affordable housing.

However, it is evident that AMBAG's model does lack the data and capability needed to determine VMT reductions attributable to co-locating affordable housing and low-wage jobs, a determination that is critical to identifying Location Efficient Areas.

First, AMBAG acknowledges that **the model does not directly use "affordable housing" or "market rate housing" as an input.** (Responses 2.83–2.86.) Factors such as "the location of individual affordable units or parcel-level housing types are outside the scope of the ABM [the Regional Travel Demand Model, which is an activity-based model], and any VMT reductions at that level would be evaluated during local project-level CEQA review, using site specific data and methodologies." (Response 2.83.) Thus, the model "does not directly account for differential VMT generation for affordable vs. market rate units." (Response 2.83.)

Second, even if the model were updated to use "affordable housing" as an input, **there is no data set for the location of potential affordable housing units available to the model.** "Specific assumed locations of future affordable housing projects are not available." (Response 2.41.) However, the housing elements of the local jurisdictions, which were the foundation of the place types used in the SCS, contain express assumptions about the specific sites in which future affordable housing is planned, because this information is required to comply with the RHNA and the Housing Element Law. Some of these sites will be location efficient due to proximity to low wage jobs and other amenities. Some will not. It is up to AMBAG's model to make this determination.

Third, **the model does not categorize employment centers as "low wage" or "high wage"** – it only classifies employment by industry sector. (Response 2.63.) Thus, even though household income level data are included in the model, that data cannot be matched with low wage employment locations.

In sum, the FEIR acknowledges the model does not and cannot assess the VMT reduction benefits of co-locating affordable housing and low-wage jobs because:

- the model does not use "affordable housing" as an input;
- AMBAG lacks location data for future affordable units;
- the model lacks wage information for employment centers.

An effective model must include and use these data to identify Location Efficient Areas.

3. Identification of Location Efficient Areas cannot await project level reviews; it must be done programmatically.

The FEIR relegates determining differential VMT effects for affordable vs. market-rate housing to project-level CEQA review, not to a programmatic review using the regional model. (Responses 2.83–2.86.) But without an activity-based model that includes the location of potential future affordable housing and low-wage jobs, AMBAG cannot identify Location Efficient Areas to assist in the programmatic implementation of AB 130.

And unless project-specific CEQA review can rely on AMBAG's model, it is unrealistic to assume that individual project level reviews could identify Location Efficient Areas for which VMT reductions can be determined and in which appropriate levels of mitigation funding could be determined, i.e., the funding levels that would meet CEQA's nexus and proportionality mandates.

Furthermore, LCI's draft AB 130 guidance makes it clear that **Location Efficient Areas must be determined programmatically in advance of project specific reviews:**

Additionally, because PRC Section 21080.44(c)(1) governs how contributions associated with this Mitigation Program are prioritized and distributed on a program-wide basis, "location-efficient" cannot describe the locational nexus between specific individual Impacting Projects and Mitigating Projects because those projects will not be identified until they independently elect to participate in the Mitigation Program. Therefore, the term "location-efficient" was developed in a manner such that it can applied program-wide.

(LCI, DRAFT AB 130 Statewide Vehicle Miles Traveled (VMT) Mitigation Program Guidance. April 2026, p. 21, available at <https://www.lci.ca.gov/wp-content/uploads/20260407-FinalDraftGuidance-ADA.pdf>.)

Despite this, the FEIR contends that there is no relationship between AB 130 implementation and the regional transportation modeling done for the 2050 MTP/SCS EIR. (Response 2.23.) But AMBAG's modeling capability in developing the SCS is directly relevant to AB 130 because AB 130 requires (1) that the determination of Location Efficient Areas consider consistency with the SCS and (2) that the Location Efficient Areas be determined programmatically. Thus, part of an adequate SCS should be a commitment to develop the regional modeling capability needed to implement AB 130.

CONCLUSION

As the Metropolitan Planning Organization responsible for the SCS and for modeling regional VMT impacts, AMBAG should cooperate with LCI in the programmatic implementation of AB 130 by updating its model and data sets as follows:

1. AMBAG should develop a data set for the available current and future affordable housing locations that could be Location Efficient Areas.
2. AMBAG should develop a data set that identifies the wage structure of employment locations or that at least identifies the numbers of low wage jobs at employment locations. Without these data, the model cannot match affordable housing to low wage jobs locations to determine Location Efficient Areas that qualify by reducing low-wage commutes.
3. AMBAG should update its model to use these new data sets to identify Location Efficient Areas.
4. AMBAG should follow and participate in LCI's development of guidance for AB 130 and consult with LCI as to the necessary modeling to identify Location Efficient Areas programmatically.

Thank you for the opportunity to comment. Please let us know if you would like to discuss these points further.

Regards,



Michael DeLapa
Executive Director

Cc: Zach Miller, Principal Transportation Planner, Planning & Climate Policy, Governor's Office of Land Use and Climate Innovation (LCI), ZACH.MILLER@lci.ca.gov

LCI VMT Program, CEQA@lci.ca.gov

Craig Shields, California Department of Housing and Community Development,
Craig.Shields@hcd.ca.gov

Attachment 4

Responses to Comments from LandWatch Letter Dated May 26, 2026

Introduction

Comments from LandWatch state that implementing the 2050 MTP/SCS and AB 130 requires a methodology to estimate VMT reductions from new affordable housing and that AMBAG's Regional Travel Demand Model (RTDM) should be updated to implement AB 130 and the 2050 MTP/SCS. LandWatch argues that the RTDM be updated to include data to measure the VMT benefit of co-locating affordable housing near low wage jobs.

In response, AMBAG's RTDM does not rely on generalized or hypothetical assumptions about housing density or affordability. Rather, it reflects jurisdiction-provided information embedded in the regional growth forecast. The RTDM incorporates land use inputs at the transportation or traffic analysis zone (TAZ) level, including households, employment density, and land use mix characteristics. These variables influence trip generation rates, trip lengths, and mode choice within the model. Higher residential densities and mixed use conditions are associated with lower per capita trip generation, shorter trip lengths, and greater likelihood of non-auto mode use. (See Responses 2.13 and 2.15.) To the extent affordable housing is in higher-density, transit supportive, or infill areas—as reflected in the locally provided Place Type and Opportunity Area framework—the model does capture corresponding changes in travel behavior (reduced VMT) through its density, accessibility, and mode choice components. As explained in Response 2.12, any reduced trip lengths in the future attributable to locating affordable housing close to areas with a high number of low wage jobs are already reflected in the transportation modeling.

Regarding VMT mitigation, please note that Mitigation Measure TRA-2(a) includes affordable housing and increased density in its list of mitigation options that can reduce VMT as part of CEQA reviews for individual land use projects. Affordable housing is one mitigation option to reduce VMT among many strategies. Inclusion of the option of affordable housing for future land use projects does not require that the Draft EIR's regional transportation modeling done for the 2050 MTP/SCS to reflect quantitative VMT reduction benefits of each of the mitigation options. As noted in the Draft EIR (Page 4.15-30) and Responses 2.21 and 2.22, implementation of specific VMT-reducing mitigation options at the project level cannot be guaranteed. Therefore, without knowledge of the location and degree to which affordable housing and increased density would be implemented for future projects, it would not be feasible for regional transportation modeling to quantify VMT reduction benefits of these mitigation options. Nor is quantification of programmatic mitigation measure benefits required by CEQA.

AMBAG's Regional Travel Demand Model Does Not Need to Be Revised to Implement AB 130

LandWatch suggests that AMBAG should update its RTDM to identify Location Efficient Areas for affordable housing to implement AB 130.

In response, AMBAG is not required to develop a methodology to identify Location Efficient Areas for implementation of AB 130. AB 130 (2025) establishes a statewide VMT reduction program. It will allow developers to meet VMT reduction mitigation obligations by contributing VMT reduction fees for the development of location-efficient affordable housing or related infrastructure projects to a new statewide Transit-Oriented Development Implementation Fund. The Governor's Office of Land Use and Climate Innovation (LCI) is required to develop regulations to implement AB 130. (Public Resources Code Section 21080.4.) LCI's regulations must provide a "methodology for estimating the anticipated reduction in vehicle miles traveled associated with affordable housing," particularly affordable housing to be funded in Location Efficient Areas. Following this final guidance, optional VMT fees under AB 130 will then be implemented at the local jurisdictional level. As noted in Responses 2.14 and 2.23, although the definition of Location-Efficient Areas must consider consistency with an adopted SCS, there is no direct relationship between future AB 130 implementation and the regional transportation modeling done for the 2050 MTP/SCS EIR.

In the Draft *AB 130 Statewide Vehicle Miles Traveled (VMT) Mitigation Program Guidance* released by LCI in April 2026, Metropolitan Planning Organizations (MPOs) such as AMBAG do not have a role in implementing AB 130 and therefore are not responsible nor required to develop a methodology to identify Location Efficient Areas for affordable housing.¹ LCI is responsible for developing such a methodology. In fact, LandWatch acknowledges that there is no role or requirement for MPOs, such as AMBAG, to maintain data, update the RTDM, or develop a methodology in implementing AB 130 in its comments submitted to LCI on the draft Guidance dated April 30, 2026.

AMBAG's Regional Travel Demand Model Is Legally Adequate and Supported by Substantial Evidence

LandWatch contends that AMBAG's RTDM lacks the data needed to programmatically identify Location Efficient Areas.

¹ California Governor's Office of Land Use and Climate Innovation (LCI). 2026. Draft AB 130 Statewide Vehicle Miles Traveled (VMT) Mitigation Program Guidance. <https://www.lci.ca.gov/wp-content/uploads/20260407-FinalDraftGuidance-ADA.pdf> (accessed June 2026)

As previously explained, AMBAG, as the MPO, is not responsible nor required to calculate VMT reductions from Location Efficient Areas as part of the MTP/SCS.

LandWatch further contends that AMBAG's responses to LandWatch's comments on the Draft EIR were inadequate. Specifically, LandWatch suggests that AMBAG failed to respond to LandWatch's question related to whether the RTDM "models the benefit of co-locating affordable housing proximate to low wage jobs...."

As noted in Responses 2.22, 2.63, 2.64. and 2.65, the MTP/SCS relies on land use inputs provided by local jurisdictions through the regional growth forecasting process. The EIR appropriately evaluates VMT outcomes based on those adopted and locally coordinated assumptions. CEQA requires a reasonable, good-faith effort based on substantial evidence; it does not require AMBAG to speculate about housing development patterns beyond those provided by local jurisdictions or to apply project-level mitigation methodologies at the regional planning scale.

The EIR evaluates a programmatic, region-wide transportation and land use planning document using a network-based regional model that explicitly calculates trip distances. Because the Activity Based Model incorporates both trip generation and trip distribution across a spatially explicit network, it inherently accounts for trip length effects to the extent reflected in the adopted land use allocation. Therefore, the comments do not identify a deficiency in the analytical approach used in the EIR, nor does it demonstrate that the modeling framework fails to capture reasonably foreseeable VMT effects associated with housing location patterns embedded in the regional forecast.

As noted in Response 2.22, the 2050 MTP/SCS EIR relies on a regional network-based travel demand model that calculates both trip numbers and trip distances. Land use inputs—including housing distribution and employment concentrations—were developed in coordination with local jurisdictions and incorporated into the model. Accordingly, the EIR's evaluation of VMT effects is based on a regionally appropriate, legally mandated modeling framework and does not omit reasonably foreseeable co-location effects embedded in the adopted forecast.

AMBAG is Not Responsible for Identifying Location-Efficient Areas Programmatically Under AB 130 or CEQA

LandWatch argues that the identification of Location Efficient Areas cannot be done at the local project level and must be done by AMBAG.

PRC Section 21080.44(d)(2) directs LCI to establish the definition of “location-efficient areas” such that it “reflects a reasonable nexus between the location of the transportation impact of the project and the location of the VMT-efficient affordable housing or related infrastructure project. LCI’s Draft *AB 130 Statewide Vehicle Miles Traveled (VMT) Mitigation Program Guidance*, released in April 2026, provides the criteria that must be met to qualify as a “location-efficient” area pursuant to PRC Section 21080.44(c)(1). If any one of the criteria are met, a location would qualify as being “location-efficient.” The definition of “location-efficient” has been developed by LCI to include only those areas where affordable housing and related infrastructure projects are likely to deliver meaningful VMT mitigation benefits, a necessity for Impacting Project contributions to the Mitigation Program to be effective as mitigation under Senate Bill 743 and CEQA in general. In addition, the definition has been developed to enable the California Department of Housing and Community Development (HCD) to ensure reasonable proximity or relationship between the participating project and the mitigation investment sufficient to satisfy CEQA requirements. It is therefore inaccurate to suggest that reliance on AMBAG’s model is a prerequisite to identifying Location Efficient Areas for purposes of compliance with AB 130 or CEQA.

As noted in past responses, AMBAG is not required to have a role in identifying Location Efficient Areas.

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2026 AMBAG Calendar of Meetings

July 2026	No Meeting Scheduled
August 12, 2026	MBARD Board Room 24580 Silver Cloud Court, Monterey, CA 93940 Meeting Time: 6 pm
September 9, 2026	MBARD Board Room 24580 Silver Cloud Court, Monterey, CA 93940 Meeting Time: 6 pm
October 14, 2026	MBARD Board Room 24580 Silver Cloud Court, Monterey, CA 93940 Meeting Time: 6 pm
*November 18, 2026	MBARD Board Room 24580 Silver Cloud Court, Monterey, CA 93940 Meeting Time: 6 pm
December 2026	No Meeting Scheduled

*** The AMBAG November Board of Directors meeting has been moved to the third Wednesday of the month due to Veteran's Day Holiday.**

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AMBAG Acronym Guide	
ABM	Activity Based Model
ACFR	Annual Comprehensive Financial Report
ADA	Americans Disabilities Act
ALUC	Airport Land Use Commission
AMBAG	Association of Monterey Bay Area Governments
ARRA	American Reinvestment and Recovery Act
3CE	Central Coast Community Energy
CAAA	Clean Air Act Amendments of 1990 (Federal Legislation)
Caltrans	California Department of Transportation
CalVans	California Vanpool Authority
CARB	California Air Resources Board
CCJDC	Central Coast Joint Data Committee
CEQA	California Environmental Quality Act
CHTS	California Households Travel Survey
CMAQ	Congestion Mitigation and Air Quality Improvement
CPUC	California Public Utilities Commission
CTC	California Transportation Commission
DEIR	Draft Environmental Impact Report
DEM	Digital Elevation Model
DOF	Department of Finance (State of California)
EAC	Energy Advisory Committee
EIR	Environmental Impact Report
FAST Act	Fixing America’s Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GHG	Greenhouse Gas Emissions
GIS	Geographic Information System
ICAP	Indirect Cost Allocation Plan
IIJA	Infrastructure Investment and Jobs Act
ITS	Intelligent Transportation Systems

JPA	Joint Powers Authority
LTA	San Benito County Local Transportation Authority
LTC	Local Transportation Commission
MAP-21	Moving Ahead for Progress in the 21 st Century Act
MBARD	Monterey Bay Air Resources District
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MPAD	Monterey Peninsula Airport District
MPO	Metropolitan Planning Organization
MST	Monterey-Salinas Transit
MTP	Metropolitan Transportation Plan
MTIP	Metropolitan Transportation Improvement Program
OWP	Overall Work Program
PG&E	Pacific Gas & Electric Company
PPP	Public Participation Plan
RAPS, Inc.	Regional Analysis & Planning Services, Inc.
RFP	Request for Proposal
RHNA	Regional Housing Needs Allocation
RTDM	Regional Travel Demand Model
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
SB 375	Senate Bill 375
SBtCOG	Council of San Benito County Governments
SCCRTC	Santa Cruz County Regional Transportation Commission
SCMTD	Santa Cruz Metropolitan Transit District
SCS	Sustainable Communities Strategy
S RTP	Short-Range Transit Plan
STIP	State Transportation Improvement Program
TAMC	Transportation Agency for Monterey County
TAZ	Traffic Analysis Zone
USGS	United States Geological Survey
VMT	Vehicle Miles Traveled
VT	Vehicle Miles Trips