CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the 2016 Regional Transportation Plan Final Program EIR; State Clearinghouse No. 2015122039

Table of Contents

Page

I. INTRODUCTION TO CEQA FINDINGS

These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the the Tuolumne County Transportation Council (TCTC), as the lead agency for the 2016 Regional Transportation Plan ("2016 RTP"or the "Project").These findings pertain to the Final Program Environmental Impact Report ("EIR") SCH # 2015122039.

A. PROJECT DESCRIPTION SUMMARY

The Tuolumne County Transportation Council (TCTC), as the federally-designated rural transportation agency and the State-designated regional transportation planning agency (RTPA) for Tuolumne County, is required by both federal and State law to prepare a long-range (at least 20-year) transportation planning document known as a Regional Transportation Plan (RTP). The RTP is an action-oriented document used to achieve a coordinated and balanced regional transportation system. This section summarizes the RTP's objectives and responsibilities, as informed by relevant legislation. California Government Code §65080 et seq. and Title 23 United States Code (USC) §134 require Regional Transportation Planning Agencies (RTPA) and Metropolitan Planning Organizations (MPO) to prepare long-range transportation plans to: 1) establish regional goals, 2) identify present and future needs, deficiencies and constraints, 3) analyze potential solutions, 4) estimate available funding, and 5) propose investments. State statues require that the RTP serve as the foundation for the short-range transportation planning documents: the Regional and Federal Transportation Improvement Programs (RTIP and FTIP).

The Sustainable Communities Strategy and Climate Protection Act, SB 375 (codified at CAL.GOVT CODE §§ 14522.1, 14522.2, 65080.01, 65080, 65400, 65583, 65584.01, 65584.02, 65584.04, 65587, 65588; CAL. PUB. RES. CODE §§2161.3, 21155, 21159.28), is a law passed in 2008 by the California legislature that requires each metropolitan planning organization (MPO) to demonstrate, through the development of an SCS, how its region will integrate transportation, housing, and land use planning to meet the GHG reduction targets set by the state. However, the TCTC is a rural planning agency, not a federally-designated MPO, and therefore is not required to prepare a Sustainable Communities Strategy (SCS) as part of the RTP, pursuant to the requirements of California Senate Bill 375 as adopted in 2008. However, the 2016 RTP includes an optional Rural Sustainable Strategies (RSS) chapter to build upon previous planning efforts and to provide an alternative sustainability plan that is feasible for rural Tuolumne County to comply with Assembly Bill 32 to reduce GHG emissions.

Under both federal and state law, TCTC must update its RTP every five years. The 2016 RTP is the long-range planning, policy, action, and financial document for the Tuolumne County region. The RTP covers a period from 2016 to 2040 and is a revised version of the 2008 RTP. The RTP identifies the region's transportation needs and issues and sets forth actions, programs, and projects to address those needs and issues. The RTP adopts policies, sets goals, and identifies financial resources to encourage and promote the safe and efficient management, operation, and development of a regional intermodal transportation system that would serve the mobility needs of goods and people.

B. TYPE OF EIR

The 2016 RTP 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 §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 will focus on project-specific impacts and mitigation measures, and need not repeat the broad analyses contained in the Program EIR.

C. INCORPORATION OF FINAL PROGRAM EIR BY REFERENCE

The Final Program EIR, consisting of: (1) the Final Program EIR volume; (2) the Draft Program EIR and all appendices to the Draft Program EIR; and (3) comments and recommendations received on the Draft Program EIR, a list of persons, organizations, and public agencies commenting of the Draft Program EIR, TCTC responses to significant environmental points raised in the review and consultation process, and other information is hereby incorporated by reference into these Findings.

D. REQUIREMENTS FOR CEQA FINDINGS

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

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

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

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report. (The concept of infeasibility also encompasses whether a particular alternative or mitigation measure promotes the Project's underlying goals and objectives, and whether an alternative or mitigation measure is impractical or undesirable from a policy standpoint.

TCTC has made one or more of these specific written findings regarding each significant impact associated with the 2016 RTP. Those findings are presented below, along with a presentation of facts in support of the findings. TCTC 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 evidence contained in the totality of the administrative record before TCTC, including but not limited to the Final Program EIR "supporting evidence" cited herein.

II. LOCATION OF AND CUSTODIAN FOR THE RECORD

The documents and other materials that constitute the record of proceedings on which TCTC's Findings of Fact are based are located at 2 South Green Street, Sonora, CA 95370. The custodian of these documents is Alex Padilla. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and 14 Cal. Code Regs. § 15091(e).

For purposes of CEQA at these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum:

- The Notice of Preparation and all other public notices issued by TCTC and in conjunction with the Project.
- The Draft and Final Program EIRs, including appendices and technical studies included or referenced in the Draft and Final Program EIRs.
- All comments submitted by agencies or members of the public during the public comment period on the Draft Program EIR.
- All comments and correspondence submitted to TCTC with respect to the Project.
- The MMRP for the Project.
- All Findings and resolutions adopted by TCTC 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, Inc., consultants to TCTC.
- All reports, memoranda, documentation, data output files relating to the land use and transportation modeling for the Project.
- All documents and information submitted to TCTC by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the Project, up through the date TCTC approved the Project.
- Minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by TCTC, in connection with the Project.
- Any documentary or other evidence submitted to TCTC at such information sessions, public meetings, and public hearings.
- Matters of common knowledge to TCTC, including, but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code § 21167.6(e).

III. FINDINGS FOR IMPACTS IDENTIFIED AS INSIGNIFICANT (Class III)

Public Resources Code § 21081 and CEQA Guidelines § 15091 do not require findings of fact for impacts that are less than significant. Under CEQA, no mitigation measures are required for impacts that are less than significant (CEQA Guidelines § 15126.4(a)(3)).

Section 4.0 of the Draft Program EIR including Section 4.13 (Less than Significant Environmental Factors) explain why certain impacts were not found to be significant and therefore were not discussed in detail in the Program EIR, pursuant to CEQA Guidelines Section 15128.

IV. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGABLE (Class II)

TCTC hereby finds that mitigation measures have been identified in the Program EIR that will avoid or substantially lessen the following environmental impacts to a less than significant level. These findings are based on the discussion of impacts in the detailed issue area analyses in Section 4.0 of the Draft Program EIR, as well as relevant responses to comments in the Final Program EIR. The significant impacts and the mitigation measures that will reduce them to a less than significant level are as follows.

Class II impacts are those which are significant but can be mitigated to less than significant by implementation of mitigation measures.

A. AESTHETICS (CLASS II)

1. **Impact AES-1.** Proposed transportation improvement projects under the 2016 RTP may affect public views along eligible and locally designated scenic corridors, adjacent landscaping, and other scenic routes considered to have high scenic qualities. This would be a Class II, significant but mitigable impact.

   a. **Mitigation** - TCTC recommends that individual sponsor agencies should implement the following mitigation measures for applicable transportation projects, including but not limited to those projects identified in Table 4.1-1. These measures can and should be implemented for all projects developed pursuant to the 2016 RTP that would adversely affect scenic corridors.

      AES-1(a) Where a particular 2016 RTP transportation improvement project affects adjacent landforms, the sponsor agency shall ensure that recontouring provides a smooth and gradual transition between modified landforms and existing grade.

      AES-1(b) The sponsor agency shall ensure that landscaping is installed to restore natural features along corridors after widening, interchange modifications, realignment, new roadway construction, or construction of ancillary facilities. Associated landscape materials and design shall enhance landform variation, provide erosion control, and blend with the natural setting. To ensure compliance with approved landscape plans,

the implementing agency shall provide a performance security equal to the value of the landscaping/irrigation installation.

AES-1(c) The sponsor agency shall ensure that a project in a scenic view corridor will have the minimum possible impact upon foliage, existing landscape architecture, and natural scenic views, consistent with project goals.

b. Findings – With the implementation of the above mitigation, impacts would be less than significant.

c. Supportive Evidence – Please refer to pages 4.1-10 through 4.1-12 of the Draft Program EIR.

2. **Impact AES-2**. Development of proposed transportation improvement projects under the 2016 RTP would contribute to the alteration of Tuolumne County's character from primarily rural (or semi-rural) to a somewhat more urban condition. This would be a Class II, significant but mitigable impact.

a. Mitigation - TCTC recommends that individual sponsor agencies implement the following mitigation measures for applicable transportation projects, including but not limited to those projects identified in Table 4.1-1. These measures can and should be implemented for all projects developed pursuant to the 2016 RTP that would alter the county's rural character.

AES-2(a) Roadway extensions and widenings shall avoid the removal of existing mature trees to the extent possible. The loss of trees protected by local agencies shall be recuperated consistent with local requirements and incorporated into the landscape design for the roadway. The sponsor agency of a particular 2016 RTP project shall ensure the continued vitality of replaced trees through periodic maintenance.

AES-2(b) Roadway lighting shall be minimized to the extent possible, and shall not exceed the minimum height requirements of the local jurisdiction in which the project is proposed. Using hoods and low intensity lighting, and installing the fewest lights necessary to achieve the goals of the project can accomplish this.

AES-2(c) Bus shelters and other ancillary facilities constructed as part of roadway improvements under the 2016 RTP shall be designed in accordance with the architectural review requirements of the local jurisdiction in which the project is proposed.

b. Findings – With implementation of the identified mitigation measures, impacts from alteration of Tuolumne County's visual character would be less than significant.

c. **Supportive Evidence** – Please refer to pages 4.1-12 through 4.1-13 of the Draft Program EIR.

B. AIR QUALITY (CLASS II)

1. **Impact AQ-1**. Construction activities associated with transportation projects under the 2016 RTP would create fugitive dust and ozone precursor emissions and have the potential to result in temporary adverse impacts on air quality in Tuolumne County. Impacts would be Class II, significant but mitigable.

a. **Mitigation –** The following mitigation measures are recommended by TCTC to reduce, minimize, or avoid significant adverse environmental impacts related to construction emissions. Sponsor agencies can and should implement the following mitigation measures for applicable projects that result in air quality impacts due to construction prior to approval of specific projects identified in the RTP. Project-specific environmental impacts may require these mitigation measures be revised or expanded in response to site-specific conditions.

AQ-1(a) Construction Emissions Reduction

- All grading and excavation will conform to City of Sonora or Tuolumne County grading approvals
- Water exposed soils twice daily, or as needed to control wind borne dust
- Enclose, cover, and/or water twice daily any exposed piles of dirt, sand, gravel, or other construction debris
- At a minimum of three times per week, remove from all adjacent streets, all dirt and mud that has been generated from or deposited by construction equipment going to and from the construction site
- Construction activities shall comply with Tuolumne County APCD Rules, so that emissions do not exceed hourly levels
- Onsite vehicle speed shall be limited to 15 miles per hour on unpaved surfaces
- The loads on all haul/dump trucks shall be covered securely or at least two feet of freeboard shall be maintained on trucks hauling loads;
- Construction equipment shall be maintained and tuned at the interval recommended by the manufacturers to minimize exhaust emissions;
- Equipment idling shall be kept to a minimum when equipment is not in use; and
- The construction contractor shall post a publicly visible sign on the project site during construction operations that specify the telephone number and person/agency to contact for complaints and/or inquiries on dust generation and other air quality problems resulting from project construction.

AQ-1(b) The project sponsor shall ensure to the maximum extent feasible that diesel construction equipment meeting the California Air Resources Board Tier 3 emission standards for off-road, heavy-duty diesel engines are used. If use of Tier 3 equipment is not feasible, diesel construction equipment meeting Tier 2 (or if infeasible, Tier 1) emission standards shall be used. These measures shall be noted on all construction plans and the project sponsor shall perform periodic site inspections.

AQ-1(c) The project sponsor shall ensure to the maximum extent feasible that diesel construction equipment meeting the California Air Resources Board Tier 3 emission standards for off-road, heavy-duty diesel engines are used. If use of Tier 3 equipment is not feasible, diesel construction equipment meeting Tier 2 (or if infeasible, Tier 1) emission standards shall be used. These measures shall be noted on all construction plans and the project sponsor shall perform periodic site inspections.

AQ-1(d) In addition to performing the measures listed above, if implementation of all feasible onsite mitigation fails to reduce construction-related air quality emissions to below threshold levels (to be determined on a project-specific basis), the project sponsor shall ensure that the implementing agency contributes monies for off-site mitigation, as necessary to reduce construction emissions below guideline levels. Monies shall be contributed to an existing fund established to implement vehicle and equipment replacement/conversion and other programs designed to reduce ROG and NOX emissions. This mitigation shall be accomplished through the application of this condition by the responsible jurisdiction during the individual project's environmental review and shall only be applied following application of all feasible onsite mitigation.

b. Findings – Construction air emissions impacts would be less than significant with implementation of mitigation measures AQ-1((a) through AQ-1(d).

c. Supportive Evidence – Please refer to pages 4.2-8 through 4.2-11 of the Draft Program EIR.

C. BIOLOGICAL RESOURCES (CLASS II)

1. Impact B-1. Implementation of proposed transportation improvements envisioned by the 2016 RTP may result in impacts to special-status plant and animal species. Impacts would be Class II, significant but mitigable.

a. Mitigation – TCTC recommends the following mitigation measures for transportation projects identified in Table 4.3-2. Sponsor agencies can and should implement these measures for all projects developed pursuant to the 2016 RTP that would result in impacts to special-status animal and plant species.

B-1(a) **Biological Resources Screening and Assessment.** Prior to final design approval of individual projects, the sponsor agency shall

have a qualified biologist conduct a field reconnaissance of the environmental limits of the project and adjacent areas in an effort to identify any biological constraints for the project, including special-status plants, animals, and their habitats, as well as protected natural communities including wetland and terrestrial communities. If the biologist identifies protected biological resources within or adjacent to the limits of the project, the sponsor agency shall first consider alternative designs that seek to avoid and/or minimize impacts to the biological resources. If the project cannot be designed without complete avoidance, the sponsor agency shall coordinate with the appropriate regulatory agency (i.e. USFWS, NMFS, CDFW, USACE) to obtain regulatory permits and implement project - specific mitigation prior to any construction activities.

If restoration is necessary to mitigate impacts, sensitive plants and habitat, impacts should be mitigated at a minimum ratio of 1:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration, and a restoration plan shall be prepared and submitted to the jurisdiction overseeing the project for approval.

B-1(b) **Non-Listed Special Status Animal Species Avoidance and Minimization.** Depending on the species identified in the Biological Resources Assessment (under Mitigation Measure B-1(a)), measures shall be selected from among the following to reduce the potential for impacts to non-listed special-status animal species that may be discovered during construction activity:

- For non-listed special-status terrestrial amphibians and reptiles, coverboard surveys shall be completed within three months of the start of construction and if species are collected, relocation of the species to suitable site shall be completed.
- Pre-construction clearance surveys shall be conducted prior to start of construction (including staging and mobilization). If necessary, all non-listed special-status species shall be relocated from the site either through direct capture or through passive exclusion (e.g., American badger). A report of the pre-construction survey shall be submitted to the lead 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. The report shall be submitted within 30 days of completion of the project.

b. Findings – Compliance with the above mitigation measures and all existing state, local and/or federal regulations would reduce impacts to a less than significant level.

c. Supportive Evidence – Please refer to pages 4.3-17 through 4.3-19 of the Draft Program EIR.

2. Impact B-2. Implementation of transportation improvements proposed by the 2016 RTP may result in impacts to sensitive habitats, including federally protected wetlands. This impact would be Class II, significant but mitigable.

a. Mitigation – TCTC recommends the following mitigation measures for transportation projects identified in Table 4.3-2. Sponsor agencies can and should implement these measures for all projects developed pursuant to the 2016 RTP that would result in impacts to sensitive habitats.

B-2(a) **Jurisdictional Delineation**. Prior to approval of individual projects on sites on or near potential jurisdictional areas, the sponsor agency shall retain a qualified biologist to perform an assessment of the project area to identify wetlands, riparian, and other sensitive aquatic environments. If wetlands are present, the qualified biologist shall perform a wetland delineation following the 1987 Army Corps of Engineers Wetlands Delineation Manual and any applicable regional supplements to the Delineation Manual. The wetland delineation shall be submitted to the USACE for verification.

B-2(b) **Wetland, Riparian, or Other Sensitive Aquatic Environments. Habitat Restored.** If wetlands, riparian, or other sensitive aquatic environments are found within the project limits, the sponsor agency shall design or modify the project to avoid direct and indirect impacts on these habitats, if feasible. Additionally, the sponsor agency shall minimize the loss of riparian vegetation by trimming rather than removal where feasible.

Prior to construction, the sponsor agency shall install orange construction barrier fencing to identify environmentally sensitive areas around the wetland (20 feet from edge), riparian area (100 feet from edge), and other aquatic habitats (250 feet from edge of vernal pool), or as defined by the agency with regulatory authority over the resource(s). The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The fencing will be installed before construction activities are initiated and will be maintained throughout the construction period. The following paragraph will be included in the construction specifications:

The contractor's attention is directed to the areas designated as "environmentally sensitive areas." These areas are protected, and

no entry by the contractor for any purpose will be allowed unless specifically authorized in writing by lead agency overseeing the transportation improvement project. The contractor will take measures to ensure that contractor's forces do not enter or disturb these areas, including giving written notice to employees and subcontractors.

Temporary fences around the environmentally sensitive areas will be installed as the first order of work. Temporary fences will be furnished, constructed, maintained, and removed as shown on the plans, as specified in the special provisions, and as directed by the project engineer. The fencing will be commercial-quality woven polypropylene, orange in color, and at least 4-feet high (Tensor Polygrid or equivalent). The fencing will be tightly strung on posts with maximum 10-foot spacing.

Immediately upon completion of construction activities the contractor shall stabilize exposed soil/slopes. On highly erodible soils/slopes, use a non-vegetative material that binds the soil initially and breaks down within a few years. If more aggressive erosion control treatments are needed, geotextile mats, excelsior blankets, or other soil stabilization products will be used. All stabilization efforts should include habitat restoration efforts

If wetlands or riparian habitat are disturbed as part of an individual project, the sponsor agency shall compensate for the disturbance to ensure no net loss of habitat functions and values. Compensation ratios shall be based on site -specific information and determined through coordination with state, federal, and local agencies as part of the permitting process for the project. Unless determined otherwise by the regulatory/permitting agency, the compensation shall be at a minimum ratio of 3 acres restored, created, and/or preserved for every 1 acre disturbed. Compensation may comprise onsite restoration/creation, off -site restoration, preservation, or mitigation credits (or a combination of these elements). The sponsor agency shall develop and implement a restoration and monitoring plan that describes how the habitat shall be created and monitored over a minimum period of time.

B-2(c) **Noxious Weed Survey.** The sponsor agency shall review the noxious weed list from the County Agricultural Commission, California Department of Food and Agriculture, and the California Exotic Pest Plant Council to identify target weed species for a field survey. Noxious weed infestations shall be mapped and documented. The sponsor agency shall incorporate the following measures into project plans and specifications:

- Certified, weed-free, imported erosion-control materials (or

rice straw in upland areas) will be used
- The sponsor agency will coordinate with the county agricultural commissioner and land management agencies to ensure that the appropriate Best Management Practices (BMPs) are implemented
- Construction supervisors and managers will be educated about noxious weed identification and the importance of controlling and preventing their spread
- Equipment will be cleaned at designated wash stations after leaving noxious weed infestation areas.

b. Findings – Compliance with the above mitigation measures and existing State, local and/or federal regulations would reduce impacts to a less than significant level.

c. Supportive Evidence – Please refer to pages 4.3-19 through 4.3-22 of the Draft Program EIR.

3. **Impact B-3.** Implementation of transportation improvements proposed by the 2016 RTP may impact wildlife movement, including fish migration, and/or impede the use of a native wildlife nursery. This impact would be Class II, significant but mitigable.

a. Mitigation – TCTC recommends the following mitigation measures for transportation projects identified in Table 4.3-2. The sponsor agency can and should implement these measures for all projects developed pursuant to the 2016 RTP that would result in impacts to wildlife movement, including fish migration, and/or impede the use of native wildlife nursery.

B-3 **Wildlife Movement Design Measures**. Prior to design approval of individual projects that contain movement habitat, the sponsor agency shall incorporate economically viable design measures, as applicable and necessary, to allow wildlife or fish to move through the transportation corridor, both during construction activities and after construction. Such measures may include appropriately spaced breaks in a center barrier, or other measures that are designed to allow wildlife to move through the transportation corridor. If the project cannot be designed with these design measures (i.e. due to traffic safety, etc.) the sponsor agency shall coordinate with the appropriate regulatory agency (i.e. USFWS, NMFS, CDFW) to obtain regulatory permits and implement alternative project-specific mitigation prior to any construction activities.

b. Findings – Compliance with the design mitigation measures listed above and adherence to existing state, local and/or federal regulations would reduce impacts to a less than significant level.

c. Supportive Evidence – Please refer to pages 4.3-22 through 4.3-23 of the Draft Program EIR.

D. CULTURAL RESOURCES (CLASS II)

1. **Impact CR-2 –** Implementation of proposed transportation improvements pursuant to the 2016 RTP could disturb known and unknown cultural resources. Impacts to archaeological and paleontological resources would be Class II, significant but mitigable.

   a. **Mitigation** – In general, prior to commencement of any action, development, or land use changes on lands subject to federal jurisdiction or for projects involving federal funding, a cultural resource survey and an environmental analysis must be prepared. County and city sponsored projects would be subject to local ordinance requirements, including General Plan provisions that protect cultural resources.

   In order to provide protection of cultural resources, the following mitigation measures are recommended by TCTC. Sponsor agencies can and should implement the following mitigation measures for applicable projects identified in Table 4.4-2:

CR-2(a) The sponsor agency of a 2016 RTP project involving extensive earth disturbance, shall ensure that the following elements are included in the project's individual environmental review (projects subject to funding under the Federal Aid Programs administered by the California Department of Transportation will need to comply with Caltrans policies and guidance):

1. Prior to construction, a map defining the Area of Potential Effects (APE) shall be prepared on a project by project basis for 2016 RTP improvements which involve earth disturbance, the installation of pole signage or lighting, or construction of permanent above ground structures. This map will indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known archaeological or paleontological resources are located within the impact zone.
2. A preliminary study of each project area, as defined in the APE, shall be completed to determine whether or not the project area has been studied under an earlier investigation, and to determine the impacts of the previous project.
3. If the results of the preliminary studies indicate additional studies are necessary; development of field studies and/or other documentary research shall be developed and completed (Phase I studies). In the case of prehistoric or Native American related resources, the Native American Heritage Commission and/or local representatives of the Native American population shall be contacted and permitted to respond to the testing/mitigation programs. Negative results would result in no additional studies for the project area.

4. Based on positive results of the Phase I studies, an evaluation of identified resources shall be completed to determine the potential eligibility/ significance of the resources (Phase II studies).
5. Phase III mitigation studies shall be coordinated with the Office of Historic Preservation, as the research design will require review and approval from the OHP.

CR-2(b) If development of the proposed improvement requires the presence of an archaeological, Native American, or paleontological monitor, the sponsor agency shall ensure that a Native American monitor, certified archaeologist, and/or certified paleontologist, as applicable, monitors the grading and/or other initial ground altering activities. The schedule and extent of the monitoring will depend on the grading schedule and/or extent of the ground alterations. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual environmental review.

CR-2(c) The sponsor agency shall ensure that materials recovered over the course of any given improvement are adequately cleaned, labeled, and curated at a recognized repository. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual environmental review.

CR-2(d) The sponsor agency shall ensure that mitigation for potential impacts to significant cultural resources are pertinent to the proposed project and developed in consultation with all affected parties, including consultation with local tribes if applicable. Examples of common mitigation may include one or more of the following:

- Realign the project right-of-way (avoidance; the most preferable method)
- Cap the site and leave it undisturbed
- Address structural remains with respect to NRHP guidelines (Phase III studies)
- Relocate structures per NRHP guidelines
- Create interpretative facilities at the site
- Develop measures to prevent vandalism
- Other measures recommended by a professionally qualified archaeologist, architectural historian, or other similarly qualified professional who meets the requirements of the Secretary of the Interior Standards for the appropriate discipline.

These measures can be accomplished through placement of conditions on the project by the local jurisdiction during individual environmental review.

b. Findings – Implementation of the above measures would reduce potential impacts to archaeological and paleontological resources to a less than significant level.

c. Supportive Evidence – Please refer to page 4.4-11 to 4.4-14 of the Draft Program EIR.

E. GEOLOGY AND SOILS (CLASS II)

1. **Impact G-1.** Some proposed 2016 RTP projects could be affected by seismic activity. Although fault rupture and seismically induced liquefaction do not pose a substantial threat in Tuolumne County, ground-shaking may impact 2016 RTP projects. This is considered a Class II, significant but mitigable impact.

   a. Mitigation – TCTC recommends that individual project sponsor agencies implement the following mitigation measure for applicable transportation projects, including but not limited to those projects identified in Table 4.5-2. This measure can and should also be implemented for all projects developed pursuant to the 2016 RTP that would result in seismic impacts.

   G-1 The sponsor agency for a particular 2016 RTP bridge project shall ensure that the structure is designed and constructed to the latest geotechnical standards. In most cases, this will necessitate site-specific geologic and soils engineering investigations to exceed the code for high ground-shaking zones. This can be accomplished through the placement of conditions on the project by the sponsor agency during individual environmental review.

   b. Findings – Implementation of the above measure would reduce potential impacts to a less than significant level.

   c. Supportive Evidence – Please refer to page 4.5-6 through 4.5-7 of the Draft Program EIR.

2. **Impact G-2.** Some projects proposed in the 2016 RTP may be located on unstable soils prone to expansiveness, landslides, or mudflow. This is considered a Class II, significant but mitigable impact.

   a. Mitigation – TCTC recommends that individual project sponsor agencies implement mitigation measure G-2 for applicable transportation projects, including but not limited to those projects identified in Table 4.5-2. This measure can and should be implemented for all projects developed pursuant to the 2016 RTP that would result in impacts associated with expansive soils and landslides.

   G-2(a) If an RTP project involves cut slopes over 15 feet in height, the sponsor agency for the project shall ensure that specific slope stabilization studies are conducted and if determined to be necessary, appropriate stabilization measures shall be implemented during project design is and installed when the project is constructed. Possible stabilization methods include buttresses, retaining walls, and soldier piles.

G-2(b) Suitable measures to reduce impacts from expansive soils could include one or more of the following techniques, as determined by a Geotechnical Engineer and approved by the appropriate jurisdictional department.

- Excavation of existing soils and importation of non-expansive soils. All imported fill shall be tested and certified by a registered Geotechnical Engineer and certified for use as a suitable fill material; and/or
- On-site foundations shall be designed to accommodate certain amounts of differential expansion in accordance with Chapter 18, Division III of the UBC

b. Findings – Implementation of Mitigation Measure G-2(a-b) would reduce potential impacts to a less than significant level.

c. Supportive Evidence – Please refer to page 4.5-7 through 4.5-8 of the Draft Program EIR.

E. GREENHOUSE GAS EMISSIONS (CLASS II)

1. Impact GHG-1. Construction activities associated with the transportation improvement projects in the 2016 RTP would generate temporary short-term GHG emissions. Impacts would be Class II, significant but mitigable.

a. Mitigation – The following mitigation measure is recommended by TCTC to reduce, minimize, or avoid significant adverse environmental impacts related to construction GHG emissions. Sponsor agencies can and should implement the following mitigation measure for applicable projects to minimize GHG emissions. Project-specific environmental impacts may require the mitigation measure to be revised or expanded in response to site-specific conditions.

GHG-1 The sponsor agency shall ensure that applicable GHG-reducing diesel particulate and NO_X emissions measures for off-road construction vehicles are implemented during construction. The measures shall be noted on all construction plans and the sponsor agency shall perform periodic site inspections. Applicable GHG-reducing measures include the following.

- Substitute electrical equipment for diesel- and gasoline-powered equipment where practical;
- Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel;
- Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment; and

- Limit heavy-duty equipment idling time to a period of three minutes or less, exceeding CARB's minimum requirement of five minutes.

b. Findings – With the implementation of the above mitigation, impacts related to short-term GHG emissions would be less than significant.

c. Supportive Evidence – Please refer to pages 4.6-14 through 4.8-15 of the Draft Program EIR

F. HYDROLOGY AND WATER RESOURCES (CLASS II)

1. Impact W-1. Implementation of proposed transportation improvement projects envisioned in the 2016 RTP would slightly increase countywide water demand. Such impacts would be Class II, significant but mitigable.

a. Mitigation – TCTC recommends the following mitigation measures for applicable transportation projects that result in hydrology and water quality impacts. Project-specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions:

W-1(a) TCTC recommends the following mitigation measures for applicable transportation projects that result in hydrology and water quality impacts. Project-specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions.

W-1(b) Where landscaping in included in the project plan the sponsor agency shall ensure that low water use landscaping (i.e., drought tolerant plants and drip irrigation) is installed. When feasible, native plant species shall be used.

W-1(c) Where landscaping in included in the project plan the sponsor agency shall ensure that, if feasible, landscaping associated with proposed improvements is maintained using reclaimed water.

b. Findings – Implementation of the above measures would reduce potential impacts to a less than significant level.

c. Supportive Evidence – Please refer to pages 4.7-13 through 4.7-15 of the Draft Program EIR.

2. Impact W-2. Implementation of proposed transportation improvements envisioned in the 2016 RTP could result in soil erosion and contaminants in runoff, which could degrade surface and ground water quality. This impact is considered Class II, significant but mitigable.

a. Mitigation – TCTC recommends the following mitigation measures for applicable transportation projects that result in hydrology and water quality impacts to reduce potential impacts. Project-specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions:

W-2(a) The sponsor of a 2016 RTP project shall ensure that fertilizer/pesticide application plans for any new right-of-way landscaping are prepared to minimize deep percolation of contaminants. The plans shall specify the use of products that are safe for use in and around aquatic environments.

W-2(b) The sponsor of a 2016 RTP widening or roadway extension project shall ensure that the improvement directs runoff into subsurface percolation basins and traps which would allow for the removal of urban pollutants, fertilizers, pesticides, and other chemicals.

b. Findings – Implementation of the above measures would reduce potential impacts to a less than significant level.

c. Supportive Evidence – Please refer to pages 4.7-14 through 4.7-16 of the Draft Program EIR.

3. **Impact W-3.** Implementation of proposed transportation improvements facilitated by the 2016 RTP could be subject to flood hazards due to storm events and/or dam failure. Impacts are considered Class II, significant but mitigable.

a. Mitigation – The following measure is recommended by TCTC to mitigate potential impacts relating to flooding and dam failure. Sponsor agencies can and should implement the following mitigation measure.

W-3 If a 2016 RTP project is located in an area with high flooding potential due a storm event or dam inundation, the project sponsor shall ensure that the structure is elevated at least one foot above the 100-year flood zone elevation and that bank stabilization and erosion control measures are implemented along creek crossings.

b. Findings – Implementation of the above measure would reduce potential impacts to a less than significant level.

c. Supportive Evidence – Please refer to pages 4.7-16 through 4.7-17 of the Draft Program EIR.

G. LAND USE (CLASS II)

1. **Impact LU-1.** Implementation of proposed transportation improvements envisioned by the 2016 RTP could result in land use conflicts with existing sensitive land uses. This is considered a Class II, significant but mitigable impact.

    a. **Mitigation –** Mitigation measures listed under Impact AQ-1 in Section 4.2, Air Quality, would reduce localized air quality impacts. Mitigation measures listed under Impacts N-1 and N-2, in Section 4.11, Noise, would reduce potential noise impacts. No mitigation is required for impacts related to dividing established communities.

    b. **Findings –** Land use compatibility impacts related to aesthetics, air quality and noise would be less than significant with implementation of mitigation measures referenced above.

    c. **Supportive Evidence –** Please refer to pages 4.8-7 through 4.8-8 of the Draft Program EIR.

2. **Impact LU-2.** Implementation of proposed transportation improvements envisioned by the 2016 RTP could temporarily and permanently displace or disrupt existing residences and businesses. This is considered a Class II, significant but mitigable impact.

    a. **Mitigation –** The following measures are recommended by TCTC to mitigate potential impacts relating to temporary disturbance to and permanent displacement of residences and businesses. Sponsor agencies can and should implement the following mitigation measures.

    LU-2(a) The sponsor agency of RTP projects with the potential to displace residences or businesses should assure that project-specific environmental reviews consider alternative alignments and developments that avoid or minimize impacts to nearby residences and businesses.

    LU-2(b) Where project-specific reviews identify displacement or relocation impacts that are unavoidable, the sponsor agency should ensure that all applicable local, State, and federal relocation programs are used to assist eligible persons to relocate. In addition, the local jurisdiction shall review the proposed construction schedules to ensure that adequate time is provided to allow affected businesses to find and relocate to other sites.

    LU-2(c) For all RTP projects that could result in temporary lane closures or access blockage during construction, a temporary access plan should be implemented to ensure continued access to affected cyclists, businesses, and homes. Appropriate signs and safe access shall be guaranteed during project construction to ensure that businesses remain open.

b. Findings - Implementation of recommended measures would reduce impacts relating to temporary disturbance and long-term displacement to a less than significant level.

c. Supportive Evidence - – Please refer to pages 4.8-8 through 4.8-9 of the Draft Program EIR.

3. Impact LU-5. Implementation of proposed transportation improvements envisioned by the 2016 RTP could result in the conversion of agricultural lands including Prime Farmland and lands under Williamson Act contract to non-agricultural uses. This is considered a Class II, significant but mitigable impact.

a. Mitigation – The following mitigation measures are recommended by TCTC to reduce, minimize or avoid significant adverse environmental impacts. Sponsor agencies can and should implement the following mitigation measures for applicable projects that result in impacts to agricultural. Project-specific environmental impacts may require these mitigation measures be revised or expanded in response to site-specific conditions:

LU-5(a) When new roadway extensions or widenings are planned, the sponsor agency should assure that project-specific environmental reviews consider alternative alignments that reduce or avoid impacts to agricultural land.

LU-5(b) Rural roadway alignments shall follow property lines to the extent feasible, to minimize impacts to the agricultural production value of any specific property. Farmers should be compensated for the loss of agricultural production at the margins of lost property, based on the amount of land deeded as road right-of-way, as a function of the total amount of production on the property.

LU-5(c) When new transportation facilities or projects implementing the 2016 RTP are planned in areas that contain Prime or Important Farmland, the transportation sponsor agency or local jurisdiction in which the project is located shall assure that project-specific environmental reviews mitigate impacts, when feasible, through requiring use of agricultural conservation easements on land of at least equal quality and size as compensation for the loss of agricultural land. Agricultural conservation easements would be implemented by directly purchasing easements or donating mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements.

b. Findings - The above measures would reduce impacts to agricultural lands under Williamson Act contract. Implementation of mitigation measures requiring project review, farmland compensation, and agricultural easement impacts would ensure impacts from individual projects would be reduced to a less than significant level.

c. Supportive Evidence - – Please refer to pages 4.8-12 through 4.8-14 of the Draft Program EIR.

H. NOISE (CLASS II)

1. Impact N-1. Construction activity associated with transportation improvement projects in the 2016 RTP would create temporary noise level increases in discrete locations throughout the County. Impacts would be Class II, significant but mitigable.

a. Mitigation – Local noise and vibration general plan policies and ordinance requirements would apply to construction activity associated with 2016 RTP implementation. In addition, the following mitigation measures N-1(a) through N-1(e) are recommended. Sponsor agencies can and should implement the following mitigation measures for applicable projects that result in noise impacts. Project-specific environmental impacts may require these mitigation measures be revised or expanded in response to site-specific conditions:

N-1(a) Sponsor agencies of 2016 RTP projects shall ensure that, where residences or other noise sensitive uses are located within 800 feet of construction sites, appropriate measures shall be implemented to ensure consistency with local noise requirements relating to construction. 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.

N-1(b) If a particular project within 800 feet of sensitive receptors requires pile driving, the local jurisdiction in which this project is located shall require the use of pile drilling techniques instead, where feasible. This shall be accomplished through the placement of conditions on the project during its individual environmental review.

N-1 (c) Sponsor agencies shall ensure that equipment and trucks used for project construction utilize the best available noise control techniques (including mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds).

N-1(d) Sponsor agencies shall ensure that impact equipment (e.g., jack hammers, pavement breakers, and rock drills) used

for project construction be hydraulically or electrical 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.

N-1(e) Locate stationary noise sources as far from sensitive receptors as possible. Stationary noise sources that must be located near existing receptors will be adequately muffled.

b. Findings – With implementation of local noise control requirements and proposed mitigation, impacts would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4.9-19 through 4.11-22 of the Draft Program EIR.

2. Impact N-2. Implementation of the 2016 RTP would increase traffic-generated noise levels on highways and roadways which could expose sensitive receptors to noise in excess of normally acceptable levels. This is a Class II, significant but mitigable, impact.

a. Mitigation – The following mitigation measures are recommended by TCTC to reduce, minimize or avoid significant adverse environmental impacts. Sponsor agencies can and should implement the following mitigation measures for applicable projects that result in noise impacts. Project-specific environmental impacts may require these mitigation measures be revised or expanded in response to site-specific conditions:

N-2(a) Sponsor agencies of 2016 RTP projects that would increase transportation related noise shall complete detailed noise assessments using applicable guidelines (e.g., FTA Transit Noise and Vibration Impact Assessment for rail and bus projects and the Caltrans Traffic Noise Analysis Protocol for roadway projects). The sponsor agency shall ensure that a noise survey is conducted to determine potential alternate alignments which allow greater distance from, or greater buffering of, noise-sensitive areas. The noise survey shall be sufficient to indicate existing and projected noise levels, to determine the amount of attenuation needed to reduce potential noise impacts to applicable State and local standards. This shall be accomplished during the project's individual environmental review as necessary.

N-2(b) Where new or expanded roadways or transit are found to expose receptors to noise exceeding normally acceptable levels, the sponsor agencies shall consider various sound attenuation techniques. The preferred methods for mitigating noise impacts will be the use of appropriate setbacks 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) will be considered. Long expanses of walls or fences should 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 should be used, including solid fences, walls, and, landscaped berms. Determination of appropriate noise attenuation measures will be assessed on a case-by-case basis during a project's individual environmental review pursuant to the regulations of the applicable agency.

b. Findings – Implementation of the recommended programmatic measures would reduce potential impacts to a less than significant level.

c. Supportive Evidence – Please refer to pages 4.9-22 through 4.9-24 of the Draft Program EIR.

V. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT AND UNAVOIDABLE (Class I)

TCTC hereby finds that mitigation measures that have been identified in the Program EIR that will 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 issue area analyses in Section 4.0 of the Draft Program EIR as well as relevant responses to comments in the Final Program EIR.

The findings below are for Class I impacts, where implementation of the project may result in the following significant, unavoidable environmental impacts:

A. CULTURAL RESOURCES (CLASS I)

1. **Impact CR-1.** Implementation of proposed transportation improvements pursuant to the 2016 RTP could disturb designated historic resources. Impacts historic resources would be Class I, significant and unavoidable.

    a. Mitigation – Historic resources are protected under the regulations of the National Historic Preservation Act and the Department of Transportation Act of 1966. County and city sponsored projects would be subject to local ordinance requirements, including General Plan provisions that protect cultural resources.

In order to provide protection of cultural resources, TCTC recommends that project sponsor agencies implement the following mitigation measures for applicable transportation projects, including but not limited to those projects identified in Table 4.4-1:

CR-1 The sponsor agency of a 2016 RTP project involving extensive earth disturbance, should ensure that the following elements are included in the project's individual environmental review:

1. Prior to construction, a map defining the Area of Potential Effects (APE) shall be prepared on a project by project basis for 2016 RTP improvements which involve earth disturbance, the installation of pole signage or lighting, or construction of permanent above ground structures. This map will 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.
2. A preliminary study of historic structures for each project area, as defined in the APE, shall be completed to determine whether or not the project area has been studied under an earlier investigation, and to determine the impacts of the previous project.
3. If the results of the preliminary studies indicate additional historical resources studies are necessary; development of field studies and/or other documentary research shall be developed and completed (Phase I studies). In the case of prehistoric or Native American related structures, the Native American Heritage Commission and/or local representatives of the Native American population shall be contacted and permitted to respond to the testing/mitigation programs. Negative results would result in no additional studies for the project area.
4. Based on positive results of the Phase I studies, an evaluation of identified resources shall be completed to determine the potential eligibility/ significance of the resources (Phase II studies).

b. Findings – With implementation of the above mitigation measures impacts related to historic structures would remain significant and unavoidable because redevelopment or demolition that may be required to implement transportation improvements may result in the permanent loss of or damage to historic structures.

c. Supportive Evidence – Please refer to pages 4.4-9 through 4.4-11 of the Final Program EIR.

B. GREENHOUSE GAS EMISSIONS (CLASS I)

1. **Impact GHG-3 –** Transportation emissions in the year 2040 with implementation of the 2016 RTP would exceed the efficiency threshold of 1.84 MT CO2e per person. Impacts would be Class I, significant and unavoidable.

a. Mitigation – No feasible mitigation beyond measures included in the 2016 RTP and *Tuolumne County Regional Blueprint Greenhouse Gas Study* are feasible.

b. Findings – Impacts would remain significant and unavoidable.

c. Supportive Evidence – Please refer to page 4.6-18 to 4.4-19 of the Draft Program EIR.

2. **Impact GHG-4 –** The 2016 RTP would be consistent with AB 32; however, because there are no plans or policies to achieve post-2020 emissions goals the project would be inconsistent with SB 32 and Executive Orders S-3-05 and B-30-15. Impacts would be Class I, significant and unavoidable.

a. Mitigation – No feasible mitigation beyond measures included in the 2016 RTP and *Tuolumne County Regional Blueprint Greenhouse Gas Study* are feasible.

b. Findings – While the 2016 RTP is consistent with AB 32 and while the State has the AB 32 Scoping Plan and multiple adopted regulations to achieve the AB 32 2020 target, there is no currently adopted State plan to meet long-term GHG reduction goals of the Executive Orders. Therefore, State and federal reduction strategies cannot be applied to the 2016 RTP to demonstrate achievement of long term reductions. Given the proposed project's level of emissions compared to the 2040 efficiency threshold and the fact that there is no statewide plan for achieving a post-2020 GHG reduction goal, impacts would be significant and unavoidable.

c. Supportive Evidence – Please refer to page 4.6-19 to 4.4-21 of the Draft Program EIR.

C. TRANSPORTATION AND CIRCULATION (CLASS I)

1. **Impact TC-1.** Growth in Tuolumne County would generate vehicle trips that would result in deficiencies on certain roadway segments based on a threshold of LOS "D." Roadway improvements planned in the RTP are intended to address projected deficiencies for roadway segments within the county. However, after identified improvements are implemented, twelve roadways would still have an LOS of less than "D." Impacts are Class I, significant and unavoidable.

a. Mitigation – Implementation of the following mitigation measures would reduce level of service impacts.

TC-1(a) **Roadways 3, 4, 5, and 23 - SR 108 between O'Byrnes Ferry Road and SR 120 (Yosemite Junction), SR 108 between SR 120 (Yosemite Junction) and SR 49 (Montezuma Junction), SR 108 between SR 49 (Stockton Road) and S. Washington Street/Lime Kiln Road and SR 49 between SR 49 (Montezuma Junction) and Bell Mooney Road – Widen to Four Lanes**.

Roadway segments 3, 4, 5, and 23 shall be widened to four lane expressways, consistent with FCEP-CIP Tier 3 projects, to improve conditions to LOS A in 2030 and 2040.

TC-1(b) **Roadways 24 and 27 - SR 49 between Bell Mooney Road and South Junction Main Street and SR 49 between Fifth Avenue and Stockton Road/SR 108 – Widen to Five Lanes**. Widen Roadway segments 24 and 27 to five lanes, consistent with FCEP-CIP Tier 2 projects, to improve conditions to LOS C in 2030 and 2040.

TC-1(c) **Roadways 32, 33, and 34 - SR 49 north of Dodge Street, SR 49 south of N. Washington Street/Columbia Way, and SR 49 north of N. Washington Street/Columbia Way - Construct the North-South Connector Phase 1**. Construct the North-South Connector – Phase 1 – Greenley Road Extension to SR 49, consistent with FCEP-CIP Tier 2, by year 2030.

A second feasible improvement measure is to construct the Western Bypass that would extend from SR 108/49 (south of Jamestown) to Rawhide Road. The Western Bypass is projected to further divert and reduce traffic on this segment of SR 49.

A third feasible improvement measure is to improve alternative modes of transportation along Roadways 32, 33, and 34, such as transit service or bicycle and pedestrian infrastructure.

TC-1(d) **Roadway 35 - SR 49 east of Parrots Ferry Road (Columbia WYE) – Left Turn Lane**. Construct a continuous two-way-left-turn median lane to improve conditions to an acceptable LOS D in the year 2040.

A second feasible improvements measure is to widen the segment to five lanes to improve conditions to a LOS A in the year 2040.

A third feasible improvement measure is to improve alternative modes of transportation along this roadway segment, such as transit or bicycle and pedestrian infrastructure.

TC-1(e) **Roadways 52 and 116 – Mono Way west of Sanguinetti Road, and S. Washington Street between Restano Way and Church Street – Construct North South Connector**

Phase 2. Construct the North-South Connector Phase 2, consistent with FCEP-CIP's Tier 2 and Tier 3, that would extend Fir Drive from Mono Way to the Greenley Road Extension, which may reduce traffic on these segments. Another feasible improvement measure is to improve alternative modes of transportation along Roadway segment 52 - Mono Way west of Sanguinetti Road and Roadway segment 116 - S. Washington Street between Restano Way and Church Street, such as transit service, bicycle and pedestrian infrastructure.

TC-1(f) **Roadway 77 - Tuolumne Road between Mono Way and Lambert Lake Road– Increase Lanes**. Widen Tuolumne Road to five lanes form Mono Way to Lambert Lake Road to improve conditions to an acceptable LOS D in the year 2040. Another feasible measure is to improve alternative modes of transportation along this roadway segment, such as transit service or bicycle and pedestrian infrastructure.

TC-1(g) **Roadway 31 - SR 49 between Stockton Road and Dodge Street - Construct the North-South Connector – Phase 2.** Consistent with the FCEP-CIP's Tier 2 and Tier 3, construct the North-South Connector Phase 2 from Fir Drive Extension to SR 108, by the year 2040.

A second feasible improvement measure is to construct the Western Bypass that would extend from SR 108/49 (south of Jamestown) to Rawhide Road. The Western Bypass is projected to further divert and reduce traffic on this segment of SR 49.

A third feasible improvement measure is to improve alternative modes of transportation along Roadways 32, 33, and 34, such as transit service or bicycle and pedestrian infrastructure.

TC-1(h) **Roadway 69 – Greenley Road between Cabezut Road/Morning Star Road and Delnero Drive**. Construct the North-South Connector – Phase 2 – Fir Drive Extension to SR 108, consistent with FCEP-CIP's Tier 2 & Tier 3, by year 2040.

Another feasible improvement measure is to construct the Cabezut Road Extension from the Fir Drive Road Extension to Phoenix Lake Road, which may reduce volumes on this segment of Greenley Road.

b. Findings – With implementation of mitigation measure TC-1(a) impacts at SR 108 between O'Byrnes Ferry Road and SR 120 (Yosemite Junction), SR 108 between SR 120 (Yosemite Junction) and SR 49 (Montezuma Junction), SR 108 between SR 49 (Stockton Road) and S. Washington Street/Lime Kiln Road (Roadways 3, 4, and 5) would be less than significant in the years 2030 and 2040.

With implementation of mitigation measure TC-1(b) LOS on SR 49 between SR 49 (Montezuma Junction) and Bell Mooney Road , SR 49 between Bell Mooney Road and South Junction Main Street, and SR 49 between Fifth Avenue and Stockton Road/SR 108 (Roadways 23, 24, and 27) would remain below a LOS D and impacts would be less than significant in both 2030 and 2040.

With implementation of mitigation measure TC-1(c) SR 49 north of Dodge Street, SR 49 south of N. Washington Street/Columbia Way, and SR 49 north of N. Washington Street/Columbia Way (Roadways 32, 33, 34,) would operate at an acceptable LOS in the year 2030.

With implementation of mitigation measure TC-1(d) LOS impacts at SR 49 east of Parrots Ferry Road (Columbia WYE) (Roadway 35) would be less than significant with an LOS A in the year 2040.

With implementation of mitigation measure TC-1(e) LOS impacts at roadways Mono Way west of Sanguinetti Road and S. Washington Street between Restano Way and Church Street (Roadways 52 and 116) would be remain at an unacceptable LOS in the years 2030 and 2040.

With implementation of mitigation measure TC-1(f) LOS impacts at Tuolumne Rd between Mono Way and Lambert Lake Drive (Roadway 77) would operate at an acceptable LOS with a LOS D in the year 2040.

With implementation of mitigation measure TC-1(g) SR 49 between Stockton Road and Dodge Street (Roadway 31), would remain at an unacceptable LOS in the years 2030 and 2040.

With implementation of mitigation measure TC-1(h) Greenley Road between Delnero Drive and Morning Star Road (Roadway 69) would operate at an acceptable LOS D in the year 2040 and impacts would be less than significant.

However, several of these improvements may not be feasible due to physical constraints, financial constraints, or jurisdictional control constraints.

c. Supportive Evidence - Please refer to pages 4.10-14 through 4.10-19 of the Draft Program EIR**.**

2. Impact TC-2. Growth in Tuolumne County would incrementally increase traffic volumes at intersections in Tuolumne County. Intersection improvements planned in the 2016 RTP are intended to address the preponderance of projected deficiencies for intersections within the county. However, following implementation of the 2016 RTP, three

intersections would continue to operate at an LOS of less than "D" in 2030 and two intersections would continue to operate at an LOS of less than "D" in 2040. Therefore, impacts at these intersections are Class I, significant and unavoidable.

a. Mitigation – Implementation of the following mitigation measures would reduce level of service impacts.

TC-2(a) **Intersection 11 - SR 49-SR 108/SR 108 & SR 49 (Stockton Road). High-T type or Signalize.** SR 49-SR 108/SR 108 & SR 49 (Stockton Road) intersection shall be improved by the year 2030 by constructing the intersection to either a High-T type intersection or installing a traffic signal at the intersection.

TC-2(b) **Intersection 22 - SR 49 (N Washington Street) and Bradford Street. Restricted Traffic**. Restrict the eastbound and westbound approach to right-turn-only during peak hours to improve conditions to an acceptable LOS C in 2040.

TC-2(c) **Intersection 23 - South Washington Street/SR 49 (South Washington Street) & SR 49 (Stockton Road).** A southbound right turn pocket shall be constructed at this intersection to improve conditions to an acceptable LOS D in the year 2040, with some movements operation at a LOS F. If this is not feasible due to the existing right-of-way, alternative modes of transportation shall be improved along this roadway segment, such as transit service, bicycle and pedestrian infrastructure.

Another feasible measure is to construct the North-South Connector Phase 2 (Fir Drive Extension), that would extend Fir Drive from Mono Way to the Greenley Road Extension, intersecting with Cabezut Road and Lyons Bald Mountain Road in between, may reduce traffic on this segment of SR 49 by up to 5%.

A third improvement measure for this roadway segment is to construct the Western Bypass that would extend from SR 108/49 (south of Jamestown) to Rawhide Road. The Western Bypass is projected to divert traffic away from downtown Sonora and may reduce traffic on at this intersection.

A fourth feasible improvement measure would be to improve alternative modes of transportation along this roadway segment, such as transit service, bicycle and pedestrian infrastructure.

TC-2(d) **Intersection 24 - South Washington Street & Church Street. Restricted Traffic**. If a traffic signal is not feasible due to the proximity of another signalized intersection, then the westbound Church Street approach shall be converted to right-turn-only during peak hours. The eastbound approach is currently restricted to right-turn-only during peak hours. Installation of a signal would improve congestion in the intersection of a LOS A in the year 2040 and restricting right-turn movements would improve congestion to an acceptable LOS D in the year 2040.

TC-2(e) **Intersection 25 - Bulwer Street / Restano Way. Greenley Road Extension**. The Greenley Road Extension under year 2030 shall be implemented to reduce traffic demands at this intersection.

TC-2(f) **Intersection 29 - Greenly Road & Morning Star Drive / Cabezut Road**. A northbound right-turn lane shall be added, and overlapped of northbound right-turn lane and southbound right-turn lane.

b. Findings – With implementation of mitigation measure TC-2(a) SR 49-SR 108/SR 108 & SR 49 (Stockton Road) (Intersection 11) would be improved to a LOS C in the years 2030 and 2040.

With implementation of mitigation measure TC-2(c) impacts at South Washington Street/SR 49 (South Washington Street) & SR 49 (Stockton Road) (Intersection 23) would be significant and remain at an unacceptable LOS in the years 2030 and 2040.

With implementation of mitigation measure TC-2(d) South Washington Street & Church Street (Intersection 24) would be improved to a LOS A or C in the years 2030 and 2040 depending on which feasible mitigation measure is implemented.

All other intersections would have less than significant impacts with the incorporation of planned intersection improvements. However, these mitigation measures may not be possible due to physical constraints, financial constraints, or jurisdictional control constraints. Without the incorporation of the stated mitigation measures, impacts would be significant and unavoidable.

c. Supportive Evidence - Please refer to pages 4.10-19 through 4.10-22 of the Draft Program EIR**.**

VI. FINDINGS REGARDING ALTERNATIVES

A. LEGAL REQUIREMENTS FOR ALTERNATIVES

Public Resources Code § 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 § 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 decisionmakers. When CEQA findings are made after EIR certification, the lead agency decisionmaking body independently evaluates whether the alternatives are actually feasible, including whether an alternative is impractical or undesirable from a policy standpoint. (See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.)

If a significant impact can be substantially lessened (i.e., mitigated to a less than significant level) by adoption of mitigation measures, lead agency findings need not consider the feasibility of alternatives to reduce that impact. (*See Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515.) Nevertheless, Chapter 6 of the EIR and these Findings of Fact do consider the ability of potentially feasible alternatives to substantially reduce all of the Project's significant impacts, even those impacts reduced to less-than-significant levels through adoption of mitigation measures.

An EIR must only evaluate reasonable alternatives to a project that could feasibly attain most of the project objectives and evaluate the comparative merits of the alternatives (CEQA Guidelines § 15126.6(a)). In all cases, the consideration of alternatives is to be judged against a rule of reason. 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 §§21002, 21002.1; CEQA Guidelines §15092.)

The proposed 2016 RTP alternatives were selected for review in the EIR because of their potential to avoid or substantially lessen project impacts, or because they were required under CEQA Guidelines (e.g., the No Project alternative). The project and alternatives are described in more detail in the 2016 RTP Final Program EIR and Appendices thereto.

Three alternatives are considered for the proposed 2016 RTP: Alternative A: The No Project Alternative, Alternative B: Non-Motorized Transportation and Roads Maintenance Emphasis, Alternative C: Improving Road Network Deficiencies on the State Highways and Local Roads, Transit Improvements, and Road Maintenance Emphasis, and Alternative D: Non-Motorized Transportation, Transit, and Energy Efficiency Emphasis. Alternative B would include all constrained transportation improvement projects as proposed under the 2016 RTP and additional projects for non-motorized transportation, transit, and road maintenance. This alternative is intended to provide a path toward compliance with AB 32, SB 32, and Executive Order B-30-15 to reduce greenhouse gas (GHG) emissions from transportation. To decrease vehicle miles traveled and GHG

emissions, non-motorized transportation projects would include sidewalks, multi-use trails, complete streets, and transit infrastructure. Alternative C is intended to improve LOS deficiencies in the roadway network, using anticipated new revenue streams: a half-cent sales tax approved by local voter initiative, existing Cap and Trade Program funds redirected under approval of the State legislature, and an increase in the Regional Traffic Mitigation Fee Program's (TIMF) fees. This alternative includes all constrained transportation improvement projects as proposed under the 2016 RTP as well as additional State highway and local roadway projects. Alternative D adds additional energy savings to Alternative B and focuses investment into constrained transportation improvement projects as proposed under the 2016 RTP and additional projects for non-motorized transportation, transit, and road maintenance. In addition, this alternative invests in measures such as solar panels, a plug-in electric (PEV) vehicle fleet, and natural gas and electric buses to further reduce project environmental effects through energy efficiency projects. This alternative assumes that funding related to energy efficiency and renewable energy system projects would be secured to constrain those types of projects. Under this scenario all constrained and funded transportation improvement projects as proposed under the 2016 RTP would remain. However, in addition to those projects, under this alternative there would be an increased amount of public transit, alternative transportation, and energy efficient transportation projects implemented. An increased amount of transit projects under this alternative would result in an increased amount of associated development of those facilities relative to the 2016 RTP.

B. FINDINGS ON ALTERNATIVES

The following project alternatives identified in the Environmental Impact Report are rejected for the following reasons. Evidence supporting the below analysis is presented in EIR Chapter 6.

The No Project Alternative (Alternative A) would not be considered environmentally superior overall. Although it would entail the fewest projects and therefore result in the fewest construction-related impacts and impacts associated with ground disturbance, many of the transportation improvements envisioned in the 2016 RTP would not occur. As a consequence, total VMT, air contaminant, and GHG emissions impacts would be greater with this alternative as compared to the 2016 RTP. This alternative would not satisfy the project objectives.

The Non-Motorized Transportation and Roads Maintenance Emphasis Alternative (Alternative B) would provide accessibility to alternative modes of transportation and performs similar or better than the proposed project. Overall VMT would be expected to be less that for the proposed RTP because of a greater use of active transportation modes (biking and pedestrian) and greater use of public transit. Based on expected VMT this alternative would result in less GHG and transportation impacts than the 2016 RTP and would likely result in less congestion. Alternative B would therefore be considered environmentally superior to the proposed project. However, superior performance of this alternative with respect to certain metrics is largely attributable to individual behavior parameters that are beyond the control of TCTC. For example, under this alternative, traffic and GHG emission benefits from the expansion and improvement of public and active transportation facilities would rely upon individuals throughout Tuolumne County utilizing these amenities. Therefore, implementation of this alternative and achievement of performance metrics such as lower VMT may not be feasible. Therefore, this alternative is rejected.

The Improving Road Network Deficiencies on the State Highways and Local Roads, Transit Improvements, and Road Maintenance Emphasis Alternative (Alternative C) would have an increase in VMT as a result of increased roadway improvement projects without additional focus on alternative forms of transportation. Further, this alternative would result in greater impacts related to the amount of agricultural lands that may be converted for other uses, the amount of habitat impacted, and amount of land disturbed that could contain cultural resources. Additionally, based exclusively on VMT, this alternative would result in increased air contaminant emissions, GHG emissions, and transportation impacts compared to the 2016 RTP. Therefore this alternative would not be environmentally superior to the project, and is also rejected.

The Non-Motorized Transportation, Transit, and Energy Efficiency Emphasis Alternative (Alternative D) performs similar or better than the proposed 2016 RTP and is considered to be environmentally superior to the proposed project. This alternative would result in an increased potential for agricultural lands to be converted for other uses and the amount of habitat impacted. However, overall VMT would be expected to be less because of a greater use of active transportation modes (biking and pedestrian) and greater use of public transit. Further, based on expected VMT as well as the energy savings attributed the efficiency investments, Alternative D would result in less GHG and transportation impacts than the 2016 RTP and would likely result in less congestion. This alternative would result in similar impacts to noise, geology, and hydrology. Based on the information presented herein, Alternative D is determined to be the environmentally superior alternative when considering overall environmental impact relative to the performance metrics. However, superior performance of this alternative with respect to certain metrics is largely attributable to individual behavior parameters that are beyond the control of TCTC. For example, under this alternative, traffic, air quality and GHG emission benefits from the expansion and improvement of public and active transportation facilities as well as through energy efficiency investments would rely upon individuals throughout Tuolumne County utilizing these amenities. Therefore, implementation of this alternative and achievement of performance metrics such as lower VMT may not be feasible. Therefore, this alternative is also rejected.

VII. FINDINGS ON CUMULATIVE IMPACTS

A. INTRODUCTION

Chapter 4 of the EIR includes an analysis of both project-specific and cumulative impacts of the proposed project, as required by CEQA. This EIR is a Program EIR that analyzes the effects of cumulative buildout of the 2016 RTP. The proposed 2016 RTP considers probable future projects included in the range of transportation projects designed to meet the plan goals and current and projected future needs, and the Final Program EIR analyzes the cumulative impacts of these projects. The cumulative effects of all probable future circulation system improvements are included in the analysis of the proposed project's impacts.

In Chapter 4.0, 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, they also by definition are considered "cumulatively considerable" incremental contributions to significant cumulative impacts. (See CEQA Guidelines Section 15130(a).) Mitigation measures adopted for project-specific impacts in Sections IV and V of these findings also are feasible options 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 BEEN MITIGATED TO LESS THAN SIGNIFICANT LEVELS (CLASS II IMPACTS)

For the following impacts, TCTC hereby finds that in Section IV of these findings, mitigation measures have been identified in the EIR that will avoid or substantially lessen the proposed project's incremental contribution to the following significant cumulative impacts to a less than significant (i.e., less than cumulatively considerable) level. The significant impacts and the mitigation measures that will reduce them to a less than significant level are as follows:

- Impact AES-1: Mitigation Measures AES-1(a) – (c)
- Impact AES-2: Mitigation Measures AES-2(a) – (c)
- Impact AQ-1; Mitigation Measure AQ-1(a) – (d)
- Impact B-1; Mitigation Measures B-1(a)-(b)
- Impact B-2; Mitigation Measures B-2(a)-(c)
- Impact B-3; Mitigation Measure B-3
- Impact CR-2; Mitigation Measures CR-2(a)-(d)
- Impact G-1; Mitigation Measure G-1
- Impact G-2; Mitigation Measures G-2(a)-(b)
- Impact GHG-1; Mitigation Measure GHG-1
- Impact W-1; Mitigation Measures W-1(a)-(d)
- Impact W-2; Mitigation Measures W-2(a)-(b)
- Impact W-3; Mitigation Measure W-3
- Impact LU-1; Mitigation Measures for Impacts AQ-1(a)-(d) and N-1 to N-2
- Impact LU-2; Mitigation Measures LU-2(a)-(c)
- Impact LU-5; Mitigation Measure LU-5(a)-(c)
- Impact N-1; Mitigation Measures N-1(a)-(e)
- Impact N-2; Mitigation Measures N-2(a)-(b)

C. FINDINGS FOR SIGNIFICANT CUMULATIVE IMPACTS FOR WHICH PROJECT'S INCREMENTAL CONTRIBUTION HAS NOT BEEN MITIGATED TO LESS THAN SIGNIFICANT LEVELS (CLASS I IMPACTS)

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

- Impact CR-1; Mitigation Measure CR-1
- Impact TC-1; Mitigation Measure TC-1(a)-(h)
- Impact TC-2; Mitigation Measure TC-2(a)-(f)
- Impact GHG-3; No Feasible Mitigation Available
- Impact GHG-4; No Feasible Mitigation Available

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

TCTC 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 Environmental Impact Report (EIR) has identified and discussed significant effects that may occur as a result of the Project. As set forth in these CEQA Findings, TCTC has made a reasonable and good faith effort to eliminate or substantially mitigate the 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, most of the project's effects can be mitigated to a level of less than significant. However, even with implementation of all feasible mitigation, the project will result in significant and unavoidable impacts as follows:

1. Implementation of the 2016 RTP would disturb known and unknown cultural resources such as historic structures. (Impact CR-1)
2. Implementation of the 2016 RTP would exceed the year 2040 efficiency threshold with transportation emissions. (Impact GHG-3)
3. Implementation of the 2016 RTP would be inconsistent with SB 32 and Executive Orders S-3-05 and B-30-15. (Impact GHG-4)
4. Implementation of the 2016 RTP would result in deficiencies on twelve roadway segments based on a threshold of level of service D. (Impact TC-1)
5. Implementation of the 2016 RTP would result in deficiencies on three intersections in 2030 and two interesections in 2040 based on a threshold of level of service D. (Impact TC-2)

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, TCTC hereby finds that the following legal, economic, social, and environmental benefits of the project outweigh its unavoidable adverse impacts and render them acceptable based upon the following considerations. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact.

a. The implementation of 2016 RTP 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.

b. The project will improve transportation safety, mobility, and accessibility in the county.

c. The project will promote consistency between the California Transportation Plan 2025 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.

d. The RTP will contribute to a reduction in greenhouse gas (GHG) emissions, helping Tuolumne County to achieve the regional GHG reduction targets set by Assembly Bill 32.

e. The construction of transportation projects will result in both short-term and long-term economic benefits to the Tuolumne County area and its residents. Transportation projects will indirectly provide for a number of jobs relating to construction and maintenance. The RTP program includes transportation investments in the TCTC region. Other California MPO studies have shown that investments in regional transportation projects and programs provide numerous jobs locally (see, for example, SANDAG 2050 RTP-SCS, Technical Appendix 3, Table TA 3.1, average annual increase of 18,500 jobs).

IX. MITIGATION MONITORING AND REPORTING PROGRAM

TCTC finds that a Mitigation Monitoring and Reporting Program (MMRP) for the 2016 RTP has been prepared for the project and has been adopted concurrently with these Findings (Public Resources Code, § 21081.6(a)(1)). The MMRP is described in the following sections.

A. PURPOSE AND INTENDED USE OF THE MMRP

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. This MMRP 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 this MMRP is to ensure the adopted mitigation measures adopted in the findings of fact for the 2016 RTP are implemented, in accordance with CEQA requirements. The findings adopt feasible mitigation measures to reduce the significant environmental impacts of the 2016 RTP. This MMRP clarifies the process for TCTC and individual project lead agencies to ensure these mitigation measures are implemented, and designates responsibility for implementing, monitoring, and reporting mitigation.

B. MITIGATION MEASURES ADOPTED WITH THE 2016 RTP

The mitigation measures adopted in the 2016 RTP EIR findings are listed in Sections IV and V of these findings. Each mitigation measure identifies the parties responsible for implementation.

C. ENFORCEMENT

CEQA requires mitigation measures to be "fully enforceable" through the use of permit conditions, agreements, or other measures within each Lead Agency's authority (Public Resources Code 21081.6(b)). The adopted mitigation measures are programmatic first-tier mitigation that can and should be implemented by other sponsor agencies during future project-specific design and environmental review. The Lead Agency for each future project is responsible for assuring the project-specific mitigation measures it adopts are enforceable.

D. IMPLEMENTATION AND REPORTING

TCTC shall designate a staff person (Executive Director of TCTC or Designee) to serve as Coordinator with the member agencies (those agencies that would act as Lead Agencies for further environmental review of individual transportation projects) for overall implementation and administration of this MMRP, and its application to future projects. Agencies considering approval of future projects under the 2016 RTP would utilize the Program EIR as a basis in determining potential mitigation measures for subsequent activities. The agencies responsible for implementing the mitigation measures, described as "the individual project lead agency" in the Program EIR, will be the lead agency for the individual future projects under the 2016 RTP. The project lead agency for individual projects will involve one of the following agencies: the City of Sonora, Tuolumne County, Caltrans, and public transit agencies. The individual project lead agency, which will be the lead agency for individual future projects under the 2016 RTP, will be responsible to monitor mitigation measures that are required to be implemented for the project.

Mitigation measures will typically occur at, or prior to, the following milestones:

- *During individual environmental review.* These are measures that need undertaking during individual project-level environmental review of RTP transportation projects. These measures include items such as assessment of identification of specific project level noise reduction measures, and measures to reduce impacts on biological resources.
- *Prior to issuance of a grading permit*. These are measures that need to be undertaken before earth moving activities begin. These measures include items such as staking the limits of environmentally sensitive areas or vegetation to remain, confirming biological mitigation plans with resource agencies, and including pertinent design details in the project plans.
- *During project construction*. These measures are those that need to occur as the project is being constructed. They include monitoring the construction site for the proper implementation of dust and emission controls, erosion controls, biological protection, and examining grading areas for the presence of cultural materials.
- *Following construction*. These measures apply to project components that would go into effect at completion of the project construction phase, including items such as management or monitoring plans (e.g., revegetation, etc.).