



SPECIAL JOINT MEETING OF THE COMMUNITY, ECONOMIC & HUMAN DEVELOPMENT ENERGY & ENVIRONMENT AND TRANSPORTATION COMMITTEES

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800
f (213) 236-1825

www.scag.ca.gov

Officers

President
Pam O'Connor, Santa Monica

First Vice President
Glen Becerra, Simi Valley

Second Vice President
Greg Pettis, Cathedral City

Immediate Past President
Larry McCallon, Highland

Executive/Administration Committee Chair

Pam O'Connor, Santa Monica

Policy Committee Chairs

Community, Economic and
Human Development
Bill Jahn, Big Bear Lake

Energy & Environment
Margaret Clark, Rosemead

Transportation
Paul Glaab, Laguna Niguel

PLEASE NOTE DATE AND TIME

Wednesday, March 21, 2012

12:00 p.m. – 1:30 p.m.

(Lunch will be provided for Members at 11:30 a.m.)

**SCAG Main Office
818 W. 7th Street, 12th Floor
Board Room
Los Angeles, CA 90017
(213) 236-1800**

Video-conference is also available

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Deby Salcido at (213) 236-1993 or via email at salcido@scag.ca.gov.

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. SCAG is also committed to helping people with limited proficiency in the English language access the agency's essential public information and services. You can request such assistance by calling (213) 236-1993. We request at least 72 hours (three days) notice to provide reasonable accommodations. We prefer more notice if possible. We will make every effort to arrange for assistance as soon as possible.

This Page Intentionally Left Blank



List of Video-conferencing Sites:

**Special Meeting of the
Community, Economic & Human Development
Energy & Environment and Transportation Committees
Wednesday, March 21, 2012
12:00 p.m. – 1:30 p.m.
Southern California Association of Governments (SCAG)
818 W. 7th Street, 12th Floor
Board Room
Los Angeles, CA 90017**

Regional Council and Policy Committee members, as well as members of the public, may participate via video-conference at the following locations:

IMPERIAL COUNTY REGIONAL OFFICE

1405 N. Imperial Avenue, Suite 1
El Centro, CA 92243

ORANGE COUNTY REGIONAL OFFICE

600 South Main Street, Suite 912
Orange, CA 92863

RIVERSIDE COUNTY REGIONAL OFFICE

3403 10th Street, Suite 805
Riverside, CA 92501

SAN BERNARDINO COUNTY REGIONAL OFFICE

1170 West 3rd Street, Suite 140
San Bernardino, CA 92410

VENTURA COUNTY REGIONAL OFFICE

950 County Square Drive, Suite 101
Ventura, CA 93003

SAN BERNARDINO-HESPERIA

County of San Bernardino High Desert Government Center
15900 Smoke Tree Street, 1st Floor, Training Room B
Hesperia, CA 92345

CITY OF PALMDALE

38250 Sierra Highway
Palmdale, CA 93550

This Page Intentionally Left Blank

**SPECIAL MEETING OF THE
COMMUNITY, ECONOMIC & HUMAN DEVELOPMENT
ENERGY & ENVIRONMENT AND TRANSPORTATION COMMITTEES
AGENDA
MARCH 21, 2012
12:00 p.m. – 1:30 p.m.**

CALL TO ORDER & PLEDGE OF ALLEGIANCE

(Hon. Pam O'Connor, Chair)

PUBLIC COMMENT PERIOD – Members of the public desiring to speak on items on the agenda, or items not on the agenda, but within the purview of the Committees, must fill out and present a Public Comment Card to the Assistant prior to speaking. Comments will be limited to three (3) minutes per speaker provided that the Chair has the discretion to reduce this time limit based upon the number of speakers. The Chair may limit the total time for all public comments to twenty (20) minutes.

ACTION ITEM*

Page No.

- | | | |
|---|-------------------|----------|
| 1. <u>Proposed Final 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and the associated Proposed Final Program Environmental Impact Report (PEIR)</u> | Attachment | 1 |
|---|-------------------|----------|

Recommended Actions: (1) Recommend to the Regional Council to adopt **Resolution No. 12-538-1**, certifying the Final Program Environmental Impact Report (PEIR) for the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and adopting Findings, a Statement of Overriding Considerations (SOC) and a Mitigation Monitoring and Reporting Program (MMRP) associated with the Final PEIR; and (2) Recommend to the Regional Council to adopt **Resolution No. 12-538-2**, adopting the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), including the associated conformity determination and the associated Consistency Amendment #11-24 to the 2011 Federal Transportation Improvement Program (FTIP).

The RTP/SCS Document and Public Comments with Responses can be viewed at:

<http://rtpscsc.scag.ca.gov/Pages/Proposed-Final-2012-2035-RTP-SCS.aspx>

The PEIR Document can be viewed at: <http://rtpscsc.scag.ca.gov/Pages/Proposed-Final-2012-PEIR.aspx>

CONSENT CALENDAR APPROVAL ITEMS*

- | | | |
|--|-------------------|------------|
| 2. <u>Minutes of the February 21, 2012 and March 1, 2012 Regional Council and Joint Policy Committees Meetings</u> | Attachment | 146 |
|--|-------------------|------------|

***NOTE:** Please be advised that ALL agenda items requiring approval or action shall be conducted by a roll call vote in accordance with the Brown Act (Govt. Code Section 54953).

ADJOURNMENT

The next meeting of the Regional Council will be held on Wednesday, April 4, 2012, 1:00 p.m., in the San Francisco/Sacramento Ballroom, at the Westin Bonaventure, 404 South Figueroa Street, Los Angeles, CA 90071, in conjunction with the SCAG Regional Conference and General Assembly, April 4 & 5, 2012.

This Page Intentionally Left Blank

DATE: March 21, 2012

TO: Community, Economic, and Human Development (CEHD) Committee
Energy and Environment Committee (EEC)
Transportation Committee (TC)

FROM: Hasan Ikhtrata, Executive Director, 213-236-1944, ikhtrata@scag.ca.gov

SUBJECT: Proposed Final 2012-2035 Regional Transportation Plan/Sustainable Communities Strategies (RTP/SCS) and the associated Proposed Final Program Environmental Impact Report (PEIR)

RECOMMENDED ACTIONS:

- (1) Recommend to the Regional Council to adopt **Resolution No. 12-538-1**, certifying the Final Program Environmental Impact Report (PEIR) for the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and adopting Findings, a Statement of Overriding Considerations (SOC) and a Mitigation Monitoring and Reporting Program (MMRP) associated with the Final PEIR; and
- (2) Recommend to the Regional Council to adopt **Resolution No. 12-538-2**, adopting the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), including the associated conformity determination and the associated Consistency Amendment #11-24 to the 2011 Federal Transportation Improvement Program (FTIP).

EXECUTIVE SUMMARY:

After more than two years of work, extensive coordination with the County Transportation Commissions and other partner agencies, and significant public outreach, staff is pleased to present to the Policy Committees the Proposed Final 2012-2035 RTP/SCS and the Proposed Final PEIR for the 2012-2035 RTP/SCS. Described within this report are the revisions to the Draft 2012-2035 RTP/SCS in response to public comments received and input received from the RTP Subcommittee and the Policy Committees leading to preparation of the Proposed Final 2012-2035 RTP/SCS and the PEIR. The Proposed Final 2012-2035 RTP/SCS continues to meet all of the state and federal requirements, including transportation conformity and Senate Bill 375 (SB 375). Furthermore, the Proposed Final PEIR complies with the requirements of the California Environmental Quality Act (CEQA). Based on these conclusions, staff recommends that the CEHD, EEC and TC jointly recommend to the Regional Council the adoption of Resolutions Nos. 12-538-1 and 12-538-2 relating to the certification of the Final PEIR and adoption of the Final 2012-2035 RTP/SCS and associated actions.

STRATEGIC PLAN:

This item supports SCAG's Strategic Plan, Goal 1, Improve Regional Decision Making by Providing Leadership and Consensus Building on Key Plans and Policies, Objective: c) Provide practical solutions for moving new ideas forward.

BACKGROUND:

THE VISION FOR THE 2012-2035 RTP/SCS

As background for today's actions, it is important to remind the Policy Committees of the vision of the 2012-2035 RTP/SCS (also referred to herein as the "Plan"). The 2012-2035 RTP/SCS is an investment Plan for Southern California's future that improves air quality, improves mobility and ensures global competitiveness. Based upon extensive local collaboration, the Plan contains projects, policies and strategies with the intent of achieving a range of outcomes. The Plan identifies available and foreseeable sources of funding, and programs that funding to transportation projects that benefit our communities. These projects can be transit expansions, road and highway improvements, or bicycle routes among many other things. The other parts of the RTP, the strategies and policies, while not strictly speaking investments are designed to assure that, to the greatest extent possible, the money invested has the best chance of achieving the objectives communities and residents care about. As such, as discussed last fall with the Regional Council and Policy Committees, the vision of the Plan is to set forth a meaningful path towards advancing our region's mobility, sustainability and economy.

Mobility

A successful transportation plan will allow the future residents of the region to access daily needs, including work, school, shopping, and recreation without undue burdens of cost, time, or physical danger. This includes the pressing need to preserve and maintain our infrastructure at adequate levels. Residents should be able to rely on their ability to get from one place in the region to another timely and safely. They should be able to choose from a variety of transportation modes that suit their preferences and needs, including non-auto modes that allow for physical activity. To this end, the 2012-2035 RTP/SCS, among other things, invests a considerable increase in funding for the region's system preservation to state of good repair and funding for active transportation as compared to past RTPs.

Sustainability

For the first time, this Plan includes a specific strategy linking future regional transportation and land use planning with the goal of promoting sustainability. This forecasted development pattern of the 2012-2035 RTP/SCS achieves the greenhouse gas (GHG) emissions reduction targets required under California's Sustainable Communities and Climate Protection Act (Senate Bill 375), with a reduction of per capita emissions of 9% by 2020 (exceeding the target of 8% set by the California Air Resources Board (ARB)) and 16% by 2035 (exceeding the target of 13% set by ARB) compared to the 2005 condition.

The RTP/SCS will only be successful if we define sustainability in the broadest way possible. A successful Plan will allow future residents to enjoy equal or better quality of life than we do today, including the ability to lead a healthy lifestyle enjoying clean air and water, and ample opportunities for recreation and physical activity. Given the economic recession, a successful RTP will also provide economic sustainability by providing strategies that create jobs and attract additional businesses to Southern California communities. Moreover, this RTP/SCS will have direct and substantial benefits to public health by reducing pollutant emissions and expanding the opportunities for active transportation. A successful RTP/SCS will demonstrate how we can transition from things we know to be unsustainable - such as reliance on fossil fuels - to new technologies for the future. Finally, the successful RTP/SCS will establish how we preserve what makes the region special, including our stable and successful neighborhoods with housing choices for all income level people, and our array of open spaces for future generations to enjoy.

Economy

A successful RTP/SCS will provide costs and benefits for creating opportunities for business, investment, and employment, a factor which is becoming increasingly important during these difficult economic times. This Plan does so by proposing almost \$525 billion of investment in the next 23 years, constituting the largest regional scale jobs program in Southern California's history. The implementation of infrastructure projects recommended in the Proposed Final 2012-2035 RTP/SCS funded by both existing funding sources and proposed innovative financing is projected to account for over 500,000 direct and indirect jobs annually. Economic benefits of the Plan are not limited, though, to the jobs created in designing, building and maintaining projects. In a broader sense, the RTP/SCS sets the conditions for economic activity in the region by improving mobility and reducing congestion, allowing businesses in the region to operate more efficiently, and maintain their competitiveness. It does so by addressing the needs for logistics and shipping in the region, which not only serves local businesses but allows us to capitalize on our unique position as a gateway for international trade. Also, through the integration of regional housing policy, residents will have better access to affordable housing in all communities, and will have lower overall combined costs for housing and transportation. In more subtle ways, the RTP/SCS encourages investment and growth by establishing the vision for a more livable and desirable region where industries want and can do business. Independent economic expert analysis of the Plan has found for every \$1 invested in the Plan there is a \$2.90 benefit.

RELEASE OF THE DRAFT 2012-2035 RTP/SCS AND PEIR

SCAG released the Draft 2012-2035 RTP/SCS and the associated Consistency Amendment #11-24 to the FTIP for a 55-day public review and comment period that began on December 20, 2011, which ended on February 14, 2012. Similarly, the Draft PEIR associated with the Draft 2012-2035 RTP/SCS was released on December 30, 2011 for a 45-day public review ending on the same day. SCAG received over 260 individual communications (over 1,800 separate comments) in total, regarding either the Draft RTP/SCS or Draft PEIR, or both. Staff presented an overview of the comments received on the Draft PEIR, and a proposed approach to the responses, to the Policy Committees and Regional Council at a joint meeting on February 21, 2012. Staff further presented an overview of the comments received on the Draft RTP/SCS, and a proposed approach to the responses, to the RTP Subcommittee on February 28, 2012 and to the Policy Committees and Regional Council at a joint meeting on March 1, 2012. Each of the comments, letters, and e-mails received was made available on the SCAG web page on March 1, 2012. Staff responses to each comment were provided on March 19, 2012, posted along with the Proposed Final RTP/SCS and PEIR on the SCAG website: <http://rtpscs.scag.ca.gov/Pages/default.aspx>. The Consistency Amendment #11-24 to the FTIP will be posted at <http://www.scag.ca.gov/ftip/2011/status.htm>.

This report provides the members of the Policy Committees with summary information on the proposed revisions to the Draft RTP/SCS and the associated Draft PEIR in response to the comments received and the direction provided by the RTP Subcommittee and Policy Committees. Based on the input and comments received from the stakeholders and interested parties through the public workshops and the formal comment process, staff undertook the following activities in preparing the Proposed Final 2012-2035 RTP/SCS and the associated PEIR:

- Documented and responded to every comment received, including testimonies that were provided at the formal public hearings that were conducted at each of the six counties;
- Updated some of the projects in the Project List with the most current information furnished to SCAG by the County Transportation Commissions (CTCs). The nature of such changes included minor change to the scope of existing projects, change to completion years, minor change to project

costs etc.;

- Updated the socio-economic data to reflect the most current local inputs;
- As requested by the Regional Council, added a Chapter reflecting the findings of the independent economic experts regarding the costs and benefits of the 2012-2035 RTP/SCS;
- Prepared an amendment to FTIP (Amendment #11-24) to ensure consistency with the Final Draft 2012 RTP/SCS;
- Re-ran the travel demand model and the analytical process to reflect the updated transportation network (projects) and the socio-economic data, which result in the same positive conformity findings and the GHG reductions that were demonstrated for the Draft 2012-2035 RTP/SCS;
- Convened RTP Subcommittee and Joint Policy Committees meetings to receive policy guidance on potential changes to the Final RTP/SCS and the associated PEIR; and
- Finally, revised the Draft 2012-2035 RTP/SCS and Draft PEIR as well as their supporting appendices to incorporate updates and appropriate changes.

Attachment 1 to this staff report is the Executive Summary for the Proposed Final 2012-3035 RTP/SCS. The proposed changes in the Proposed Final 2012-2035 RTP/SCS and the associated PEIR are minor and do not change the underlying themes and conclusions that were described in the draft documents released in December 2011. It is important to note that the development of the RTP/SCS and PEIR is based upon a continuing, cooperative, and comprehensive (“3-C”) planning process. To this point, to the extent that suggestions made by commenters to the Draft RTP/SCS were not incorporated or addressed in the Proposed Final Plan, opportunities exist in the 3-C planning process for further discussion and analysis as part of future RTP/SCS updates. As further detailed below, the changes in the Proposed Final 2012-2035 RTP/SCS can be grouped into three main categories: projects and programs, financial plan, and the SCS. In addition, minor changes were also made to the PEIR in response to stakeholder comments.

FINAL RTP/SCS MEETS STATE AND FEDERAL REQUIREMENTS

As indicated above, final model runs were completed with the updated networks and socio-economic data as part of the Final RTP/SCS development process. Based on the findings of this effort, staff is pleased to report that the Proposed Final 2012-2035 RTP/SCS continues to meet all state and federal requirements, including conformity (financial constraint, regional emissions analyses, timely implementation of transportation control measures, interagency consultation and public involvement) and the greenhouse gas emission reduction targets set by ARB pursuant to SB375. The 2012-2035 RTP/SCS is CEQA compliant.

PROJECTS AND PROGRAMS

SCAG received many comments regarding specific RTP/SCS projects and programs, including: the active transportation strategy, the goods movement East/West Freight Corridor and environmental strategy, and the SR-710 Transportation Improvement Options project. Staff concurs that additional work in these areas should be pursued beyond the adoption of the 2012-2035 RTP/SCS and in anticipation of the next RTP/SCS update in 2016. Discussion of these “next steps” has been added to the RTP/SCS, where appropriate. However, for now, and until additional studies are completed, the RTP/SCS investment strategy, including funding levels for modal categories of highway, transit, goods movement, and system preservation will remain unchanged. Active transportation funding was increased from \$6.0 billion to \$6.7 billion, partly in response to overwhelming support for higher levels of funding and partly to reflect the most current FTIP submitted by the County Transportation Commissions (CTCs). Similarly, TDM funding was increased from \$4.0 billion to \$4.5 billion.

In response to project-specific comments such as those opposing the SR-710 Transportation Improvement

REPORT

Options project and the East/West Freight Corridor, the RTP/SCS will continue to include these projects, with the recognition that project-specific evaluations by the lead agencies are under way or will be conducted in the future before implementation. As has been done with prior RTPs, SCAG will continue to work with the CTCs, Caltrans, and local agencies to amend the RTP/SCS as necessary to reflect local decisions that are made upon the completion of project-specific Environmental Impact Reports/Environmental Impact Statements.

Therefore, after careful consideration of the comments received regarding specific projects and programs, the RTP/SCS investment strategy and project list remain relatively unchanged from the Draft, with minor revisions to some of the projects included in the Project List to reflect the most current information on these projects as furnished by the CTCs.

The only new projects added to the Proposed Final RTP/SCS were discussed by the RTP Subcommittee, which recommends adding the following projects to the Constrained List of Projects.

- Include rail component in the Environmental Study (EIR/EIS) of the High Desert Corridor Project; and
- Parkway 1e11, a bicycle, pedestrian, and neighborhood electric vehicle trail in Coachella Valley

Staff has determined that neither of these projects would trigger the need for a new model run and therefore would not adversely impact the positive conformity findings and the GHG reduction target achievements.

In addition, the RTP Subcommittee recommends the following:

- Include the entire Corridor of California Nevada Super Speed Train (only the Anaheim-Ontario segment was included in the Strategic Plan in the Draft RTP/SCS) in the Strategic plan; and
- Eliminate the Grapevine alignment of the California High Speed Rail Phase I from any further consideration in the future as approved by the California High Speed Rail Authority

Other minor clarifications have been made to projects in response to comments, including for example, further clarification of the goods movement environmental strategy has been provided in the Technical Appendix, and the description of the SR-710 North project has been modified to, “SR-710 Transportation Improvement Options” to consistently reflect the project description in LA Metro’s approved Long Range Plan and on-going efforts on this project.

FINANCIAL PLAN

As previously reported as part of the March 1, 2012 Special Meeting of the Regional Council and Policy Committees, SCAG received comments regarding the assumption of innovative funding mechanisms in the Plan, including a mileage-based user fee. Staff concurs that additional work is needed before revenue strategies such as mileage-based user fees become effective in 2025. As such, the RTP/SCS does not assume implementation of these strategies by Congress or the State Legislature prior to 2025. Staff will further detail implementation steps and provide information on activities to be conducted beyond the adoption of the RTP/SCS in the Financial Plan Appendix report.

In addition, many comments encourage SCAG to front-load investments in active transportation and transit over highway investments. Staff clarifies the importance of respecting county and sub-regional decisions and points out the very limited flexibility to change near-term funding commitments.

The RTP Subcommittee discussed the need for language regarding local control of funding, particularly with respect to system preservation. Accordingly, the financial plan identifies the importance of developing mechanisms to ensure local control over these long-term resources.

In summary, after careful consideration of these comments, the RTP/SCS financial plan, including innovative funding strategies and overall funding allocations, remains unchanged from the Draft with minor adjustments described earlier under the Projects and Programs section. The Proposed Final 2012-2035 RTP/SCS meets federal requirements for financial constraint, and it is consistent with the priorities and projects identified in voter-approved sales tax measures and CTC adopted long range plans.

SUSTAINABLE COMMUNITIES STRATEGY

SCAG received various comments from member agencies and advocacy groups seeking clarification on the consistency of the future land use development pattern with local plans, including General Plans, Community Plans, Conservation Plans, etc. Staff has clarified that SCAG's SCS is largely based upon local input from local jurisdictions. In some cases, SCAG altered small area land use assumptions within jurisdictions to better reflect recent trends occurring in transit-rich areas of the region. SB 375 legislation does not require that a jurisdiction's land use policies and regulations be consistent with the SCS.

Some commenters questioned the utilization of TAZ-level maps versus jurisdictional level maps for the adoption of growth forecasts, and how this affects eligibility for CEQA incentives. Staff has indicated that the TAZ-level maps have been developed for the purpose of modeling performance only, that local jurisdictions and other lead agencies shall have the discretion to use or forego the use of SCAG's TAZ-level modeling assumptions, and that the growth and land use assumptions for the RTP/SCS are to be adopted at the jurisdictional scale (see Growth Forecast Appendix for jurisdictional level data). In reference to the CEQA incentives provided under SB 375, lead agencies, including local jurisdictions, maintain their own discretion concerning how to determine consistency of any future project with the SCS.

Comments related to the subregional SCSs were also included, which asked for clarification on the relationship between subregional implementation strategies and the regional implementation strategies, along with requests to explicitly state that land use inputs for the two subregional SCSs were unchanged. Staff has added clarifying language indicating that the subregional SCS documents submitted by the Gateway Cities Council of Government (GCCOG) and Orange County Council of Governments (OCCOG) are incorporated into the regional RTP/SCS in their entirety, and as such, the policies included are part of the regional plan for implementation in the sub-region. Staff has also explicitly stated that land use inputs from GCCOG and OCCOG were not changed per the MOU between SCAG and the respective subregion.

Additionally, other commenters encouraged SCAG to address possible negative impacts on public health, lower income communities, housing affordability, and rural areas. Staff has added additional actions and strategies to Chapter 4 (SCS) that local jurisdictions may consider to successfully implement the SCS.

Attachment 3 to this staff report is the resolution proposed to be approved by the Regional Council on April 4, 2012 relating to the adoption of the 2012-2035 RTP/SCS and associated air quality conformity determination for the Plan as well as consistency determination of Amendment #11-24 to 2011 FTIP (ensuring that projects in the 2011 FTIP are consistent with 2012-2035 RTP/SCS).

PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)

REPORT

As indicated above, the Draft PEIR was released for a 45-day public comment period beginning on December 30, 2012 and concluding on February 14, 2013. Ninety-nine (99) comment communications were received from various public and private sector entities and individuals. Many of the comments focused on one or more of the following:

- 1) Suggested Mitigation Measures, in particular feasibility and applicability;
- 2) Distinctions between a Program-level EIR and a Project-level EIR; and
- 3) Growth assumptions underlying the PEIR analysis

In order to address these common issues, Master Responses have been prepared and are summarized below:

Master Response #1 clarifies SCAG's role particularly as it relates to lack of authority to impose mitigation measures on local jurisdictions, transportation agencies, or project sponsors and clarifies the intent concerning mitigations for other agencies. These project-specific mitigation measures have been moved to a new appendix (Appendix G) to clarify that these measures are simply examples of measures that lead agencies may use to comply with CEQA regarding a significant impact, as stated in the following measure:

“Local agencies can and should comply with the requirements of CEQA to mitigate impacts to [RESOURCE AREA] as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.”

Master Response #2 explains that the 2012-2035 RTP/SCS PEIR is a programmatic document that provides a region-wide assessment of the potential significant environmental effects of implementing the projects, programs, and policies included in the 2012-2035 RTP/SCS. This type of document is allowed by CEQA for projects that constitute a series of actions that can be characterized as one large project, such as the 2012-2035 RTP/SCS. This PEIR does not analyze impacts from individual projects identified in the RTP/SCS. This analysis would be completed on a project-by-project basis by the lead agency; however, the 2012-2035 PEIR may be used as a starting point, or “tier” in the preparation of project-specific environmental documents.

Master Response #3 explains that the 2012-2035 RTP/SCS contains a growth forecast and set of land use assumptions, which were developed under a different set of parameters than used historically because of the new state law requirements of SB 375. In summary, it involved a series of data exchanges, workshops, and/or one-on-one meetings with staff of the various local jurisdictions in the SCAG region to assure accuracy and agreement on the total population, jobs and housing for each jurisdiction for 2020 and 2035. SCAG further developed the forecasted land use pattern by assuming a general shift toward in-fill and transit oriented development in the later years of the plan (between 2020 and 2035). Additionally, as allowed under SB 375, both GCCOG and OCCOG developed and submitted to SCAG their subregional SCSs including forecasted subregional growth numbers and distributions. In addition, updated growth distributions were submitted to SCAG from San Bernardino and Riverside Counties. These data sets are incorporated by SCAG, un-altered, into the proposed Plan. These changes were minor and do not affect the impact analysis or conclusions included in the PEIR.

The Final 2012-2035 PEIR is not being revised in its entirety. Instead, a “corrections and additions” format has been prepared which identifies all changes between the Draft PEIR and the Final PEIR. Thus, the Final PEIR incorporates the Draft PEIR and its appendices A-F. The Proposed Final PEIR contains the following:

REPORT

- Introduction
- Detailed Master Responses (summarized above)
- List of Commenters
- Responses to Comments
- Corrections and Additions
- Mitigation Monitoring and Reporting Program
- Appendix G: Examples of Measures that Could Reduce Impacts from Planning, Development and Transportation Projects
- Appendix H: Comments on the Draft PEIR
- Updated and Corrected Maps

Attachment 2 to this staff report is the resolution proposed to be approved by the Regional Council on April 4, 2012 relating to the certification of the Final PEIR prepared for the 2012-2035 RTP/SCS, which includes the required CEQA Findings (see Attachment 1 to Resolution No. 12-538-1) and the Statement of Overriding Considerations (see Attachment 2 to Resolution No. 12-538-1). The resolution relating to the PEIR certification must be acted upon before the resolution relating to the adoption of the 2012-2035 RTP/SCS).

NEXT STEPS

Following today's meeting, pending your recommendations, staff will request the Regional Council to officially certify the Final PEIR and officially adopt the Final 2012-2035 RTP/SCS on Wednesday, April 4, 2012 and act upon the related resolutions.

FISCAL IMPACT:

Funding for the RTP/SCS and PEIR development is included in the FY 2011/12 OWP.

ATTACHMENTS:

- (1) Executive Summary of the Proposed Final 2012-2035 RTP/SCS
- (2) Resolution No. 12-538-1 (relating to Certification of PEIR and includes associated Findings and Statement of Overriding Consideration)
- (3) Resolution No. 12-538-2 (relating to Adoption of 2012-2035 RTP/SCS and associated air quality conformity determination and Consistency Amendment #11-24 to 2011 FTIP)

EXECUTIVE SUMMARY



REGIONAL TRANSPORTATION PLAN
2012-2035 RTP
SUSTAINABLE COMMUNITIES STRATEGY
Towards a Sustainable Future



Southern California Association of Governments
PROPOSED FINAL 2012-2035 RTP/SCS
MARCH 2012

EXECUTIVE SUMMARY



Our Vision

Towards a Sustainable Future

For the past three decades, the Southern California Association of Governments (SCAG) has prepared Regional Transportation Plans (RTPs) with the primary goal of increasing mobility for the region's residents and visitors. While mobility is a vital component of the quality of life that this region deserves, it is by no means the only component. SCAG has placed a greater emphasis than ever before on sustainability and integrated planning in the 2012–2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), whose vision encompasses three principles that collectively work as the key to our region's future: mobility, economy, and sustainability.

The 2012–2035 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with SB 375, improve public health, and meet the National Ambient Air Quality Standards as set forth by the federal Clean Air Act. As such, the 2012–2035 RTP/SCS contains a regional commitment for the broad deployment of zero- and near-zero emission transportation technologies in the 2023–2035 time frame and clear steps to move toward this objective. This is especially critical for our goods movement system. The development of a world-class zero- or near-zero emission freight transportation system is necessary to maintain economic growth in the region, to sustain quality of life, and to meet federal air quality requirements. The 2012–2035 RTP/SCS puts forth an aggressive strategy for technology development and deployment to achieve this objective. This strategy will have many co-benefits, including energy security, cost certainty, increased public support for infrastructure, GHG reduction, and economic development.

Never before have the crucial linkages and interrelationships between the economy, the regional transportation system, and land use been as important as now. For the first time, the 2012–2035 RTP/SCS includes a significant consideration of the economic impacts and opportunities provided by the transportation infrastructure plan set forth in the 2012–2035 RTP/SCS, considering not only the economic and job creation impacts of the direct investment in transportation infrastructure, but also the efficiency gains in terms of worker and business economic productivity and goods movement. The 2012–2035 RTP/SCS outlines a transportation infrastructure investment strategy that will benefit Southern California, the state, and the nation in terms of economic development, competitive

advantage, and overall competitiveness in the global economy in terms of attracting and retaining employers in the Southern California region.

The 2012–2035 RTP/SCS provides a blueprint for improving quality of life for our residents by providing more choices for where they will live, work, and play, and how they will move around. Its safe, secure, and efficient transportation systems will provide improved access to opportunities, such as jobs, education, and healthcare. Its emphasis on transit and active transportation will allow our residents to lead a healthier, more active lifestyle. It will create jobs, ensure our region's economic competitiveness through strategic investments in our goods movement system, and improve environmental and health outcomes for its 22 million residents by 2035. More importantly, the RTP/SCS will also preserve what makes the region special, including our stable and successful neighborhoods and our array of open spaces for future generations to enjoy.

The Setting

In order to successfully overcome the challenges that lie before us, this RTP/SCS first recognizes the impacts that recent events and long-term trends will have on how people choose to live and move around.

ECONOMIC RECESSION

[800,000] jobs have been lost in the region
due to the Great Recession

The economic turmoil faced by many of the region's residents is likely to impact their housing choices and travel behavior, including their transportation mode choice and day-to-day travel patterns. This will potentially require different types of transportation solutions.

POPULATION GROWTH

The region will add **[4 million]** people by 2035

This growth in population will only exacerbate our region’s existing mobility challenges. The SCAG region is already home to 18 million people, or 49 percent of California’s population. If it were its own state, the SCAG region would be the fifth most populous in the nation. Furthermore, this expected growth will occur mainly in the suburban inland counties of Riverside and San Bernardino, adding to the existing imbalance of jobs and housing in the region, and requiring people to travel, which contributes to transportation and air quality challenges. In addition, with the aging of the Baby Boomer generation (the share of the population 65 years or older will increase from 11 percent in 2010 to 18 percent in 2035), the region will have a greater need for more efficient modes of transportation for those who can no longer drive as their main form of transportation.



Image courtesy of Metro © 2012 LACMTA

MULTIMODAL TRANSPORTATION SYSTEM

Over the past few decades, the region has invested heavily in a multimodal transportation system that serves as the backbone of the region’s economic well-being.

THE SYSTEM AT A GLANCE

[21,690] miles of highways and arterials

[470] miles of passenger rail

[6] air carrier airports

Nine out of ten trips in the region utilize our extensive highway and arterial network, which supports a host of modes, including the automobile, transit, and active transportation. The region is also home to a growing number of passenger rail lines, none of which existed 20 years ago. Our regional aviation system is the nation’s largest and most complex in terms of number of airports and aircraft, and our goods movement industry plays a critical role in sustaining the economy of our region. The importance of this system to our region cannot be overstated.

THE REGION IN MOTION

[446 million] miles driven each day

[81 million] air passengers each year

[45%] more urban rail riders between 2000 and 2006

[34%] of our jobs depend on the goods movement industry

Challenges

The challenges facing the region are daunting. When combined, our mobility, air quality, and funding challenges present an imposing threat to the quality of life for both current and future residents.

MOBILITY CHALLENGES

The region wastes over **[3 million]** hours each year sitting in traffic

The region’s roadways are the most congested in the nation, and traffic relief is critical, even more so in our current economic situation. By failing to address our congestion, we have foregone jobs—every 10 percent decrease in congestion can bring an employment increase of about 132,000 jobs.

SAFETY CHALLENGES

On the brighter side, our roadways are among the nation’s safest, with rate of fatal and injury collisions declining dramatically since the 1930s. But as we continue to successfully improve safety for our motorists, we cannot neglect the alarming fatality rates of those traveling on other modes of transportation.

[21%] of all traffic-related fatalities involve pedestrians

This fatality rate is unacceptable, and if we plan to successfully move toward a more sustainable future that includes plenty of active transportation, we must address the safety deficiencies in all modes of transportation.

AIR QUALITY CHALLENGES

In addition, while Southern California is a leader in reducing emissions, and ambient levels of air pollutants are improving, the SCAG region continues to have the worst air quality in the nation, and air pollution still causes thousands of premature deaths every year, as well as other serious adverse health effects. The South Coast Air Quality Management District (AQMD) estimates the monetary cost of air pollution in Southern California to be at least \$14.6 billion annually.

Even with ongoing aggressive control strategies, ever more stringent national ozone standards require further oxide of nitrogen (NOx) emission reductions in the SCAG region. In the South Coast Air Basin, for example, it is estimated that NOx emissions will need to be reduced by approximately two-thirds in 2023 and three-quarters in 2030. This is a daunting challenge. The level of emission reduction required is so significant that 2030 emissions forecasted from just three sources—ships, trains, and aircraft—would lead to ozone levels near the federal standard. Because most sources, including cars and factories, are already controlled by over 90 percent, attainment of ozone standards will require broad deployment of zero- and near-zero emission technologies in the 2023–2035 time frame.

Senate Bill 375

New to this RTP, California’s Sustainable Communities and Climate Protection Act, or Senate Bill (SB) 375, calls for this RTP to include an SCS that reduces greenhouse gas (GHG) emissions from passenger vehicles by 8 percent per capita by 2020 and 13 percent per capita by 2035 compared to 2005, as set by the California Air Resources Board (ARB). SB 375 enhances the State’s goals of Assembly Bill 32, the Global Warming Solutions Act of 2006. Meeting the required targets will not be easy, but it must be done for the health and quality of life of current and future generations. Meeting these targets will point the region toward overall sustainability and will provide benefits beyond reducing carbon emissions.

FINANCIAL CHALLENGES

Of all the challenges facing us today, there is perhaps none more critical than funding. With the projected growth in population, employment, and demand for travel, the costs of our multimodal transportation needs surpass projected revenues available from our historic transportation funding source—the gas tax.

State and federal gas taxes have not changed
in nearly **[20]** years

Yet, highway construction costs
have grown by **[82%]**

As a result of years of underinvestment, a significant number of our roadways and bridges have fallen into a state of disrepair. It is imperative that this situation be addressed. The rate of deterioration will only accelerate with continued deferral, significantly increasing the cost of bringing our transportation assets back into a state of good repair. Furthermore, with recent declines in transit funding, the region’s transit operators continue to face major obstacles to providing frequent and convenient transit service.

Rail operating costs have increased by
over **[40%]** in the past decade

Intercity transit operators have been forced
to cut service by up to **[20%]**

The region must consider ways to stabilize existing revenue sources and supplement them with reasonably available new sources. This region needs a long-term, sustainable funding plan that ensures the region receives its fair share of funding, supports an efficient and effective transportation system that grows the economy, provides mobility choices, and improves our quality of life.

Our Approach

To address these challenges, SCAG performed a careful analysis of our transportation system, the future growth of our region, and potential new sources of revenue, and embarked on a massive outreach undertaking to hear what the region had to say. While SCAG continued to work closely through hundreds of meetings with stakeholder agencies with which it has always collaborated, it also conducted a series of planning sessions throughout the region to find out what Southern Californians want to see in their future. The result of this multi-year effort is the 2012–2035 RTP/SCS, a shared vision for the region’s sustainable future.

Transportation Investments

The RTP/SCS contains a host of improvements to our multimodal transportation system. These improvements include closures of critical gaps in the network that hinder access to certain parts of the region, as well as the strategic expansion of our transportation system where there is room to grow in order to provide the region with the mobility it needs. These improvements are outlined in **TABLE 1**.



Image courtesy of the Riverside Transit Agency

TABLE 1 Transportation Investments

Component	Description	Cost
Transit		\$55.0 billion
Bus Rapid Transit (BRT)	New BRT routes, extensions, and/or service enhancements in Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties	\$4.6 billion
Light Rail Transit (LRT)	New Light Rail routes/extensions in Los Angeles and San Bernardino Counties	\$16.9 billion
Heavy Rail Transit (HRT)	Heavy Rail extension in Los Angeles County	\$11.8 billion
Bus	New and expanded bus service in Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties	\$21.7 billion
Passenger and High-Speed Rail		\$51.8 billion
Commuter Rail	Metrolink extensions in Riverside County and Metrolink systemwide improvements to provide higher speeds	\$4.1 billion
High-Speed Rail	Improvements to the Los Angeles to San Diego (LOSSAN) Rail Corridor with an ultimate goal of providing San Diego-Los Angeles express service in under two hours Phase I of the California High-Speed Train (HST) project that would provide high-speed service from Los Angeles to the Antelope Valley	\$47.7 billion
Active Transportation		\$6.7 billion
Various Active Transportation Strategies	Increase our bikeways from 4,315 miles to 10,122 miles, bring significant amount of sidewalks into compliance with the Americans with Disabilities Act (ADA), safety improvements, and various other strategies	\$6.7 billion
Transportation Demand Management (TDM)		\$4.5 billion
Various TDM Strategies	Strategies to incentivize drivers to reduce solo driving: <ul style="list-style-type: none"> ▪ Increase carpooling and vanpooling ▪ Increase the use of transit, bicycling, and walking ▪ Redistribute vehicle trips from peak periods to non-peak periods by shifting work times/days/locations ▪ Encourage greater use of telecommuting ▪ Other “first mile/last mile” strategies to allow travelers to easily connect to and from transit service at their origin and destination. These strategies include the development of mobility hubs around major transit stations, the integration of bicycling and transit through folding-bikes-on-buses programs, triple bike racks on buses, and dedicated racks on light and heavy rail vehicles 	\$4.5 billion

Component	Description	Cost
Transportation Systems Management (TSM) (includes Intelligent Transportation Systems (ITS))		\$7.6 billion
Various TSM Strategies	Enhanced incident management, advanced ramp metering, traffic signal synchronization, advanced traveler information, improved data collection, universal transit fare cards (Smart Cards), and Transit Automatic Vehicle Location (AVL) to increase traffic flow and reduce congestion	\$7.6 billion
Highways		\$64.2 billion
Mixed Flow	Interchange improvements to and closures of critical gaps in the highway network to provide access to all parts of the region	\$16.0 billion
High-Occupancy Vehicle (HOV)/ High-Occupancy Toll (HOT)	Closure of gaps in the high-occupancy vehicle (HOV) lane network and the addition of freeway-to-freeway direct HOV connectors to complete Southern California's HOV network A connected network of Express/HOT lanes	\$20.9 billion
Toll Facilities	Closure of critical gaps in the highway network to provide access to all parts of the region	\$27.3 billion
Arterials		\$22.1 billion
Various Arterial Improvements	Spot widenings, signal prioritization, driveway consolidations and relocations, grade separations at high-volume intersections, new bicycle lanes, and other design features such as lighting, landscaping, and modified roadway, parking, and sidewalk widths	\$22.1 billion
Goods Movement (includes Grade Separations)		\$48.4 billion
Various Goods Movement Strategies	Port access improvements, freight rail enhancements, grade separations, truck mobility improvements, intermodal facilities, and emission-reduction strategies	\$48.4 billion
Aviation and Airport Ground Access		Included in modal investments
Various Airport Ground Access Improvements	Rail extensions and improvements to provide easier access to airports, and new express bus service from remote terminals to airports	Included in modal investments
Operations and Maintenance		\$216.9 billion
Transit		\$139.3 billion
Highways	Operations and maintenance to preserve our multimodal system in a good state of repair	\$56.7 billion
Arterials		\$20.9 billion

Financial Plan

The 2012–2035 RTP/SCS financial plan identifies how much money is available to support the region’s transportation investments. The plan includes a core revenue forecast of existing local, state, and federal sources, along with reasonably available new revenue sources that are likely to materialize within the RTP time frame. These new sources include adjustments to state and federal gas tax rates based on historical trends and recommendations from two national commissions (National Surface Transportation Policy and Revenue Study Commission and National Surface Transportation Infrastructure Financing Commission) created by Congress, further leveraging of existing local sales tax measures, value capture strategies, potential national freight program/freight fees, as well as passenger and commercial vehicle tolls for specific facilities. Reasonably available revenues also include innovative financing strategies, such as private equity participation.

TABLE 2 presents ten categories of new revenue sources and innovative financing techniques that are considered to be reasonably available and are included in the financially constrained plan. For each funding source, SCAG has examined the policy and legal context of implementation, prepared an estimate of the revenue potential, and identified action steps to ensure the funds are available to implement the region’s transportation vision.

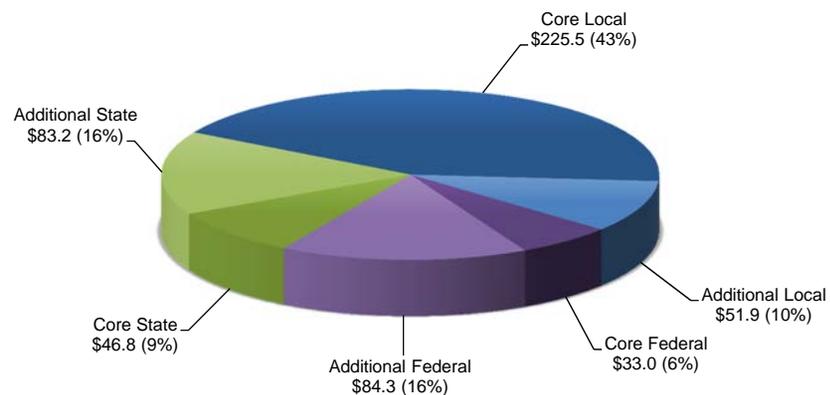
Revenue Sources and Expenditures

FIGURES 1 AND 2 provide a summary of the plan’s forecasted revenues and expenditures. As shown in these figures, the region’s budget over the next 25 years totals an estimated \$524.7 billion.

TABLE 2 New Revenue Sources and Innovative Financing Strategies (Nominal Dollars, Billions)

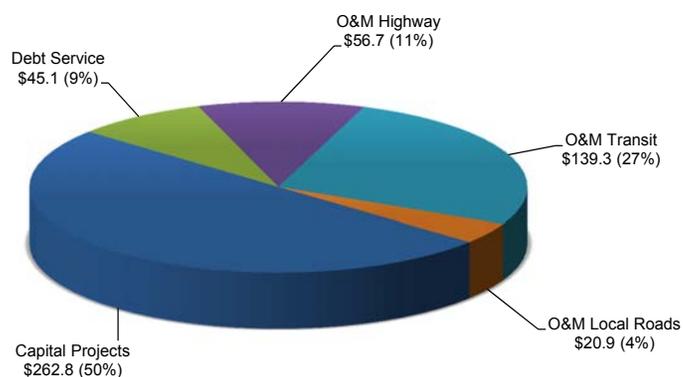
Revenue Source	Description	Amount
Bond Proceeds from Local Sales Tax Measures	Issuance of debt against existing sales tax revenues: Los Angeles, Orange, Riverside, and San Bernardino Counties.	\$25.6 bil
State and Federal Gas Excise Tax Adjustment to Maintain Historical Purchasing Power Enacted by Congress	Additional \$0.15 per gallon gasoline tax imposed at the state and federal levels starting in 2017 to 2024—to maintain purchasing power.	\$16.9 bil
Mileage-Based User Fee (or equivalent fuel tax adjustment) Enacted by Congress	Mileage-based user fees would be implemented to replace gas tax and augment—estimated at about \$0.05 (2011\$) per mile and indexed to maintain purchasing power starting in 2025.	\$110.3 bil (est. increment only)
Highway Tolls (includes toll revenue bond proceeds)	Toll revenues generated from SR-710 North Extension, I-710 South Freight Corridor, East-West Freight Corridor, segment of the High Desert Corridor, and Regional Express/HOT Lane Network.	\$22.3 bil
Private Equity Participation	Private equity share as may be applicable for key initiatives: e.g., toll facilities; also, freight rail package assumes railroad share of costs for mainline capacity and intermodal facilities.	\$2.7 bil
Freight Fee/National Freight Program	A national freight program is anticipated with the next federal reauthorization of the surface transportation act. The U.S. Senate’s proposal would establish federal formula funding for the national freight network.	\$4.2 bil
E-Commerce Tax	Although these are existing revenue sources, they generally have not been collected. Potentially, the revenue could be used for transportation purposes, given the relationship between e-commerce and the delivery of goods to California purchasers.	\$3.1 bil
Interest Earnings	Interest earnings from toll bond proceeds.	\$0.2 bil
State Bond Proceeds, Federal Grants & Other for California High-Speed Rail Program	State general obligation bonds authorized under the Bond Act approved by California voters as Proposition 1A in 2008; federal grants authorized under American Recovery and Reinvestment Act and High-Speed Intercity Passenger Rail Program; potential use of qualified tax credit bonds; and private sources.	\$33.0 bil
Value Capture Strategies	Assumes formation of special districts including use of tax increment financing for specific initiatives.	\$1.2 bil

FIGURE 1 Revenue Sources
\$524.7 Billion (Nominal Dollars) FY2011–FY2035



Source: SCAG Revenue Model 2011
 Note: Numbers may not sum to total due to rounding

FIGURE 2 Expenditure Summary
\$524.7 Billion (Nominal Dollars) FY2011–FY2035



Source: SCAG Revenue Model 2011
 Note: Numbers may not sum to total due to rounding

Sustainable Communities Strategy

Within the RTP, the SCS demonstrates the region’s ability to attain and exceed the GHG emission-reduction targets set forth by the ARB. The SCS outlines our plan for integrating the transportation network and related strategies with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands. The regional vision of the SCS maximizes current voluntary local efforts that support the goals of SB 375, as evidenced by several Compass Blueprint Demonstration Projects and various county transportation improvements. The SCS focuses the majority of new housing and job growth in high-quality transit areas and other opportunity areas in existing main streets, downtowns, and commercial corridors, resulting in an improved jobs-housing balance and more opportunity for transit-oriented development. This overall land use development pattern supports and complements the proposed transportation network that emphasizes system preservation, active transportation, and transportation demand management measures. Finally, the RTP/SCS fully integrates the two subregional SCSs prepared by the Gateway Cities and Orange County Council of Governments.



Photo by Alan Thompson

Measuring Up

The investments in this RTP/SCS are expected to result in significant benefits to the region with respect to transportation and mobility, as well as air quality, economic activity and job creation, sustainability, and environmental justice. They will result in better placemaking, lower overall costs, improvements in public health and the environment, responsiveness to a changing housing market, and improved accessibility and mobility.

Air Quality and GHG Targets

We will reduce greenhouse gas emissions by **[9%]** by 2020, and by **[16%]** by 2035

This RTP/SCS successfully achieves and exceeds our greenhouse gas emission-reduction targets set by ARB by achieving a 9 percent reduction by 2020 and 16 percent reduction by 2035 compared to the 2005 level on a per capita basis. This RTP/SCS also meets criteria pollutant emission budgets set by the EPA. With each passing year, Southern Californians should expect to breathe cleaner air and live healthier lives.

This air quality benefit is made possible largely by more sustainable planning, integrating transportation and land use decisions to allow Southern Californians to live closer to where they work and play, and to high-quality transit service. As a result, more residents will be able to use transit and active transportation as a safe and attractive means of travel.

Location Efficiency

Over **[twice]** as many households will live near high-quality transit

Share of households living in the High-Quality Transit Area will more than double over the plan period, signaling a more efficient overall development pattern in the future.

Mobility

Delay on our roadway system will improve over today’s condition

Our roadways will be less congested, allowing our region’s residents to spend less time in traffic onboard a bus or behind the wheel, and more time with their families.

Safety

Not only will residents be more mobile, they will also be safer. This RTP/SCS’s emphasis on safety will result in significantly lower accident rates, giving our residents the peace of mind to travel freely throughout the day and come home to their loved ones every night.

Economy

We will generate **[500,000]** jobs per year

Not only will the region be more mobile, it will also be more prosperous. An annual average of 174,500 new jobs will be generated by the construction and operations expenditures in the RTP/SCS, and an additional 354,000 annual jobs will be created in a broad cross-section of industries by the region’s increased competitiveness and improved economic performance as a result of the improved transportation system.

Investment Effectiveness

We will get **[\$2.90]** back for every \$1 spent

The RTP/SCS makes dollar sense. While overall expenditures by 2035 are a significant investment, the region will recover \$2.90 for every \$1 this RTP/SCS commits, which will only help propel the region to more prosperous days ahead.

Public Participation

The development of the Draft 2012–2035 RTP/SCS involved implementation of one of the most comprehensive and coordinated public participation plans ever undertaken by SCAG. The public and stakeholder involvement program went above and beyond meeting the requirements of SB 375 and the SAFETEA-LU. SCAG engaged the widest range of stakeholder groups, elected officials, special interest groups, and the general public through a series of workshops and public meetings, as well as SCAG’s policy committees, task forces, and subcommittee structure. The input received through this process has truly shaped the Draft 2012–2035 RTP/SCS in a meaningful way. Furthermore, SCAG continued to involve and engage the stakeholders and the public in the process of refining and finalizing the 2012–2035 RTP/SCS through the close of the formal comment period in February 2012. SCAG developed a state-of-the-art video and the iRTP, an interactive RTP/SCS website, that enhanced our capability to engage and involve the stakeholders and the public in shaping the 2012–2035 RTP/SCS in an unprecedented way.

Strategic Plan—Looking Ahead—Beyond the Horizon

The 2012–2035 RTP/SCS proposes investing over \$524 billion over the next 25 years to improve the quality of life of the region’s residents by enhancing our transportation system. However, additional strategies and projects are needed. The Strategic Plan identifies additional long-term initiatives such as zero- and/or near zero emission transportation strategies, new operational improvements, expanded transit investments and high-speed rail system, as well as increased commitment to active transportation. Although elements of these strategies are included in the financially constrained plan, further work is needed to ensure there is regional consensus and commitment to fund the balance in subsequent RTPs.



The information and content contained in this publication is provided without warranty of any kind, and the use of or reliance on any information or content contained herein shall be at the user's sole risk. In no event shall SCAG be responsible or liable for any consequential, incidental or direct damages (including, but not limited to, damages for loss of profits, business interruption, or loss of programs or information) arising from or in connection with the use of or reliance on any information or content of this publication.

REGIONAL TRANSPORTATION PLAN
2012–2035 RTP
SUSTAINABLE COMMUNITIES STRATEGY
Towards a Sustainable Future



**SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS**

818 West 7th Street, 12th Floor
Los Angeles, CA 90017
Phone: (213) 236-1800
Fax: (213) 236-1825
www.scag.ca.gov

REGIONAL OFFICES

Imperial County

1405 North Imperial Avenue
Suite 1
El Centro, CA 92243
Phone: (760) 353-7800
Fax: (760) 353-1877

Orange County

OCTA Building
600 South Main Street
Suite 906
Orange, CA 92863
Phone: (714) 542-3687
Fax: (714) 560-5089

Riverside County

3403 10th Street
Suite 805
Riverside, CA 92501
Phone: (951) 784-1513
Fax: (951) 784-3925

San Bernardino County

Santa Fe Depot
1170 West 3rd Street
Suite 140
San Bernardino, CA 92410
Phone: (909) 806-3556
Fax: (909) 806-3572

Ventura County

950 County Square Drive
Suite 101
Ventura, CA 93003
Phone: (805) 642-2800
Fax: (805) 642-2260

SOUTHERN CALIFORNIA



ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

Officers

President

Pam O'Connor, Santa Monica

First Vice President

Glen Becerra, Simi Valley

Second Vice President

Greg Pettis, Cathedral City

Immediate Past President

Larry McCallon, Highland

Executive/Administration Committee Chair

Pam O'Connor, Santa Monica

Policy Committee Chairs

Community, Economic and

Human Development

Bill Jahn, Big Bear Lake

Energy & Environment

Margaret Clark, Rosemead

Transportation

Paul Glaab, Laguna Niguel

RESOLUTION NO. 12-538-1

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE 2012-2035 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (SCH# 2011051018); AND ADOPTING ENVIRONMENTAL FINDINGS, A STATEMENT OF OVERIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the Southern California Association of Governments (SCAG) is a Joint Powers Agency established pursuant to California Government Code Section 6502 et seq.; and

WHEREAS, SCAG is the designated Metropolitan Planning Organization (MPO) for the counties of Los Angeles, Riverside, San Bernardino, Ventura, Orange, and Imperial, pursuant to Title 23, United States Code Section 134(d); and

WHEREAS, SCAG is responsible for maintaining a continuing, cooperative, and comprehensive transportation planning process which involves the preparation and update every four years of a Regional Transportation Plan (RTP) pursuant to Title 23, United States Code Section 134 et seq., Title 49, United States Code Section 5303 et seq., and Title 23, Code of Federal Regulations Section 450 et seq.; and

WHEREAS, SCAG is the designated Regional Transportation Planning Agency (RTPA) under state law, and as such is responsible for preparing, adopting and updating every four years the RTP and Sustainable Communities Strategy (SCS) pursuant to Government Code Section 65080 et seq.; and

WHEREAS, the Final 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS") sets forth the long-range regional plans and strategies for transportation improvements and regional growth throughout the SCAG region through 2035; and

WHEREAS, the Final 2012-2035 RTP/SCS consists of a financially constrained plan and a strategic plan. The constrained plan includes projects that have committed, available or reasonably available revenue sources, and are thus probable for implementation. The strategic plan is for information purposes only and identifies potential projects that require additional study, consensus building, and identification of funding sources before making the decision as to whether to include these projects in a future RTP/SCS constrained plan; and

WHEREAS, pursuant to Senate Bill 375 (Steinberg, 2008) as codified in Government Code Section 65080(b) et seq., SCAG prepared a Sustainable Communities Strategy as a component of the RTP document that demonstrates how the region will meet its greenhouse gas (GHG) reduction targets as determined by the California Air Resources Board. Pursuant to Government Code Section 65080(d), the subregions of Orange County Council of Governments and Gateway Cities Council of Governments prepared subregional SCSs which are incorporated in their entirety into the Final 2012-2035 RTP/SCS; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Cal. Pub. Res. Code § 21000 et seq.) and CEQA Guidelines (Cal. Code Regs., Tit. 14, §15000 et seq.), SCAG is the Lead Agency responsible for preparing the Final Program Environmental Impact Report for the 2012-2035 RTP/SCS; and

WHEREAS, an Environmental Impact Report (EIR) is a public document used by governmental agencies to analyze the significant environmental impacts of a project. CEQA Guidelines Section 15168 specifies that a Program EIR can be prepared on a series of actions that can be characterized as one large project related either geographically, as logical parts in the chain of contemplated actions, in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or as individual activities carried out under the same authorizing statutory regulatory authority and having generally similar environmental effects which can be mitigated in similar ways; and

WHEREAS, the Program EIR for the 2012-2035 RTP/SCS (PEIR) is a programmatic document that provides a region-wide assessment of the potential significant environmental effects of implementing the projects, programs and policies included in the 2012-2035 RTP/SCS (including the new SCS portion of the Plan); and

WHEREAS, SCAG has determined that the PEIR is appropriate to assess the environmental impacts of the 2012-2035 RTP/SCS; and

WHEREAS, the PEIR undertakes quantitative modeling of projects in the 2012-2035 RTP/SCS constrained plan, and does not model strategic plan projects because funding for these projects is speculative and implementation of these projects is not yet reasonably foreseeable; and

WHEREAS, the PEIR identifies feasible mitigation measures necessary to avoid or substantially lessen significant impacts of the Plan and a reasonable range of alternatives capable of eliminating or reducing these effects in accordance with CEQA Guidelines Sections 15126.4 and 15126.6; and

WHEREAS, the PEIR is a program level document which analyzes environmental impacts of the 2012-2035 RTP/SCS constrained plan on a regional/programmatic level, and does not analyze project-specific impacts. These impacts should be analyzed in detail by project proponents at the local jurisdiction level; and

WHEREAS, SCAG issued a Notice of Preparation (NOP) of the Draft PEIR on May 10, 2011, and circulated the NOP for a period of 30 days pursuant to CEQA Guidelines Sections 15082(a), 15103 and 15375; and

WHEREAS, pursuant to CEQA Guidelines Section 15082 and Government Code Section 65080(b) et seq., SCAG publicly noticed and held two scoping meetings on May 26, 2011 at SCAG's Main Office in Los Angeles County for the purpose of inviting comments from responsible and trustee agencies, regulatory agencies, cities and counties in the region, and others on the scope and content of the environmental information to be addressed in the PEIR. At both scoping meetings, videoconferencing was made available from SCAG's regional offices in Imperial, Orange, Riverside, San Bernardino, and Ventura Counties; and

WHEREAS, once the Draft PEIR was completed on December 30, 2011, SCAG filed a Notice of Completion with the State Office of Planning and Research (OPR) in the manner prescribed by CEQA Guidelines Section 15085; and

WHEREAS, on December 30, 2011, SCAG initiated the 45-day public review and comment period by issuing a Notice of Availability of the Draft PEIR to responsible and trustee agencies, organizations and individuals who requested such notice, and others; and on the same date, published the Notice of Availability in eight newspapers of general circulation throughout the region. In addition, SCAG placed paper copies of the Draft PEIR at the offices of SCAG and at the main public library in each of six counties in the region, and posted an electronic copy of the Draft PEIR on the SCAG website; and

WHEREAS, during the public review period for the Draft PEIR, SCAG requested comments from and consulted with responsible and trustee agencies, regulatory agencies, and others, pursuant to CEQA Guidelines Section 15086; and

WHEREAS, the 45-day public review and comment period on the Draft PEIR ended on February 14, 2012, in compliance with CEQA Guidelines Section 15105; and

WHEREAS, approximately 99 written comment communications on the Draft PEIR were received by SCAG during the comment period; and

WHEREAS, pursuant to CEQA Guidelines Section 15088(a), SCAG evaluated comments on environmental issues received from persons who reviewed the Draft PEIR and provided a written response to each comment, which are included in the Final PEIR, Chapter 4; and

WHEREAS, the “Final PEIR” consists of: (1) the Draft PEIR; (2) all appendices to the Draft PEIR (Appendices A-F); (3) Chapter 1, “Introduction”; (4) Chapter 2, “Master Responses”; (5) Chapter 3, “List of Commenters”; (6) Chapter 4, “Responses to Comments on the Draft PEIR”; (7) Chapter 5, “Corrections and Additions”; (8) Chapter 6, “Mitigation Monitoring and Reporting Program”; (9) Appendix G, “Examples of Measures that Could Reduce Impacts from Planning, Development and Transportation Projects”; and (10) Appendix H, “Comments on the Draft PEIR”; and

WHEREAS, Chapters 2 through 4, and Appendix H of the Final PEIR specifically includes SCAG’s written, master responses to comments; a list of persons, organizations, and public agencies commenting on the Draft PEIR; SCAG’s written responses to specific comments on significant environmental points raised in the review and consultation process; and copies of comments, as required by CEQA Guidelines Section 15132; and

WHEREAS, on February 21, 2012, the SCAG Regional Council and Policy Committees held a public, special joint meeting at which staff provided for information an overview of comments received on the Draft PEIR and received input on the intended, overall approach to address such comments; and

WHEREAS, the clarifying changes to the structure of the Draft PEIR in response to comments received and the corrections and additions included in the Final 2012-2035 RTP/SCS and Final PEIR, have not produced significant new information requiring recirculation or additional environmental review under CEQA Guidelines section 15088.5; and

WHEREAS, when making the findings pursuant to CEQA Guidelines Section 15091, the agency must also adopt a mitigation monitoring program to ensure compliance with the mitigation measures identified in the PEIR which avoid or substantially lessen significant effects, and which are fully enforceable through permit conditions, agreements, or other measures, as required by CEQA Guidelines Section 15091(d); and

WHEREAS, SCAG has prepared CEQA Findings of Fact (Findings), attached hereto and incorporated herein as “Exhibit A,” for every significant environmental impact of the 2012-2035 RTP/SCS identified in the PEIR and for each alternative evaluated in the PEIR, including an explanation of the rationale for each finding, in compliance with Public Resources Code Sections 21081 and 21081.5 and CEQA Guidelines Section 15091; and

WHEREAS, implementation of the 2012-2035 RTP/SCS will result in significant environmental impacts that cannot be fully mitigated to less than significant, and SCAG has issued a Statement of Overriding Considerations, attached hereto and incorporated herein as “Exhibit B,” setting forth specific economic, legal, social, technological, and other benefits of the 2012-2035 RTP/SCS that outweigh the significant and unavoidable environmental impacts identified in the PEIR, pursuant to CEQA Guidelines Section 15093(b); and

WHEREAS, SCAG made the proposed Final PEIR, publicly available on its Web site on March 19, 2012; and

WHEREAS, pursuant to Public Resources Code Section 21092.5 and CEQA Guidelines Section 15088, SCAG provided proposed written responses to all persons who submitted comments on the Draft PEIR at least 10 days prior to certification of the PEIR; and

WHEREAS, pursuant to CEQA Guidelines Section 15089(a), SCAG, as the Lead Agency, must prepare and certify a Final PEIR before approving the Final 2012-2035 RTP/SCS; and

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

NOW, THEREFORE BE IT RESOLVED that:

1. The Southern California Association of Governments Regional Council finds as follows:

(a) the Final PEIR prepared for the 2012-2035 RTP/SCS was completed in compliance with CEQA; and

(b) the Final PEIR was presented to SCAG's decision making body, the Regional Council, and the SCAG Regional Council has reviewed and considered the information contained in the Final PEIR prior to approving the 2012-2035 RTP/SCS; and

(c) the Final PEIR reflects SCAG's independent judgment and analysis; and

(d) the Final PEIR incorporates in full the Draft PEIR and other contents described in the foregoing recitals; and

BE IT FURTHER RESOLVED that:

1. The SCAG Regional Council hereby makes and adopts the Findings, attached hereto as Exhibit A; and
2. The SCAG Regional Council hereby adopts the Statement of Overriding Considerations, attached hereto as Exhibit B; and
3. The SCAG Regional Council hereby adopts the Mitigation and Monitoring Program, incorporated into the Final PEIR as Chapter 6; and
4. Based on and incorporating all of the foregoing recitals and findings supported by substantial evidence, the SCAG Regional Council hereby certifies the Final PEIR for the 2012-2035 RTP/SCS.

APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting on the 4th day of April, 2012.

Pam O'Connor
President
Councilmember, City of Santa Monica

[Signatures on Following Page]

Attest:

Hasan Ikhata
Executive Director

Approved as to Form:

Joanna Africa
Chief Counsel

This Page Intentionally Left Blank

EXHIBIT A
CEQA FINDINGS OF FACT

Table of Contents

- I. CEQA Findings: General
- II. Master Finding
- III. Findings That Significant Unavoidable Impacts Are Mitigated to the Maximum Extent Feasible
 - a. Aesthetics
 - b. Air Quality
 - c. Biological Resources and Open Space
 - d. Cultural Resources
 - e. Geology, Soils, and Mineral Resources
 - f. Greenhouse Gas Emissions
 - g. Hazardous Materials
 - h. Land Use and Agricultural Resources
 - i. Noise
 - j. Population, Housing and Employment
 - k. Public Services and Utilities
 - l. Transportation, Traffic and Safety
 - m. Water Resources
- IV. Findings That Significant Unavoidable Impacts Are Mitigated to a Level of Less than Significance
 - a. Air Quality
 - b. Hazardous Materials
 - c. Public Services and Utilities
- V. Findings Regarding Less Than Significant Impacts
 - a. Air Quality
 - b. Biological Resources and Open Space
 - c. Greenhouse Gas Emissions
 - d. Transportation, Traffic and Security
- VI. Findings Regarding Plan Alternatives
 - a. The No Project Alternative
 - b. The Modified 2008 RTP Alternative
 - c. The Envision 2 Alternative
- VII. Finding Regarding Location and Custodian of Record

EXHIBIT A: FINDINGS OF FACT

INTRODUCTION

Section 21081 of the California Public Resources Code (PRC) and Section 15091 of the California Environmental Quality Act (CEQA) Guidelines require that the Southern California Association of Government (SCAG), as the Lead Agency for the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (2012-2035 RTP/SCS or Plan), identify significant impacts on the environment and make one or more written findings for each of the significant impacts. In addition, pursuant to CEQA Guidelines Section 15093 and PRC Section 21081, the existence of significant unavoidable impacts resulting from the 2012-2035 RTP/SCS requires SCAG to prepare a Statement of Overriding Considerations explaining why the agency is willing to accept the residual significant impacts. The CEQA Findings of Fact (Findings) reported in the following pages incorporate the facts and discussions of environmental impacts that are found in the 2012-2035 RTP/SCS Program Environmental Impact Report (PEIR or EIR). The Statement of Overriding Considerations set forth in Attachment 2 describes the economic, social, environmental and other benefits of the 2012-2035 RTP/SCS that override the significant environmental impacts.

For each of the impacts associated with the 2012-2035 RTP/SCS, the following are provided:

- Description of Impacts – A specific description of the environmental impact identified in the PEIR.
- Mitigation – Identified mitigation measures or actions that are proposed for implementation as part of the project.
- Findings and Rationale – Explanation regarding the adoption of mitigation measures, their implementation, and the acceptability of any residual adverse impacts.

CEQA also requires a mitigation monitoring or reporting program to be adopted by the Lead Agency. SCAG thus prepared a Mitigation Monitoring and Reporting Program (MMRP) in compliance with the requirements of Section 21081.6 of CEQA to assess and ensure the efficacy of proposed mitigation measures. The PEIR identifies the potentially significant environmental impacts associated with the project and specifies measures designed to mitigate adverse environmental impacts. The MMRP is included in the Final PEIR. This MMRP relates directly to the procedures to be used to implement the mitigation measures adopted in connection with the certification of the 2012-2035 RTP/SCS PEIR and the methods of monitoring and reporting.

The PEIR presents a region-wide assessment of existing conditions and potential impacts associated with implementation of the 2012-2035 RTP/SCS. As such, this PEIR identifies programmatic mitigation measures for which SCAG would be responsible on a regional scale (these mitigation measures are phrased as “SCAG shall”). In addition, at the end of each resource area, the PEIR has identified one mitigation measure directed at local agencies, which indicates that the local agency “can and should” comply with CEQA in assessing and mitigating project-specific impacts. Since SCAG has no authority to require specific mitigation measures at the project level, and local agencies have the discretion and authority to determine which mitigation measures are applicable and feasible based on the location-specific circumstances, SCAG cannot make the finding that specific project-level mitigation measures “can and should” be implemented by the local agencies. As such, to add clarity and avoid any confusion (as evidenced by numerous comments) about whether the example project-specific measures are mitigation measures for this PEIR, these example measures were moved to Appendix G in the Final EIR and clearly labeled “Example Measures.” The examples of mitigation measures are to be considered for implementation by local agencies in the region as applicable and feasible. These example measures are phrased as “may” to allow for tailoring to project and agency-specific conditions as may be applicable and feasible. Use of the word “may” in measures that include legal requirements, or measures that are otherwise committed to, should not be construed to mean that compliance with legal requirements and/or existing commitments is optional.

EXHIBIT A: FINDINGS OF FACT

A. PROJECT DESCRIPTION SUMMARY

SCAG is the federally designated Metropolitan Planning Organization (MPO) under Title 23, U.S.C. Section 134(d), for the six-county region (including Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial) in Southern California. SCAG is required by state and federal mandates to prepare a regional transportation plan every four years.

Pursuant to California's Sustainable Communities and Climate Protection Act (Senate Bill 375) which was passed in 2008, SCAG is also required to prepare a Sustainable Communities Strategy (SCS) as part of the RTP, that reduces greenhouse gas (GHG) emissions based on targets set by the California Air Resources Board (ARB) of 8 percent per capita by 2020 and 13 percent per capita by 2035.

The 2012-2035 RTP/SCS is a long-range regional transportation plan that provides a blueprint to help achieve a coordinated and balanced regional transportation system. Transportation projects in the SCAG region must be included in the RTP/SCS in order to receive federal funding. Transportation projects are listed in the Project List Appendix to the 2012-2035 RTP/SCS. The 2012-2035 RTP/SCS is comprised of the following elements: (1) a policy element that presents an overview of the challenges facing the region; the RTP/SCS goals, policies and performance outcomes; (2) the SCS, which includes land use policies and forecasted future growth and land use for the region with the goal of reducing passenger vehicle greenhouse gas (GHG) emissions; (3) an action element that describes the transportation investments and programs necessary to implement the Plan and performance measures to determine how the Plan performs; and (4) the financial element that summarizes the cost of Plan implementation constrained by a realistic projection of available revenues and provides recommendations for the allocation of funds.

SCAG's SCS demonstrates the region's commitment to exceed the GHG emissions reduction targets set by the ARB. The SCS outlines SCAG's plan for integrating the transportation network and related strategies with an overall land use pattern that responds to projected growth, housing needs and changing demographics, and transportation demands.

Since publication of the Draft PEIR, between publication of the Draft 2012-2035 RTP/SCS and the proposed Final 2012-2035 RTP/SCS, minor changes have been made to the Plan projects and growth distribution assumptions; these minor changes are not specifically addressed in the Final PEIR. While these revisions have resulted in minor changes to modeling results, these changes do not significantly affect the impact analysis or conclusions contained in the Draft PEIR. None of these changes represent significant new information warranting recirculation of the Draft PEIR.

B. PROJECT OBJECTIVES

The following are the fundamental goals and objectives of the 2012-2035 RTP/SCS:

- Align the plan investments and policies with improving regional economic development and competitiveness;
- Maximize mobility and accessibility for all people and goods in the region;
- Ensure travel safety and reliability for all people and goods in the region;
- Preserve and ensure a sustainable regional transportation system;
- Maximize the productivity of our transportation system;
- Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking);
- Actively encourage and create incentives for energy efficiency, where possible;
- Encourage land use and growth patterns that facilitate transit and non-motorized transportation; and
- Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies

EXHIBIT A: FINDINGS OF FACT

C. TYPE OF EIR

The 2012-2035 RTP/SCS EIR is a Program EIR. CEQA Guidelines Section 15168 specifies that a Program EIR can be prepared on a series of actions that can be characterized as one large project. 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. As such, the focus of the environmental analysis in the PEIR is on regional-scale and cumulative impacts of implementation of the Plan and the alternatives. The long-range planning horizon of more than 20 years necessitates that many of the highway, arterial goods movement, and transit projects included in the Plan (and the alternatives) are identified at the conceptual level.

D. PROCEDURAL HISTORY

On May 10, 2011, a Notice of Preparation (NOP) of the PEIR was issued. The NOP comment period closed on June 8, 2011. During this comment period, staff publicly noticed and conducted two public scoping meetings on Thursday May 26, 2011 at SCAG's Main Office in Los Angeles County. Videoconferencing was made available from SCAG's regional offices in Imperial, Orange, Riverside, San Bernardino, and Ventura Counties.

On December 1, 2011, the Regional Council approved release of the Draft 2012-2035 RTP/SCS.

On November 16, 2011 the Energy and Environment Committee, a policy committee of the Regional Council, authorized the Executive Director or his designee to release the Draft PEIR for public comment upon its completion.

On December 30, 2011, the Draft PEIR (State Clearinghouse #2011051018) was released for a 45-day public review and comment period. SCAG provided public Notice of Availability, and the notice was disseminated through publication in eight newspapers of general circulation throughout the region. In addition, SCAG placed copies of the Draft PEIR at the offices of SCAG and at the main public library of each of six counties in the region, and posted the Draft PEIR on its Web site.

During the public review period for the Draft PEIR, SCAG requested comments from and consulted with responsible and trustee agencies, regulatory agencies, and others, pursuant to CEQA Guidelines Section 15086.

The 45-day public review and comment period ended on February 14, 2012, in compliance with CEQA Guidelines Section 15105. Approximately 99 written comment communications on the Draft PEIR were received by SCAG during the comment period.

Pursuant to CEQA Guidelines Section 15088(a), SCAG evaluated comments on environmental issues received from persons who reviewed the Draft PEIR and provided a written response to each comment, which are included in the Final PEIR, Chapter 4.

On February 21, 2012, the SCAG Regional Council and Policy Committees held a public, special joint meeting at which staff provided for informational purposes an overview of comments received on the Draft PEIR and received input on the intended, overall approach to address such comments.

On March 19, 2012, SCAG posted the proposed Final PEIR on SCAG's website. SCAG provided written proposed responses to all public agencies that commented on the Draft PEIR at least 10 days prior to certifying the PEIR, as part of the Final PEIR, Chapter 4.

EXHIBIT A: FINDINGS OF FACT

On April 4, 2012, SCAG's Regional Council held a public meeting to consider certifying the Final PEIR including the Draft PEIR, and adopting the Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program.

E. INCORPORATION OF FINAL PEIR BY REFERENCE

The Final PEIR consists of: (1) the Draft PEIR, (2) all appendices to the Draft PEIR (Appendices A-F); (3) Chapter 1, "Introduction"; (4) Chapter 2, "Master Responses"; (5) Chapter 3, "List of Commenters"; (6) Chapter 4, "Responses to Comments on the Draft PEIR"; (7) Chapter 5, "Corrections and Additions" (to the Draft PEIR); and (8) Chapter 6, "Mitigation Monitoring and Reporting Program"; (9) Appendix G, "Examples of Measures that Could Reduce Impacts from Planning, Development and Transportation Projects"; (10) Appendix H, "Comments on the Draft PEIR." The Final PEIR Chapters 2 through 4, and Appendix H specifically include SCAG's written, master responses to comments; a list of persons, organizations, and public agencies commenting on the Draft PEIR; SCAG's written responses to specific comments on significant environmental points raised in the review and consultation process; and copies of comments, as required by CEQA Guidelines Section 15132. The Final PEIR consisting of the aforementioned components is hereby incorporated by reference into these Findings.

I. CEQA FINDINGS: GENERAL

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

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report. (The concept of infeasibility also encompasses whether a particular alternative or mitigation measure promotes the Project's underlying goals and objectives, and whether an alternative or mitigation measure is impractical or undesirable from a policy standpoint. See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.; *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410.

SCAG has made one or more of these specific written findings regarding each significant impact associated with the Project. Those findings are presented below, along with a presentation of facts in support of the findings. The Regional Board 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.

The 2012-2035 RTP/SCS Program Environmental Impact Report (PEIR) has been prepared as a program EIR pursuant to CEQA Guidelines Section 15168. The degree of specificity in the PEIR corresponds to the specificity of the regional goals, policies, and investment strategies of the 2012-2035 RTP/SCS. The PEIR included an appropriately detailed (conservative) analysis of impacts in 13 environmental topics, analyzing the Project and alternatives, including a No Project Alternative. The PEIR disclosed the environmental impacts expected to result from the adoption and implementation of the 2012-2035 RTP/SCS. Feasible mitigation measures were identified to avoid or minimize significant environmental effects.

EXHIBIT A: FINDINGS OF FACT

The mitigation measures adopted as part of the 2012-2035 RTP/SCS are feasible, as appropriate for a PEIR, and the 2012-2035 RTP/SCS mitigates the environmental impacts to the maximum extent feasible as discussed in the findings made below. The adopted mitigation measures directed at SCAG are particularly suitable on a regional/programmatic level for the 2012-2035 RTP/SCS. The Findings in Section IV below indicate where mitigation measures are not capable of reducing impacts to levels of insignificance.

It is the finding of the SCAG Regional Council that the proposed Final PEIR fulfills environmental review requirements for the 2012-2035 RTP/SCS, that the document constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA, and reflects the independent judgment of the SCAG Regional Council.

In response to comments received, SCAG made clarifying changes to the organization of the mitigation measures included in the Draft PEIR, and to the Project Description and mitigation measures. In addition, the Final PEIR includes a number of corrections and additions that correct minor errors and amplify and/or clarify information in the Draft PEIR. All such changes made to the Draft PEIR are shown in the Final PEIR (Chapter 5, "Corrections and Additions") in strikethrough and underline text. Thus it is the finding of the SCAG Regional Council that such clarifying changes and the corrections and additions as described in the Final PEIR, have not presented any new, significant information requiring recirculation or additional environmental review under CEQA Guidelines Section 15088.5.

Furthermore, since publication of the Draft PEIR, between publication of the Draft 2012-2035 RTP/SCS and Final 2012-2035 RTP/SCS, minor changes have been made to Plan projects and growth distribution assumptions. While these changes have resulted in minor changes to modeling results, these changes do not significantly affect the impact analysis or conclusions contained in the Draft PEIR. Therefore, the SCAG Regional Council finds that none of these changes represent significant new information warranting recirculation of the Draft PEIR.

A Mitigation Monitoring and Reporting Program (MMRP) for the 2012-2035 RTP/SCS has been adopted pursuant to the requirements of Public Resources Code Section 21081.6 to ensure implementation of the adopted mitigation measures to reduce significant effects on the environment, and is included in the Final PEIR document dated March 26, 2012. SCAG is the custodian of the documents and other material that constitute the record of the proceedings upon which certification of the Program EIR for the 2012-2035 RTP/SCS is based, as described below in Section VII, Finding Regarding Location and Custodian of Record.

It is the finding of the SCAG Regional Council that the proposed Final PEIR fulfills environmental review requirements for the 2012-2035 RTP/SCS, that the document constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA, and reflects the independent judgment of the SCAG Regional Council.

II. MASTER FINDING

Master Finding No. 1:

Each impact identified in the PEIR is mitigated by a measure directed at local agencies:

Local agencies can and should comply with the requirements of CEQA to mitigate impacts to [RESOURCE AREA] as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

The SCAG Regional Council finds that for all impacts identified in the PEIR, some, or in a few instances, all, mitigation activities must occur at the project-level. However, SCAG has no authority to require

EXHIBIT A: FINDINGS OF FACT

specific mitigation measures at the project level given that local lead agencies have the sole discretion to determine which mitigation measures are applicable and feasible based on the location-specific circumstances. Nevertheless, SCAG reasonably assumes that local lead agencies do and will continue to exercise their discretionary authority (through local land use and other project permits and approvals) to implement all feasible mitigation measures (and alternatives) identified through the CEQA process to reduce significant environmental impacts.

SB 375 specifically states that nothing in a SCS supersedes the land use authority of cities and counties, and that cities and counties are not required to change their land use policies and regulations, including their general plans, to be consistent with the SCS or an alternative planning strategy (Govt. Code §65080(b)(2)(K)). Moreover, cities and counties have plenary authority to regulate land use through their police powers granted by the California Constitution, art. XI, §7, and under several statutes, including the local planning law (Govt. Code §§65100-65763), the zoning law (Govt. Code §§65800-65912), and the Subdivision Map Act (Govt. Code §§66410-66499.37). With respect to the transportation projects in the RTP/SCS, these projects are to be implemented by Caltrans, county transportation commissions, local transit agencies, and local governments (i.e., cities and counties), and not SCAG. As such, SCAG also has no authority/jurisdiction to require these agencies to implement project-specific mitigation measures.

Because project-mitigation activities are within the responsibility and jurisdiction of local and other agencies, the Regional Council hereby finds that such agencies “can and should” comply with the requirements of CEQA to mitigate the [RESOURCE AREA] impacts of the individual projects, as applicable and feasible. The Regional Council further finds that the project-level mitigation measures imposed by local agencies will collectively reduce the [RESOURCE AREA] impact at the regional level. To assist these local agencies, SCAG has provided a non-exclusive list of example measures in Appendix G.

III. FINDINGS THAT SIGNIFICANT UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE

SCAG’s Regional Council hereby finds that the 2012-2035 RTP/SCS PEIR identifies 62 individual significant environmental impacts within thirteen issue areas, which cannot be fully mitigated and are therefore considered significant and unavoidable impacts. To the extent these impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations. The significant and unavoidable impacts identified in the PEIR are discussed below, along with the appropriate findings per CEQA Guidelines Section 15091.

A. AESTHETICS

Impact 3.1-1 Potential to obstruct views of scenic resources or scenic vistas.

Mitigation

Implementation of Mitigation Measure MM-AV3 would reduce impacts, though not below a less than significant level.

MM-AV3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to aesthetics as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.1-1.

The SCAG Regional Council finds that Impact 3.1-1 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-AV3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-AV3 is anticipated to reduce the significant impact resulting from blocking panoramic views or scenic vistas, the impact could remain significant and unavoidable because some of the projects and expected development are located in areas where the blocking of views cannot be avoided. While mitigation may provide a reduction in visual impacts, it is uncertain that that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.1-2 Potential to alter the appearance of scenic resources along or near designated scenic highways and vista points.

Mitigation

Implementation of Mitigation Measures MM-AV1, MM-AV2, and MM-AV3 would reduce impacts, though not below a less than significant level.

MM-AV1: SCAG shall coordinate with Caltrans and local agencies as part of SCAG's outreach and technical assistance to local governments under Compass Blueprint and Toolbox Tuesdays, to encourage that projects avoid locally designated scenic highways and/or vista points.

MM-AV2: SCAG shall coordinate with Caltrans and local agencies as part of SCAG's outreach and technical assistance to local governments under Compass Blueprint and Toolbox Tuesdays, to provide information concerning applicable guidelines and regulations for the preservation of scenic resources along scenic highways.

MM-AV3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to aesthetics as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to aesthetic and visual resources associated with Impact 3.1-2, measures MM-AV1 through MM-AV3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

EXHIBIT A: FINDINGS OF FACT

The mitigation activities identified in MM-AV1 and MM-AV2 requires SCAG to coordinate with Caltrans and other local agencies to provide information and share resources to reduce the significant impact associated with Impact 3.1-2. The SCAG Regional Council hereby finds that MM-AV1 and MM-AV2 is feasible and reduces Impact 3.1-2.

The mitigation activities identified in MM-AV3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-AV1 and MM-AV2, MM-AV3 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-AV1 through MM-AV3 reduces the significant impact associated with Impact 3.1-2, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because some of the projects and expected development are located in areas where changes to the existing visual landscape cannot be avoided. While mitigation may provide a reduction in visual impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce this impact to a less than significant level, the impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.1-3 Potential to create significant contrasts with the overall visual character of the existing landscape setting or add urban visual elements to an existing natural, rural, and open space area.

Mitigation

Implementation of Mitigation Measure MM-AV3 would reduce impacts, though not below a less than significant level.

MM-AV3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to aesthetics as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.1-3.

The SCAG Regional Council finds that Impact 3.1-3 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-AV3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

EXHIBIT A: FINDINGS OF FACT

Although mitigation provided through MM-AV3 is anticipated to reduce the significant impact associated with Impact 3.1-3, the impact could remain significant and unavoidable because some of the projects and expected development are located in areas where changes to the existing visual landscape cannot be avoided. The 2012-2035 RTP/SCS anticipates that implementation of land use and transportation network improvements will result a more urbanized region that necessarily results in significant changes to the existing visual character of some areas. While mitigation may provide a reduction in visual impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level. In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce this impact to a less than significant level, the impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.1-4 Potential to result in shade and shadow or light and glare impacts.

Mitigation

Implementation of Mitigation Measure MM-AV3 would reduce impacts, though not below a less than significant level.

MM-AV3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to aesthetics as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.1-4.

The SCAG Regional Council finds that Impact 3.1-4 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-AV3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-AV3 is anticipated to reduce the significant impact associated with Impact 3.1-4, the impact could remain significant and unavoidable. The 2012-2035 RTP/SCS anticipates that shade and shadow impacts would be expected to occur in urban areas as a result of the densification of land uses (i.e., the construction of new taller structures casts shadows on sensitive outdoor uses) or through elevated transportation infrastructures, such as elevated light rail. Light and glare is anticipated to increase with more reflective surfaces (buildings) and night-time sources of lighting in the more densified urban areas as well as in newly developed areas.

While mitigation may provide a reduction in shade and shadow or light and glare impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

EXHIBIT A: FINDINGS OF FACT

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.1-5 Potential to result in a cumulative loss of scenic resources.

Mitigation

Implementation of Mitigation Measures MM-AV1, MM-AV2, and MM-AV3 would reduce impacts, though not below a less than significant level.

MM-AV1: SCAG shall coordinate with Caltrans and local agencies as part of SCAG's outreach and technical assistance to local governments under Compass Blueprint and Toolbox Tuesdays, to encourage that projects avoid locally designated scenic highways and/or vista points.

MM-AV2: SCAG shall coordinate with Caltrans and local agencies as part of SCAG's outreach and technical assistance to local governments under Compass Blueprint and Toolbox Tuesdays, to provide information concerning applicable guidelines and regulations for the preservation of scenic resources along scenic highways.

MM-AV3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to aesthetics as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to aesthetic and visual resources associated with Impact 3.1-5, measures MM-AV1 through MM-AV3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-AV1 and MM-AV2 requires SCAG to coordinate with Caltrans and other local agencies to provide information and share resources to reduce the significant impact associated with Impact 3.1-5. The SCAG Regional Council hereby finds that MM-AV1 and MM-AV2 are feasible and would reduce Impact 3.1-5.

The mitigation activities identified in MM-AV3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-AV1 and MM-AV2, MM-AV3 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-AV1 through MM-AV3 would reduce the significant impact associated with Impact 3.1-5, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

EXHIBIT A: FINDINGS OF FACT

Further, the cumulative impacts of individual local planning and development projects will remain significant and unavoidable because the 2012-2035 RTP/SCS anticipates that implementation of land use and transportation network improvements will result in an extension of transportation and related infrastructure that would impact scenic resources. The combination of urban infrastructure and development would change the character of the region and could extend beyond the boundaries of the SCAG region. As a result, the 2012-2035 RTP/SCS could indirectly result in changes to the visual character or to the scenic areas outside of the SCAG region and contribute to a cumulatively considerable loss of scenic resources. The regional scale of these impacts, although reduced, is therefore likely to result in the cumulative loss of scenic resources.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

B. AIR QUALITY

Impact 3.2-1 Mobile source emissions of ROG, NOX, CO, PM 10 PM2.5, and SOX would stay approximately the same or decrease (often substantially) when compared to existing conditions. This is considered to be a beneficial impact. Re-entrained roadway dust would increase proportionate to VMT. This would be a significant impact.

Mitigation

Implementation of Mitigation Measures MM-AQ1 and MM-AQ3 would reduce impacts, though not below a less than significant level.

MM-AQ1: SCAG shall determine as part of its conformity finding pursuant to the Clean Air Act, that the Plan and updates provide for the timely implementation of Transportation Control Measures (TCMs) as appropriate. TCMs included in the Plan are identified in the Transportation Conformity Appendix to the 2012-2035 RTP/SCS (starting on page 26). CAA Section 108(f)(1)(A) lists the following sixteen measures as illustrative of TCMs (plus a last measure recommended by SCE):

- I. Programs for improved use of public transit;
- II. Restriction of certain roads or lanes to, or construction of such roads or lanes for use by, passenger buses or HOV;
- III. Employer-based transportation management plans, including incentives;
- IV. Trip-reduction ordinances;
- V. Traffic flow improvement programs that achieve emission reductions;
- VI. Fringe and transportation corridor parking facilities, serving multiple occupancy vehicle programs or transit service;
- VII. Programs to limit or restrict vehicle use in downtown areas or other areas of emission concentration, particularly during periods of peak use;
- VIII. Programs for the provision of all forms of high-occupancy, shared-ride services, such as the pooled use of vans;
- IX. Programs to limit portions of road surfaces or certain sections of the metropolitan area to the use of non-motorized vehicles or pedestrian use, both as to time and place;
- X. Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas;
- XI. Programs to control extended idling of vehicles;

EXHIBIT A: FINDINGS OF FACT

- XII. Programs to reduce motor vehicle emissions, consistent with Title II of the CAA, which are caused by extreme cold start conditions;
- XIII. Employer-sponsored programs to permit flexible work schedules;
- XIV. Programs and ordinances to facilitate non-automobile travel, provision and utilization of mass transit, and to generally reduce the need for single-occupant vehicle travel, as part of transportation planning and development efforts of a locality, including programs and ordinances applicable to new shopping centers, special events, and other centers of vehicle activity;
- XV. Programs for new construction and major reconstruction of paths, tracks or areas solely for the use by pedestrian or other non-motorized means of transportation, when economically feasible and in the public interest; and
- XVI. Programs to encourage the voluntary removal from use and the marketplace of pre- 1980 model year light duty vehicles and pre-1980 model light duty trucks.
- XVII. Programs to encourage the installation of personal electric vehicle charging stations.

The Plan has been prepared to facilitate implementation of TCMs and they also serve as air quality mitigation measures for the purposes of the PEIR.

MM-AQ3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to air quality as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to air quality. It is anticipated that regulations and actions at the federal, state and local level will be implemented to ensure that public health in the region is impacted to a less than significant level.

Findings and Rationale

For the significant impact to air quality associated with Impact 3.2-1, measures MM-AQ1 and MM-AQ3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact, acknowledging that the Plan has maximized strategies to minimize VMT growth to the extent feasible given funding challenges as described in the financial analysis of the 2012-2035 RTP/SCS. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-AQ1 requires SCAG to determine as part of its conformity finding that the Plan and updates provide for the timely implementation of TCMs as appropriate to reduce the significant impact associated with Impact 3.2-1. The SCAG Regional Council hereby finds that MM-AQ1 is feasible and reduces Impact 3.2-1.

The mitigation activities identified in MM-AQ3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together MM-AQ1, MM-AQ3 would reduce this significant unavoidable impact to the maximum extent feasible.

Although MM-AQ1 and MM-AQ2 reduce the significant impact associated with Impact 3.2-1, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because of the increase in PM10 as a result of re-entrained roadway dust in Imperial, Orange, and Riverside Counties. However, the State Implementation Plan for the region accounts for the increased

EXHIBIT A: FINDINGS OF FACT

fugitive dust (as well as tail pipe emissions) such that the 2012-2035 RTP/SCS conforms to the attainment demonstrations as required by the federal Clean Air Act. While mitigation may provide a reduction in air quality impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.2-4 Emissions of short-term criteria pollutants would increase under the Plan as a result of construction of Plan transportation projects and development in the region. Therefore the Plan would result in a significant impact related to construction emissions.

Mitigation

Implementation of Mitigation Measures MM-AQ1 and MM-AQ3 would reduce impacts, though not below a less than significant level.

MM-AQ1: SCAG shall determine as part of its conformity finding pursuant to the Clean Air Act, that the Plan and updates provide for the timely implementation of Transportation Control Measures (TCMs) as appropriate. TCMs included in the Plan are identified in the Transportation Conformity Appendix to the 2012-2035 RTP/SCS (starting on page 26). CAA Section 108(f)(1)(A) lists the following sixteen measures as illustrative of TCMs (plus a last measure recommended by SCE):

- I. Programs for improved use of public transit;
- II. Restriction of certain roads or lanes to, or construction of such roads or lanes for use by, passenger buses or HOV;
- III. Employer-based transportation management plans, including incentives;
- IV. Trip-reduction ordinances;
- V. Traffic flow improvement programs that achieve emission reductions;
- VI. Fringe and transportation corridor parking facilities, serving multiple occupancy vehicle programs or transit service;
- VII. Programs to limit or restrict vehicle use in downtown areas or other areas of emission concentration, particularly during periods of peak use;
- VIII. Programs for the provision of all forms of high-occupancy, shared-ride services, such as the pooled use of vans;
- IX. Programs to limit portions of road surfaces or certain sections of the metropolitan area to the use of non-motorized vehicles or pedestrian use, both as to time and place;
- X. Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas;
- XI. Programs to control extended idling of vehicles;
- XII. Programs to reduce motor vehicle emissions, consistent with Title II of the CAA, which are caused by extreme cold start conditions;
- XIII. Employer-sponsored programs to permit flexible work schedules;
- XIV. Programs and ordinances to facilitate non-automobile travel, provision and utilization of mass transit, and to generally reduce the need for single-occupant vehicle travel, as part of transportation planning and development efforts of a locality, including programs and ordinances applicable to new shopping centers, special events, and other centers of vehicle activity;

EXHIBIT A: FINDINGS OF FACT

XV. Programs for new construction and major reconstruction of paths, tracks or areas solely for the use by pedestrian or other non-motorized means of transportation, when economically feasible and in the public interest; and

XVI. Programs to encourage the voluntary removal from use and the marketplace of pre- 1980 model year light duty vehicles and pre-1980 model light duty trucks.

XVII. Programs to encourage the installation of personal electric vehicle charging stations.

The Plan has been prepared to facilitate implementation of TCMs and they also serve as air quality mitigation measures for the purposes of the PEIR.

MM-AQ3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to air quality as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to air quality. It is anticipated that regulations and actions at the federal, state and local level will be implemented to ensure that public health in the region is impacted to a less than significant level.

Findings and Rationale

For the significant impact to air quality associated with Impact 3.2-4, measures MM-AQ1 and MM-AQ3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-AQ1 require SCAG to determine as part of its conformity finding that the Plan and updates provide for the timely implementation of TCMs as appropriate to reduce the significant impact associated with Impact 3.2-4. The SCAG Regional Council hereby finds that MM-AQ1 and MM-AQ3 are feasible and would reduce Impact 3.2-4.

The mitigation activities identified in MM-AQ3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-AQ1, MM-AQ3 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-AQ1 and MM-AQ3 reduce the significant impact associated with Impact 3.2-4, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of transportation projects and anticipated development in the region will remain significant and unavoidable because construction of transportation-related projects would create substantial emissions. While each project would result in short-term emissions, the construction industry itself comprises one component of stationary and area source emissions addressed in the AQMPs. While mitigation may provide a reduction in air quality impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the

EXHIBIT A: FINDINGS OF FACT

overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

C. BIOLOGICAL RESOURCES AND OPEN SPACE

Impact 3.3-1 Potential to develop previously undisturbed land and displace natural vegetation, and thus habitat, which includes sensitive species habitat.

Mitigation

Implementation of Mitigation Measures MM-BIO/OS1, MM-BIO/OS2, and MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS1: SCAG shall facilitate reducing future impacts to biological resources through cooperation, information sharing, and program development. SCAG shall consult with the resource agencies, such as USFWS and CDFG, as well as local jurisdictions to incorporate any local HCPs or other similar planning documents. Planning efforts shall be in accordance with the approach outlined in the California Wildlife Action Plan.

MM-BIO/OS2: SCAG shall develop a conservation strategy (including regional mitigation policies) in coordination with local jurisdictions and agencies, including CTCs. The conservation strategy will build from existing efforts including those at the sub-regional and local level to identify potential priority conservation areas based on mitigation approaches adopted by local agencies. SCAG shall produce and maintain a list/map of potential conservation opportunity areas based on most recent land use data.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to biological and open space resources associated with Impact 3.3-1, measures MM-BIO/OS1 through MM-BIO/OS3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-BIO/OS1 and MM-BIO/OS2 require SCAG to cooperate with resource and local agencies, share information and develop programs to reduce the significant impact associated with Impact 3.3-1, and prepare a conservation strategy that incorporates regional mitigation policies. The SCAG Regional Council hereby finds that MM-BIO/OS1 and MM-BIO/OS2 are feasible and would reduce Impact 3.3-1.

The mitigation activities identified in MM-BIO/OS3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-BIO/OS1 and MM-BIO/OS2, MM-BIO/OS3 would reduce this significant unavoidable impact to the maximum extent feasible.

EXHIBIT A: FINDINGS OF FACT

Although MM-BIO/OS1 through MM-BIO/OS3 reduces the significant impact associated with Impact 3.3-1, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable due to the regional scale of the plan. It is possible that impacts to sensitive species would not be limited to the locations of reported sightings, as mapped by California Natural Diversity Database (CNDDDB). The CNDDDB system relies on reported sightings of sensitive species, and it is not a complete inventory of sensitive species habitat. Under the 2012-2035 RTP/SCS more than half of development is anticipated to occur in High Quality Transit Areas (HQTAs), which generally aim to encourage compact development and consume less land. However, direct and indirect impacts to sensitive species may occur due to development in the HQTAs or encroachment of habitat elsewhere in the region. While mitigation may provide a reduction in impacts to biological resources and open space, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

The SCAG Regional Council also finds that specific economic, legal, social, technological, or other considerations, including policy considerations, make certain mitigation measures or project alternatives identified in the EIR infeasible.

Specifically, SCAG has considered the following mitigation measure (identified as MM-BIO/OS46 in the Draft PEIR – most mitigation measures are re-numbered in the Final PEIR) and has determined it is infeasible for the reasons described below:

- SCAG shall use its IGR process to review projects with potentially significant impacts to open space and recommend impact avoidance and mitigation measures.

This measure was deleted because SCAG's IGR process does not currently address significant impacts to open space, or recommend avoidance and mitigation of open space impacts with respect to regionally significant projects. SCAG's governing body, the SCAG Regional Council, has not adopted policies regarding this subject as part of its IGR process. SCAG cannot implement policies that have not been vetted or adopted by the SCAG Regional Council or are inconsistent with current policies. See SCAG Bylaws Article V.A(4)(f) (requiring policy matters to be acted upon by the Regional Council). In deference to future policy consideration concerning SCAG's IGR process, the SCAG Regional Council finds that this mitigation measure is infeasible.

Impact 3.3-2 Potential to contribute to the fragmentation of existing habitat, decreasing habitat sizes, reducing habitat connectivity, and causing direct injury to wildlife. The 2012-2035 RTP/SCS includes new transportation corridors and development that may form barriers to animal migration and/or foraging routes.

EXHIBIT A: FINDINGS OF FACT

Mitigation

Implementation of Mitigation Measure MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.3-2.

The SCAG Regional Council finds that Impact 3.3-2 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-BIO/OS3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-BIO/OS3 is anticipated to reduce the significant impact resulting from fragmentation of existing habitat, the impact could remain significant and unavoidable due to the regional scale of the Plan. The potential remains for development associated with the RTP/SCS to contribute to the fragmentation of existing habitat in both urban and undeveloped areas. While the anticipated growth pattern associated with the 2012-2035 RTP/SCS would consume less land than a more dispersed pattern, the degree of the individual project impacts depends on the quality of the habitat, the amount of planned development, and the ability to provide specific mitigation on a case-by-case basis. Impacts in urban areas (including in HQTAs) could be more severe because even impacts to a small amount of open space tends to impact a high percentage of open space in that area. While mitigation may provide a reduction in impacts to biological resources and open space, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.3-3 Potential to increase near-road human disturbances such as litter, trampling, light pollution, and road noise in previously relatively inaccessible and undisturbed natural areas.

Mitigation

Implementation of Mitigation Measure MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.3-3.

The SCAG Regional Council finds that Impact 3.3-3 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-BIO/OS3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-BIO/OS3 is anticipated to reduce the significant impact resulting from increases in near-road human disturbances, the impact could remain significant and unavoidable due to the regional scale of the plan. Some development associated with the 2012-2035 RTP/SCS would occur in undisturbed natural areas and the Plan includes new roadways, such as the High Desert Corridor. While more than half the anticipated development would occur in HQTAs that are urbanized and have existing infrastructure, the number of projects included in the Plan and anticipated land consumption will potentially expose biological resources and open space to human disturbances. While mitigation may provide a reduction in impacts to biological resources and open space, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.3-4 Potential to damage natural vegetation and other habitat components as a result of trampling or off-road machinery during construction activities. Direct fatalities to wildlife would also potentially occur.

Mitigation

Implementation of Mitigation Measure MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.3-4.

The SCAG Regional Council finds that Impact 3.3-4 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-BIO/OS3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

EXHIBIT A: FINDINGS OF FACT

Although mitigation provided through MM-BIO/OS3 is anticipated to reduce the significant impact resulting from trampling or off-road machinery during construction activities, the impact could remain significant and unavoidable due to the regional scale of the Plan. The degree of site-specific impacts will depend on several factors, including the duration and size of the area of construction activities, the presence of habitat of special status species, and the timing of construction activity. While mitigation may provide a reduction in impacts to biological resources and open space, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.3-5 Potential to create noise, smoke, lights and/or other disturbances to biological resources during construction and operation of projects.

Mitigation

Implementation of Mitigation Measure MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.3-5.

The SCAG Regional Council finds that Impact 3.3-5 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-BIO/OS3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-BIO/OS3 is anticipated to reduce the significant impact resulting from construction and operation of projects, the impact could remain significant and unavoidable due to the regional scale of the Plan. Some projects included in the Plan, such as light rail and goods movement truckways, could introduce or further generate noise, smoke, light or other disturbances that would affect biological resources. Development would introduce new human elements such as nighttime lighting and noise that could also affect previously undisturbed areas. While mitigation may provide a reduction in impacts to biological resources and open space, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the

EXHIBIT A: FINDINGS OF FACT

overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.3-6 Potential to displace riparian or wetland habitat.

Mitigation

Implementation of Mitigation Measure MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.3-6.

The SCAG Regional Council finds that Impact 3.3-6 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-BIO/OS3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-BIO/OS3 is anticipated to reduce the significant impact resulting from displacement of riparian or wetland habitat, the impact could remain significant and unavoidable due to the regional scale of the plan. The degree of site-specific impacts will depend on several factors, including the amount and kind of riparian and aquatic habitat removed and the ability of individual projects to mitigate their impacts. Although the majority of development under the Plan would be in urbanized areas without substantial amounts of valuable habitat, the large number of projects that would be implemented under the Plan and anticipated land consumption could substantially affect riparian and wetland habitat. While mitigation may provide a reduction in impacts to biological resources and open space, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.3-7 Potential to increase siltation of streams and other water resources from exposures of erodible soils during construction activities.

Implementation of Mitigation Measure MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.3-7.

The SCAG Regional Council finds that Impact 3.3-7 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-BIO/OS3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-BIO/OS3 is anticipated to reduce the significant impact resulting from exposure of erodible soils during construction activities, the impact could remain significant and unavoidable due to the regional scale of the plan. The degree of site-specific impacts to siltation will depend on several factors, including the length and timing of construction activities and the significance of the resource. The Plan includes transportation projects and development that would require substantial construction activities, including activities that would occur in areas near streams or other water resources that would result in siltation impacts. While mitigation may provide a reduction in impacts to biological resources and open space, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.3-9 Substantial disturbance and/or loss of open space and rangelands used for foraging.

Mitigation

Implementation of Mitigation Measure MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.3-9.

The SCAG Regional Council finds that Impact 3.3-9 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-BIO/OS3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-BIO/OS3 is anticipated to reduce the significant impact resulting in substantial disturbance and/or loss of open space and rangelands, the impact could remain significant and unavoidable due to the regional scale of the Plan. The degree of site-specific impacts

EXHIBIT A: FINDINGS OF FACT

depends on several factors, including the characteristics of the surrounding preserves, the underlying soils and particular roadway improvements or development. While transit improvements identified in the Plan are generally located in urbanized areas that are less likely to be impacted, several projects would have the potential to significantly affect open space and rangelands, including the Mixed Flow and HOV lane improvements along the I-215 and I-15 in central western Riverside County and southwestern San Bernardino. Additional rangelands would be affected by anticipated growth under the Plan. While mitigation may provide a reduction in impacts to biological resources and open space, it is uncertain that that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

The SCAG Regional Council also finds that specific economic, legal, social, technological, or other considerations, including policy considerations, make certain mitigation measures or project alternatives identified in the EIR infeasible.

Specifically, SCAG has considered the following mitigation measure (identified as MM-BIO/OS46 in the Draft PEIR – most mitigation measures are re-numbered in the Final PEIR) and has determined it is infeasible for the reasons described above:

- SCAG shall use its IGR process to review projects with potentially significant impacts to open space and recommend impact avoidance and mitigation measures.

Impact 3.3-10 Potential to contribute to a cumulatively considerable loss of habitat and biological resources.

Mitigation

Implementation of Mitigation Measures MM-BIO/OS1, MM-BIO/OS2, and MM-BIO/OS3 would reduce impacts, though not below a less than significant level.

MM-BIO/OS1: SCAG shall facilitate reducing future impacts to biological resources through cooperation, information sharing, and program development. SCAG shall consult with the resource agencies, such as USFSW and CDFG, as well as local jurisdictions to incorporate any local HCPs or other similar planning documents. Planning efforts shall be in accordance with the approach outlined in the California Wildlife Action Plan.

MM-BIO/OS2: SCAG shall develop a conservation strategy (including regional mitigation policies) in coordination with local jurisdictions and agencies, including CTCs. The conservation strategy will build from existing efforts including those at the sub-regional and local level to identify potential priority conservation areas based on mitigation approaches adopted by local agencies. SCAG shall produce and maintain a list/map of potential conservation opportunity areas based on most recent land use data.

MM-BIO/OS3: Local agencies can and should comply with the requirements of CEQA mitigate impacts to biological resources and open space as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

For the significant impact to biological resources and open space associated with Impact 3.3-10, measures MM-BIO/OS1 through MM-BIO/OS3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-BIO/OS1 and MM-BIO/OS2 requires SCAG to cooperate with resource and local agencies, share information and develop programs to reduce the significant impact associated with Impact 3.3-1, and prepare a conservation strategy that incorporates regional mitigation policies to reduce the significant impact associated with Impact 3.3-10. The SCAG Regional Council hereby finds that MM-BIO/OS1 and MM-BIO/OS2 are feasible and reduce Impact 3.3-10.

The mitigation activities identified in MM-BIO/OS3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-BIO/OS1 and MM-BIO/OS2, MM-BIO/OS3 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-BIO/OS1 through MM-BIO/OS3 reduces the significant impact associated with Impact 3.3-10, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the cumulative impacts of local planning and development projects will remain significant and unavoidable because loss of habitat as well as habitat fragmentation that would occur as direct result of transportation improvements and development would contribute to statewide impacts to protected species and/or could result in the loss of important corridors, limiting the movement and viability of a species beyond the SCAG region. While mitigation may provide a reduction in biological resources and open space impacts, it is uncertain whether all future project-level impacts can be mitigated to a less than significant level thus contributing to a cumulative impact.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Finally, the SCAG Regional Council also finds that specific economic, legal, social, technological, or other considerations, including policy considerations, make other mitigation measures or project alternatives identified in the EIR infeasible.

Specifically, SCAG has considered the following mitigation measure (identified as MM-BIO/OS46 in the Draft PEIR – most mitigation measures are re-numbered in the Final PEIR) and has determined it is infeasible for the reasons described above:

SCAG shall use its IGR process to review projects with potentially significant impacts to open space and recommend impact avoidance and mitigation measures.

EXHIBIT A: FINDINGS OF FACT

D. CULTURAL RESOURCES

Impact 3.4-1 Potential to cause a substantial adverse change in the significance of a historical resource.

Mitigation

Implementation of Mitigation Measure MM-CUL2 would reduce impacts, though not below a less than significant level.

MM-CUL2: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to cultural resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.4-1.

The SCAG Regional Council finds that Impact 3.4-1 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-CUL2 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-CUL2 is anticipated to reduce the significant impact to historic resources, the impact could remain significant and unavoidable due to the regional scale of the Plan and potentially large number of historic resources that could be disturbed as a result of the Plan. Many of the transportation investments under the Plan focus development in HQTAs that are located in older urban centers and where historical structures are likely to be located. Many proposed transportation improvements under the Plan would occur in existing rights of way where impacts to historic resources are less likely. However, construction and implementation of new lanes and highway arterials may impact the physical and aesthetic integrity of historic buildings and communities and expose the exteriors of structures to corrosive air contaminants and vibrations. While mitigation may provide a reduction in impacts to cultural resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.4-2 Potential to cause a substantial adverse change in the significance of an archaeological resource.

Mitigation

Implementation of Mitigation Measure MM-CUL2 would reduce impacts, though not below a less than significant level.

EXHIBIT A: FINDINGS OF FACT

MM-CUL2: Local agencies can and should comply with the requirements of CEQA mitigate impacts to cultural resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.4-2.

The SCAG Regional Council finds that Impact 3.4-2 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-CUL2 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-CUL2 is anticipated to reduce the significant impact resulting in impacts to archeological resources, the impact could remain significant and unavoidable due to the regional scale of the Plan and potentially large number of archaeological resources that could be disturbed as a result of the Plan. The Plan includes transportation projects that take place in previously undisturbed areas, where archeological resources, such as Native American villages and burial grounds, are generally more likely to be discovered. Many proposed transportation improvements under the Plan would occur in existing rights of way where archeological resources are generally more likely to have been removed or destroyed during previous excavations. However, construction of new lanes or projects that would entail soil removal of any kind could potentially disturb undiscovered archeological resources, particularly as the locations of many archeological sites are confidential and/or unknown. In addition anticipated development under the Plan would result in similar impacts. While mitigation may provide a reduction in impacts to cultural resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.4-3 Potential to directly or indirectly destroy unique paleontological resources or sites or unique geological features.

Mitigation

Implementation of Mitigation Measure MM-CUL2 would reduce impacts, though not below a less than significant level.

MM-CUL2: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to cultural resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.4-3.

EXHIBIT A: FINDINGS OF FACT

The SCAG Regional Council finds that Impact 3.4-3 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-CUL2 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-CUL2 is anticipated to reduce the significant impact resulting in destruction to unique paleontological or geologic resources, the impact could remain significant and unavoidable due to the regional scale of the Plan and the large number of paleontological localities and unique geologic features found throughout the SCAG Regional that could be disturbed as a result of the Plan. Excavation and soil removal of any kind, particularly in previously undisturbed areas, have the potential to impact resources of paleontological significance. The extensive distribution of resources makes it difficult to predict which areas are paleontologically sensitive. New lanes and transit projects require earthwork that could affect existing natural and unique geologic features and paleontological resources in both previously undisturbed and urban areas. While mitigation may provide a reduction in impacts to cultural resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.4-4 Construction and implementation of projects from the 2012-2035 RTP/SCS could disturb human remains, including those interred outside of formal cemeteries.

Mitigation

Implementation of Mitigation Measure MM-CUL2 would reduce impacts, though not below a less than significant level.

MM-CUL2: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to cultural resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.4-4.

The SCAG Regional Council finds that Impact 3.4-4 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-CUL2 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-CUL2 is anticipated to reduce the significant impact resulting from construction and implementation of projects, the impact could remain significant and unavoidable because it is not always possible to predict where human remains may occur outside of formal burials. The Plan includes transportation projects that take place in previously undisturbed areas, where there is more potential to unearth undiscovered human remains. While mitigation may provide a reduction in impacts to

EXHIBIT A: FINDINGS OF FACT

cultural resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.4-5 Potential to contribute to a cumulatively considerable loss of cultural resources.

Mitigation

Implementation of Mitigation Measure MM-CUL1 would reduce impacts, though not below a less than significant level.

MM-CUL1: Impacts to cultural resources shall be minimized through cooperation, information sharing, and SCAG's ongoing regional planning efforts such as web-based planning tools for local government including CA Lots, and direct technical assistance efforts such as Compass Blueprint's Toolbox Tuesday series. Resource agencies, such as the Office of Historic Preservation, shall be consulted during this process.

Findings and Rationale

For the significant impact to cumulative loss of cultural resources associated with Impact 3.4-5, measure MM-CUL1 as presented above has been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-CUL1 requires SCAG to cooperate and share information with resource and local agencies, as well as provide ongoing regional planning and technical assistance to reduce the significant impact associated with Impact 3.4-5. The SCAG Regional Council hereby finds that MM-CUL1 is feasible and reduces the impact of Impact 3.4-5 to the maximum extent feasible.

Although MM-CUL1 reduces the significant impact associated with Impact 3.4-5, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the cumulative impacts of local planning and development projects will remain significant and unavoidable because urbanization and growth in the SCAG region (accommodation of approximately 3.89 million people by 2035) is expected to contribute to regional impacts on existing and previously undisturbed and undiscovered cultural resources, as described in Impacts 3.4-1 through 3.4-4 above. Impacts of the Plan would combine with impacts in other areas of Southern California to contribute to a cumulative loss of cultural resources in California. While mitigation may provide a reduction in impacts to cultural resources, it is uncertain whether all future project-level impacts can be mitigated to a less than significant level thus contributing to a cumulative impact.

The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

EXHIBIT A: FINDINGS OF FACT

E. GEOLOGY, SOILS, AND MINERAL RESOURCES

Impact 3.5-1 Implementation of the 2012-2035 RTP/SCS could expose people or structures to potential substantial adverse effects including risk of surface rupture, ground shaking, liquefaction, landsliding or other seismically-induced hazards such as tsunami and seiche waves.

Mitigation

Implementation of Mitigation Measure MM-GEO3 would reduce impacts, though not below a less than significant level.

MM-GEO3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts associated with geology, soils and mineral resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.5-1.

The SCAG Regional Council finds that Impact 3.5-1 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-GEO3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-GEO3 is anticipated to reduce the significant impact resulting in exposure to seismically-induced hazards, the impact could remain significant and unavoidable due to the regional scale of the Plan. Some proposed projects would be located over faults that are susceptible to surface rupture, such as within the Alquist-Priolo Fault and San Andreas Fault Zones. Other projects would be located in areas susceptible to severe grounds shaking, earth movement, liquefaction, or landslides. Specific information on areas prone to seismic and liquefaction hazards is not yet available for the entire SCAG region or may change over time. While mitigation may provide a reduction in impacts to geology, soils and mineral resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.5-2 Significant earthwork associated with implementation of the 2012-2035 RTP/SCS could result in substantial soil erosion and/or the loss of topsoil in some cases potentially resulting in slope failure.

Mitigation

Implementation of Mitigation Measure MM-GEO3 would reduce impacts, though not below a less than significant level.

EXHIBIT A: FINDINGS OF FACT

MM-GEO3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts associated with geology, soils and mineral resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.5-2.

The SCAG Regional Council finds that Impact 3.5-2 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-GEO3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-GEO3 is anticipated to reduce the significant impact resulting from significant earthwork associated with implementation of the Plan, the impact could remain significant and unavoidable because anticipated development under the Plan as well as new facilities proposed under the Plan would require substantial construction, much of which would occur within previously undisturbed areas where there is potential to result in soil erosion, loss of topsoil and would contribute to long-term erosion. Some improvements to existing rights of ways, such as road cuts, could expose soils to erosion over the life of the project, creating potential landslide and falling rock hazards. While mitigation may provide a reduction in impacts to geology, soils and mineral resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.5-3 Potential to be located on expansive soils, a geologic unit or soil that is unstable, or that would become unstable as a result of the Plan, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Mitigation

Implementation of Mitigation Measures MM-GEO1 and MM-GEO3 would reduce impacts, though not below a less than significant level.

MM-GEO1: SCAG shall facilitate minimizing future impacts to geological resources through cooperation, information sharing, and regional program development as part of SCAG's ongoing regional planning efforts, such as web-based planning tools for local government including CA Lots, and direct technical assistance efforts such as Compass Blueprint's Toolbox Tuesday series. Resource agencies, such as the U.S. Geology Survey, should be consulted during this update process.

MM-GEO3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts associated with geology, soils and mineral resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

For the significant impact to property and public safety associated with Impact 3.5-3, measures MM-GEO1 and MM-GEO3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-GEO1 require SCAG to cooperate and share information with resource and local agencies, as well as provide ongoing regional planning and technical assistance to reduce the significant impact associated with Impact 3.5-3. The SCAG Regional Council hereby finds that MM-GEO1 is feasible and reduces the impact of Impact 3.5-3.

The mitigation activities identified in MM-GEO3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-GEO1, MM-GEO3 reduce this significant unavoidable impact to the maximum extent feasible.

Although MM-GEO1 and MM-GEO3 reduce the significant impact associated with 3.5-3, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because as discussed under Impact 3.5-2 above, construction of Plan projects may require significant earthwork and road cuts, increasing the potential for slope failure. Excavation related to construction projects proposed in Plan or as needed to construct anticipated development could result in unstable soils. Additionally, the SCAG region has historically experienced subsidence due to groundwater overdraft and petroleum extraction. While mitigation may provide a reduction in impacts to geology, soils and mineral resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.5-4 Potential to result in the loss of availability of known aggregate and mineral resources that would be of value to the region and residents of the State.

Mitigation

Implementation of Mitigation Measures MM-GEO2 and MM-GEO3 would reduce impacts, though not below a less than significant level.

MM-GEO2: SCAG shall coordinate with the Department of Conservation, California Geological Survey to maintain a database, if available, of 1) available resources in the SCAG region including permitted and un-permitted and 2) the anticipated 50-year demand. Based on the results of this survey SCAG should work with local agencies to develop an appropriate response to the anticipated demand, including identifying future sites that may seek permitting and working with industry experts to identify ways to encourage and increase recycling to reduce the demand for aggregate.

EXHIBIT A: FINDINGS OF FACT

MM-GEO3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts associated with geology, soils and mineral resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to loss of aggregate and mineral resources associated with Impact 3.5-4, measures MM-GEO2 and MM-GEO3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-GEO2 requires SCAG to coordinate and share information with resource and local agencies to address future demand for resources in order to reduce the significant impact associated with 3.5-4. The SCAG Regional Council hereby finds that MM-GEO2 is feasible and reduces the impact of 3.5-4.

The mitigation activities identified in MM-GEO3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-GE02, MM-GEO3 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-GEO2 and MM-GEO3 reduces the significant impact associated with Impact 3.5-4, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable due to the substantial growth and large number of projects anticipated in the Plan. It is anticipated that the projects included in the Plan as well as anticipated development would require substantial amounts of aggregate resources. Proposed projects and anticipated development also have the potential to occur in previously undisturbed areas and mineral resource zones, thus impacting the availability of these resources. While mitigation may provide a reduction in impacts to geology, soils and mineral resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.5-5A Potential to contribute to a cumulatively considerable increase in risk associated with geologic hazards and impacts to mineral resources.¹

¹¹ Impact 3.5-5 includes two cumulative impacts, increase in risk associated with geologic hazards and impacts to mineral resources. The former impact is less than significant after mitigation and the latter is significant after mitigation. As such, we have split the two impact into Impact 3.5-5A (mineral resources) and 3.5-5B (geological hazards).

EXHIBIT A: FINDINGS OF FACT

Mitigation

Implementation of Mitigation Measures MM-GEO1, MM-GEO2, and MM-GEO3 would reduce impacts, though not below a less than significant level.

MM-GEO1: SCAG shall facilitate minimizing future impacts to geological resources through cooperation, information sharing, and regional program development as part of SCAG's ongoing regional planning efforts, such as web-based planning tools for local government including CA Lots, and direct technical assistance efforts such as Compass Blueprint's Toolbox Tuesday series. Resource agencies, such as the U.S. Geology Survey, should be consulted during this update process.

MM-GEO2: SCAG shall coordinate with the Department of Conservation, California Geological Survey to maintain a database, if available, of 1) available resources in the SCAG region including permitted and un-permitted and 2) the anticipated 50-year demand. Based on the results of this survey SCAG should work with local agencies to develop an appropriate response to the anticipated demand, including identifying future sites that may seek permitting and working with industry experts to identify ways to encourage and increase recycling to reduce the demand for aggregate.

MM-GEO3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts associated with geology, soils and mineral resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to cumulative risk associated with mineral resource impacts associated with Impact 3.5-5A, measures MM-GEO1 through MM-GEO3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-GEO1 and MM-GEO2 requires SCAG to coordinate and share information with resource and local agencies, as well as provide ongoing regional planning and technical assistance to reduce the significant impact associated with 3.5-5A. The SCAG Regional Council hereby finds that MM-GEO1 and MM-GEO2 are feasible and reduces the impact of 3.5-5A.

The mitigation activities identified in MM-GEO3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that MM-GEO1 through MM-GEO3 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-GEO1 through MM-GEO3 reduces the significant impact associated with 3.5-5A, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because construction of RTP projects and anticipated development would result in a large demand for aggregate, and RTP projects and development could be constructed atop mineral resources thus impeding access to these resources. Given the potential for permitted resources to not meet demand both inside and outside the SCAG region the Plan would contribute to a cumulatively significant Statewide impact on aggregate resources. While mitigation may provide a reduction in cumulative impacts to mineral

EXHIBIT A: FINDINGS OF FACT

resources, it is uncertain whether all future project-level impacts cannot be mitigated to a less than significant level thus contributing to a cumulative impact.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

F. GREENHOUSE GAS EMISSIONS

Impact 3.6-1 Under the Plan, GHG emissions from residential and commercial building construction and operational energy demand and total mobile source emissions would increase (from 141 million metric tons) when compared to existing conditions (130 million metric tons). Therefore, the Plan would result in a significant impact related to total emissions.

Mitigation

Implementation of Mitigation Measures MM-GHG1 through MM-GHG15 would reduce impacts, though not below a less than significant level.

MM-GHG1: SCAG shall update any future Regional Transportation Plans/Sustainable Communities Strategy and Regional Comprehensive Plans to incorporate policies and measures that lead to reduced greenhouse gas (GHG) emissions. Such policies and measures may be derived from the General Plans, local jurisdictions' Climate Action Plans (CAPs), and other adopted policies and plans of its member agencies that include GHG mitigation and adaptation measures or other sources.

MM-GHG2: SCAG shall, through its ongoing outreach and technical assistance programs, work with and encourage local governments to adopt policies and develop practices that lead to GHG emission reductions. These activities will include, but are not limited to, providing technical assistance and information sharing on developing local Climate Action Plans

MM-GHG3: SCAG shall work with the business community, including the Southern California Leadership Council and the Global Land Use and Environment Council, to develop regional economic strategies that promote energy savings and GHG emission reduction.

MM-GHG4: SCAG shall continue coordination with other metropolitan planning organizations (MPOs) on statewide strategies and approaches to reducing GHG emissions and facilitate the implementation of SB 375.

MM-GHG5: SCAG shall coordinate with ARB and air districts in efforts to implement the AB 32 Scoping Plan.

MM-GHG6: SCAG shall develop a regional climate and economic development strategy that assesses the cost effectiveness of GHG reduction measures and prioritizes strategies that have greatest overall benefit to the economy.

MM-GHG7: SCAG, in its capacity as a Clean Cities Coalition, shall work with member local governments to promote the use of alternative fuel technology.

EXHIBIT A: FINDINGS OF FACT

- MM-GHG8:** SCAG shall work with utilities, sub-regions, and other stakeholders to promote accelerated penetration of zero (or near zero) emission vehicles in the region, including developing a strategy for the deployment of public charging infrastructure.
- MM-GHG9:** SCAG shall in its capacity as a Clean Cities Coalition, establish coordinated, creative public outreach activities, including publicizing the importance of reducing GHG emissions and steps community members may take to reduce their individual impacts.
- MM-GHG10:** Pedestrian and Bicycle Promotion: SCAG shall work with local community groups and business associations to organize and publicize walking tours and bicycle events, and to encourage pedestrian and bicycle modes of transportation.
- MM-GHG11:** Water Conservation: SCAG shall support and/or sponsor workshops on water conservation activities, such as selecting and planting drought tolerant, native plants in landscaping, and installing advanced irrigation systems.
- MM-GHG12:** Energy Efficiency: SCAG shall organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.
- MM-GHG13:** Climate Protection Summit/Fair: SCAG shall in coordination with local jurisdictions (as practicable) support and/or sponsor periodic Climate Protection Summits or Fairs, to educate the public on current climate science, projected local impacts, and local efforts and opportunities to reduce GHG emissions, including exhibits of the latest technology and products for conservation and efficiency.
- MM-GHG14:** Schools Programs: SCAG shall develop and implement a program in coordination with school districts to present information to students about climate change and ways to reduce GHG emissions, and will support school-based programs for GHG reduction, such as school based trip reduction and the importance of recycling.
- MM-GHG15:** Local agencies can and should comply with the requirements of CEQA to mitigate impacts from greenhouse gas emissions as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to greenhouse gas emissions associated with Impact 3.6-1, measures MM-GH1 through MM-GHG15 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-GHG1 through MM-GHG14 require SCAG to coordinate, collaborate, and share information with resource and local agencies and others to reduce the significant impact associated with 3.6-1. The SCAG Regional Council hereby finds that MM-GHG1 through MM-GHG14 is feasible and reduces the impact of 3.6-1.

The mitigation activities identified in MM-GHG15 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

EXHIBIT A: FINDINGS OF FACT

The SCAG Regional Council finds that together with MM-GHG1 through MM-GHG14, MM-GHG15 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-GHG1 through MM-GHG15 reduce the significant impact associated with Impact 3.6-1, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because it is estimated (based on simplified gross estimates of construction, energy use and water use) that in 2035 total emissions (for the sources analyzed) under the Plan would be more than existing and 2005 baseline conditions. While mitigation may provide a reduction in impacts greenhouse gas emissions, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.6-2 Regarding the AB 32 GHG emission reduction targets (based on mobile sources and residential and commercial building energy use) the Plan would meet the applicable AB 32 reduction targets (identified in SB 375) with respect to light duty vehicles. However, without technical details as to how each sector of the economy will comply with AB 32, growth anticipated to occur under the Plan could result in a significant impact related to AB 32 and the Scoping Plan.

Mitigation

Implementation of Mitigation Measures MM-GHG1 through MM-GHG15 would reduce impacts, though not below a less than significant level.

MM-GHG1: SCAG shall update any future Regional Transportation Plans/Sustainable Communities Strategy and Regional Comprehensive Plans to incorporate policies and measures that lead to reduced greenhouse gas (GHG) emissions. Such policies and measures may be derived from the General Plans, local jurisdictions' Climate Action Plans (CAPs), and other adopted policies and plans of its member agencies that include GHG mitigation and adaptation measures or other sources.

MM-GHG2: SCAG shall, through its ongoing outreach and technical assistance programs, work with and encourage local governments to adopt policies and develop practices that lead to GHG emission reductions. These activities will include, but are not limited to, providing technical assistance and information sharing on developing local Climate Action Plans

MM-GHG3: SCAG shall work with the business community, including the Southern California Leadership Council and the Global Land Use and Environment Council, to develop regional economic strategies that promote energy savings and GHG emission reduction.

MM-GHG4: SCAG shall continue coordination with other metropolitan planning organizations (MPOs) on statewide strategies and approaches to reducing GHG emissions and facilitate the implementation of SB 375.

MM-GHG5: SCAG shall coordinate with ARB and air districts in efforts to implement the AB 32 Scoping Plan.

EXHIBIT A: FINDINGS OF FACT

- MM-GHG6:** SCAG shall develop a regional climate and economic development strategy that assesses the cost effectiveness of GHG reduction measures and prioritizes strategies that have greatest overall benefit to the economy.
- MM-GHG7:** SCAG, in its capacity as a Clean Cities Coalition, shall work with member local governments to promote the use of alternative fuel technology.
- MM-GHG8:** SCAG shall work with utilities, sub-regions, and other stakeholders to promote accelerated penetration of zero (or near zero) emission vehicles in the region, including developing a strategy for the deployment of public charging infrastructure.
- MM-GHG9:** SCAG shall in its capacity as a Clean Cities Coalition, establish coordinated, creative public outreach activities, including publicizing the importance of reducing GHG emissions and steps community members may take to reduce their individual impacts.
- MM-GHG10: Pedestrian and Bicycle Promotion:** SCAG shall work with local community groups and business associations to organize and publicize walking tours and bicycle events, and to encourage pedestrian and bicycle modes of transportation.
- MM-GHG11: Water Conservation:** SCAG shall support and/or sponsor workshops on water conservation activities, such as selecting and planting drought tolerant, native plants in landscaping, and installing advanced irrigation systems.
- MM-GHG12: Energy Efficiency:** SCAG shall organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.
- MM-GHG13: Climate Protection Summit/Fair:** SCAG shall in coordination with local jurisdictions (as practicable) support and/or sponsor periodic Climate Protection Summits or Fairs, to educate the public on current climate science, projected local impacts, and local efforts and opportunities to reduce GHG emissions, including exhibits of the latest technology and products for conservation and efficiency.
- MM-GHG14: Schools Programs:** SCAG shall develop and implement a program in coordination with school districts to present information to students about climate change and ways to reduce GHG emissions, and will support school-based programs for GHG reduction, such as school based trip reduction and the importance of recycling.
- MM-GHG15:** Local agencies can and should comply with the requirements of CEQA to mitigate impacts from greenhouse gas emissions as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to greenhouse gas emissions associated with Impact 3.6-2, measures MM-GHG1 through MM-GHG15 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-GHG1 through MM-GHG14 require SCAG to coordinate, collaborate, and share information with resource and local agencies and others to reduce the significant

EXHIBIT A: FINDINGS OF FACT

impact associated with Impact 3.6-2. The SCAG Regional Council hereby finds that MM-GHG1 through MM-GHG14 are feasible and reduces Impact 3.6-2.

The mitigation activities identified in MM-GHG15 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-GHG1 through MM-GHG14, MM-GHG15 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-GHG1 through MM-GHG15 reduces the significant impact associated with Impact 3.6-2, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because although the Plan successfully meets or exceeds its emissions targets, given the unknowns associated with the other required sectors, such as the demand for water and energy, and the projected population growth in the region, estimated total emissions could result in a significant impact without assuming that the strategies in the AB 32 Scoping Plan are implemented. While mitigation may provide a reduction in impacts to greenhouse gas emissions, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

H. HAZARDOUS MATERIALS

Impact 3.7-2 Potential to create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during transportation.

Mitigation

Implementation of Mitigation Measures MM-HM3 would reduce impacts, though not below a less than significant level.

MM-HM3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts that result from hazardous materials as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of mitigation measures that would reduce impacts from use of hazardous materials and/or disposal of hazardous wastes. Potentially significant impacts to public health associated with the issues of handling and proper disposal of hazardous materials and wastes are well regulated and compliance with these regulations is mandatory. Because federal, state, and local agencies regularly enforce these regulations, it is reasonable to assume that project sponsors will comply. Compliance with these regulations would reduce any potential impact to public safety to a less than significant level.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.7-2.

The SCAG Regional Council finds that Impact 3.7-2 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-7-2 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Mitigation provided through MM-HM3 is anticipated to reduce the significant impact resulting from foreseeable conditions involving the release of hazardous materials into the environment. However, the impact could remain significant and unavoidable given the large volume of hazardous materials currently being transported throughout the SCAG region, as well as the improvements to the regional transportation system that would facilitate an increase in the transportation of all goods, including hazardous materials. The increased growth adjacent to transit and transportation facilities causes greater potential for accidental exposure of sensitive receptors and other users to risks associated with hazardous materials transport. Although individual projects would be required to comply with all existing regulations, due to the volume of projects (transportation and development) contained within the RTP/SCS and inherent unpredictability of accidents, it is possible that significant impacts could occur. While mitigation may provide a reduction in impacts to hazardous materials, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.7-3 Potential to create a hazard to the public or the environment by emitting hazardous materials within one-quarter mile of a school.

Mitigation

Implementation of Mitigation Measures MM-HM3 would reduce impacts, though not below a less than significant level.

MM-HM3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts that result from hazardous materials as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of mitigation measures that would reduce impacts from use of hazardous materials and/or disposal of hazardous wastes. Potentially significant impacts to public health associated with the issues of handling and proper disposal of hazardous materials and wastes are well regulated and compliance with these regulations is mandatory. Because federal, state, and local agencies regularly enforce these regulations, it is reasonable to assume that project sponsors will comply. Compliance with these regulations would reduce any potential impact to public safety to a less than significant level.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.7-3.

The SCAG Regional Council finds that Impact 3.7-3 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-HM3 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-HM3 is anticipated to reduce the significant impact resulting from emissions of hazardous materials, the impact could remain significant and unavoidable given the number of schools within a quarter-mile of projects in the Plan. The sheer number of schools in this vicinity increases the potential impact caused by the transport of hazardous materials on roadways near the schools. Although individual projects would be required to comply with all existing regulations, due to the volume of projects (transportation and development) contained within the RTP/SCS and inherent unpredictability of accidents, it is possible that significant impacts could occur. While mitigation may provide a reduction in impacts to hazardous materials, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.7-5 Potential to contribute a cumulatively significant increase in risk associated with hazardous materials transport outside of the SCAG region.

Mitigation

Implementation of Mitigation Measures MM-HM1 through MM-HM3 would reduce impacts, though not below a less than significant level.

MM-HM1: SCAG shall encourage the United States Department of Transportation (USDOT), the Office of Emergency Services, and California Department of Transportation (Caltrans) and the private sector to continue to conduct driver safety training programs.

MM-HM2: SCAG shall encourage the USDOT and the California Highway Patrol to continue to enforce speed limits and existing regulations governing goods movement and hazardous materials transportation.

MM-HM3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts that result from hazardous materials as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of mitigation measures that would reduce impacts from use of hazardous materials and/or disposal of hazardous wastes. Potentially significant impacts to public health associated with the issues of handling and proper disposal of hazardous materials and wastes are well regulated and compliance with these regulations is mandatory. Because federal, state, and local agencies regularly enforce these regulations, it is reasonable to assume that project sponsors will comply. Compliance

EXHIBIT A: FINDINGS OF FACT

with these regulations would reduce any potential impact to public safety to a less than significant level.

Findings and Rationale

For the significant impact from hazardous materials associated with Impact 3.7-5, measures MM-HM1 through MM-HM3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-HM1 and MM-HM2 requires SCAG to work with federal agencies and the private sector to promote safety programs and policies to reduce the significant impact associated with 3.7-5. The SCAG Regional Council hereby finds that MM-HM1 and MM-HM2 are feasible and reduce the impact of 3.7-5.

The mitigation activities identified in MM-HM3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-HM1 and MM-HM2, MM-HM3 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-HM1 through MM-HM3 reduce the significant impact associated with 3.7-5, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the cumulative impacts related to hazardous materials transport outside the region will remain significant and unavoidable because the risk of accidents and potential impacts to schools outside the region would be cumulatively significant. Transportation investments and the increased mobility provided by the Plan would result in not only increased hazardous materials transport through the region but also outside the region. These trips would add to trips from outside the region to result in cumulative impacts outside the region. While mitigation may provide a reduction in cumulative impacts to hazardous materials, it is uncertain whether all future project-level impacts cannot be mitigated to a less than significant level thus contributing to a cumulative impact.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

I. LAND USE AND AGRICULTURAL RESOURCES

Impact 3.8-1 Potential to result in inconsistencies with currently applicable adopted local land use plans and policies.

Mitigation

Implementation of Mitigation Measures MM-LU1 through MM-LU8, and MM-LU14 would reduce impacts, though not below a less than significant level.

EXHIBIT A: FINDINGS OF FACT

MM-LU1: SCAG shall encourage cities and counties in the region to provide SCAG with electronic versions of their most recent general plan (and associated environmental document) and any updates as they are produced.

MM-LU2: SCAG shall continue to provide targeted technical services such as GIS and data support for cities and counties to update their general plans at least every ten years, as recommended by the Governor's Office of Planning and Research.

MM-LU3: SCAG shall work with its member cities and counties to encourage that transportation projects and growth are consistent with the RTP and general plans.

MM-LU4: SCAG shall coordinate with member cities and counties to encourage that general plans consider and reflect as appropriate RTP/SCS policies and strategies. SCAG will work to encourage consistency between general plans and RTP/SCS policies.

MM-LU5: SCAG shall provide technical assistance and regional leadership to encourage implementation of the RTP/SCS goals and strategies that integrate growth and land use planning with the existing and planned transportation network.

MM-LU6: SCAG shall provide planning services to local jurisdictions through sustainability planning programs including the Compass Blueprint Demonstration Projects and the Green Region initiative. These projects will help local jurisdictions:

- Update General Plans to reflect Compass Blueprint principles and integrate land use and transportation planning.
- Develop specific plans, zoning overlays and other planning tools to enable and stimulate desired land use changes that are consistent with the future land development pattern in the 2012-2035 RTP/SCS
- Complete the economic analysis and community involvement efforts that will ensure that the planned changes are market feasible and responsible to stakeholder concerns.
- Visualize potential changes, through innovative graphics and mapping technology to inform the dialogue about growth, development and transportation at the local and regional level.

MM-LU7: SCAG shall continue with a public relations strategy that emphasizes, the benefits and implications of Compass Blueprint principles and sustainable growth, and builds a sense of common interests among Southern California communities.

MM-LU8: SCAG shall continue to use its Intergovernmental Review Process to provide review and comment on large development projects regarding their consistency with the RTP with respect to the growth forecast.

MM-LU14: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to land use as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to land use associated with 3.8-1, measures MM-1 through MM-8, and MM-LU14 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

EXHIBIT A: FINDINGS OF FACT

The mitigation activities identified in MM-LU1 through MM-LU8 require SCAG to work with local agencies to share information and provide ongoing technical support and planning services to reduce the significant impact associated with 3.8-1. The SCAG Regional Council hereby finds that MM-LU1 through MM-LU8 are feasible and reduce the impact of 3.8-1.

The mitigation activities identified in MM-LU14 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-LU1 through MM-LU8, MM-LU14 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-LU1 through MM-MMLU8 and MM-LU14 reduce the significant impact associated with Impact 3.8-1, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because while SCAG encourages local jurisdictions to adopt and update general plans that are consistent with the 2012-2035 RTP/SCS, local jurisdictions are not required to change their land use plans and policies to be consistent with an RTP/SCS. While mitigation may provide a reduction in land use impacts, it is uncertain whether all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Finally, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations, make other mitigation measures or project alternatives identified in the EIR infeasible.

Specifically, SCAG has considered the following mitigation measure (identified as MM-LU9 in the Draft PEIR – most mitigation measures are re-numbered in the Final PEIR) and has determined it is infeasible for the reasons described below:

- SCAG shall develop and implement coordinated mitigation programs for regional projects, with an emphasis on regional transportation projects.

This measure was deleted because SCAG's Regional Council has not yet adopted coordinated mitigation programs for regional projects to address significant impacts resulting from potential inconsistencies with local land use plans and policies. In implementing the regional Conservation Planning Policy included as part of the 2012-2035 RTP/SCS, SCAG will develop and propose a regional, coordinated mitigation program for Regional Council consideration. SCAG cannot implement policies that have not been vetted or adopted by the SCAG Regional Council. See SCAG Bylaws Article V.A(4)(f) (requiring policy matters to be acted upon by the Regional Council). In deference to future policy consideration concerning SCAG's coordinated mitigation program, the SCAG Regional Council finds that this mitigation measure is infeasible.

EXHIBIT A: FINDINGS OF FACT

Impact 3.8-2 Potential to disrupt or divide established communities.

Mitigation

Implementation of Mitigation Measure MM-LU14 would reduce impacts, though not below a less than significant level.

MM-LU14: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to land use as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.8-2.

The SCAG Regional Council finds that Impact 3.8-2 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-LU14 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-LU14 is anticipated to reduce the significant impact resulting in disruptions or divisions to established communities, the impact could remain significant and unavoidable given the scale and number of projects in the Plan. Certain communities may be adversely affected by the growth associated with the 2012-2035 RTP/SCS, as well as by potential gentrification and associated displacement that may come as a result of new development near transit areas. While mitigation may provide a reduction in land use impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.8-3 Potential to result in substantial disturbance and/or loss of forestlands, prime farmlands and/or grazing lands, throughout the six-county SCAG region.

Mitigation

Implementation of Mitigation Measure MM-LU14 would reduce impacts, though not below a less than significant level.

MM-LU14: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to land use as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.8-3.

The SCAG Regional Council finds that Impact 3.8-3 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-LU14 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-LU14 is anticipated to reduce the significant impact to forestlands, the impact could remain significant and unavoidable because implementation of some transportation projects under the Plan may result in adding transportation infrastructure, or indirectly result in development, in areas currently serving as agricultural lands. While mitigation may provide a reduction in land use impacts, it is uncertain that that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Finally, the SCAG Regional Council also finds that specific economic, legal, social, technological, or other considerations, including policy considerations, make other mitigation measures or project alternatives identified in the EIR infeasible.

Specifically, SCAG has considered the following mitigation measure (identified as MM-LU21 in the Draft PEIR – most mitigation measures are re-numbered in the Final PEIR) and has determined it is infeasible for the reasons described below:

- SCAG shall use its intergovernmental review (IGR) process to review projects with potentially significant impacts to important farmlands and recommend impact avoidance and mitigation measures.

This measure was deleted because SCAG's IGR process does not currently address significant impacts to farmlands, or recommend avoidance and mitigation of these impacts with respect to regionally significant projects. SCAG's governing body, the SCAG Regional Council, has not adopted policies regarding this subject as part of its IGR process. SCAG cannot implement policies that have not been vetted or adopted by the SCAG Regional Council or are inconsistent with current policies. See SCAG Bylaws Article V.A(4)(f) (requiring policy matters to be acted upon by the Regional Council). In deference to future policy consideration concerning SCAG's IGR process, the SCAG Regional Council finds that this mitigation measure is infeasible.

Impact 3.8-4 Potential to influence the pattern of urbanization in the region such that land use incompatibilities could occur.

Mitigation

Implementation of Mitigation Measures MM-LU9 through MM-LU14 would reduce impacts, though not below a less than significant level.

EXHIBIT A: FINDINGS OF FACT

- MM-LU9:** SCAG shall work with member agencies and the region's farmland interest groups to develop regional best practices information for buffering farmland from urban encroachment, resolving conflicts that prevent farming on hillsides and other designated areas, and closing loopholes that allow conversion of non-farm uses without a grading permit.
- MM-LU10:** SCAG shall identify best practices for preserving and promoting the productivity and viability of agricultural lands, including promoting the availability of locally grown and organic food in the region.
- MM-LU11:** SCAG's Sustainability Planning Program including the Compass Blueprint program, Green Region Initiative and other ongoing regional planning efforts will be used to encourage and provide assistance for changes in land use to accommodate future population growth while maintaining the quality of life in the region.
- MM-LU12:** SCAG shall promote infill, mixed-use, higher density and other sustainable development, and work with partners to identify incentives to support the creation of affordable housing in mixed-use zones.
- MM-LU13:** SCAG shall educate the public about the benefits of well-designed, higher density and other sustainable development.
- MM-LU14:** Local agencies can and should comply with the requirements of CEQA to mitigate impacts to land use as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to land use associated with Impact 3.8-4, measures MM-LU9 through MM-LU14 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-LU9 through MM-LU14 require SCAG to provide ongoing technical support and planning services and share information to promote sustainable development in order to reduce the significant impact associated with 3.8-4. The SCAG Regional Council hereby finds that MM-LU9 through MM-LU13 are feasible and reduce the impact of 3.8-4.

The mitigation activities identified in MM-LU14 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-LU9 through MM-LU13, MM-LU14 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-LU9 through MM-LU14 reduce the significant impact associated with Impact 3.8-4, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because the Plan includes policies that would influence the distribution of the growing population. Although measures included in the Plan encourage use of underutilized urban land, and in some cases would help increase the intensity of the use to achieve mobility and other benefits, implementation of

EXHIBIT A: FINDINGS OF FACT

some strategies in the 2012 could result in changing concentrations of development throughout the six-county region. While mitigation may provide a reduction in land use impacts, it is uncertain that that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Finally, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations, make other mitigation measures or project alternatives identified in the EIR infeasible.

Specifically, SCAG also considered the following mitigation measure (identified as MM-LU75 in the Draft PEIR – most mitigation measures are re-numbered in the Final PEIR) and has determined it is infeasible for the reasons described below:

- SCAG and local jurisdictions shall minimize public expenditure for infrastructure and facilities to support urban type land uses in areas where public health and safety could not be guaranteed.

This measure was deleted because SCAG has determined that infrastructure expenditures and public health are not concepts necessarily in opposition to one another and as such, the measure did not clearly address potential impacts and appropriate mitigation. Appropriate actions to protect public health have been addressed by other mitigation measures including MM-AQ2, MM-AQ3, MM-GEO3, and MM-HM3.

Impact 3.8-5 Potential to change patterns of growth beyond the SCAG region.

Mitigation

Implementation of Mitigation Measures MM-LU1 through MM-LU14 would reduce impacts, though not below a less than significant level.

MM-LU1: SCAG shall encourage cities and counties in the region to provide SCAG with electronic versions of their most recent general plan (and associated environmental document) and any updates as they are produced.

MM-LU2: SCAG shall continue to provide targeted technical services such as GIS and data support for cities and counties to update their general plans at least every ten years, as recommended by the Governor's Office of Planning and Research.

MM-LU3: SCAG shall work with its member cities and counties to encourage that transportation projects and growth are consistent with the RTP and general plans.

MM-LU4: SCAG shall coordinate with member cities and counties to encourage that general plans consider and reflect as appropriate RTP/SCS policies and strategies. SCAG will work to encourage consistency between general plans and RTP/SCS policies.

MM-LU5: SCAG shall provide technical assistance and regional leadership to encourage implementation of the RTP/SCS goals and strategies that integrate growth and land use planning with the existing and planned transportation network.

EXHIBIT A: FINDINGS OF FACT

MM-LU6: SCAG shall provide planning services to local jurisdictions through sustainability planning programs including the Compass Blueprint Demonstration Projects and the Green Region initiative. These projects will help local jurisdictions:

- Update General Plans to reflect Compass Blueprint principles and integrate land use and transportation planning.
- Develop specific plans, zoning overlays and other planning tools to enable and stimulate desired land use changes that are consistent with the future land development pattern in the 2012-2035 RTP/SCS
- Complete the economic analysis and community involvement efforts that will ensure that the planned changes are market feasible and responsible to stakeholder concerns.
- Visualize potential changes, through innovative graphics and mapping technology to inform the dialogue about growth, development and transportation at the local and regional level.

MM-LU7: SCAG shall continue with a public relations strategy that emphasizes, the benefits and implications of Compass Blueprint principles and sustainable growth, and builds a sense of common interests among Southern California communities.

MM-LU8: SCAG shall continue to use its Intergovernmental Review Process to provide review and comment on large development projects regarding their consistency with the RTP with respect to the growth forecast.

MM-LU9: SCAG shall work with member agencies and the region's farmland interest groups to develop regional best practices information for buffering farmland from urban encroachment, resolving conflicts that prevent farming on hillsides and other designated areas, and closing loopholes that allow conversion of non-farm uses without a grading permit.

MM-LU10: SCAG shall identify best practices for preserving and promoting the productivity and viability of agricultural lands, including promoting the availability of locally grown and organic food in the region.

MM-LU11: SCAG's Sustainability Planning Program including the Compass Blueprint program, Green Region Initiative and other ongoing regional planning efforts will be used to encourage and provide assistance for changes in land use to accommodate future population growth while maintaining the quality of life in the region.

MM-LU12: SCAG shall promote infill, mixed-use, higher density and other sustainable development, and work with partners to identify incentives to support the creation of affordable housing in mixed-use zones.

MM-LU13: SCAG shall educate the public about the benefits of well-designed, higher density and other sustainable development.

MM-LU14: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to land use as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to land use associated with Impact 3.8-5, measures MM-LU1 through MM-LU14 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG

EXHIBIT A: FINDINGS OF FACT

Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-LU1 through MM-LU13 require SCAG to provide ongoing technical support and planning services and share information to promote sustainable development in order to reduce the significant impact associated with Impact 3.8-5. The SCAG Regional Council hereby finds that MM-LU1 through MM-LU13 are feasible and reduce Impact 3.8-5.

The mitigation activities identified in MM-LU14 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-LU1 through MM-LU13, MM-LU14 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-LU1 through MM-LU4 reduce the significant impact associated with Impact 3.8-5, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the cumulative impacts of local planning and development projects will remain significant and unavoidable because the improved accessibility as a result of the Plan's implementation could help facilitate urbanization to areas outside the region. Changes in the land use patterns in the region have the potential to set a precedent that could affect areas outside the region resulting in the conversion of agricultural lands or increased urbanization in other areas as well. While mitigation may provide a cumulative reduction in land use impacts, it is uncertain whether all future project-level impacts can be mitigated to a less than significant level thus contributing to a cumulative impact.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Finally, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations, make other mitigation measures or project alternatives identified in the EIR infeasible.

Specifically, SCAG also considered the following mitigation measures (identified as MM-LU 21 and MM-LU75, respectively in the Draft PEIR – most mitigation measures are re-numbered in the Final PEIR) and has determined that they are infeasible for the reasons described above:

- SCAG shall use its intergovernmental review (IGR) process to review projects with potentially significant impacts to important farmlands and recommend impact avoidance and mitigation measures.
- SCAG and local jurisdictions shall minimize public expenditure for infrastructure and facilities to support urban type land uses in areas where public health and safety could not be guaranteed.

EXHIBIT A: FINDINGS OF FACT

J. NOISE

Impact 3.9-1 Grading and construction activities associated with the proposed freeway, arterial, transit, and rail projects, identified in the 2012-2035 RTP/SCS, as well as development projects anticipated by the Plan would intermittently and temporarily generate noise and vibration levels above ambient background levels. Noise and vibration levels in the immediate vicinity of the construction sites would increase substantially sometimes for extended duration. Therefore, without mitigation, the Plan would result in a significant impact related to construction noise and vibration.

Mitigation

Implementation of Mitigation Measure MM-NO1 would reduce impacts, though not below a less than significant level.

MM-NO1: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to noise as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.9-1.

The SCAG Regional Council finds that Impact 3.9-1 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-NO1 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-NO1 is anticipated to reduce the significant impact resulting from grading and construction activities, the impact could remain significant and unavoidable because construction activities associated with the Plan would result in temporary noise increases at nearby sensitive receptors and have the potential to generate substantial vibration in close proximity to construction equipment. While mitigation may provide a reduction in noise impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.9-2 Noise-sensitive land uses could be exposed to operational noise in excess of normally acceptable noise levels and/or could experience substantial increases in noise as a result of; a) the operation of expanded or new transportation facilities (i.e., new or increased traffic resulting from new highways, addition of highway lanes, roadways, ramps, goods movement facilities, grade separations and new transit facilities, etc.); and/or b) increased vehicle activity (autos, trucks, buses, planes, trains, etc.) from increased activity associated with development resulting in increased ambient noise next to transportation facilities. Without mitigation, the Plan would result in a significant impact related to land use compatibility.

EXHIBIT A: FINDINGS OF FACT

Mitigation

Implementation of Mitigation Measure MM-NO1 would reduce impacts, though not below a less than significant level.

MM-NO1: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to noise as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.9-2.

The SCAG Regional Council finds that Impact 3.9-2 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-NO1 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-NO1 is anticipated to reduce the significant impact to noise levels, the impact could remain significant and unavoidable because at the regional scale, the noise impacts of new highways, highway widening, new HOV lanes, new transit corridors, and increased frequency along existing transit corridors are generally expected to exceed the significance criteria when they occur near sensitive receptors. While mitigation may provide a reduction in noise impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.9-3 Vibration-sensitive land uses could be exposed to vibration in excess of normally acceptable levels and/or could experience substantial increases in vibration as a result of the operation of expanded or new transportation facilities. Without mitigation, the Plan would result in a significant impact related to vibration.

Mitigation

Implementation of Mitigation Measure MM-NO1 would reduce impacts, though not below a less than significant level.

MM-NO1: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to noise as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.9-3.

The SCAG Regional Council finds that Impact 3.9-3 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-NO1 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-NO1 is anticipated to reduce the significant impact resulting from operation of new or expanded transportation facilities, the impact could remain significant and unavoidable because the Plan includes development or expansion of transportation systems that are primary vibration sources, such as heavy truck and bus traffic along roadways and train traffic along rail lines. Operation of expanded and new facilities may expose sensitive receptors to a substantial increase in vibration levels relative to existing conditions. While mitigation may provide a reduction in noise impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.9-4 The Plan would contribute to cumulative ambient noise and vibration levels in areas outside the region as a result of the operation of expanded or new transportation facilities (i.e., increased traffic resulting from new highways, addition of highway lanes, roadways, ramps, and new use of new transit and rail facilities as well as increased use of existing transit and rail facilities, etc.). Therefore, the Plan would contribute to a cumulatively considerable noise impact in these areas.

Mitigation

Implementation of Mitigation Measure MM-NO1 would reduce impacts, though not below a less than significant level.

MM-NO1: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to noise as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.9-4.

The SCAG Regional Council finds that Impact 3.9-4 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-NO1 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

EXHIBIT A: FINDINGS OF FACT

Although mitigation provided through MM-NO1 is anticipated to reduce the cumulative ambient noise and vibration levels, the impact could remain significant and unavoidable because activity resulting from the Plan, such as aircraft overflights, port noise, ship horns, railroads, as well as freeway, arterial and transit noise, could increase noise outside the region. While mitigation may provide a cumulative reduction in noise and vibration impacts, it is uncertain whether all future project-level impacts can be mitigated to a less than significant level thus contributing to a cumulative impact.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

K. POPULATION, HOUSING AND EMPLOYMENT

Impact 3.10-1 Potential to facilitate substantial population growth to some areas of the SCAG region.

Mitigation

Implementation of Mitigation Measure MM-POP1 would reduce impacts, though not below a less than significant level.

MM-POP1: SCAG shall work with its member agencies to encourage and assist growth strategies to create an urban form designed to focus development in HQTAs in accordance with the policies, strategies and investments contained in the 2012-2035 RTP/SCS, enhancing mobility and reducing land consumption.

Findings and Rationale

For the significant impact to population, housing and employment associated with Impact 3.10-1, measure MM-POP1 as presented above has been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-POP1 requires SCAG to work with member agencies to encourage growth in HQTAs to reduce the significant impact associated with Impact 3.10-1. The SCAG Regional Council hereby finds that MM-POP1 is feasible and reduces Impact 3.10-1 to the maximum extent feasible.

Although MM-POP1 reduces the significant impact associated with 3.10-1, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the significant impacts of local planning and development projects will remain significant and unavoidable because improved accessibility from the Plan could facilitate population and economic growth to areas of the region that are currently not developed, thus resulting in growth in some areas of the SCAG region. Additionally, growth associated with the Plan may result in potential gentrification and displacement that may come as a result of new development. While mitigation may provide a reduction in impacts to population, housing and employment, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

EXHIBIT A: FINDINGS OF FACT

The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.10-2 Potential to require the acquisition of rights-of-way (ROW) that could displace a substantial number of existing homes and businesses.

Mitigation

Implementation of Mitigation Measure MM-POP4 would reduce impacts, though not below a less than significant level.

MM-POP4: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to population, housing and employment as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.10-2.

The SCAG Regional Council finds that Impact 3.10-2 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-POP4 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-POP4 is anticipated to reduce the significant impact resulting from potential to require acquisition of ROW, the impact could remain significant and unavoidable because development of some highway, arterial, and transit projects proposed under the Plan would result in the disturbance and/or loss of residential and business uses (notably the I-710 Gap Closure). In general, the Plan attempts to utilize existing rights-of-way (ROWs) to the maximum extent feasible. However, the Plan includes system expansion projects such as new freeway lane miles and new transit track miles that have the potential to result in the loss of land currently used for residential and business purposes. While mitigation may provide a reduction in population, housing and employment impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.10-3 The 2012-2035 RTP/SCS will influence the pattern of growth in the region through transportation investments and land use strategies. These investments and land use strategies could contribute to a cumulatively considerable increase in population outside the region.

Mitigation

Implementation of Mitigation Measures MM-POP2 and MM-POP3 would reduce impacts, though not below a less than significant level.

EXHIBIT A: FINDINGS OF FACT

MM-POP2: SCAG's Sustainability Planning Program such as the Compass Blueprint strategy will be used to coordinate and provide information in the region relating to changes in land use to accommodate future population growth while maintaining the quality of life in the region.

MM-POP3: SCAG shall work with neighboring planning agencies and MPOs to ensure plans and strategies can accommodate future population growth beyond SCAG's borders.

Findings and Rationale

For the significant impact to population, housing and employment associated with Impact 3.10-3, measures MM-POP2 and MM-POP3 as presented above has been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-POP2 and MM-POP3 require SCAG to coordinate with local agencies and other MPOs to accommodate anticipated growth. The SCAG Regional Council hereby finds that MM-POP2 and MM-POP3 are feasible and reduce Impact 3.10-3 to the maximum extent feasible.

Although MM-POP2 and MM-POP3 reduce the significant impact associated with Impact 3.10-3, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the cumulative impacts of local planning and development projects will remain significant and unavoidable because the Plan will result in increases in population, housing and employment over the next 25 years, and it is possible that the improved accessibility gained by transportation investments and land use strategies could result in population increases in areas outside the region. If population increases to areas outside the SCAG region were in excess of forecasts and plans, it would be a significant impact. While mitigation may provide a reduction in impacts to population, housing and employment, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

L. PUBLIC SERVICES AND UTILITIES

Impact 3.11-1 Potential to affect the level of transportation-related public services, such as police and fire/emergency personnel in the SCAG region.

Mitigation

Implementation of Mitigation Measure MM-PS22 would reduce impacts, though not below a less than significant level. .

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

To address the impacts on the level of transportation-related public services, such as police and fire/emergency personnel, measure MM-PS22 as presented above has been adopted as part of the 2012-2034 RTP/SCS to lessen this impact.

The SCAG Regional Council finds that Impact 3.11-1 can only be reduced by compliance with local regulations including project-level mitigation. The mitigation activities identified in MM-PS22 requires potentially significant impacts to police, fire and emergency services to be addressed through local permitting and community standards as well as the exercise of discretionary authority to implement project specific mitigation which is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The 2012-2035 RTP/SCS anticipates a land use pattern where more than half of the new growth would be in urban areas, in particular in High Quality Transit Areas (HQTAs). As these urban areas increase in population, increase development and transportation projects, and use more transit, additional police, fire and emergency services would be required.

The SCAG Regional Council finds that throughout the SCAG region, emergency service providers have historically accommodated increases in demand (with increased staff and facilities funded through general funds of each jurisdiction). New or expanded transportation facilities may increase the demand for emergency personnel and facilities potentially without increasing funding, resulting in a significant impact related to police, fire and emergency services. Increased development would increase demand for fire, police and emergency services; frequently tax revenues associated with development pays for increased services. Nonetheless tax revenue is not always sufficient and therefore impacts would remain significant. The SCAG Regional Council finds that MM-PS22 would reduce fire, police, and emergency services impacts; however, impacts would remain significant.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.11-2 Potential to result in exposure to wildfires and hazards as new or expanded infrastructure is constructed within areas susceptible to these threats, resulting in an increased need for police, fire and emergency personnel.

Mitigation

Implementation of Mitigation Measure MM-PS1 through MM-PS4, and MM-PS22 would reduce impacts, though not below a less than significant level.

MM-PS1: SCAG shall discourage development on potentially hazardous developments in hillsides, canyons, areas with steep slopes or that are susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipment.

MM-PS2: SCAG shall promote Fire-wise Land Management: by encouraging the use of fire-resistant vegetation and the elimination of brush and chaparral in the immediate vicinity of development in areas with high fire threat.

EXHIBIT A: FINDINGS OF FACT

MM-PS3: SCAG shall promote Fire Management Planning that helps reduce fire threats in the region as part of the Compass Blueprint process and other ongoing regional planning efforts.

MM-PS4: SCAG shall encourage the use of fire-resistant materials when constructing projects in areas with high fire threat.

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

To address the impacts on increased need for police, fire and emergency personnel as a result of exposure to wildfires and hazards, measure MM-PS1 through PS4 and MM-PS22 as presented above has been adopted as part of the 2012-2034 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-PS1 through MM-PS4 require SCAG to promote fire hazard prevention policies and programs to reduce the significant impact associated with Impact 3.11-2. The SCAG Regional Council hereby finds that MM-PS1 through MM-PS4 is feasible and would reduce Impact 3.11-2.

The mitigation activities identified in MM-PS22 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-PS1 through MM-PS4, MM-PS22 reduce this significant unavoidable impact to the maximum extent feasible.

Although MM-PS1 through MM-PS4 and MM-PS22 reduce the significant impact associated with 3.11-2, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because new or expanded transportation facilities may require additional fire, police, and emergency services as projects to close gaps in the highway network provide new sources of access to all parts of the SCAG region. The SCAG region has historically experienced threat of wildfires. New infrastructure and residential development may be added within areas susceptible to these hazards, thereby increasing the demand on fire and emergency services. The effects of climate change, including the potential for more extreme weather events, would also increase the threat of wildfire in some parts of the SCAG region. While mitigation may provide a reduction in fire hazard impacts, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the

EXHIBIT A: FINDINGS OF FACT

overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.11-3 Potential to contribute to regional cumulatively considerable impacts to the staffing level and response times of police, fire and emergency services in southern California.

Mitigation

Implementation of Mitigation Measure MM-PS22 would reduce impacts, though not below a less than significant level.

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.11-3.

The SCAG Regional Council finds that Impact 3.11-3 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-PS22 is anticipated to reduce the significant impact to cumulative staffing level and response times of police, fire and emergency services, the impact could remain significant and unavoidable because the increase in homes subject to wildfire threat could mean, that in the event of a major fire (such as the Station Fire in 2009), more homes would be in peril requiring more inter-agency assistance. However, in general, impacts to police, fire and emergency services would be confined to the region and would result from transportation projects and anticipated growth. While mitigation may provide a reduction in impacts to public services, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.11-4 Potential to increase demand for school facilities.

Mitigation

Implementation of Mitigation Measure MM-PS22 would reduce impacts, though not below a less than significant level.

EXHIBIT A: FINDINGS OF FACT

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.11-4.

The SCAG Regional Council finds that Impact 3.11-4 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-PS22 is anticipated to reduce the significant impact resulting from increased demand for school facilities, the impact could remain significant and unavoidable because the population of school aged children is expected to increase in the region by approximately 453,000. The transportation investments and land use strategies in the Plan target development and growth in urbanized portions of the region, specifically near transit and other existing infrastructure, potentially affecting the demand for school facilities in those areas. While mitigation may provide a reduction in impacts to school facilities, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.11-5 Potential to contribute to a cumulatively considerable demand for schools that exceeds capacity.

Mitigation

Implementation of Mitigation Measure MM-PS22 would reduce impacts, though not below a less than significant level.

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.11-5.

The SCAG Regional Council finds that Impact 3.11-5 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-PS22 is anticipated to reduce the significant impact resulting from cumulative impacts on demand for schools, the impact could remain significant and unavoidable because although region-wide school impacts are not anticipated, because individual schools and districts may be impacted this impact at is considered significant. In other words, it is not anticipated that the Plan would contribute to cumulative impacts to schools beyond the project-specific impacts identified above, and impacts outside the region would be addressed by planning efforts in those jurisdictions. While mitigation may provide a reduction in impacts to schools, it is uncertain whether all future project-level impacts can be mitigated to a less than significant level thus contributing to a cumulative impact.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.11-6 Potential to result in a substantial loss or disturbance of existing open space and recreational lands.

Mitigation

Implementation of Mitigation Measure MM-PS22 would reduce impacts, though not below a less than significant level.

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.11-6.

The SCAG Regional Council finds that Impact 3.11-6 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

EXHIBIT A: FINDINGS OF FACT

Although mitigation provided through MM-PS22 is anticipated to reduce the significant impact resulting from loss of open space and recreational lands, the impact could remain significant and unavoidable because the Plan includes projects that would require the acquisition or development of previously undisturbed/vacant land and/or designated open space. Transit and some roadway improvements included in the Plan are generally located in urbanized areas, and therefore, are not likely to result in significant impacts to vacant/undisturbed lands or large tracts of land designated as open space, although such projects could impact local recreational facilities. However, the Plan includes proposed projects, such as gap closures, HOV connectors, and corridor projects that would require acquisition of large amounts of land for construction and could also degrade existing habitat by adding transportation infrastructure to areas that previously had habitat value. While mitigation may provide a reduction in impacts to open space, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.11-7 Potential to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facilities would occur.

Mitigation

Implementation of Mitigation Measures MM-PS5 through MM-PS10, and MM-PS22 would reduce impacts, though not below a less than significant level.

MM-PS5: SCAG shall support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.

MM-PS6: SCAG shall encourage member jurisdictions to work as partners to address regional outdoor recreation needs and to acquire the necessary funding for the implementation of their plans and programs. This shall be done, in part, by consulting with agencies and organizations that have active open space work plans.

MM-PS7: SCAG shall coordinate with local agencies to facilitate planning and funding opportunities for regional open space.

MM-PS8: SCAG shall continue to work with the State to develop approaches for evaluating environmental impacts within the Compass Blueprint program, particularly energy, air quality, water, and open space and habitat.

MM-PS9: SCAG shall encourage member jurisdictions that have trails and trail segments determined to be regionally significant to work together to support regional trail networks. SCAG may encourage the joint use of utility, transportation and other rights-of-way, greenbelts, and biodiversity areas

MM-PS10: SCAG shall consider consistency with ongoing regional open space planning in funding opportunities and programs administered by SCAG.

EXHIBIT A: FINDINGS OF FACT

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

For the significant impact to neighborhood and regional parks and facilities associated with Impact 3.11-7, measures MM-PS5 through MM-PS10 and MM-PS22 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-PS5 through MM-PS10 requires SCAG to coordinate efforts with service providers, local and state agencies to accommodate anticipated demand for parks and recreational facilities in order to reduce the significant impact associated with Impact 3.11-7. The SCAG Regional Council hereby finds that MM-PS5 through MM-PS10 are feasible and would reduce Impact 3.11-7.

The mitigation activities identified in MM-PS22 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-PS5 through MM-PS10, MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-PS5 through MM-PS10, and MM-PS22 reduce the significant impact associated with Impact 3.11-7, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because many of urbanized areas within the SCAG region are currently deficient in park space. Although policies included in the Plan encourage additional parks and other amenities, many of the areas where population would be expected to increase would be areas without sufficient park space, resulting in increased use and deterioration of existing neighborhood and regional parks. The Plan also includes projects that could result in the acquisition of parks and recreational facilities, further increasing use at remaining facilities and further reducing the ratio of parks-to-people in these urban areas. While mitigation may provide a reduction in impacts to neighborhood and regional parks and recreational facilities, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

EXHIBIT A: FINDINGS OF FACT

Impact 3.11-8 Construction necessary to implement the 2012-2035 RTP/SCS would affect the demand for solid waste services in the SCAG region.

Mitigation

Implementation of Mitigation Measure MM-PS22 would reduce impacts, though not below a less than significant level.

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.11-8.

The SCAG Regional Council finds that Impact 3.11-8 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-PS22 is anticipated to reduce the significant impact resulting from increased demand for solid waste services, the impact could remain significant and unavoidable because of the large volume of anticipated waste and the need to move waste to landfills located at some distance from where the waste is generated. While the SCAG region has sufficient capacity to meet anticipated solid waste needs, there may be insufficient waste disposal capacity in the areas where the waste is being generated, in particular in the urbanized parts of the region. As a result, waste may need to be shipped by truck or rail from urbanized areas to the remote disposal locations where capacity exists, resulting in significant truck and rail trips to transport waste. While mitigation may provide a reduction in impacts to demand for solid waste services, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.11-9 Potential to result in a cumulatively considerable demand on solid waste facilities that exceeds regional capacity.

Mitigation

Implementation of Mitigation Measure MM-PS22 would reduce impacts, though not below a less than significant level.

EXHIBIT A: FINDINGS OF FACT

MM-PS22: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.11-9.

The SCAG Regional Council finds that Impact 3.11-9 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-PS22 is anticipated to reduce the significant impact resulting from cumulative demand on solid waste facilities, the impact could remain significant and unavoidable because many landfills in the urbanized portions of the region are at or near capacity, resulting in a need to transport waste to less urban areas of the region, or outside the region. The transport of solid waste generated in the SCAG region possibly to areas outside the SCAG region would result in a cumulatively considerable impact to waste facilities in California. While mitigation may provide a reduction in impacts to demand for solid waste facilities, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.11-11 Potential to use electricity, natural gas, gasoline, diesel, and other non-renewable energy types in the construction and expansion of the regional transportation system and anticipated development.

Mitigation

Implementation of Mitigation Measure MM-PS11 through MM-PS22 would reduce impacts, though not below a less than significant level.

MM-PS11: SCAG shall encourage methane recovery in local landfills and wastewater treatment plants to generate electricity.

MM-PS12: SCAG shall continue to consider energy uncertainty impacts prior to the development of the next RTP/SCS. Topics that shall be considered include:

- How the price and availability of transportation fuels affects revenues and demand;
- How increases in fuel efficiency could affect revenues and emissions;
- How the cost of commuting and personal travel affects mode choice and growth patterns;
- How the cost of goods movement affects international trade and employment; or

EXHIBIT A: FINDINGS OF FACT

- How the escalation of fuel prices affects the cost of infrastructure construction, maintenance and operation.
- MM-PS13:** SCAG shall convene key stakeholders to evaluate and where feasible, recommend transportation measures such as congestion pricing, a refined regional goods movement system and technologies that reduce fossil fuel consumption.
- MM-PS14:** SCAG shall encourage clean post-recycle conversion technologies to produce energy or technologies that offset energy use or air emissions.
- MM-PS15:** SCAG shall continue to identify best practices and disseminate information to member agencies on energy efficiency and green building to provide direction on specific approaches and models.
- MM-PS16:** SCAG shall build from existing efforts including those at the sub-regional and local level to encourage the federal and state government to increase clean, cost-effective, reliable, domestic renewable energy generation, such as solar and wind turbines.
- MM-PS17:** SCAG shall continue to promote electric vehicle penetration throughout the region through on-going electric vehicle readiness efforts.
- MM-PS18:** SCAG shall participate in discussions on fuel efficiency standards that would reduce the region's dependence on petroleum and reduce greenhouse gas emissions.
- MM-PS19:** SCAG shall continue to pursue partnerships with Southern California Edison, municipal utilities, and the California Public Utilities Commission to promote energy efficiency and reduce greenhouse gas emissions in the region.
- MM-PS20:** SCAG shall provide information on energy demand and greenhouse gas emissions, as available, to the California Air Resources Board and to other stakeholders in order to assist in policy deliberations.
- MM-PS21:** SCAG shall continue to work with local jurisdictions and energy providers, through its Energy and Environment Committee, and administration of the Clean Cities Program as well as by other means, to encourage regional-scale planning for improved energy management. Future impacts to energy may be minimized through cooperative planning, and information sharing within the SCAG region.
- MM-PS22:** Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

For the significant impact to use of non-renewable energy types associated with Impact 3.11-11, measures MM-PS11 through MM-PS22 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

EXHIBIT A: FINDINGS OF FACT

The mitigation activities identified in MM-PS11 through MM-PS21 require SCAG to cooperate and share information with utilities, local and state agencies, as well as provide ongoing regional planning and technical assistance to reduce reliance on non-renewable energy sources in order to reduce the significant impact associated with 3.11-1. The SCAG Regional Council hereby finds that MM-PS11 through MM-PS22 are feasible and would reduce Impact 3.11-11.

The mitigation activities identified in MM-PS22 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-PS11 through MM-PS21, MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-PS11 through MM-PS22 reduce the significant impact associated with Impact 3.11-11, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because construction projects and development associated with the Plan would involve the use of diesel-powered heavy equipment, portable diesel generators, and other battery-operated support equipment, as well as electricity from the existing grid. These activities would result in the irreversible consumption of diesel fuel (and other fuels). While regulatory agencies and energy providers are likely to continue efforts to meet long-term energy needs, reduce energy consumption, and utilize alternative energy sources, an increase in non-renewable energy resources will be necessary to support forecasted population growth. While mitigation may provide a reduction in impacts to non-renewable energy types, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

3.11-12 Potential to contribute to a cumulatively considerable increase in non-renewable energy use.

Mitigation

Implementation of Mitigation Measure MM-PS11 through MM-PS22 would reduce impacts, though not below a less than significant level.

MM-PS11: SCAG shall encourage methane recovery in local landfills and wastewater treatment plants to generate electricity.

MM-PS12: SCAG shall continue to consider energy uncertainty impacts prior to the development of the next RTP/SCS. Topics that shall be considered include:

- How the price and availability of transportation fuels affects revenues and demand;
- How increases in fuel efficiency could affect revenues and emissions;
- How the cost of commuting and personal travel affects mode choice and growth patterns;
- How the cost of goods movement affects international trade and employment; or
- How the escalation of fuel prices affects the cost of infrastructure construction, maintenance and operation.

EXHIBIT A: FINDINGS OF FACT

- MM-PS13:** SCAG shall convene key stakeholders to evaluate and where feasible, recommend transportation measures such as congestion pricing, a refined regional goods movement system and technologies that reduce fossil fuel consumption.
- MM-PS14:** SCAG shall encourage clean post-recycle conversion technologies to produce energy or technologies that offset energy use or air emissions.
- MM-PS15:** SCAG shall continue to identify best practices and disseminate information to member agencies on energy efficiency and green building to provide direction on specific approaches and models.
- MM-PS16:** SCAG shall build from existing efforts including those at the sub-regional and local level to encourage the federal and state government to increase clean, cost-effective, reliable, domestic renewable energy generation, such as solar and wind turbines.
- MM-PS17:** SCAG shall continue to promote electric vehicle penetration throughout the region through on-going electric vehicle readiness efforts.
- MM-PS18:** SCAG shall participate in discussions on fuel efficiency standards that would reduce the region's dependence on petroleum and reduce greenhouse gas emissions.
- MM-PS19:** SCAG shall continue to pursue partnerships with Southern California Edison, municipal utilities, and the California Public Utilities Commission to promote energy efficiency and reduce greenhouse gas emissions in the region.
- MM-PS20:** SCAG shall provide information on energy demand and greenhouse gas emissions, as available, to the California Air Resources Board and to other stakeholders in order to assist in policy deliberations.
- MM-PS21:** SCAG shall continue to work with local jurisdictions and energy providers, through its Energy and Environment Committee, and administration of the Clean Cities Program as well as by other means, to encourage regional-scale planning for improved energy management. Future impacts to energy may be minimized through cooperative planning, and information sharing within the SCAG region.
- MM-PS22:** Local agencies can and should comply with the requirements of CEQA to mitigate impacts to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

For the significant impact to cumulative use of non-renewable energy types associated with Impact 3.11-12, measures MM-PS11 through MM-PS22 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

EXHIBIT A: FINDINGS OF FACT

The mitigation activities identified in MM-PS11 through MM-PS21 requires SCAG to cooperate and share information with utilities, local and state agencies, as well as provide ongoing regional planning and technical assistance to reduce reliance on non-renewable energy sources in order to reduce the significant impact associated with Impact 3.11-12. The SCAG Regional Council hereby finds that MM-PS11 through MM-PS22 is feasible and would reduce Impact 3.11-12.

The mitigation activities identified in MM-PS22 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-PS11 through MM-PS21, MM-PS22 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-PS11 through MM-PS22 reduce the significant impact associated with 3.11-12, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because the anticipated energy demand in the SCAG region would contribute to depleting energy reserves worldwide. While the State is aggressively pursuing GHG reduction that would result in decreased energy consumption, the SCAG region accounts for half of the state's population and energy demand. Additionally, worldwide supplies of oil are finite and the extent of existing reserves is unclear. While mitigation may provide a reduction in cumulative impacts to non-renewable energy use, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

M. TRANSPORTATION, TRAFFIC AND SAFETY

Impact 3.12-1 Potential to increase total daily Vehicle Miles of Travel (VMT) in 2035 compared to current daily VMT. The Plan would result in a significant impact related to VMT.

Mitigation

Implementation of Mitigation Measures MM-TR1 through MM-TR23 would reduce impacts, though not below a less than significant level.

MM-TR1: SCAG shall establish a forum where policy-makers can be educated and can develop consensus on regional transportation safety and security policies

MM-TR2: SCAG shall work with local officials to assist with implementation of regional transportation safety and security policies.

MM-TR3: SCAG shall conduct workshops focusing on Sustainability Planning and Development strategies.

EXHIBIT A: FINDINGS OF FACT

- MM-TR4:** SCAG shall help ensure the rapid repair of transportation infrastructure in the event of an emergency. This will be accomplished by SCAG, in cooperation with local and State agencies, identifying critical infrastructure needs necessary for: a) emergency responders to enter the region, b) evacuation of affected facilities, and c) restoration of utilities. In addition, SCAG shall establish transportation infrastructure practices that promote and enhance security.
- MM-TR5:** SCAG shall continue to promote the use of intelligent transportation system (ITS) technologies that enhance transportation security. SCAG may work to expand the use of ITS to improve surveillance, monitoring and distress notification systems and to assist in the rapid evacuation of disaster areas. SCAG shall facilitate the incorporation of security into the Regional ITS Architecture.
- MM-TR6:** SCAG shall share information and encourage transportation infrastructure practices that promote and enhance security. SCAG shall work with transportation operators to plan and coordinate transportation projects, as appropriate, with DHS grant projects, to enhance the regional transit security strategy (RTSS). SCAG shall share information and encourage transportation infrastructure practices that identify and prioritize the design, retrofit, hardening, and stabilization of critical transportation infrastructure to prevent failure, to minimize loss of life and property, injuries, and avoid long term economic disruption. SCAG shall establish a Transportation Security Working Group (TSWG) with goals of 2012-2035 RTP/SCS consistency with RTSS, and to find ways SCAG programs can enhance RTSS.
- MM-TR7:** SCAG shall help to enhance the region's ability to deter and respond to acts of terrorism, human-caused or natural disasters through regionally cooperative and collaborative strategies. SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.
- MM-TR8:** SCAG shall help to enhance the region's ability to deter and respond to terrorist incidents, human-caused or natural disasters by strengthening relationship and coordination with transportation. This will be accomplished by the following:
- SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.
 - SCAG shall encourage all SCAG elected officials being educated in the National Incident Management System (NIMS).
 - SCAG shall work with partner agencies, federal, State and local jurisdictions to improve communications and interoperability and to find opportunities to leverage and effectively utilize transportation and public safety/security resources in support of this effort.
- MM-TR9:** SCAG shall work to enhance emergency preparedness awareness among public agencies and with the public at large.
- MM TR10:** SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.
- MM-TR11:** SCAG shall work to improve the effectiveness of regional plans by maximizing the sharing and coordination of resources that would allow for proper response by public agencies.
- MM-TR12:** SCAG shall encourage and provide a forum for local jurisdictions to develop mutual aid agreements for essential government services during any incident recovery
- MM-TR13:** SCAG shall help to enhance the capabilities of local and regional organizations, including first responders, through provision and sharing of information. This will be accomplished by:

EXHIBIT A: FINDINGS OF FACT

- SCAG shall work with local agencies to collect regional GeoData in a common format, and provide access to the GeoData for emergency planning, training and response.
- SCAG shall establish a forum for cooperation and coordination of these plans and programs among the regional partners including first responders and operations agencies
- SCAG shall develop and establish a regional information sharing strategy, linking SCAG and its member jurisdictions for ongoing sharing and provision of information pertaining to the region's transportation system and other critical infrastructure.

MM-TR14: SCAG shall provide the means for collaboration in planning, communication, and information sharing before, during, or after a regional emergency. This will be accomplished by the following:

- SCAG shall develop and incorporate strategies and actions pertaining to response and prevention of security incidents and events as part of the on-going regional planning activities.
- SCAG shall offer a regional repository of GIS data for use by local agencies in emergency planning, and response, in a standardized format.
- SCAG shall enter into mutual aid agreements with other MPOs (as feasible) to provide this data, in coordination with the California OES in the event that an event disrupts SCAG's ability to function.

MM-TR15: Congestion Pricing: SCAG shall continue to analyze and develop potential implementation strategies for a regional, market-based system to price or charge for auto trips during peak hours.

MM-TR16: Beyond the currently financially and institutionally feasible measures included in the 2012-2035 RTP/SCS, SCAG shall identify further reduction in VMT, and fuel consumption that could be obtained through land-use strategies, additional car-sharing programs, additional vanpools, additional bicycle programs, and implementation of a universal employee transit access pass (TAP) program.

MM-TR17: SCAG shall (for its employees) institute teleconferencing, telecommute and/or flexible work hour programs to reduce unnecessary employee transportation.

MM-TR18: SCAG shall create or accommodate car sharing programs, e.g., provide parking spaces for car share vehicles at convenient locations accessible by public transportation.

MM-TR19: SCAG shall develop a vanpool program for employees for commute trips.

MM-TR20: Transportation Planning: SCAG shall encourage that new developments incorporate both local and regional transit measures into the project design that promote the use of alternative modes of transportation.

MM-TR21: The Plan includes measures intended to reduce vehicle hours of delay. These include: system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce delay. SCAG shall encourage local agencies to fully implement these policies and projects.

MM-TR22: The Plan includes measures intended to reduce daily heavy-duty truck vehicle hours of delay. These include: goods movement capacity enhancements, system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce heavy-duty truck delay. SCAG shall encourage local agencies to fully implement these policies and projects.

EXHIBIT A: FINDINGS OF FACT

MM-TR23: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to transportation, traffic and security as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to Vehicle Miles of Travel (VMT) associated with Impact 3.12-1, measures MM-TR1 through MM-TR23 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-TR1 through MM-TR22 require SCAG to promote policies and programs that will reduce VMT in order to reduce the significant impact associated with Impact 3.12-1. The SCAG Regional Council hereby finds that MM-TR1 through MM-TR22 are feasible and would reduce Impact 3.12-1.

The mitigation activities identified in MM-TR23 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-TR1 through MM-TR22, MM-TR23 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-TR1 through MM-TR23 reduces the significant impact associated with Impact 3.12-1, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because despite regional planning efforts to reduce per capita VMT, predicted growth will increase total VMT as described in the Final 2012-2035 RTP/SCS. Regional VMT is related to growth and land use. While the Plan's multimodal strategy aims to reduce per capita VMT over the next 25 years, total demand to move people and goods will continue to grow due to the region's population increase, thus increasing total VMT. While mitigation may provide a reduction in impacts to VMT, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.12-3 Potential to create substantially greater average daily VHD for heavy-duty truck trips in 2035 compared to current condition. The Plan would result in a significant impact related to truck VHD.

Mitigation

Implementation of Mitigation Measures MM-TR1 through MM-TR23 would reduce impacts, though not below a less than significant level.

EXHIBIT A: FINDINGS OF FACT

- MM-TR1:** SCAG shall establish a forum where policy-makers can be educated and can develop consensus on regional transportation safety and security policies
- MM-TR2:** SCAG shall work with local officials to assist with implementation of regional transportation safety and security policies.
- MM-TR3:** SCAG shall conduct workshops focusing on Sustainability Planning and Development strategies.
- MM-TR4:** SCAG shall help ensure the rapid repair of transportation infrastructure in the event of an emergency. This will be accomplished by SCAG, in cooperation with local and State agencies, identifying critical infrastructure needs necessary for: a) emergency responders to enter the region, b) evacuation of affected facilities, and c) restoration of utilities. In addition, SCAG shall establish transportation infrastructure practices that promote and enhance security.
- MM-TR5:** SCAG shall continue to promote the use of intelligent transportation system (ITS) technologies that enhance transportation security. SCAG may work to expand the use of ITS to improve surveillance, monitoring and distress notification systems and to assist in the rapid evacuation of disaster areas. SCAG shall facilitate the incorporation of security into the Regional ITS Architecture.
- MM-TR6:** SCAG shall share information and encourage transportation infrastructure practices that promote and enhance security. SCAG shall work with transportation operators to plan and coordinate transportation projects, as appropriate, with DHS grant projects, to enhance the regional transit security strategy (RTSS). SCAG shall share information and encourage transportation infrastructure practices that identify and prioritize the design, retrofit, hardening, and stabilization of critical transportation infrastructure to prevent failure, to minimize loss of life and property, injuries, and avoid long term economic disruption. SCAG shall establish a Transportation Security Working Group (TSWG) with goals of 2012-2035 RTP/SCS consistency with RTSS, and to find ways SCAG programs can enhance RTSS.
- MM-TR7:** SCAG shall help to enhance the region's ability to deter and respond to acts of terrorism, human-caused or natural disasters through regionally cooperative and collaborative strategies. SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.
- MM-TR8:** SCAG shall help to enhance the region's ability to deter and respond to terrorist incidents, human-caused or natural disasters by strengthening relationship and coordination with transportation. This will be accomplished by the following:
- SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.
 - SCAG shall encourage all SCAG elected officials being educated in the National Incident Management System (NIMS).
 - SCAG shall work with partner agencies, federal, State and local jurisdictions to improve communications and interoperability and to find opportunities to leverage and effectively utilize transportation and public safety/security resources in support of this effort.
- MM-TR9:** SCAG shall work to enhance emergency preparedness awareness among public agencies and with the public at large.
- MM TR10:** SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.

EXHIBIT A: FINDINGS OF FACT

MM-TR11: SCAG shall work to improve the effectiveness of regional plans by maximizing the sharing and coordination of resources that would allow for proper response by public agencies.

MM-TR12: SCAG shall encourage and provide a forum for local jurisdictions to develop mutual aid agreements for essential government services during any incident recovery

MM-TR13: SCAG shall help to enhance the capabilities of local and regional organizations, including first responders, through provision and sharing of information. This will be accomplished by:

- SCAG shall work with local agencies to collect regional GeoData in a common format, and provide access to the GeoData for emergency planning, training and response.
- SCAG shall establish a forum for cooperation and coordination of these plans and programs among the regional partners including first responders and operations agencies
- SCAG shall develop and establish a regional information sharing strategy, linking SCAG and its member jurisdictions for ongoing sharing and provision of information pertaining to the region's transportation system and other critical infrastructure.

MM-TR14: SCAG shall provide the means for collaboration in planning, communication, and information sharing before, during, or after a regional emergency. This will be accomplished by the following:

- SCAG shall develop and incorporate strategies and actions pertaining to response and prevention of security incidents and events as part of the on-going regional planning activities.
- SCAG shall offer a regional repository of GIS data for use by local agencies in emergency planning, and response, in a standardized format.
- SCAG shall enter into mutual aid agreements with other MPOs (as feasible) to provide this data, in coordination with the California OES in the event that an event disrupts SCAG's ability to function.

MM-TR15: Congestion Pricing: SCAG shall continue to analyze and develop potential implementation strategies for a regional, market-based system to price or charge for auto trips during peak hours.

MM-TR16: Beyond the currently financially and institutionally feasible measures included in the 2012-2035 RTP/SCS, SCAG shall identify further reduction in VMT, and fuel consumption that could be obtained through land-use strategies, additional car-sharing programs, additional vanpools, additional bicycle programs, and implementation of a universal employee transit access pass (TAP) program.

MM-TR17: SCAG shall (for its employees) institute teleconferencing, telecommute and/or flexible work hour programs to reduce unnecessary employee transportation.

MM-TR18: SCAG shall create or accommodate car sharing programs, e.g., provide parking spaces for car share vehicles at convenient locations accessible by public transportation.

MM-TR19: SCAG shall develop a vanpool program for employees for commute trips.

MM-TR20: Transportation Planning: SCAG shall encourage that new developments incorporate both local and regional transit measures into the project design that promote the use of alternative modes of transportation.

MM-TR21: The Plan includes measures intended to reduce vehicle hours of delay. These include: system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the

EXHIBIT A: FINDINGS OF FACT

land use-transportation connection and key transportation investments targeted to reduce delay. SCAG shall encourage local agencies to fully implement these policies and projects.

MM-TR22: The Plan includes measures intended to reduce daily heavy-duty truck vehicle hours of delay. These include: goods movement capacity enhancements, system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce heavy-duty truck delay. SCAG shall encourage local agencies to fully implement these policies and projects.

MM-TR23: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to transportation, traffic and security as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to Vehicle Hours of Delay (VHD) associated with Impact 3.12-3, measures MM-TR1 through MM-TR23 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-TR1 through MM-TR22 require SCAG to promote policies and programs that will reduce VHD in order to reduce the significant impact associated with Impact 3.12-3. The SCAG Regional Council hereby finds that MM-TR1 through MM-TR22 are feasible and would reduce Impact 3.12-3.

The mitigation activities identified in MM-TR23 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-TR1 through MM-TR22, MM-TR23 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-TR1 through MM-TR23 reduces the significant impact associated with Impact 3.12-3, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because despite regional planning efforts to improve the efficiency of goods movement, increased demand for goods will lead to substantial increases in total heavy-duty trucks on the roadway network under the Plan. While mitigation may provide a reduction in impacts to VHD, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

EXHIBIT A: FINDINGS OF FACT

Impact 3.12-7 Potential to contribute to a cumulatively considerable amount of transportation impacts, such as VMT and all-vehicle VHD, in areas outside of the SCAG region.

Mitigation

Implementation of Mitigation Measures MM-TR1 through MM-TR23 would reduce impacts, though not below a less than significant level.

MM-TR1: SCAG shall establish a forum where policy-makers can be educated and can develop consensus on regional transportation safety and security policies

MM-TR2: SCAG shall work with local officials to assist with implementation of regional transportation safety and security policies.

MM-TR3: SCAG shall conduct workshops focusing on Sustainability Planning and Development strategies.

MM-TR4: SCAG shall help ensure the rapid repair of transportation infrastructure in the event of an emergency. This will be accomplished by SCAG, in cooperation with local and State agencies, identifying critical infrastructure needs necessary for: a) emergency responders to enter the region, b) evacuation of affected facilities, and c) restoration of utilities. In addition, SCAG shall establish transportation infrastructure practices that promote and enhance security.

MM-TR5: SCAG shall continue to promote the use of intelligent transportation system (ITS) technologies that enhance transportation security. SCAG may work to expand the use of ITS to improve surveillance, monitoring and distress notification systems and to assist in the rapid evacuation of disaster areas. SCAG shall facilitate the incorporation of security into the Regional ITS Architecture.

MM-TR6: SCAG shall share information and encourage transportation infrastructure practices that promote and enhance security. SCAG shall work with transportation operators to plan and coordinate transportation projects, as appropriate, with DHS grant projects, to enhance the regional transit security strategy (RTSS). SCAG shall share information and encourage transportation infrastructure practices that identify and prioritize the design, retrofit, hardening, and stabilization of critical transportation infrastructure to prevent failure, to minimize loss of life and property, injuries, and avoid long term economic disruption. SCAG shall establish a Transportation Security Working Group (TSWG) with goals of 2012-2035 RTP/SCS consistency with RTSS, and to find ways SCAG programs can enhance RTSS.

MM-TR7: SCAG shall help to enhance the region's ability to deter and respond to acts of terrorism, human-caused or natural disasters through regionally cooperative and collaborative strategies. SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.

MM-TR8: SCAG shall help to enhance the region's ability to deter and respond to terrorist incidents, human-caused or natural disasters by strengthening relationship and coordination with transportation. This will be accomplished by the following:

- SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.
- SCAG shall encourage all SCAG elected officials being educated in the National Incident Management System (NIMS).
- SCAG shall work with partner agencies, federal, State and local jurisdictions to improve communications and interoperability and to find opportunities to leverage and effectively utilize transportation and public safety/security resources in support of this effort.

EXHIBIT A: FINDINGS OF FACT

MM-TR9: SCAG shall work to enhance emergency preparedness awareness among public agencies and with the public at large.

MM TR10: SCAG shall work with local officials to develop regional consensus on regional transportation safety, security, and safety security policies.

MM-TR11: SCAG shall work to improve the effectiveness of regional plans by maximizing the sharing and coordination of resources that would allow for proper response by public agencies.

MM-TR12: SCAG shall encourage and provide a forum for local jurisdictions to develop mutual aid agreements for essential government services during any incident recovery

MM-TR13: SCAG shall help to enhance the capabilities of local and regional organizations, including first responders, through provision and sharing of information. This will be accomplished by:

- SCAG shall work with local agencies to collect regional GeoData in a common format, and provide access to the GeoData for emergency planning, training and response.
- SCAG shall establish a forum for cooperation and coordination of these plans and programs among the regional partners including first responders and operations agencies
- SCAG shall develop and establish a regional information sharing strategy, linking SCAG and its member jurisdictions for ongoing sharing and provision of information pertaining to the region's transportation system and other critical infrastructure.

MM-TR14: SCAG shall provide the means for collaboration in planning, communication, and information sharing before, during, or after a regional emergency. This will be accomplished by the following:

- SCAG shall develop and incorporate strategies and actions pertaining to response and prevention of security incidents and events as part of the on-going regional planning activities.
- SCAG shall offer a regional repository of GIS data for use by local agencies in emergency planning, and response, in a standardized format.
- SCAG shall enter into mutual aid agreements with other MPOs (as feasible) to provide this data, in coordination with the California OES in the event that an event disrupts SCAG's ability to function.

MM-TR15: Congestion Pricing: SCAG shall continue to analyze and develop potential implementation strategies for a regional, market-based system to price or charge for auto trips during peak hours.

MM-TR16: Beyond the currently financially and institutionally feasible measures included in the 2012-2035 RTP/SCS, SCAG shall identify further reduction in VMT, and fuel consumption that could be obtained through land-use strategies, additional car-sharing programs, additional vanpools, additional bicycle programs, and implementation of a universal employee transit access pass (TAP) program.

MM-TR17: SCAG shall (for its employees) institute teleconferencing, telecommute and/or flexible work hour programs to reduce unnecessary employee transportation.

MM-TR18: SCAG shall create or accommodate car sharing programs, e.g., provide parking spaces for car share vehicles at convenient locations accessible by public transportation.

MM-TR19: SCAG shall develop a vanpool program for employees for commute trips.

EXHIBIT A: FINDINGS OF FACT

MM-TR20: Transportation Planning: SCAG shall encourage that new developments incorporate both local and regional transit measures into the project design that promote the use of alternative modes of transportation.

MM-TR21: The Plan includes measures intended to reduce vehicle hours of delay. These include: system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce delay. SCAG shall encourage local agencies to fully implement these policies and projects.

MM-TR22: The Plan includes measures intended to reduce daily heavy-duty truck vehicle hours of delay. These include: goods movement capacity enhancements, system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce heavy-duty truck delay. SCAG shall encourage local agencies to fully implement these policies and projects.

MM-TR23: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to transportation, traffic and security as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the cumulative impacts to transportation outside the SCAG region associated with Impact 3.12-7, measures MM-TR1 through MM-TR23 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-TR1 through MM-TR22 require SCAG to promote policies and programs that will reduce transportation impacts, such as VMT and VHD, in order to reduce the significant impact associated with Impact 3.12-1. The SCAG Regional Council hereby finds that MM-TR1 through MM-TR22 is feasible and would reduce Impact 3.12-1.

The mitigation activities identified in MM-TR23 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-TR1 through MM-TR22, MM-TR23 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-TR1 through MM-TR23 reduces the significant impact associated with Impact 3.12-1, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable because the number of trips originating and ending in counties outside the SCAG region is anticipated to increase, following population increases in the region. The transportation demand from growth, in combination with impact of projects within the Plan would contribute to a cumulatively considerable transportation impact in areas outside of the region. While mitigation may provide a reduction in cumulative impacts to transportation, it is uncertain whether all future project-level impacts can be mitigated to a less than significant level thus contributing to a cumulative impact.

EXHIBIT A: FINDINGS OF FACT

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

N. WATER RESOURCES

Impact 3.13-1 Potential to degrade local surface water quality by increased roadway and urban runoff created by 2012-2035 RTP/SCS projects, potentially violating water quality standards associated with wastewater and stormwater permits. The 2012-2035 RTP/SCS could alter the existing drainage patterns in ways that would result in substantial erosion or siltation.

Mitigation

Implementation of Mitigation Measures MM-W1 through MM-W3 and MM-W9 would reduce impacts, though not below a less than significant level.

MM-W1: SCAG shall continue to work with local jurisdictions and water quality agencies, to encourage regional-scale planning for improved water quality management and pollution prevention. Future impacts to water quality shall be avoided to the extent practical and feasible through cooperative planning, information sharing, and comprehensive pollution control measure development within the SCAG region. This cooperative planning shall occur as part of current and existing coordination, an integral part of SCAG's ongoing regional planning efforts.

MM-W2: SCAG shall provide opportunities for information sharing with respect to wastewater treatment and program development in the region.

MM-W3: SCAG shall build from existing efforts including those at the sub-regional and local level and shall continue to work with local jurisdictions and water agencies, to encourage regional-scale planning for improved stormwater management and groundwater recharge, including consideration of alternative recharge technologies and practices. Future adverse impacts may be avoided through cooperative planning, information sharing, and comprehensive implementation efforts within the SCAG region.

MM-W9: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to water resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to water resources associated with Impact 3.13-1, measures MM-W1 through MM-W3 and MM-W9 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-W1 through MM-W3 require SCAG to promote policies and programs that will maintain and improve water quality in the region in order to reduce the significant impact associated with Impact 3.13-1. The SCAG Regional Council hereby finds that MM-W1 through MM-W3 are feasible and would reduce Impact 3.13-1.

EXHIBIT A: FINDINGS OF FACT

The mitigation activities identified in MM-W9 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-W1 through MM-W3, MM-W9 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-W1 through MM-W3 and MM-W9 reduces the significant impact associated with Impact 3.13-1, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable due to the regional scale of the Plan. Construction activities of projects and developments related to the Plan would increase impervious surfaces in the SCAG region, thus potentially increasing pollutant loads carried by storm water runoff. Additionally, most of the Plan projects would occur within watersheds that have impaired water bodies. Any increase in contaminant loading in these water bodies by constituents of concern as a result of the Plan's implementation would be considered a significant impact. While mitigation may provide a reduction in impacts to water resources, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.13-2 Potential to reduce groundwater infiltration.

Mitigation

Implementation of Mitigation Measure MM-W9 would reduce impacts, though not below a less than significant level.

MM-W9: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to water resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.13-2.

The SCAG Regional Council finds that Impact 3.13-2 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-W9 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-W9 is anticipated to reduce the significant impact to groundwater infiltration, the impact could remain significant and unavoidable due to the regional scale of the Plan. Additional impervious surfaces installed through new roadway projects under the Plan, in addition

EXHIBIT A: FINDINGS OF FACT

to urban development associated with the population distribution in 2035, would increase runoff and potentially affect groundwater recharge rates. While mitigation may provide a higher reduction in impacts to water resources than without mitigation, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.13-3 Potential to increase flooding hazards, by placing projects on alluvial fans and within 100-year flood hazard areas.

Mitigation

Implementation of Mitigation Measure MM-W9 would reduce impacts, though not below a less than significant level.

MM-W9: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to water resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

The SCAG Regional Council hereby incorporates Master Finding No. 1 with respect to mitigating Impact 3.13-3.

The SCAG Regional Council finds that Impact 3.13-3 can only be reduced by project-level mitigation. The SCAG Regional Council further finds that MM-W9 reduces this significant unavoidable impact to the maximum extent feasible because it requires lead agencies to exercise their discretionary authority to adopt all applicable and feasible mitigation as required by CEQA.

Although mitigation provided through MM-W9 is anticipated to reduce the significant impact to increased flooding hazards, the impact could remain significant and unavoidable due to the regional scale of the Plan. Construction activities of projects and developments related to the Plan would increase impervious surfaces in the SCAG region, which could alter existing drainage patterns or substantially increase the rate or amount of surface runoff. This alteration could result in flooding or produce or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems. In addition, some development may occur within an existing floodplain where structures can impede flood waters, altering the flood risks both upstream and downstream. While mitigation may provide a higher reduction in impacts to flooding hazards than without mitigation, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the

EXHIBIT A: FINDINGS OF FACT

overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.13-4 Potential to exceed capacity of wastewater treatment services.

Mitigation

Implementation of Mitigation Measures MM-W3 and MM-W9 would reduce impacts, though not below a less than significant level.

MM-W3: SCAG shall build from existing efforts including those at the sub-regional and local level and shall continue to work with local jurisdictions and water agencies, to encourage regional-scale planning for improved stormwater management and groundwater recharge, including consideration of alternative recharge technologies and practices. Future adverse impacts may be avoided through cooperative planning, information sharing, and comprehensive implementation efforts within the SCAG region.

MM-W9: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to water resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to wastewater treatment services associated with Impact 3.13-4, measures MM-W3 and MM-W9 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-W3 require SCAG encourage regional-scale planning and the sharing of information and resources to reduce stresses on wastewater treatment services in order to reduce the significant impact associated with Impact 3.13-4. The SCAG Regional Council hereby finds that MM-W3 is feasible and would reduce Impact 3.13-4.

The mitigation activities identified in MM-W9 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-W3, MM-W9 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-W3 and MM-W9 reduce the significant impact associated with Impact 3.13-4, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable due to the regional scale of the Plan. Regionally, it is estimated that the SCAG region would not outgrow its wastewater treatment capacity by the year 2035 especially given aggressive water conservation strategies and assuming population growth would be somewhat dispersed throughout the region, and wastewater capacity can be shared among the agencies in each county. However, growth in some areas could result in wastewater impacts that would exceed local wastewater treatment capacity. While mitigation may provide a reduction in impacts to local wastewater treatment services, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

EXHIBIT A: FINDINGS OF FACT

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.13-5 Potential to contribute to an increased demand for water supply and its associated infrastructure. Water agencies in the SCAG region produce many long-range planning studies to provide a system adequate to supply water demand, however the *existing* water supplies and infrastructure would not be sufficient to meet the expected demand in 2035.

Mitigation

Implementation of Mitigation Measures MM-W4 through MM-W9 would reduce impacts, though not below a less than significant level.

MM-W4: SCAG, in coordination with regional water agencies and other stakeholders, shall encourage regional coordination throughout California and the Colorado River Basin that develops and supports sustainable policies in accommodating growth.

MM-W5: SCAG, in coordination with regional water agencies and other stakeholders, shall facilitate information sharing about the management and status of the Sacramento River Delta, the Colorado River Basin, and other water supply source areas of importance to local water supply.

MM-W6: SCAG shall assist in minimizing future impacts to water supply through cooperation, information sharing, and program development as part of SCAG's on-going regional planning efforts, in coordination with regional water agencies and other stakeholders.

MM-W7: SCAG, in coordination with the State Water resources Board, shall encourage cities, counties and water districts to develop local sources of potable water including recycling where feasible.

MM-W8: SCAG, as part of its on-going outreach and technical assistance efforts, shall support and/or sponsor workshops on water conservation activities, such as selecting and planting drought tolerant, native plants in landscaping, and installing advanced irrigation systems.

MM-W9: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to water resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to water supply and infrastructure associated with Impact 3.13-5, measures MM-W4 through MM-W9 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-W4 through MM-W8 require SCAG to work with resource agencies and other stakeholders to promote sustainable water policies and programs in order to reduce the significant impact associated with Impact 3.13-5. The SCAG Regional Council hereby finds that MM-W4 through MM-W8 are feasible and would reduce Impact 3.13-5.

EXHIBIT A: FINDINGS OF FACT

The mitigation activities identified in MM-W9 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-W4 through MM-W8, MM-W9 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-W4 through MM-W9 reduce the significant impact associated with 3.13-5, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the individual impacts of local planning and development projects will remain significant and unavoidable due to the regional scale of the Plan. Even with long-range plans accounting for anticipated growth, some water agencies could experience average year water supply deficits by the year 2020 if current management and supply efforts are not augmented. Reduction in water supply, as well as uncertainty in the reliability of that supply, could result from increased temperatures due to global climate change, as well as regulatory or legislative decisions that affect the availability of imported water. While mitigation may provide a reduction in impacts to water demand and supply, it is uncertain that all future project-level impacts can be mitigated to a less than significant level.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

Impact 3.13-6 Potential to contribute to cumulatively considerable demand on water resources.

Mitigation

Implementation of Mitigation Measures MM-W1 through MM-W9 would reduce impacts, though not below a less than significant level.

MM-W1: SCAG shall continue to work with local jurisdictions and water quality agencies, to encourage regional-scale planning for improved water quality management and pollution prevention. Future impacts to water quality shall be avoided to the extent practical and feasible through cooperative planning, information sharing, and comprehensive pollution control measure development within the SCAG region. This cooperative planning shall occur as part of current and existing coordination, an integral part of SCAG's ongoing regional planning efforts.

MM-W2: SCAG shall provide opportunities for information sharing with respect to wastewater treatment and program development in the region.

MM-W3: SCAG shall build from existing efforts including those at the sub-regional and local level and shall continue to work with local jurisdictions and water agencies, to encourage regional-scale planning for improved stormwater management and groundwater recharge, including consideration of alternative recharge technologies and practices. Future adverse impacts may be avoided through cooperative planning, information sharing, and comprehensive implementation efforts within the SCAG region.

EXHIBIT A: FINDINGS OF FACT

- MM-W4:** SCAG, in coordination with regional water agencies and other stakeholders, shall encourage regional coordination throughout California and the Colorado River Basin that develops and supports sustainable policies in accommodating growth.
- MM-W5:** SCAG, in coordination with regional water agencies and other stakeholders, shall facilitate information sharing about the management and status of the Sacramento River Delta, the Colorado River Basin, and other water supply source areas of importance to local water supply.
- MM-W6:** SCAG shall assist in minimizing future impacts to water supply through cooperation, information sharing, and program development as part of SCAG's on-going regional planning efforts, in coordination with regional water agencies and other stakeholders.
- MM-W7:** SCAG, in coordination with the State Water resources Board, shall encourage cities, counties and water districts to develop local sources of potable water including recycling where feasible.
- MM-W8:** SCAG, as part of its on-going outreach and technical assistance efforts, shall support and/or sponsor workshops on water conservation activities, such as selecting and planting drought tolerant, native plants in landscaping, and installing advanced irrigation systems.
- MM-W9:** Local agencies can and should comply with the requirements of CEQA to water resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to cumulative demand on water supply associated with Impact 3.13-6, measures MM-W1 through MM-W9 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-W1 through MM-W8 requires SCAG to promote sustainable water policies and programs in order to reduce the significant impact associated with Impact 3.13-6. The SCAG Regional Council hereby finds that MM-W1 through MM-W9 is feasible and reduces impact 3.13-6.

The mitigation activities identified in MM-W9 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that together with MM-W1 through MM-W8, MM-W9 reduces this significant unavoidable impact to the maximum extent feasible.

Although MM-W1 through MM-W9 reduces the significant impact associated with Impact 3.13-6, such mitigation activities cannot ensure that the impacts of individual projects will result in less than significant effects.

Further, the cumulative impacts related to water resources outside the region (conservatively) will remain significant and unavoidable because of the uncertainties associated with water supply and management. Much of the water consumed in the SCAG region is imported from outside the region that is subject to existing international public and private agreements. Any increase in water demand in the SCAG region that would exceed the supply determined by existing regulations, contracts, or legislation would require changes to those provisions for the additional water supply. Therefore, this could affect areas outside the region

EXHIBIT A: FINDINGS OF FACT

because it would require reallocation of existing water resource supplies outside the region through new or amended regulations, contracts, or legislation. While mitigation may provide a reduction in cumulative water impacts, it is uncertain whether all future project-level impacts can be mitigated to a less than significant level thus contributing to a cumulative impact.

In addition, the SCAG Regional Council finds that specific economic, legal, social, technological, or other considerations, including policy considerations make mandatory project-specific mitigation measures directed at local agencies infeasible. Since no specific feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable. The SCAG Regional Council finds that the significant impact is acceptable due to the overriding considerations that support adoption of the 2012-2035 RTP/SCS, discussed in the Statement of Overriding Considerations.

IV. FINDINGS THAT SIGNIFICANT UNAVOIDABLE IMPACTS ARE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANCE

A. AIR QUALITY

Impact 3.2-3: Potential to increase population within 500 feet of transportation facilities that could expose residents (schools and other sensitive receptors) to elevated (as compared to average) cancer and other health risks.

Mitigation

Implementation of Mitigation Measure MM-AQ2 and MM-AQ3 would reduce impacts, to a less than significant level.

MM-AQ2: SCAG shall pursue the following activities in reducing the impact associated with health risk within 500 feet of freeways and high-traffic volume roadways:

- Participate in on-going statewide deliberations on health risks near freeways and high-traffic volume roadways. This involvement includes inputting to the statewide process by providing available data and information such as the current and projected locations of sensitive receptors relative to transportation infrastructure;
- Work with air agencies including ARB, SCAQMD, and all air districts in the SCAG region to support their work in monitoring the progress on reducing exposure to emissions of PM10 and PM2.5 for sensitive receptors, including schools and residents within 500 feet of high-traffic volume roadways;
- Work with stakeholders to identify planning and development practices that are effective in reducing health impacts to sensitive receptors; and
- Share information on all of the above efforts with stakeholders, member cities, counties and the public.

MM-AQ3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts to air quality as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to air quality. It is anticipated that regulations and actions at the federal, state and local level will be implemented to ensure that public health in the region is impacted to a less than significant level.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

To address the significant cancer and health risk impact resulting from the increase in population within 500 feet of transportation facilities, measures MM-AQ2 and MM-AQ3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen Impact 3.2-3. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-AQ2 require SCAG to participate in statewide deliberations regarding health risks near freeways and high-volume roadways; to work with air agencies to support their work in monitoring progress on reducing exposure to emissions of PM10 and PM2.5; to work with stakeholders to identify planning practices that are effective in reducing health impacts; and to share information. The mitigation activities identified in MM-AQ3 require local agencies as well as the public sector to enforce existing laws and regulations (including CEQA). MM-AQ2 and MM-AQ3 would reduce the significant impact associated with Impact 3.2-3. The SCAG Regional Council hereby finds that MM-AQ2 and MM-AQ3 are feasible and would reduce Impact 3.2-3 to a level of less than significant.

The mitigation activities identified in MM-AQ3 requires the exercise of discretionary authority to implement project-specific mitigation which is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council further finds that implementation of the SCS may result in an increase in population within 500 feet of transportation facilities. While proximity to freeways or busy roadways may increase cancer risk and exposure to particulate matter, new vehicle standards, gasoline and diesel fuel reformulation, and ARB-adopted Diesel Risk Reduction Measures have resulted and will continue to result in substantially lower emissions of Diesel Particulate Matter (DPM), a primary contributor to cancer risks near freeways.

Moreover, federal, state, and local governments mandate the protection of public health. More specifically, US EPA, California EPA, and the local air districts are responsible for setting and achieving air quality standards with sufficient margin of safety to protect all residents. These agencies must ensure that the region complies with the medium to long-term mandates identified in the health-based NAAQS and CAAQS. Agencies periodically review the appropriateness of the NAAQS and CAAQS standards including reviewing how compliance is monitored (placement of monitors) and whether the standards allow for an adequate margin of safety to protect all people including those who are more exposed than others (such as people residing within 500 feet of freeways and high-volume roadways). Air regulators have also issued guidance on how to address proximity to sources of air pollution (e.g., ARB, *Air Quality and Land Use Handbook*; SCAQMD, *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*; EPA, *Policy Assessment for the Review of Particulate Matter National Ambient Air Quality Standards*).

While SCAG has no authority to impose mitigation measures on local agencies and project sponsors, mitigation measures will be required by lead agencies at the project level if potential air quality impacts to public health are identified. SCAG has identified some of the potential mitigation measures available to local agencies to reduce impacts from mobile and stationary sources of air pollution (see the new Appendix G to the PEIR).

The SCAG Regional Council finds that SCAG's role in protecting residents from health risks associated with air pollution is in helping the region meet federal and state air quality standards through preparing the RTP/SCS that facilitates reduced mobile source emissions (including encouraging zero and/or near zero emission vehicles) and identifies strategies to meet the GHG targets set by ARB. To this end the SCS encourages development near transit facilities that results in reduction of not just GHG emissions but also all mobile source emissions in the region and even more in the 500 foot buffer area. In addition, as part of the

EXHIBIT A: FINDINGS OF FACT

2012-2035 RTP/SCS performance measures, SCAG will monitor the percentage of households living within 500 feet of high-volume roadways.

SCAG reasonably anticipates that regulations (including CEQA) will be implemented and enforced at the federal, state and local level to ensure that public health is protected in the region over the timeframe of the 2012-2035 RTP/SCS. The SCAG Regional Council finds that enforcement of these laws and regulations (MM-AQ3), in addition to MM-AQ2, would reduce Impact 3.2-3 to a less than significant level.

B. GEOLOGY, SOILS & MINERAL RESOURCES

Impact 3.5-5B Potential to contribute to a cumulatively considerable increase in risk associated with geologic hazards and impacts to mineral resources.²

Mitigation

Implementation of Mitigation Measures MM-GEO1, MM-GEO2, and MM-GEO3 would reduce impacts to a less than significant level.

MM-GEO1: SCAG shall facilitate minimizing future impacts to geological resources through cooperation, information sharing, and regional program development as part of SCAG's ongoing regional planning efforts, such as web-based planning tools for local government including CA Lots, and direct technical assistance efforts such as Compass Blueprint's Toolbox Tuesday series. Resource agencies, such as the U.S. Geology Survey, should be consulted during this update process.

MM-GEO2: SCAG shall coordinate with the Department of Conservation, California Geological Survey to maintain a database, if available, of 1) available resources in the SCAG region including permitted and un-permitted and 2) the anticipated 50-year demand. Based on the results of this survey SCAG should work with local agencies to develop an appropriate response to the anticipated demand, including identifying future sites that may seek permitting and working with industry experts to identify ways to encourage and increase recycling to reduce the demand for aggregate.

MM-GEO3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts associated with geology, soils and mineral resources as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects.

Findings and Rationale

For the significant impact to cumulative risk associated with geologic hazards associated with 3.5-5B, measures MM-GEO1 through MM-GEO3 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that some of these mitigation activities are the responsibility of SCAG, while others are the responsibility and jurisdiction of local agencies and other agencies.

The mitigation activities identified in MM-GEO1 and MM-GEO2 requires SCAG to coordinate and share information with resource and local agencies, as well as provide ongoing regional planning and technical assistance to reduce the significant impact associated with Impact 3.5-5B. The SCAG Regional Council hereby finds that MM-GEO1 and MM-GEO2 are feasible and would reduce Impact 3.5-5B.

² Impact 3.5-5 includes two cumulative impacts, increase in risk associated with geologic hazards and impacts to mineral resources. The former impact is less than significant after mitigation and the latter is significant after mitigation. As such, we have split the two impact into Impact 3.5-5A (mineral resources) and 3.5-5B (geological hazards).

EXHIBIT A: FINDINGS OF FACT

The mitigation activities identified in MM-GEO3 require the exercise of discretionary authority to implement project-specific mitigation that is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1. Potential impacts as a result of geologic risk are extensively regulated through a number of regulations including building codes (see regulatory Framework discussion starting on page 3.5-1 of the Draft PEIR). These regulations are designed to minimize geologic risk to an acceptable (less than significant) level.

The SCAG Regional Council finds that MM-GEO1 through MM-GEO3 together with existing regulations would reduce Impact 3.5-5B to a less than significant level.

B. HAZARDOUS MATERIALS

3.7-1 Potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Mitigation

Implementation of Mitigation Measures MM-HM1 and MM-HM2 would reduce impacts to a less than significant level.

MM-HM1: SCAG shall encourage the United States Department of Transportation (USDOT), the Office of Emergency Services, and California Department of Transportation (Caltrans) and the private sector to continue to conduct driver safety training programs.

MM-HM2: SCAG shall encourage the USDOT and the California Highway Patrol to continue to enforce speed limits and existing regulations governing goods movement and hazardous materials transportation.

Findings and Rationale

To address the significant impact created through the routine transport, use, or disposal of hazardous materials, measures MM-HM1 and MM-HM2 as presented above have been adopted as part of the 2012-2035 RTP/SCS to lessen this impact. The SCAG Regional Council finds that these mitigation activities are the responsibility of SCAG.

The mitigation activities identified in MM-HM1 and MM-HM2 requires SCAG to encourage various federal and state agencies as well as the public sector to enforce existing laws and regulations and to conduct driver safety training programs to reduce the significant impact associated with Impact 3.7-1. The SCAG Regional Council hereby finds that MM-HM1 and MM-HM2 are feasible and would reduce Impact 3.7-1.

The SCAG Regional Council further finds that an increase in regional growth, land use development, and transportation network improvements (particularly the proposed freight rail enhancements and other goods movement capacity enhancements) is anticipated by 2020 and 2035 thereby increasing the risk of hazards to the public and/or the environment through the routine transport, use, or disposal of hazardous materials. However, adherence to existing laws and regulations would significantly reduce the hazard to the public and the environment posed by the routine transport, use, or disposal of hazardous materials to a less than significant level.

The handling and transport of hazardous materials and wastes are subject to numerous laws, regulations, and health and safety standards set forth by federal, State, and local authorities that regulate the proper handling of such materials and their containers. These include the EPA, OSHA, USDOT, and the Food and Drug Administration (FDA) for the federal government. State agencies, including the Cal/EPA, DTSC for

EXHIBIT A: FINDINGS OF FACT

example is within Cal/EPA, have parallel and, in some cases, more stringent rules governing the use of hazardous materials.

USDOT requires that hazardous waste inventories (which are used to ensure that hazardous wastes are strictly monitored and tracked from the point of generation through ultimate disposal) be maintained. To operate in California, all hazardous waste transporters must be registered with the DTSC. Unless specifically exempted, hazardous waste transporters must comply with the California Highway Patrol Regulations, the California State Fire Marshal Regulations, and the USDOT Regulations.

The construction and maintenance of transportation facilities as well as development that occurs pursuant to the Plan would involve the use of hazardous materials such as fuels, solvents, paints and other architectural coatings. The use and storage of these materials is regulated by local fire departments, Certified Unified Program Agencies (CUPAs), and the Cal OSHA. Materials remaining after project construction can likely be re-used on other projects. For materials that cannot be or are not reused, disposal would be regulated by DTSC under State and federal hazardous waste regulations.

Given this plethora of federal, state, and local regulation of hazardous materials, the SCAG Regional Council finds that enforcement of these laws and regulations, in addition to MM-HM1 and MM-HM2, would reduce Impact 3.7-1 to a less than significant level.

Impact 3.7-4 Potential to create a hazard to the public or the environment through the disturbance of contaminated property during the construction of new transportation or expansion of existing transportation facilities and the disturbance of contaminated sites as a result of population, housing and employment growth in the region.

Mitigation

Implementation of Mitigation Measure MM-HM3 would reduce impacts to a less than significant level.

MM-HM3: Local agencies can and should comply with the requirements of CEQA to mitigate impacts that result from hazardous materials as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of mitigation measures that would reduce impacts from use of hazardous materials and/or disposal of hazardous wastes. Potentially significant impacts to public health associated with the issues of handling and proper disposal of hazardous materials and wastes are well regulated and compliance with these regulations is mandatory. Because federal, state, and local agencies regularly enforce these regulations, it is reasonable to assume that project sponsors will comply. Compliance with these regulations would reduce any potential impact to public safety to a less than significant level.

Findings and Rationale

To address the significant impact of hazardous materials disturbed during the construction of new transportation or expansion of existing transportation facilities, measure MM-HM3 as presented above has been adopted as part of the 2012-2035 RTP/SCS to lessen this impact.

The SCAG Regional Council finds that Impact 3.7-4 can only be reduced by compliance with existing regulations including project-level mitigation. The mitigation activities identified in MM-HM3 requires compliance with existing federal, state, and local regulations as well as the exercise of discretionary authority to implement project specific mitigation which is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

EXHIBIT A: FINDINGS OF FACT

The 2012-2035 RTP/SCS mobility and land use policies would influence population distribution, resulting in a potentially significant impact related to disturbance of contaminated sites by new urban development, most of which will be in urban areas. Future growth will be targeted in High Quality Transit Areas (HQTAs) in close proximity to transit. Consequently, the redevelopment and reuse of urban infill properties will become more common as the region grows.

HQTAs include areas of soil and groundwater contamination caused by past use of project sites or other uses in the area that may have led to groundwater contamination that migrates to and contaminates a number of sites in an area. SCAG finds that the majority of these contaminated sites have been identified or are easily identifiable from existing information (including government databases, building department records, historic photographs, business registries, and site observations). As indicated in the Regulatory Framework discussion starting on page 3.7-1 of the Draft PEIR, contaminated sites are heavily regulated by federal, state, and local laws (including, but not limited to, Resource Conservation and Recovery Act (RCRA), Occupational Safety and Health Act of 1970, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Emergency Planning & Community Right-to-Know Act (EPCRA), the California Hazardous Waste Control Act, Unified Hazardous Waste and Hazardous Materials Management Regulatory Program, California Health & Safety Code, and local regulations overseen by local fire departments) which require notification to the public and remediation of sites that pose a hazard to human health and/or the environment. Where construction may potentially disturb contaminated sites, site investigation and cleanup as necessary is required by state and local procedures and regulations, including CEQA which mandates that lead agencies exercise their discretionary authority to impose mitigation measures to reduce the potential impact to a less than significant level.

Given the extensive federal, state, and local regulation of contaminated sites, the SCAG Regional Council finds that enforcement of these laws and regulations, in addition to MM-HM3, would reduce Impact 3.7-4 to a less than significant level.

C. PUBLIC SERVICES AND UTILITIES

Impact 3.11-10 Construction necessary to implement the 2012-2035 RTP/SCS may uncover and potentially sever underground utility lines (electric and natural gas).

Mitigation

Implementation of Mitigation Measure MM-PS22 would reduce impacts to a less than significant level.

MM-PS22: Local agencies can and should comply with the requirements of CEQA to public services and utilities as applicable and feasible. Local agencies may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects. Appendix G contains a non-exclusive list of examples of measures that could reduce impacts to public services and utilities. Potentially significant impacts to severing utility lines that could result from construction activities are addressed through Best Management Practices and local permitting.

Findings and Rationale

To address the significant impact of severing underground utility lines, measure MM-PS22 as presented above has been adopted as part of the 2012-2035 RTP/SCS to lessen this impact.

The SCAG Regional Council finds that Impact 3.11-10 will be reduced by compliance with local permitting, Best Management Practices and project-level mitigation. The mitigation activities identified in MM-PS22 requires compliance with existing state and local regulations as well as the exercise of discretion to

EXHIBIT A: FINDINGS OF FACT

implement project specific mitigation which is wholly within the responsibility of local lead agencies. The SCAG Regional Council hereby incorporates Master Finding No. 1.

The SCAG Regional Council finds that Best Management Practices together with the review and approval process where local agencies normally require project sponsors to identify the locations of existing utility lines so that they may be avoided, along with MM-PS22 would reduce Impact 3.11-10 to a less than significant level.

V. FINDINGS REGARDING LESS THAN SIGNIFICANT IMPACTS (NO MITIGATION REQUIRED)

A. AIR QUALITY

Impact 3.2-2 Under the Plan, carcinogenic health risk related to air toxics within any given distance of mobile sources in the region would decrease when compared to existing conditions. Total acute and chronic risk associated with criteria pollutants from mobile sources at given distances would also decrease when compared to existing conditions. Non-carcinogenic health incidences due to VMT-related re-entrained dust would increase under the Plan. However, increases in these health incidences would be at least partially offset by the decrease in health incidences related to air toxics and criteria pollutants generated by vehicle exhaust. (See also Impact 3.2-3 related to shifting populations.)

Mitigation

No mitigation measures are necessary as the project impact would be less than significant.

Findings and Rationale

The SCAG Regional Council finds that air quality impacts related to health incidences are anticipated to decrease in risk at any given distance from freeways due to emission controls. Therefore impacts associated with Impact 3.2-2 are determined to be less than significant without mitigation.

Scientific studies have suggested links between fine particulate matter and numerous health problems, including asthma, bronchitis, and acute and chronic respiratory symptoms such as shortness of breath and painful breathing. On-road vehicle traffic produces particulate matter as a result of vehicle exhaust, brake and tire wear and re-entrained roadway dust. Brake and tire wear and fugitive dust from paved road travel emissions are directly related to VMT. Under the Plan, regional PM10 and PM2.5 from exhaust and tire wear and re-entrained dust would increase as a result of increased VMT. However, decreased regional pollution due to Plan implementation and decreased diesel particulate matter (DPM) emissions would improve overall regional health when compared to existing conditions.

Cancer risk related to air toxics emitted from mobile sources is expected to decrease substantially under the Plan. Mobile sources, and diesel vehicles in particular, are a major source of cancer risk. ARB reports that DPM represents approximately 70 percent of the potential cancer risk from vehicle travel on a typical urban freeway. By 2035, DPM in exhaust from heavy-duty trucks is anticipated to decrease substantially in all areas of the region as compared to today. As a result, maximum residential and workplace risks due to proximity to regional freeway segments would decrease substantially in 2035 as compared to existing conditions. The declines in cancer risk across all freeway segments are the result of continued decreases in per-vehicle mile fleet emissions projected to occur over the next 23 years. This decrease occurs due to continued emission control technology improvements in new vehicles for which certification standards continue to tighten up through 2018. The improvement in vehicle emissions is at a faster rate for areas within 500 feet of freeways and high traffic roads than for the region as a whole.

EXHIBIT A: FINDINGS OF FACT

New vehicle standards, gasoline and Diesel fuel reformulation, and ARB-adopted Diesel Risk Reduction Measures have already resulted in lower potential cancer risks near freeways. As shown by the reductions in cancer risk projected to occur between existing conditions and the Plan in 2035, these risk reduction measures will continue to reduce toxic emissions from motor vehicles and resulting cancer risks.

Therefore, implementation of the 2050 RTP/SCS would not result in significant impacts related to potential carcinogenic and non-carcinogenic health risks as compared to existing conditions.

Impact 3.2-5 Trains, airplanes, ships and stationary and area sources substantially contribute to emissions in the region; these sources are addressed by the applicable AQMPs and not substantially affected by the Plan. All such emissions are anticipated to be consistent with applicable AQMPs and SIPs and within regional conformity emission budgets. Therefore, the Plan would result in a less-than-significant impact related to cumulatively considerable emissions.

Mitigation

No mitigation measures are necessary as the project impact would be less than significant.

Findings and Rationale

The SCAG Regional Council finds that the Plan meets federal and state attainment goals for air quality within the SCAG region. Therefore impacts associated with Impact 3.2-5 are determined to be less than significant without mitigation.

The regional cumulative analysis assesses the impacts of potential indirect air quality effects in conjunction with other plans, programs, projects and policies that affect ambient air quality. Projected long-term emissions are considered to be cumulatively significant if they are not consistent with the local air quality management plans and state implementation plans. Consistency is demonstrated through the conformity analysis.

The applicable emissions budgets in the SCAG region are established by air basin, by air district, by pollutant and by years of analysis (milestone, attainment, and planning horizon years). The Transportation Conformity analysis is prepared separately from this PEIR and can be found in Appendices of the 2012-2035 RTP/SCS. The analysis concludes that the plan conforms to federal and state requirements for meeting attainment goals throughout the SCAG region.

Therefore, implementation of the 2050 RTP/SCS would not result in significant impacts related to cumulatively considerable emissions.

B. BIOLOGICAL RESOURCES AND OPEN SPACE

Impact 3.3-8 Conflict with any provisions of an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP).

Mitigation

No mitigation measures are necessary as the project impact would be less than significant.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council finds that no direct impacts to existing HCPs and NCCPs are anticipated. Therefore impacts associated with Impact 3.3-8 are determined to be less than significant without mitigation.

Planned projects in Riverside County are included as “Covered Activities” in the adopted Riverside County Multiple Species Habitat Conservation Plan. The adopted Natural Community Conservation Plans in Orange County is not in conflict with any of the projects included in the 2012-2035 RTP/SCS, nor would development be anticipated in protected conservation planning areas in general. No other impacts to HCPs or NCCPs are anticipated. Therefore, implementation of the 2050 RTP/SCS would not result in significant impacts related to potential conflicts with HCPs or NCCPs.

C. GREENHOUSE GAS EMISSIONS

Impact 3.6-3 Per capita CO₂ emissions from light duty trucks and autos would meet the ARB 8 percent less [9 percent less in the Final Plan] than 2005 in 2020 target and would achieve even greater emission reductions in 2035 as compared to the 13 percent less than 2035 target (the region would achieve 16 percent per capita emission reductions in 2035). Therefore, the Plan would result in a less-than-significant impact related to per capita emissions and SB 375.

Mitigation

No mitigation measures are necessary as the project impact would be less than significant.

Findings and Rationale

The SCAG Regional Council finds The Plan would exceed ARB per capita emission targets established pursuant to SB 375. Therefore, this impact is less than significant without mitigation.

SB 375 requires ARB to develop regional CO₂ emission reduction targets, compared to 2005 emissions, for cars and light trucks only for 2020 and 2035 for each of the State’s MPOs. For SCAG, the targets are to reduce per capita emissions 8 percent below 2005 levels by 2020 and 13 percent below 2005 levels by 2035. SCAG estimates the per capita 2005 emissions from cars and light-duty trucks as 23.9 pounds CO₂ per person per day.

The Plan includes proposed transportation improvements and land use changes that would lead to reduced congestion and increased transit options. State measures will be in place that would augment the reductions achieved by the Plan through reduced carbon intensity of fuels and increased fuel efficiency in passenger vehicles. The result of the Final Plan is a 9 percent decrease in per capita CO₂ emissions from 2020 to 2005 (8 percent in the Draft Plan analyzed in the PEIR). Per capita CO₂ emissions from cars and light trucks only would be 20.5 pounds per day in 2035 under the Plan, resulting in a 16 percent decrease in per capita CO₂ emissions from 2035 to 2005. The percent decrease would more than satisfy the 13 percent SCAG emissions reduction target. Therefore, implementation of the 2050 RTP/SCS would not result in significant impacts related to per capita CO₂ emissions.

D. TRANSPORTATION, TRAFFIC AND SAFETY

Impact 3.12-2 The Plan would reduce average Vehicle Hours of Delay (VHD) in 2035 compared to current conditions. The Plan would result in less than significant impact related to VHD.

Mitigation

No mitigation measures are necessary as the project impact would be less than significant.

EXHIBIT A: FINDINGS OF FACT

Findings and Rationale

The SCAG Regional Council finds that the Plan would reduce average VHD in 2035 compared to current conditions. Therefore, the impact is less than significant without mitigation.

Implementation of the Plan would result in a reduction in total daily VHD in 2035 as described in the Final 2012-2035 RTP/SCS as compared to existing conditions and includes light, medium and heavy-duty vehicles VHD in all six counties. Therefore, the Plan would result in a less-than-significant impact related to VHD.

Impact 3.12-4 Potential to increase the percent of work opportunities within 45 minutes travel time by personal vehicle or by transit in 2035 relative to the current condition. This result is considered to be a regional benefit. The Plan would result in a less-than-significant impact related to work commute.

Mitigation

No mitigation measures are necessary as the project impact would be less than significant.

Findings and Rationale

The SCAG Regional Council finds that the Plan would increase the percent of work opportunities within 45 minutes travel time compared to current conditions. Therefore, the impact is less than significant without mitigation.

Implementation of the Plan would result in an increase in the percent of work opportunities within 45 minutes travel time by personal vehicle as compared to the current condition. The transit percentage would remain approximately the same. Therefore, the Plan would result in a less-than-significant impact related to work commute.

Impact 3.12-5 Potential to lower system-wide fatality accident rate for all travel modes in 2035 relative to the current condition. The Plan would result in a less-than-significant impact related to transportation fatality rates.

Mitigation

No mitigation measures are necessary as the project impact would be less than significant.

Findings and Rationale

The SCAG Regional Council finds that the Plan will lower system-wide fatality accident rate for all travel modes in 2035 relative to the current condition. Therefore this impact is less than significant.

The Plan includes Transportation System Management strategies that improve safety and clear existing incidents and accidents more quickly, among other measures. Implementation of the Plan would result in a system-wide daily fatality rate of 0.17 fatalities per million persons for all travel modes, a decrease of 0.03 daily fatalities per million persons when compared to the existing rate of 0.20. Therefore, the Plan would result in a less-than-significant impact related to transportation fatality rates.

Impact 3.12-6 Potential to lower system-wide injury rate for all travel modes in 2035 relative to the current condition. Therefore, the Plan would result in a less-than-significant impact related to transportation injury rates.

EXHIBIT A: FINDINGS OF FACT

Mitigation

No mitigation measures are necessary as the project impact would be less than significant.

Findings and Rationale

The SCAG Regional Council finds that the Plan will lower system-wide injury rate for all travel modes in 2035 relative to the current condition. There the impact is less than significant.

The Plan includes Transportation System Management strategies that improve safety and clear existing incidents and accidents more quickly, among other measures. Implementation of the Plan would result in a system-wide daily injury rate of 12.93 injuries per million persons for all travel modes, a decrease of 5.34 daily injuries per million persons when compared to the existing rate of 18.27. Therefore, the Plan would result in a less-than-significant impact related to transportation injury rates.

VI. FINDINGS REGARDING PLAN ALTERNATIVES

CEQA requires that an EIR describe a reasonable range of alternatives to the project or to the location of the project that could feasibly avoid or lessen significant environmental impacts while substantially attaining the basic objectives of the project. An EIR should also evaluate the comparative merits of the alternatives. This chapter sets forth potential alternatives to the proposed project and provides a qualitative analysis of each alternative and a comparison of each alternative to the proposed project. Key provisions of the CEQA Guidelines pertaining to the alternatives analysis are summarized below.

- The discussion of alternatives shall focus on alternatives to the project including alternative locations that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.
- The No Project Alternative shall be evaluated along with its potential impacts. The No Project Alternative analysis shall discuss the existing conditions at the time the notice of preparation is published, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.
- The range of alternatives required in an EIR is governed by a "rule of reason." Therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the proposed project.
- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.
- An EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative.

A. PROJECT OBJECTIVES AND LEGAL REQUIREMENTS

At the time of project approval, the lead agency's decision-making body must determine whether the alternatives are feasible or not -- a task it cannot delegate. See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 998-1000; and CEQA Guidelines §§ 15025(b)(2), 15091(a)(3). The lead agency must consider whether specific "economic, legal, social, technological, and other considerations . . . make infeasible mitigation measures or alternatives identified in the environmental impact report." (Pub. Res. Code, § 21081(a)(3); CEQA Guidelines § 15091(a)(3)).

"Feasible" means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors." CEQA

EXHIBIT A: FINDINGS OF FACT

Guidelines § 15364; see also CEQA Guidelines § 15021(b). The concept of "feasibility" under CEQA also encompasses "desirability" to the extent that desirability is based on a reasonable balancing of all relevant factors. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417). Additionally, "policy considerations," may also be taken into account because they are "permissible" under CEQA as "other considerations" that make infeasible mitigation measures or alternatives identified in the EIR. See *California Native Plant Society*, 177 Cal.App.4th at 1001 (An agency may reject project alternatives if found to be impracticable or undesirable from a policy standpoint.). Finally, an alternative or measure is legally infeasible if "there is no way to legally implement it." *Sequoyah Hills Homeowners Assn. v. City of Oakland*, 23 Cal.App.4th 704, 714 (1993)

Importantly, CEQA gives lead agencies the authority to approve a project notwithstanding its significant environmental impacts, if the agency determines it is not "feasible" to lessen or avoid the significant effects. (Pub. Res. Code, § 21002). If specifically identified benefits of the project outweigh the significant unavoidable environmental impacts, the adverse impacts may be considered "acceptable," thereby allowing for lead agency approval of the project, notwithstanding such adverse impacts, provided the agency adopts a statement of overriding considerations. (Pub. Res. Code, § 21081.1(b); CEQA Guidelines § 15093).

As called for by the CEQA Guidelines, the achievement of project objectives must be balanced by the ability of an alternative to reduce the significant impacts of the project. The proposed project's (the 2012-2035 RTP/SCS or the Plan) objectives and goals include:

- Align the plan investments and policies with improving regional economic development and competitiveness;
- Maximize mobility and accessibility for all people and goods in the region;
- Ensure travel safety and reliability for all people and goods in the region;
- Preserve and ensure a sustainable regional transportation system;
- Maximize the productivity of our transportation system;
- Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking);
- Actively encourage and create incentives for energy efficiency, where possible;
- Encourage land use and growth patterns that facilitate transit and non-motorized transportation; and
- Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.

CEQA does not require adoption of an alternative that does not adequately meet project objectives as determined by the lead agency decisionmakers. A feasible alternative must meet most if not all of these project objectives. In addition, while not specifically required under CEQA, other parameters may be used to further establish criteria for selecting alternatives such as adjustments to phasing, and other "fine-tuning" that could shape feasible alternatives in a manner that could result in reducing identified environmental impacts.

The SCAG Regional Council finds that the Plan meets all of the above objectives and is feasible. With the exception of the No Project Alternative, the other alternatives considered herein meet some but not all of these objectives. As such, the SCAG Regional Council finds that the other alternatives are infeasible due to economic, legal, social, technological, and other considerations including policy considerations as discussed in more detail below.

EXHIBIT A: FINDINGS OF FACT

B. ALTERNATIVES ANALYZED IN THE PEIR

Alternative 1: The No Project Alternative

Description

The No Project Alternative assumes no adoption of the 2012-2035 RTP/SCS. This alternative includes only those transportation projects that are under construction, undergoing right-of-way acquisition included in the first year of the previously conforming transportation plan and/or TIP, or have completed environmental review by December 2010. These reasonably foreseeable projects fulfill the definition of the CEQA-mandated "No Project Alternative." The growth scenario included in the No Project Alternative is based on 2008 RTP local input which was then adjusted to reflect 2012-2035 RTP/SCS projected regional population, households and jobs totals in 2035.

Findings and Rationale

The SCAG Regional Council finds that specific economic, financial, legal, social, technological or other considerations, including policy considerations, make Alternative 1 infeasible and rejects this alternative for the reasons explained below:

As set forth in detail in Section 4.0 of the PEIR, Alternative 1, the No Project Alternative, would result in greater impacts than the proposed Plan (2012-2035 RTP/EIR) in the following resource areas: (1) Aesthetics (Scenic Resources, Visual Character); (2) Air Quality (Criteria Pollutants, Risk/Population Adjacent to Freeways); (3) Biological Resources and Open Space; (4) Cultural Resources (Archaeological, Paleontological, and Human Remains); (5) Geology and Soils (Soil Erosion, Expansive Soils, Aggregate and Mineral Resources); (6) Greenhouse Gas Emissions; (7) Hazardous Materials (Routine Transport and Upset and Accident); (8) Land Use and Agricultural Resources (Forest, Agricultural and Farmlands); (9) Public Service and Utilities (Police, Fire and Emergency Services, Wildfire Hazards, Educational and Recreational Facilities, Solid Waste Disposal and Transfer Facilities, and Non-Renewable Energy); (10) Transportation, Traffic and Security; and (11) Water Resources (Water Supply, Riparian Habitats, Water Quality, Runoff/Drainage).

Alternative 1 would result in similar impacts as the Plan in the following resource areas: (1) Air Quality (Construction Emissions and Cumulative Impacts); (2) Geology and Soils (Seismicity); (3) Land Use and Agricultural Resources (Consistency with Plans and Policies); (4) Population, Housing and Employment; (5) Public Service and Utilities (Educational Facilities, Utility Lines); (6) Water Resources (Wastewater and Groundwater); and (7) Cumulative Impacts (Geology, Soils and Mineral).

Alternative 1 would result in less impact compared to the Plan in the following resource areas: (1) Aesthetics (shade/shadow); (2) Cultural Resources (Historical Resources); (3) Hazardous Materials (Schools, Contaminated Property); (4) Land Use & Agricultural Resources (Divide Community); and (5) Noise.

On balance, the proposed Plan is environmentally superior compared to Alternative 1.

Moreover, Alternative 1 fails to meet any of the project objectives identified above.

First, Alternative 1 does not align plan investments and policies with improving regional economic development and competitiveness because it would not use transportation investments to create economic benefits, nor would it enhance the goods movement system to support economic development to the degree as the 2012-2035 RTP/SCS.

EXHIBIT A: FINDINGS OF FACT

Second, Alternative 1 does not maximize mobility and accessibility for all people and goods in the region because it would not create equitable transportation opportunities for all communities of concern, ensure access to jobs, services, and recreation for populations with fewer transportation choices as would the 2012-2035 RTP/SCS.

Third, Alternative 1 does not ensure travel safety and reliability for all people and goods in the region because the improved operations and new technologies that make travel safer and more reliable would not be employed, nor would the efficiency of the transportation system be managed to improve traffic flow to the same degree as the 2012-2035 RTP/SCS. Furthermore, Alternative 1 would not maintain the transportation system in a good state of repair or improve emergency preparedness as would the 2012-2035 RTP/SCS.

Fourth, Alternative 1 does not preserve and ensure a sustainable regional transportation system because (1) all transit improvements associated with the 2012-2035 RTP/SCS would not be available; (2) efficient management of the transportation system and demands on the system would not be provided to the same degree as the 2012-2035 RTP/SCS; (3) SB 375 GHG emissions targets for passenger cars and light trucks would not be met; (4) regional air quality would not improve to the same degree as the 2012-2035 RTP/SCS; and (5) land use strategies identified in the SCS which calls for a more compact, efficient land use pattern would not be employed.

Fifth, Alternative 1 does not maximize the productivity of our transportation system because it does not provide a transportation system that offers efficient and affordable travel options for people and goods. It would not make system improvements to better connect people with jobs and other activities as would the 2012-2035 RTP/SCS.

Sixth, Alternative 1 does not protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking) because Alternative 1 does not employ the land use strategies in the SCS which encourage increased density and a compact land form that would facilitate active transportation. Nor does Alternative 1 make system improvements to better connect people with jobs and other activities through active transportation as would the 2012-2035 RTP/SCS. In addition, Alternative 1 lacks sufficient funding to support active transportation as compared to the Plan. The Plan includes \$6.7 billion in funding, representing a 240% increase over the 2008 RTP, for expanded active transportation networks throughout the region. Finally, Alternative 1 would not meet the GHG emissions targets for passenger cars and light trucks and therefore, air quality would not be improved to the same degree as the 2012-2035 RTP/SCS.

Seventh, Alternative 1 does not actively encourage and create incentives for energy efficiency, where possible, because Alternative 1 does not encourage or provide for such incentives. The 2012-2035 RTP/SCS actively encourages and creates incentives for energy efficiency by supporting compact land uses that substantially reduce consumption of transportation fuel, electricity, and natural gas. The overall energy savings resulting from developing more compactly translates to meaningful savings in transportation fuel costs and residential energy bills. The 2012-2035 RTP/SCS also acknowledges local and subregional energy efficiency and alternative fueled vehicle programs that reduce the region's energy consumption, improve the air quality, and contribute to decreases in greenhouse gases.

Eighth, Alternative 1 does not encourage land use and growth patterns that facilitate transit and non-motorized transportation because it does not employ the land use and transportation strategies in the SCS which encourage increased density and a compact land form and facilitates transit and non-motorized transportation.

Ninth, Alternative 1 does not maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies because the

EXHIBIT A: FINDINGS OF FACT

improved operations and new technologies that make the regional transportation system more secure would not be employed.

In addition, Alternative 1 is legally infeasible. It does not meet the requirements of federal transportation planning law. Pursuant to 23 USC §134(i), SCAG is required to “prepare and update” its RTP every four years if it encompasses an area designated as nonattainment under the federal Clean Air Act. Nor would Alternative 1 include the SCS as a component to the RTP as required pursuant to SB 375 [California Government Code §65080(b)(2)(B)]. Alternative 1 also does not meet the requirements of 23 USC §134(h)(1) which requires that the RTP contain projects and strategies that will:

- (A) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- (B) increase the safety of the transportation system for motorized and non-motorized users;
- (C) increase the security of the transportation system for motorized and non-motorized users;
- (D) increase the accessibility and mobility of people and for freight;
- (E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- (F) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- (G) promote efficient system management and operation; and
- (H) emphasize the preservation of the existing transportation system.

For the reasons described above, the SCAG Regional Council finds that Alternative 1 does not meet project objectives and is not feasible.

Alternative 2: The Modified 2008 RTP Alternative

Description

The Modified 2008 RTP Alternative is an update of the adopted 2008 RTP to reflect the most recent growth estimates and transportation planning decisions and assumptions. This alternative does not include urban form strategies included within the SCS, but includes all of the modifications and projects in the 2008 RTP through RTP Amendment 4. The growth scenario for the Modified 2008 RTP Alternative is a combination of local input and existing general plan and land use data provided by local jurisdictions.

Findings and Rationale

The SCAG Regional Council finds that specific economic, financial, legal, social, technological or other considerations, including policy considerations, make Alternative 2, the Modified 2008 RTP Alternative, infeasible and rejects this alternative for the reasons explained below.

As set forth in detail in Section 4.0 of the PEIR, Alternative 2 will result in greater impacts than the proposed Plan (2012-2035 RTP/EIR) in the following resource areas: (1) Aesthetics (light/glare); (2) Air Quality (Criteria Pollutant and Risk/Population Adjacent to Freeways); (3) Biological Resources and Open Space; (4) Cultural Resources (Archaeological, Paleontological, and Human Remains); (5) Geology and

EXHIBIT A: FINDINGS OF FACT

Soils (Soil Erosion, Expansive Soils, Aggregate and Mineral Resources); (6) Greenhouse Gas Emissions; (7) Hazardous Materials (Routine Transport); (8) Land Use and Agricultural Resources (Forest, Agricultural and Farmlands); (9) Public Service and Utilities (Police, Fire and Emergency Services, Wildfire Hazards, Recreational Facilities, Non-Renewable Energy); (10) Transportation, Traffic and Security; and (11) Water Resources (Water Supply, Riparian Habitats, Water Quality, Runoff/Drainage).

Alternative 2 would result in similar impacts as the Plan in the following resource areas: (1) Aesthetics (Visual Character); (2) Air Quality (Construction Emissions, Cumulative Impacts); (3) Geology and Soils (Seismicity); (4) Hazardous Materials (Upset and Accident, Schools, Contaminated Property); (5) Land Use and Agricultural Resources (Consistency with Plans and Policies, Divide Community); (6) Noise; Population, Housing and Employment; (7) Public Service and Utilities (Educational Facilities, Solid Waste Disposal and Utility Lines); (8) Water Resources (Wastewater, Groundwater); and (9) Cumulative Impacts (Geology, Soils and Mineral).

Alternative 2 would result in less impact compared to the Plan in the following resource areas: (1) Aesthetics (Scenic resources and shade/shadow); and (2) Cultural Resources (Historic Buildings).

On balance, the proposed Plan is environmentally superior compared to Alternative 2.

Alternative 2, meets some but not all the project objectives. Specifically, it is less effective than the Plan in meeting the following objectives:

- Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking);
- Actively encourage and create incentives for energy efficiency, where possible; and
- Encourage land use and growth patterns that facilitate transit and non-motorized transportation.

First, Alternative 2 is not as effective as the Plan in protecting the environment and health for residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking) because Alternative 2 does not employ the land use and transportation strategies in the SCS which encourage increased density and a compact land form and facilitates active transportation. In addition, Alternative 2 lacks sufficient funding to support active transportation as compared to the Plan. The Plan includes \$6.7 billion in funding, representing a 270% increase over the 2008 RTP, for expanded active transportation networks throughout the region. Finally, Alternative 2 would not meet the GHG emissions targets for passenger cars and light trucks and therefore, air quality would not be improved to the same degree as the 2012-2035 RTP/SCS.

Second, Alternative 2 does not create incentives for energy efficiency unlike the Plan, which actively encourages and creates incentives for energy efficiency by supporting compact land uses that substantially reduce consumption of transportation fuel, electricity, and natural gas. The overall energy savings resulting from developing more compactly translates to meaningful savings in transportation fuel costs and residential energy bills. The 2012-2035 RTP/SCS also acknowledges local and subregional energy efficiency and alternative fueled vehicle programs that reduce the region's energy consumption, improve the air quality, and contribute to decreases in greenhouse gases.

Third, Alternative 2 does not encourage land use and growth patterns that facilitate transit and non-motorized transportation because it does not employ the land use and transportation strategies in the SCS which encourage increased density and a compact land form and facilitates transit and non-motorized transportation.

Moreover, because Alternative 2 does not include an SCS or Alternative Planning Strategy (APS) (or the appropriate land use controls), it does not meet the requirements of SB 375 and is therefore, legally infeasible.

EXHIBIT A: FINDINGS OF FACT

For the reasons described above, the SCAG Regional Council finds that Alternative 2 does not meet all the project objectives and is not feasible.

Alternative 3: Envision 2 Alternative

Description

The Envision 2 Alternative builds on the enhanced density and ideas of the SCS as described in the Plan and goes further. It includes far more aggressive densities than the 2012-2035 RTP/SCS, especially around High Quality Transit Areas (HQTAs), increases mobility through additional transportation investments, reduces emissions, and limits the development of single-family housing that would be built in the region. Unlike the Plan, Envision 2 is not consistent with the total amount of growth at the jurisdictional level developed through the local input, bottom-up planning process. Rather it represents a top-down reorganization of regional growth based on maximizing growth in urban areas well-served by transit. This builds off of the 2008 RTP Alternative called Envision. The Envision 2 transportation network is similar to the Plan network with minor changes to goods movement and transit projects. However, Envision 2 assumes an overall improvement in transit service levels throughout the region. The growth pattern associated with Envision 2 maximizes urban centers, TODs and HQTAs. It also includes a more progressive jobs/housing distribution optimized for TOD and infill.

Findings and Rationale

The SCAG Regional Council finds that specific financial, legal, social, technological or other considerations, including policy considerations, make Alternative 3, the Envision 2 Alternative, infeasible and rejects this alternative for the reasons explained below:

As set forth in detail in Section 4.0 of the PEIR, Alternative 3 will result in greater impacts than the proposed Plan (2012-2035 RTP/EIR) in the following resource areas: (1) Aesthetics (shade/shadow); (2) Air Quality (Risk/Population Adjacent to Freeways); (3) Hazardous Materials (Upset and Accident, Schools, Disturbance of Contaminated Property); (4) Noise (Construction, Land use Compatibility, Vibration); (5) Public Service and Utilities (Police, Fire and Emergency Services; Recreational Facilities – urban areas; Utility Lines – urban areas); (6) Transportation, Traffic and Security (Vehicle/Truck Delay); and (7) Cumulative Impacts (Aesthetics – urban areas; Air Quality – urban areas; Historic Resources, Hazardous Materials, Noise, Public Services and Utilities – urban areas, Transportation, Traffic and Security).

Alternative 3 would result in similar impacts as the Plan in the following resource areas: (1) Aesthetics (Scenic Vistas, Scenic Highways, Visual Character); (2) Air Quality (Criteria Pollutants, Construction, Cumulative Impacts); (3) Geology, Soils and Mineral Resources (Seismicity, Mineral Resources); (4) Hazardous Materials (Routine Transport); (5) Land Use and Agricultural Resources (Consistency with Plans and Policies, Divide Community); (6) Population, Housing and Employment (Population Growth); (7) Public Service and Utilities (Wildfire hazards, Educational Facilities); and (8) Cumulative Impacts (Geology, Soils, Minerals; Land Use, Population, Housing, Employment).

Alternative 3 would result in less impact compared to the Plan in the following resource areas: (1) Biological Resources and Open Space; (2) Cultural Resources (Archeological resources, Paleontological Resources, Human Remains); (3) Geology, Soils and Mineral Resources (Erosion, Expansive Soils); (4) Greenhouse Gas Emissions; (5) Land use and Agricultural Resources (Forest and Farm Lands); (6) Public Services and Utilities (Energy); (7) Transportation, Traffic and Security (Fatalities and Injuries); (8) Water Resources; and (9) Cumulative Impacts (Aesthetics – natural lands; Air Quality – region-wide; Biological resources; Cultural Resources – archeological, paleontological, human remains; Water Resources).

Although Alternative 3 would have similar impacts to the Plan in a number of areas and would have less impact in resource areas associated with natural lands areas, it would have greater impacts in urban areas

EXHIBIT A: FINDINGS OF FACT

and therefore would have a greater impact on people and existing infrastructure as compared to the proposed Plan.

Alternative 3, meets some but not all of the project objectives. It is less effective than the Plan with respect to the following objectives:

- Maximize mobility and accessibility for all people and goods in the region
- Ensure travel safety and reliability for all people and goods in the region

First, Alternative 3 does not maximize mobility and accessibility for all people and goods in the region to the extent of the 2012-2035 RTP/SCS because it results in more severe localized traffic congestion conditions with adverse mobility and reliability consequences for goods and people (increased vehicle and truck delay). In contrast, the 2012-2035 RTP/SCS will improve mobility and provide congestion relief in the SCAG region. The plan also increases accessibility to jobs by improving the time and costs associated with daily commuting.

Second, Alternative 3 does not ensure travel safety and reliability for all people and goods in the region because it does not provide a sustainable financing source for immediate conversion to a transit intensive transportation system. Alternative 3 is inconsistent with voter approved transportation sales tax measures and county Long Range Transportation Plans, and as such, there is no likelihood that transportation improvements assumed in Envision 2 could be delivered. Given the shortfall in available capital and operating costs for transit systems beyond those included in the Plan, safety and reliability of the transportation system in Alternative 3 may be compromised.

In addition, although Alternative 3 would result in fewer impacts to natural lands and require less extension of infrastructure, it would result in greater impacts to urban areas and people. At the present time, the large shifts in land use in the alternative have not been vetted by the SCAG Regional Council and would not be consistent with general plans and policies of local jurisdictions. Shifts in growth and land use for Alternative 3 include substantial changes to the total growth in population, housing and jobs at the jurisdictional level developed through the local input process. SCAG cannot implement policies that have not been vetted or adopted by the SCAG Regional Council or are inconsistent with current policies. See SCAG Bylaws Article V.A(4)(f) (requiring policy matters to be acted upon by the Regional Council). Moreover, the shifts in land use are contrary to current SCAG policies including deference to local plans and policies. As such, Alternative 3 is also infeasible for policy considerations.

Furthermore, given the higher cost of implementation of Alternative 3 and the funding shortfall for assumed transit improvements, operations and maintenance, it is also infeasible for financial considerations.

For the reasons described above, the SCAG Regional Council finds that Alternative 3 is not feasible.

VII. FINDING REGARDING LOCATION AND CUSTODIAN OF RECORD

The documents and other materials that constitute the record of proceedings on which SCAG's Findings of Fact are based are located at 818 W. 7th Street, 12th Floor, Los Angeles, California 90017.

The custodian of these documents is Hasan Ikhrata, Executive Director of SCAG. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 Cal. Code Regs. Section 15091(e).

For purposes of CEQA, the Record of Proceedings for the 2012-2035 RTP/SCS consists of the following documents, at a minimum:

EXHIBIT A: FINDINGS OF FACT

- The Notice of Preparation and all other public notices issued by SCAG and in conjunction with the 2012-2035 RTP/SCS.
- The Draft and Final PEIRs, including appendices and technical studies included or referenced in the Draft and Final PEIRs.
- All comments submitted by agencies or members of the public during the 45-day public comment period on the Draft PEIR.
- The MMRP for the 2012-2035 RTP/SCS.
- All Findings and resolutions adopted by the SCAG Regional Council in connection with the 2012-2035 RTP/SCS, and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the 2012-2035 RTP/SCS prepared by Terry A. Hayes Associates, Inc., consultant to SCAG.
- All documents and information submitted to SCAG by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the 2012-2035 RTP/SCS, up through the date the SCAG Regional Council approved the 2012-2035 RTP/SCS.
- Minutes and/or summary transcripts of all public meetings and public hearings held by SCAG, in connection with the 2012-2035 RTP/SCS.
- Any documentary or other evidence submitted to SCAG at such public meetings and public hearings.
- Matters of common knowledge to SCAG, including, but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code Section 21167.6(e).

This Page Intentionally Left Blank

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

The Southern California Association of Governments (SCAG) hereby adopts this Statement of Overriding Considerations concerning the unavoidable significant impacts of the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Plan) to explain why the benefits of the 2012-2035 RTP/SCS outweigh and override its unavoidable impacts.

The Final Program Environmental Impact Report (PEIR) for the 2012-2035 RTP/SCS has identified and discussed significant environmental impacts that may occur as a result of implementation of the 2012-2035 RTP/SCS (without the Plan, however, the impacts would be greater). SCAG made specific Findings (Exhibit A) pursuant to the California Environmental Quality Act (CEQA), on each of the significant environmental impacts of the 2012-2035 RTP/SCS and on mitigation measures and alternatives. Nevertheless, even with implementation of feasible mitigation, many of the significant and unavoidable impacts still remain.

In accordance with Section 15093 of the CEQA Guidelines, the SCAG Regional Council hereby finds that following economic, legal, social, technological, environmental and other benefits of the 2012-2035 RTP/SCS outweigh its unavoidable, adverse environmental impacts discussed in the Findings, based on the considerations set forth herein:

Benefits of the 2012-2035 RTP/SCS:

1. The 2012-2035 RTP/SCS will improve overall mobility and provide needed congestion relief in the SCAG region. The 2012-2035 RTP/SCS contains numerous transportation improvements to the region's multimodal transportation system, which includes closures of critical gaps in the network along with strategic expansion of the system to accommodate the current and future needs of the region's population, forecasted to grow by approximately 4 million people by 2035. If the Plan were not implemented, the region would experience 6 million daily vehicle hours of delay compared to 3.3 million daily vehicle hours of delay with the Plan in place. The 2012-2035 RTP/SCS also increases accessibility to jobs by reducing the time and costs associated with daily commute. With implementation of the 2012-2035 RTP/SCS, 86% of work trips would reach their destinations within 45 minutes by single-occupancy auto and 23% by transit in 2035 during the p.m. period. Without the Plan, the portion of commuting trips reaching their destination within 45 minutes travel time would fall to 79% by single-occupancy auto and 22% by transit in 2035. The improved accessibility provided by the Plan is an important social benefit for the SCAG region.

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

2. The 2012-2035 RTP/SCS provides greater level of funding commitments for the preservation of the existing and future transportation systems. Roadway operational and maintenance funding commitment in the 2012-2035 RTP/SCS represents over 50% increase in funding commitment over the 2008 RTP. Greater commitments in infrastructure preservation spending will insure maintaining and even improving the productivity of our transportation system, thereby, accruing greater benefits associated with mobility, congestion relief, economic activity, safety, and accessibility.

3. The 2012-2035 RTP/SCS promotes active transportation modes (i.e., bicycling and walking) by providing \$6.7 billion in funding, representing over 270% increase over the 2008 RTP, for expanded active transportation networks throughout the region. Active transportation spending is expected to increase the region's bikeways from 4,315 miles to 10,122 miles and bring significant portions of deficient sidewalks into compliance with the Americans with Disabilities Act (ADA), along with implementing other safety improvements. The Plan's emphasis on transit and active transportation will allow the region's residents to lead a healthier and active lifestyle.

4. The 2012-2035 RTP/SCS provides air quality and public health benefits. Compared to conditions without implementation of the Plan, the 2012-2035 RTP/SCS would result in less emissions of all criteria pollutants (and greenhouse gases) - reactive organic gases (ROG), oxides of nitrogen (NO_x), oxides of sulfur (SO_x), particulate matter (PM₁₀), and fine particulate matter (PM_{2.5}) - for all six counties in the SCAG region in 2035. Mobile source emissions of criteria pollutants near freeways and high volume roadways are also expected to improve relative to without the Plan, in the region as a whole. The 2012-2035 RTP/SCS results in a 24% reduction in health incidences related to regional emissions compared to the No Project Alternative, i.e., without the Plan. Failure to implement the Plan would result in higher health risks related to transportation-generated air contaminants.

5. The 2012-2035 RTP/SCS would achieve the greenhouse gas (GHG) emissions reduction targets required under California's Sustainable Communities and Climate Protection Act (Senate Bill 375), with a reduction of per capita emissions of 9% by 2020 (exceeding the target of 8% set by the California Air Resources Board [ARB]) and 16% by 2035 (exceeding the target of 13% set by ARB) compared to the 2005 condition. The Plan would also result in 13 million fewer metric tons of GHG emissions than the No Project Alternative in 2035. As required by SB 375, the SCS includes effective transportation strategies (which

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

manage transportation demand and make certain transportation system improvements) and sets forth the general land use development pattern for the region, which if effectuated, will help the SCAG region meet the GHG emissions reduction targets.

6. The development pattern in the 2012-2035 RTP/SCS accommodates the forecasted population, housing, and employment growth while improving access to employment and services throughout the region. The 2012-2035 RTP/SCS focuses over 50% of new housing (783,000 households) and job growth (902,000 jobs) in areas served by high quality transit, as well as in other existing opportunity areas. Over twice as many households will live in high-quality transit opportunity areas under the Plan compared with existing conditions. Of the 1.5 million new housing units expected in 2035, 33% will be at 30 or greater dwelling units per acre and approximately 68% will be multifamily units. This focus on multifamily development will help the region accommodate its projected housing demand. The compact land use patterns described in the 2012-2035 RTP/SCS, combined with the transportation network improvements and strategies identified in the Plan, would result in improved pedestrian and bicycle access to community amenities, shorter average trip length, and reduced vehicle miles traveled per person.

7. The 2012-2035 RTP/SCS results in substantially less new land consumption in greenfield areas compared to the No Project Alternative (334 square miles of new development on vacant, open space/recreation and agricultural lands compared to 742 square miles, respectively). Compact and urban infill development patterns under the RTP/SCS would result in a 6% total reduction in regional water usage (compared to without the Plan). Further, the conservation planning policy and strategies contained in the Plan would support natural land restoration, conservation, protection and acquisition offering GHG emission reduction benefits.

8. The 2012-2035 RTP/SCS actively encourages and creates incentives for energy efficiency by supporting compact land uses that substantially reduce consumption of transportation fuel, electricity, and natural gas. The overall energy savings resulting from developing more compactly translates to meaningful savings in transportation fuel costs and residential energy bills. The 2012-2035 RTP/SCS also acknowledges local and subregional energy efficiency and alternative fueled vehicle programs that reduce the region's energy consumption, improve the air quality, and contribute to decreases in greenhouse gases.

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

9. Implementation of the 2012-2035 RTP/SCS is also expected to provide economic benefits to the SCAG region, generating \$2.90 for every \$1 spent in the region. These benefits are expected to be experienced directly through the jobs created by projects included in the 2012-2035 RTP/SCS and more importantly through the benefits of a more efficient transportation system. The transportation investments in the 2012-2035 RTP/SCS would foster economic and household growth and improve accessibility to transportation infrastructure and many other amenities.

10. Implementation of the 2012-2035 RTP/SCS generates an average of 174,500 jobs per year from construction and maintenance and the improved transportation network, when completed, translates into as many as an additional 354,000 jobs per year on average in the form of commuting, accessibility, and congestion relief benefits. Infrastructure improvements included as part of the Comprehensive Regional Goods Movement Plan and Implementation Strategy are expected to enhance the economic competitiveness of the SCAG region, supported by the expanded timeliness and efficiency of the region's goods movement throughput. The 2012-2035 RTP/SCS is also expected to support and enable the projected growth in highway and rail construction, operation, and maintenance jobs. The job growth related to the 2012-2035 RTP/SCS would create wealth in the region, raise the household income level, and enhance the region's competitiveness.

11. The 2012-2035 RTP/SCS will align Plan investments and policies with regional economic goals by providing reduced costs to taxpayers and in everyday housing and transportation costs for families. The development pattern of the Plan provides a savings of \$6 billion in capital infrastructure and operations and maintenance costs when compared to historical trends. By 2035, compact development under the Plan generates \$13,800 per acre in local revenues, or approximately \$4,000 per acre more than today's conditions. The Plan also reduces annual household costs associated with driving and residential energy and water use from \$19,000 assuming past land use patterns to \$16,000 in 2035.

12. The transportation goals, strategies, and improvements proposed in the 2012-2035 RTP/SCS were derived from extensive public participation and consultation efforts led by the SCAG Regional Council and reflect broad agency and public support, as documented in the Final 2012-2035 RTP/SCS Public Participation and Consultation Appendix.

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

13. The 2012-2035 RTP/SCS balances the policy goals and objectives established by SCAG and legal requirements for a long-range regional transportation plan better than the alternatives, as discussed in the Attachment 1, Section 5, "Findings Regarding Plan Alternatives."

For the above-mentioned reasons, the SCAG Regional Council hereby concludes that the benefits of the 2012-2035 RTP/SCS outweigh and override any adverse environmental impacts associated with the Plan.

This Page Intentionally Left Blank

SOUTHERN CALIFORNIA

ASSOCIATION of
GOVERNMENTS**Main Office**

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800
f (213) 236-1825

www.scag.ca.gov

Officers

President
Pam O'Connor, Santa Monica

First Vice President
Glen Becerra, Simi Valley

Second Vice President
Greg Pettis, Cathedral City

Immediate Past President
Larry McCallon, Highland

**Executive/Administration
Committee Chair**

Pam O'Connor, Santa Monica

Policy Committee Chairs

Community, Economic and
Human Development
Bill Jahn, Big Bear Lake

Energy & Environment
Margaret Clark, Rosemead

Transportation
Paul Glaab, Laguna Niguel

RESOLUTION NO. 12-538-2

**A RESOLUTION OF THE SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS APPROVING THE
2012-2035 REGIONAL TRANSPORTATION
PLAN/SUSTAINABLE COMMUNITIES STRATEGY
(2012-2035 RTP/SCS); RELATED CONFORMITY
DETERMINATION; AND RELATED CONSISTENCY
AMENDMENT #11-24 TO THE 2011 FEDERAL
TRANSPORTATION IMPROVEMENT PROGRAM**

WHEREAS, the Southern California Association of Governments (SCAG) is a Joint Powers Agency established pursuant to California Government Code §6500 et seq.; and

WHEREAS, SCAG is the designated Metropolitan Planning Organization (MPO) pursuant to 23 U.S.C. §134(d) for the counties of Los Angeles, Riverside, San Bernardino, Ventura, Orange, and Imperial, and as such, is responsible for preparing and updating the Regional Transportation Plan (RTP) and the Federal Transportation Improvement Program (FTIP) pursuant to 23 U.S.C. §134 et seq., 49 U.S.C. §5303 et seq., and 23 C.F.R. §450.312; and

WHEREAS, SCAG is the designated Regional Transportation Planning Agency (RTPA) under state law, and as such, is responsible for preparing, adopting and updating the RTP and Sustainable Communities Strategy every four years pursuant to Government Code §65080 et seq., and for preparing and adopting the FTIP (regional transportation improvement program, under state law) every two years pursuant to Government Code §§ 14527 and 65082, and Public Utilities Code §130301 et seq.; and

WHEREAS, pursuant to Senate Bill (SB) 375 (Steinberg, 2008) as codified in Government Code §65080(b) et seq., SCAG must prepare a Sustainable Communities Strategy (SCS) that demonstrates how the region will meet its greenhouse gas (GHG) reduction targets as set forth by the California Air Resources Board (ARB) and that will be incorporated into the RTP. As provided by Government Code §65080(d), the subregional Sustainable Communities Strategy for the subregions of Orange County Council of Governments and Gateway Cities Council of Governments are incorporated in their entirety into the Final 2012-2035 RTP/SCS; and

WHEREAS, pursuant to SB 375, ARB set the per capita GHG emission reduction targets from passenger vehicles for the SCAG region at 8% below 2005 per capita emissions levels by 2020 and 13% below 2005 per capita emissions levels by 2035; and

WHEREAS, pursuant to Government Code §65080(b)(2)(B), the SCS must: (1) identify the general location of uses, residential densities, and building intensities within the region; (2) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth; (3) identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Government Code Section 65584; (4) identify a transportation network to service the transportation needs of the region; (5) gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (1) and (b) of the Government Code Sections 65080 and 65581; and (6) consider the statutory housing goals specified in Sections 65580 and 65581, (7) set forth a forecasted development pattern for the region which when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG reduction targets, and (8) allow the RTP to comply with air quality conformity requirements under the federal Clean Air Act; and

WHEREAS, SCAG is further required to comply with the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code § 21000 et seq.) in preparing the 2012-2035 RTP/SCS; and

WHEREAS, the 2012-2035 RTP/SCS must be consistent with all other applicable provisions of federal and state law including:

- (1) The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (23 U.S.C. §134 et seq.);
- (2) The metropolitan planning regulations at 23 C.F.R. Part 450, Subpart C;
- (3) California Government Code §65080 et seq.; Public Utilities Code §130058 and 130059; and Public Utilities Code §44243.5;
- (4) §§174 and 176(c) and (d) of the federal Clean Air Act [(42 U.S.C. §§7504 and 7506(c) and (d)] and EPA Transportation Conformity Rule, 40 C.F.R. Parts 51 and 93;

(5) Title VI of the 1964 Civil Rights Act and the Title VI assurance executed by the State pursuant to 23 U.S.C. §324;

(6) The Department of Transportation's Final Environmental Justice Strategy (60 Fed. Reg. 33896; June 29, 1995) enacted pursuant to Executive Order 12898, which seeks to avoid disproportionately high and adverse impacts on minority and low-income populations with respect to human health and the environment;

(7) Title II of the 1990 Americans with Disabilities Act (42 U.S.C. §§12101 et seq.) and accompanying regulations at 49 C.F.R. §27, 37, and 38;

(8) Senate Bill 375 (Steinberg, 2008) as codified in California Government Code §65080(b) et seq.; and

WHEREAS, in non-attainment and maintenance areas for transportation-related criteria pollutants, the MPO, as well as the Federal Highways Administration (FHWA) and Federal Transit Administration (FTA), must make a conformity determination on any updated or amended RTP in accordance with the federal Clean Air Act to ensure that federally supported highway and transit project activities conform to the purpose of the State Implementation Plan (SIP); and

WHEREAS, transportation conformity is based upon a positive conformity finding with respect to the following tests: (1) regional emissions analysis, (2) timely implementation of Transportation Control Measures, (3) financial constraint, and (4) interagency consultation and public involvement; and

WHEREAS, on May 8, 2008, the SCAG Regional Council found the 2008 RTP to be in conformity with the State Implementation Plans for air quality, pursuant to the federal Clean Air Act and Environmental Protection Agency (EPA) Transportation Conformity Rule. Thereafter, FHWA and FTA made a conformity determination on the 2008 RTP with said determination to expire on June 5, 2012; and

WHEREAS, on September 2, 2010, in accordance with federal and state requirements, , the SCAG Regional Council approved the 2010/11 – 2015/16 Federal Transportation Improvement Program (2011 FTIP), which was federally approved on December 14, 2010. The 2011 FTIP represents a staged, multi-year, intermodal program of transportation projects which covers six fiscal years and includes a priority list of projects to be carried out in the first four fiscal years; and

WHEREAS, SCAG staff has engaged in the continuing, cooperative, and comprehensive transportation planning process mandated by 23 U.S.C. §134(c) (3) and 23 C.F.R. §450.312, resulting in the development of the 2012-2035 RTP/SCS; and

WHEREAS, pursuant to Government Code §65080(b)(2)(F) and federal public participation requirements, including 23 C.F.R. §450.316(b)(1)(iv), SCAG must prepare the RTP, including its SCS, by providing adequate public notice of public involvement activities and time for public review. In March 2007, SCAG approved and adopted a Public Participation Plan, to serve as a guide for SCAG's public involvement process. SCAG staff further enhanced the outreach program by incorporating the public participation requirements of SB 375 and adding strategies to better serve the underrepresented segments of the region. As a result of this process, the SCAG Regional Council adopted Amendments #2 and #3 to the Public Participation Plan on December 3, 2009 and January 5, 2012, respectively; and

WHEREAS, pursuant to Government Code §65080(b)(2)(F)(iii), during the summer 2011, SCAG held a series of Sustainable Communities Strategy public workshops throughout the region, with over 700 attendees, including residents, elected officials, representatives of public agencies, community organizations, and environmental, housing and business stakeholders; and

WHEREAS, in accordance with the interagency consultation requirements, 40 C.F.R. 93.105, SCAG consulted with the respective transportation and air quality planning agencies, including but not limited to, extensive discussion of the Draft Conformity Report before the Transportation Conformity Working Group (a forum for implementing the interagency consultation requirements) throughout the 2012-2035 RTP/SCS update process; and

WHEREAS, SCAG released the Draft 2012-2035 RTP/SCS and the associated Draft Amendment #11-24 to the 2011 FTIP and issued a Notice of Availability, for a 55-day public review and comment period that began on December 20, 2011 and ended on February 14, 2012; and

WHEREAS, the Draft Program Environmental Impact Report for the 2012-2035 RTP/SCS (PEIR), was released on December 30, 2011 for a 45-day public review and comment period ending on February 14, 2012; and

WHEREAS, as part of a "bottom up" planning process, SCAG followed the provisions of its adopted Public Participation Plan regarding public involvement activities for the Draft 2012-2035 RTP/SCS. Public outreach efforts included publication of the Draft 2012-2035 RTP/SCS on an interactive web site, distribution of public information materials, six duly-noticed public hearings, and twelve subregional workshops within the SCAG region to allow stakeholders, elected officials and the public to comment on the Draft 2012-2035 RTP/SCS and the Draft PEIR; and

WHEREAS, during the public review and comment period, SCAG received over 260 individual communications (over 1,800 separate comments) in total, regarding either the Draft 2012-2035 RTP/SCS or Draft PEIR, or both; and approximately 2 comments on the Draft Amendment 11-24 to the 2011 FTIP; and

WHEREAS, SCAG staff presented an overview of the comments received on the Draft PEIR, and a proposed approach to the responses, to the Policy Committees and Regional Council at a joint meeting on February 21, 2012; and

WHEREAS, SCAG staff further presented an overview of the comments received on the Draft 2012-2035 RTP/SCS, and a proposed approach to the responses, to the RTP Subcommittee on February 28, 2012 and to the Policy Committees and Regional Council at a joint meeting on March 1, 2012. Each of the comments, letters, and e-mails received was made available on the SCAG web page on March 1, 2012; and

WHEREAS, SCAG staff responses to each comment are provided in the Final 2012-2035 RTP/SCS, Public Participation and Consultation Appendix; and

WHEREAS, in accordance with the interagency consultation requirements, 40 C.F.R. 93.105, SCAG consulted with the respective transportation and air quality planning agencies, including but not limited to, extensive discussion of the Draft 2012-2035 RTP/SCS Conformity Report before the Transportation Conformity Working Group (a forum for implementing the interagency consultation requirements) throughout the update process; and

WHEREAS, the Final 2012-2035 RTP/SCS includes a financially constrained plan and a strategic plan. The constrained plan includes transportation projects that have committed, available or reasonably available revenue sources, and thus are probable for implementation. The strategic plan is an illustrative list of additional transportation investments that the region would pursue if additional funding and regional commitment were secured; and such investments are potential candidates for inclusion in the constrained RTP/SCS through future amendments or updates. The strategic plan is provided for information purposes only and is not part of the financially constrained and conforming Final 2012-2035 RTP/SCS; and

WHEREAS, the Final 2012-2035 RTP/SCS includes a financial plan identifying the revenues committed, available or reasonably available to support the SCAG region's surface transportation investments. The financial plan was developed following basic principles including incorporation of county and local financial planning documents in the region where available, and utilization of published data sources to evaluate historical trends and augment local forecasts as needed; and

WHEREAS, the Transportation Conformity Report contained in the Final 2012-2035 RTP/SCS makes a positive transportation conformity determination. Using the final motor vehicle emission budgets released by ARB and found to be adequate by the U.S. Environmental Protection Agency (EPA), this conformity determination is based upon staff's analysis of the applicable transportation conformity tests; and

WHEREAS, each project or project phase included in the FTIP must be consistent with the approved RTP, pursuant to 23 C.F.R. §450.324(g). Amendment #11-24 to the 2011 FTIP has been prepared to ensure consistency with the Final 2012-2035 RTP/SCS; and

WHEREAS, conformity of Amendment #11-24 to the FTIP has been determined simultaneously with the 2012 Final RTP/SCS in order to address the consistency requirement of federal law; and

WHEREAS, prior to the adoption of this resolution, the Regional Council certified the Final PEIR prepared for the 2012-2035 RTP/SCS to be in compliance with CEQA; and

WHEREAS, the Regional Council has had the opportunity to review the 2012 Final RTP/SCS and its related appendices as well as the staff report related to the 2012 Final RTP/SCS, and consideration of the 2012 Final RTP/SCS was made by the Regional Council as part of a public meeting held on April 5, 2012.

NOW, THEREFORE BE IT RESOLVED, by the Regional Council of the Southern California Association of Governments, as follows:

1. The Regional Council approves and adopts the Final 2012-2035 RTP/SCS for the purpose of complying with the requirements of SAFETEA-LU and all other applicable laws and regulations as referenced in the above recitals. In adopting this Final 2012-2035 RTP/SCS, the Regional Council finds as follows:

- a. The Final 2012-2035 RTP/SCS complies with all applicable federal and state requirements, including the SAFETEA-LU planning provisions. Specifically, the Final 2012-2035 RTP/SCS fully addresses the requirements relating to the development and content of metropolitan transportation plans as set forth in 23 C.F.R. §450.322 et seq., including issues relating to: transportation demand, operational and management strategies, safety and security, environmental mitigation, the need for a financially constrained plan, consultation and public participation, and transportation conformity; and

- b. The Final 2012-2035 RTP/SCS complies with the emission reduction targets established by the California Air Resources Board and meets the requirements of Senate Bill 375 (Steinberg, 2008) as codified in Government Code §65080(b) et seq. by achieving per capita GHG emission reductions relative to 2005 of 9% by 2020 and 16% by 2035; and
2. The Regional Council hereby makes a positive transportation conformity determination of the Final 2012-2035 RTP/SCS and Amendment #11-24 to the 2011 FTIP. In making this determination, the Regional Council finds as follows:
- a. The Final 2012-2035 RTP/SCS and Amendment #11-24 to the 2011 FTIP passes the four tests and analyses required for conformity, namely: regional emissions analysis; timely implementation of Transportation Control Measures; financial constraint analysis; and interagency consultation and public involvement; and
3. In approving the Final 2012-2035 RTP/SCS, the Regional Council also approves and adopts Amendment #11-24 to the 2011 FTIP, in compliance with the federal requirement of consistency with the RTP; and
4. In approving the Final 2012-2035 RTP/SCS, the Regional Council incorporates all of the foregoing recitals into this Resolution; and
5. SCAG's Executive Director or his designee is authorized to transmit the Final 2012-2035 RTP/SCS and its conformity findings to the FTA and the FHWA to make the final conformity determination in accordance with the Federal Clean Air Act and EPA Transportation Conformity Rule, 40 C.F.R. Parts 51 and 93.

APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting on the 4th day of April, 2012.

Pam O'Connor
President
Councilmember, City of Santa Monica

[Signatures on Following Page]

Attest:

Hasan Ikhata
Executive Director

Approved as to Form:

Joanna Africa
Chief Counsel

AGENDA ITEM NO. 2

**JOINT MEETING OF THE REGIONAL COUNCIL (RC);
 COMMUNITY, ECONOMIC & HUMAN DEVELOPMENT COMMITTEE (CEHD);
 ENERGY AND ENVIRONMENT COMMITTEE (EEC); AND THE
 TRANSPORTATION COMMITTEE (TC) OF THE
 SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
 MINUTES OF THE SPECIAL MEETING
 FEBRUARY 21, 2012**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS AND/OR DISCUSSIONS THAT OCCURRED AT THE SPECIAL MEETING. AN AUDIO RECORDING OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING/VIEWING AT www.scag.ca.gov/scagtv.

The RC, CEHD, EEC and TC held its Special Meeting at SCAG’s Los Angeles Office.

Regional Councilmembers Present

President Pam O’Connor	<i>City of Santa Monica</i>	District 41
2 nd Vice President Greg Pettis	<i>City of Cathedral City</i>	District 2
Imm. Past President Larry McCallon	<i>City of Highland</i>	District 7

CEHD Members Present

* Hon. Bill Jahn (Chair)	<i>City of Big Bear Lake</i>	District 11
* Hon. Paula Lantz (Vice Chair)	<i>City of Pomona</i>	District 38
Hon. Carol Chen	<i>City of Cerritos</i>	GCCOG
* Hon. Ginger Coleman	<i>Town of Apple Valley</i>	SANBAG
Hon. Laurie Ender	<i>City of Santa Clarita</i>	SFVCOG
* Hon. Margaret Finlay	<i>City of Duarte</i>	District 35
* Hon. James Gazeley	<i>City of Lomita</i>	District 39
* Hon. Jon Harrison	<i>City of Redlands</i>	District 6
* Hon. Steven Hofbauer	<i>City of Palmdale</i>	District 43
* Hon. Sukhee Kang	<i>City of Irvine</i>	District 14
* Hon. Darcy Kuenzi	<i>City of Meniffee</i>	District 63
* Hon. Joel Lautenschleger	<i>City of Laguna Hills</i>	District 13
* Hon. Ron Loveridge	<i>City of Riverside</i>	District 4
* Hon. Bryan A. MacDonald	<i>City of Oxnard</i>	District 45
* Hon. Kris Murray	<i>City of Anaheim</i>	District 19
* Hon. Ray Musser	<i>City of Upland</i>	SANBAG
* Hon. Ed P. Reyes	<i>City of Los Angeles</i>	District 48
Hon. Bob Ring	<i>City of Laguna Woods</i>	OCCOG
* Hon. Deborah Robertson	<i>City of Rialto</i>	District 8

EEC Members Present:

* Hon. Margaret Clark (Chair)	<i>City of Rosemead</i>	District 32
* Hon. Cheryl Viegas-Walker (Vice Chair)	<i>City of El Centro</i>	District 1
* Hon. Lisa Bartlett		TCA
Hon. Brian Brennan	<i>City of San Buenaventura</i>	VCCOG
Hon. Jordan Ehrenkranz	<i>City of Canyon Lake</i>	WRCOG

EEC Members Present: continued

Hon. Larry Forester	<i>City of Signal Hill</i>	GCCOG
* Hon. Keith Hanks	<i>City of Azusa</i>	District 33
* Hon. Jack Terrazas		Imperial County
Hon. Mark Waldman	<i>City of La Palma</i>	OCCOG

TC Members Present:

* Hon. Bruce Barrows	<i>City of Cerritos</i>	District 23
* Hon. Stan Carroll	<i>City of La Habra Heights</i>	District 31
Hon. Jeff Cooper	<i>City of Culver City</i>	WCCOG
* Hon. Mary Craton	<i>City of Canyon Lake</i>	RCTC
* Hon. Frank Gurulé	<i>City of Cudahy</i>	District 27
* Hon. Jim Hyatt	<i>City of Calimesa</i>	District 3
Hon. Trish Kelley	<i>City of Mission Viejo</i>	OCCOG
Hon. James C. Ledford	<i>City of Palmdale</i>	North L.A. County
* Hon. Michele Martinez	<i>City of Anaheim</i>	District 16
Hon. Marsha McLean	<i>City of Santa Clarita</i>	North L.A. County
* Hon. Barbara Messina	<i>City of Alhambra</i>	District 34
* Hon. Leroy Mills	<i>City of Cypress</i>	District 18
* Hon. Brett Murdock	<i>City of Brea</i>	District 22
* Hon. Gary Ovitt		San Bernardino County
* Hon. Frank Quintero	<i>City of Glendale</i>	District 42
* Hon. Ron Roberts	<i>City of Temecula</i>	District 5
* Hon. Mark Rutherford	<i>City of Westlake Village</i>	District 44
Hon. David A. Spence	<i>City of La Cañada/Flintridge</i>	SGVCOG
Hon. Karen Spiegel	<i>City of Corona</i>	WRCOG
Hon. Tim Spohn	<i>City of Industry</i>	SGVCOG
* Hon. Jeff Stone	<i>City of Temecula</i>	Riverside County
Hon. Jess Talamantes	<i>City of Burbank</i>	SFVCOG
* Hon. Donald Voss	<i>City of La Cañada/Flintridge</i>	District 36
Hon. Alan Wapner	<i>City of Ontario</i>	SANBAG
* Regional Council Member		

Staff Present

Hasan Ikhata, Executive Director
 Joann Africa, Chief Counsel
 Wayne Moore, Chief Financial Officer
 Debbie Dillon, Deputy Executive Director, Administration
 Sharon Neely, Deputy Executive Director, Strategy, Policy & Public Affairs
 Douglas Williford, Deputy Executive Director, Planning and Programs
 Huasha Liu, Director of Land Use & Environmental Planning
 Rich Macias, Director of Transportation Planning
 Sylvia Patsouras, Interim Director of Regional Services and Public Affairs
 Deby Salcido, Officer to the Regional Council
 Tess Rey-Chaput, Office of Regional Council Support

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Pam O'Connor, Santa Monica, District 41, called the meeting to order at 12:01 p.m. Ms. Fran Inman, California Transportation Commission Member, led the Pledge of Allegiance.

PUBLIC COMMENT

President Pam O'Connor opened the Public Comment Period for items not listed on the agenda. No public comment was received.

DISCUSSION ITEM

Overview of 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Program Environmental Impact Report (PEIR) Comments and Revision Approach

Hasan Ikhata, Executive Director, informed the members that SCAG released the Draft PEIR on December 30, 2011 for a 45-day Public Review and Comment Period that closed on February 14, 2012. He noted that over a thousand comments were received on the RTP and PEIR and that these comments will be posted on the SCAG RTP/SCS website for viewing. Mr. Ikhata provided a presentation on the basics of the PEIR; its mitigation strategies; the original approach and rationale; clarifications requested; the revision approach to the proposed Final PEIR; the introductory language for the appendix of example measures; and the benefits of the proposed approach. Mr. Ikhata further stated that SCAG is required by California Environmental Quality Act (CEQA) to record and respond to each individual issue raised in the comments, and based upon these comments will make appropriate adjustments in the Final PEIR. He reiterated that in order to adopt the RTP/SCS, an EIR must be certified first. Mr. Ikhata stated that the PEIR provides a thorough and detailed body of example mitigation measures and noted that SCAG has no authority or desire to require local agencies to implement project-specific mitigation measures. In closing, Mr. Ikhata thanked the members and business and government partners for their collaboration in this process.

President O'Connor asked for public comments from each of the SCAG satellite offices. There was no public comment received. However, the following Regional and Policy Committee members participated via video-conference at the: San Bernardino County–Hesperia office: Councilmember Ginger Coleman, Town of Apple Valley, District 65; Orange County office: Councilmember Sukhee Kang, Irvine, District 14; Palmdale: Councilmember Jim Ledford, Palmdale, District 43; Riverside County: Councilmember Jim Hyatt, Calimesa District 3; Councilmember Mary Craton, Canyon Lake, RCTC; Councilmember Jordan Ehrenkranz, WRCOG; Councilmember Ron Roberts, Temecula, District 5; and Councilmember Jeff Stone, Riverside County; San Bernardino office: Councilmember Bill Jahn, Big Bear Lake, District 11; Councilmember Alan Wapner, Ontario; Supervisor Gary Ovitt, San Bernardino County; and Councilmember Deborah Robertson, Rialto, District 8; Ventura County: Councilmember Bryan MacDonald; Oxnard, District 45; Councilmember Brian Brennan, Ventura, VCCOG; and Imperial office: Councilmember Cheryl Viegas-Walker, El Centro, District 1.

Councilmember Mark Rutherford, Westlake Village, District 44, requested an example of a SCAG mitigation measure and clarification of requirement. Joann Africa, Chief Counsel, responded and cited as an example of a SCAG mitigation measure which she noted the EEC approved and asked to be included as part of the RTP PEIR related to the impacts upon biological resources. Ms. Africa stated in this particular measure, SCAG shall develop a conservation strategy in coordination with local jurisdictions and agencies including California Transportation Commissions (CTCs) to determine priority conservation areas and develop regional mitigation policies.

Hasan Ikhata, Executive Director, stated that SCAG is required to meet air quality standards, environmental justice requirements and implement policy direction from the Policy Committees and the Regional Council. Mr. Ikhata noted that for a particular impact that is determined to be significant, SCAG, as the lead agency, has to define measures to mitigate the impact.

President O'Connor announced that there are fifteen (15) Public Comment Speakers and that each speaker will be limited to ninety (90) seconds to comment.

Harvey Liss, a resident of Irvine, commented that one of the most important contributors to air pollution is the lack of traffic signal synchronization outside of rush hours to improve traffic flow. Mr. Liss cited the City of Irvine as an example and how it benefited from the implementation of traffic signal synchronization only during the rush hour period and its stark contrast with other cities' traffic signal timing.

Reina Fukuda, East Los Angeles Community Corporation, commented that residents in Boyle Heights and East L.A. make up the core transit ridership in the East Los Angeles region and will maintain increased ridership if the RTP ensures that gentrification and displacement are captured in the environmental justice analysis; requested increased funding for the Compass Blueprint Program to back-up anti-displacement in Transit Oriented Development (TOD) areas; stated support for public health as part of the Goods Movement in the RTP; and requested removal of the East-West Freight Corridor in the Plan.

Patricia Ochoa, Environment and Health Coordinator, Physicians for Social Responsibility – Los Angeles, thanked SCAG for its work on the RTP/SCS and for including Active Transportation in the Plan; suggested to consider the quality of life and health effects in the community for its transportation projects; and asked for the removal of the planned East-West Freight Corridor in the RTP.

Alexis Lantz, Planning and Policy Director, Los Angeles County Bicycle Coalition, commented regarding the RTP's investment for Active Transportation and the availability of its funding until after 2026 while there is an immediate need to address its effects on public health in the region and suggested investment in the transit system to ensure injury reduction is achieved.

Rye Baerg, Southern California Regional Policy Manager, Safe Routes to School, thanked SCAG for its work on the RTP; echoed Ms. Lantz's comments on Active Transportation funding; recommended efficient funding and planning for these modes of transportation by creating a regional streets plan, Safe Routes to School Plan, and Active Transportation funding plan to target areas that will need aid the most.

Pauline Chow, Southern California Regional Policy Manager, Safe Routes to School National Partnership, urged SCAG to continue to support Active Transportation while enhancing safety and increased connectivity of public transportation.

Jerard Wright, Sierra Club Angeles Chapter, Transportation Committee Co-Chair, complimented SCAG on the RTP and the Compass Blueprint Program funding; commented on the expansion of transportation funding, pedestrian connectivity, and Active Transportation; and stated support of Goods Movement.

Deny Zane, Executive Director, Move LA, announced that a new organization, Move SoCal, is forthcoming and commented regarding the success of the Metrolink System in the San Bernardino line with enhanced express service and investment in high-speed rail system.

Andrew Henderson, Vice President & General Counsel, Building Industry Association of Southern California (BIASC), thanked SCAG staff for the development of the Draft 2012 RTP/SCS and Draft PEIR; was pleased to see the proposed changes to be incorporated on the Draft PEIR; and commented on the concerns and policy implications of the Traffic Analysis Zones (TAZ) maps.

Richard Lambros, Managing Director, Southern California Leadership Council (SCLC), appreciated SCAG staff for its efforts and response to comments regarding honoring local control in the Draft PEIR.

John Longville, Board of Trustees, San Bernardino Community College District, shared his perspective as former SCAG President (1992-1993); stated appreciation of what SCAG has achieved to date; and encouraged SCAG to continue to be bold and visionary.

Joyce Green, President, Associated Student Government of San Bernardino Valley College, commented regarding the benefits the region will obtain from the RTP; requested to increase transit-bicycle-pedestrian improvement; and urged to find local funding mechanism and investment to allow all students to have access to education.

Ezequiel Gutierrez, Attorney-at-Law, commented regarding affordable housing needs tailoring a “jobs-housing fit” balance as a mitigation strategy while analyzing industrial needs that will shape residential development.

Luis Cabrales, Coalition for Clean Air, thanked SCAG staff for its efforts in the development of the RTP; however, expressed concerns on the lack of emphasis of short-term projects in the Constrained Plan to achieve clean air technology goals to obtain a zero- or near zero-emissions Goods Movement system; expressed concerns on the growth of the Panama Canal and the potential impacts it could have in the region; and urged SCAG to work with regional, state and national agencies to fund projects.

Marnie Primmer, Executive Director, Mobility 21, thanked SCAG staff for its efforts in the development of the RTP; commented that the RTP is a compilation of voter-approved sales tax measures and programs that are in place and that SCAG needs to uphold and deliver those plans approved by the voters. Ms. Primmer stated that any changes to the Plan should be brought back to the voters in their respective counties.

President Pam O'Connor closed the Public Comment period.

Councilmember Frank Quintero, Glendale, District 42, echoed some of the comments made in regard to Active Transportation funding in the RTP and suggested that funding be distributed evenly across the 25-year plan and noted that the City of Glendale wrote a letter to SCAG to this effect. Hasan Ikhata, Executive Director, clarified that 65% of the funding in the RTP has been dedicated to transit and is also committed to maintain the existing system. Therefore, Mr. Ikhata stated that 1% of Active Transportation funding is actually higher when taken into account the maintenance and operation for the Plan. In regard to the growth forecast and TAZ maps comments, Mr. Ikhata emphasized that the RTP does meet State and Federal requirements.

Councilmember Marsha McLean, City of Santa Clarita, North Los Angeles County, asked how detailed are the responses to the comments will be? Mr. Ikhata responded that every comment received will be read and categorized based on the topic; staff will respond to each of these comments as appropriate; and these comments will be available on the SCAG RTP/SCS website prior to the Joint Policy Committees' Special Meeting on March 21, 2012.

Councilmember Trish Kelley, Mission Viejo, OCCOG, appreciated the quick and comprehensive response to the concerns outlined in the letter submitted by the City of Mission Viejo and the San Joaquin Hills Transportation Corridor Agencies (TCA) and acknowledged the challenges faced in developing the RTP in meeting SB 375 requirements and the incorporation of a new element in the Plan, the Sustainable Communities Strategy.

Councilmember Don Voss, La Cañada/Flintridge, District 36, expressed concerns that the RTP continues to refer to one particular project—the SR-710 Tunnel—that is inconsistent with the present information. Councilmember Voss stated that Metro is pursuing a solution to address congestion and pollution problems in the northern terminus of the 710 Freeway and is evaluating a wide variety of solutions which presupposes the conclusion that Metro has not yet reached. Councilmember Voss emphasized that while it is appropriate to include a solution to the problem, it is inappropriate to presuppose a conclusion. Mr. Ikhata responded that for modeling purposes, there is a need to specify whether a particular project is for a highway capacity, toll facility, or a bus route; and noted that the Plan is a reflection of the regional priorities.

The following Regional Council members, participating via video-conference, expressed appreciation and thanked SCAG staff for a comprehensive report and work in the development of the Draft 2012 RTP/SCS; appreciated all public comments made and the approaches and responses to these comments; and the commitment to credibility and transparency in the entire process: Regional Councilmembers Ginger Coleman, Sukhee Kang, Deborah Robertson, and Cheryl Viegas-Walker.

Councilmember Mary Craton, Canyon Lake, RCTC, thanked SCAG staff for addressing concerns and echoed the public comment made earlier regarding voter-approved sales tax measures and programs.

Councilmember Jim Hyatt, Calimesa, District 3, commented that school bus transportation has ceased in Calimesa and has resulted in an increased number of trips a day to and from school and asked if the RTP could address this problem. Mr. Ikhata responded that although the RTP does

not address school bus transportation issues because it is not within the purview of the RTP, the Regional Council could discuss and address safe routes to school.

Councilmember Mark Rutherford, Westlake Village, District 44, commented that because of the current California law, there had been an increased number of sixteen-year old licensed drivers driving to schools individually, which also poses safety issues.

Councilmember Alan Wapner, Ontario, SANBAG, commented that SCAG has included all projects submitted by the CTCs; however, the RTP cannot include everything and will need to make certain that projects meet environmental conformity. Councilmember Wapner reiterated that an RTP Subcommittee meeting is scheduled for February 28, 2012 to receive all comments and seek policy direction for a recommendation to the Regional Council for the Joint Special Meeting scheduled for March 21, 2012.

Councilmember Barbara Messina, Alhambra, District 34, commented on the Active Transportation funding concerns and shared information that a number of cities have their own Bicycle Master Plan and are doing their part in the community in providing Active Transportation.

Councilmember Larry McCallon, Highland, District 7, echoed Councilmember Messina's comments regarding Active Transportation funding in the RTP; cited an example of the City of Highland's active installation of bike lanes in the city; commented regarding a collaborative and bottoms-up approach in the development of the RTP/SCS; and thanked Hasan Ikhata for his leadership and commitment.

Councilmember Steven Hofbauer, Palmdale, District 43, expressed concerns and recommended including a supplemental report update on the Aviation and Airport Ground Access section of the RTP regarding the reinforcement of a high-speed rail alignment through the Antelope Valley route and not the Grapevine. Hasan Ikhata responded and noted that the CHSRA took action to this effect.

Councilmember Ed P. Reyes, Los Angeles, District 48, thanked Hasan Ikhata and SCAG staff for their efforts in the development of the Draft 2012 RTP/SCS while considering a delicate balance of priorities of the various stakeholders and interest groups. Councilmember Reyes asked if there is a way to address all the specific comments made while understanding the dense pockets of the region—poverty-stricken pockets vs. pockets of opportunities—and how this will change the future. Mr. Ikhata responded that the TAZ maps analysis are aggregated to the region and that the RTP responds to the rules and regulations and policy direction received from the Regional Council.

Councilmember Michele Martinez, Santa Ana, District 16, echoed Hasan Ikhata's response that the policies set forth by the Regional Council for the RTP are very important to the environment and communities and are in the best interest of the region; and provided support for Active Transportation.

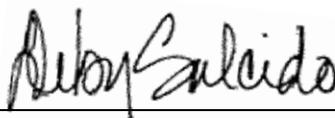
Councilmember Kris Murray, Anaheim, District 19, commented regarding a collaborative approach in the development of the subregional SCS; thanked SCAG staff, Hasan Ikhata, and the Regional Councilmembers; and announced the City of Anaheim's recent adoption of the Orange County-based Bike Nation, a program for the operation of bicycle sharing systems.

Hasan Ikhata, Executive Director, announced that the California Air Resources Board will hold a public workshop on SCAG's Draft Sustainable Communities Strategy immediately after the meeting.

President Pam O'Connor announced that a Joint Regional Council and Policy Committees meeting is scheduled for March 1, 2012, with a focus on the Draft 2012-2035 RTP/SCS and PEIR Comments and Revision Approach. Hasan Ikhata also announced that a Special Joint Meeting of the Policy Committees is scheduled for March 21, 2012. At this meeting, Mr. Ikhata stated that the Policy Committees will recommend that the Regional Council certify the Final RTP/SCS PEIR and adopt the Final RTP/SCS at the April 4, 2012 Regional Council meeting. Due to the voluminous material on the comments and responses, Mr. Ikhata informed that a SCAG weblink will be emailed to the members and materials will also be posted on the SCAG website on March 15, 2012. He also announced that hard-copies will be available, if requested.

ADJOURNMENT

There being no further business, the Special Meeting of the Joint Regional Council and Policy Committees adjourned at 1:28 p.m.



Deby Salcido, Officer to the Regional Council

**JOINT MEETING OF THE REGIONAL COUNCIL (RC);
 COMMUNITY, ECONOMIC & HUMAN DEVELOPMENT (CEHD) COMMITTEE; ENERGY
 AND ENVIRONMENT COMMITTEE (EEC); AND THE TRANSPORTATION COMMITTEE (TC)
 OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
 MINUTES OF THE SPECIAL MEETING
 MARCH 1, 2012**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS AND/OR DISCUSSIONS THAT OCCURRED AT THE SPECIAL MEETING. AN AUDIO RECORDING OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING/VIEWING AT www.scag.ca.gov/scagtv.

The RC, CEHD, EEC and TC held its Special Meeting at SCAG’s Los Angeles Office.

CEHD Members Present

Representing

Chair*	1. Hon. Bill Jahn	Big Bear Lake	District 11
Vice Chair*	2. Hon. Paula Lantz	Pomona	District 38
	3. Hon. Carol Chen	Cerritos	Gateway Cities
	* 4. Hon. Ginger Coleman	Apple Valley	District 65
	* 5. Hon. Margaret Finlay	Duarte	District 35
	6. Hon. Ron Garcia	Brea	OCCOG
	* 7. Hon. James Gazeley	Lomita	District 39
	* 8. Hon. Jon Harrison	Redlands	District 6
	* 9. Hon. Steven Hofbauer	Palmdale	District 43
	10. Hon. Elaine Holmes	Indio	CVAG
	* 11. Hon. Bill Jahn	Big Bear Lake	District 11
	* 12. Hon. Joel Lautenschleger	Laguna Hills	District 13
	* 13. Hon. Ronald Loveridge	Riverside	District 4
	14. Hon. Charles Martin		Morongo Band of Mission Indians
	15. Hon. Kathryn McCullough	Lake Forest	OCCOG
	* 16. Hon. Carl Morehouse	Ventura	District 47
	17. Hon. Gene Murabito	Glendora	SGVCOG
	* 18. Hon. John Nielsen	Tustin	District 17
	19. Hon. Laura Olhasso	La Cañada/Flintridge	Arroyo Verdugo Cities
	* 20. Hon. Ed P. Reyes	Los Angeles	District 48
	21. Hon. Bob Ring	Laguna Woods	OCCOG
	* 22. Hon. Deborah Robertson	Rialto	District 8
	23. Hon. Gino Sund	Altadena	SGVCOG

TC Members Present:

Representing

Vice Chair	* 1. Hon. Keith Millhouse	Moorpark	VCTC
	* 2. Hon. Jerry Amante	Tustin	OCTA
	* 3. Hon. Michael Antonovich		Los Angeles County
	* 4. Hon. Bruce Barrows	Cerritos	District 23
	* 5. Hon. Glen Becerra	Simi Valley	District 46
	6. Hon. Russell Betts	Desert Hot Springs	CVAG
	* 7. Hon. Stan Carroll	La Habra Heights	District 31
	* 8. Hon. Mary Craton	Canyon Lake	RCTC
	* 9. Hon. Gene Daniels	Paramount	District 24
	* 10. Hon. Judy Dunlap	Inglewood	District 28
	* 11. Hon. Paul Eaton	Montclair	District 9
	12. Hon. Mario Guerra	Downey	GCCOG
	* 13. Hon. Frank Gurulé	Cudahy	District 27
	14. Hon. Bert Hack	Laguna Woods	OCCOG
	* 15. Hon. Matthew Harper	Huntington Beach	District 64
	* 16. Hon. Carol Herrera	Diamond Bar	District 37
	* 17. Hon. Jim Hyatt	Calimesa	District 3
	* 18. Hon. Michele Martinez	Santa Ana	District 16
	19. Hon. Ryan McEachron	Victorville	SANBAG
	20. Hon. Marsha McLean	Santa Clarita	North L. A. County
	* 21. Hon. Barbara Messina	Alhambra	District 34
	* 22. Hon. Leroy Mills	Cypress	District 18
	* 23. Hon. Brad Mitzelfelt		SANBAG
	* 24. Hon. Brett Murdock	Brea	District 22
	* 25. Hon. Steven Neal	Long Beach	District 29
	* 26. Hon. Shawn Nelson		Orange County
	* 27. Hon. Pam O'Connor	Santa Monica	District 41
	* 28. Hon. Gary Ovitt		San Bernardino County
	* 29. Hon. Gregory Pettis	Cathedral City	District 2
	* 30. Hon. Frank Quintero	Glendale	District 42
	* 31. Hon. Sharon Quirk-Silva	Fullerton	District 21
	* 32. Hon. Ronald Roberts	Temecula	District 5
	33. Hon. David Spence	La Cañada/Flintridge	Arroyo-Verdugo Cities
	34. Hon. Karen Spiegel	Corona	WRCOG
	35. Hon. Tim Spohn	City of Industry	SGVCOG
	* 36. Hon. Jeff Stone	Riverside County	Riverside County
	37. Hon. Jess Talamantes	Burbank	SFVCOG
	* 38. Hon. Donald Voss	La Cañada/Flintridge	District 36
	* 39. Hon. Alan Wapner	Ontario	SANBAG

EEC Members Present:

Representing

Chair*	1. Hon. Margaret Clark	Rosemead	District 32
Vice-Chair*	2. Hon. Cheryl Viegas-Walker	El Centro	District 1
	* 3. Hon. Lisa Bartlett	Dana Point	OCCOG
	4. Hon. Jordan Ehrenkranz	Canyon Lake	WRCOG
	5. Hon. Larry Forester	Signal Hill	Gateway Cities
	* 6. Hon. Keith Hanks	Azusa	District 33
	* 7. Hon. James Johnson	Long Beach	District 30
	* 8. Hon. Judy Mitchell	Rolling Hills Estates	District 40
	* 9. Hon. Lupe Ramos Watson	Indio	District 66
	* 10. Hon. Jack Terrazas		Imperial County
	* 11. Hon. Dennis Zine	Los Angeles	District 50

* Regional Council Member

Staff Present

Hasan Ikhata, Executive Director
 Joann Africa, Chief Counsel
 Wayne Moore, Chief Financial Officer
 Debbie Dillon, Deputy Executive Director, Administration
 Sharon Neely, Deputy Executive Director, Strategy, Policy & Public Affairs
 Douglas Williford, Deputy Executive Director, Planning and Programs
 Huasha Liu, Director of Land Use & Environmental Planning
 Rich Macias, Director of Transportation Planning
 Sylvia Patsaouras, Interim Director of Regional Services and Public Affairs
 Deby Salcido, Officer to the Regional Council
 Tess Rey-Chaput, Office of Regional Council Support

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Pam O’Connor, Santa Monica, District 41, called the meeting to order at 10:30 a.m. and Councilmember Alan Wapner, Ontario, SANBAG, led the Pledge of Allegiance.

DISCUSSION ITEM

Overview of the Draft 2012-2035 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) and Program Environmental Impact Report (PEIR) Comments and Revision Approach

RTP Subcommittee Chair Alan Wapner, SANBAG, commented that SCAG staff is in the process of reviewing the public comments received on the RTP/SCS and PEIR and announced that an RTP Subcommittee meeting is scheduled for March 16, 2012 to provide final recommendations to the Transportation Committee who will then provide recommendations to the Regional Council and Policy Committees meeting scheduled for March 21, 2012, that the

Regional Council adopt the RTP/SCS at the April 4, 2012 meeting. Chair Wapner provided an update on the following RTP Subcommittee meeting discussions and recommendations: 1) include a rail component with the High Desert Corridor in the Constrained Plan; 2) include the Bike/Ped/Neighborhood Electric Vehicle Path in Coachella Valley in the Constrained Plan; 3) forward a recommendation to include the full segment of the California-Nevada Plan in the Strategic Plan; 4) recommend to formally support the California High-Speed Rail Authority's (CHSRA) decision on the elimination of the Grapevine alignment as part of the High-Speed Rail; 5) include the SR 241-Toll Road Extension in the Constrained Plan; 6) discussed safeguarding future revenues in the Final RTP; 7) SCS discussion on the growth forecast and consistency of the TAZ maps; 8) received briefing from the Chief Counsel regarding the Ninth Circuit Court of Appeals decision on Vehicle Miles Traveled (VMT) reductions through Transportation Control Measures (TCM) and its potential impacts; and 9) received overview of the public comments to the Draft RTP/SCS.

President Pam O'Connor thanked RTP Subcommittee Chair Wapner for his exceptional leadership and the RTP Subcommittee members' dedication.

Hasan Ikhata, Executive Director, announced that at the upcoming April 4, 2012 meeting, the Regional Council is scheduled to certify the PEIR and adopt the 2012-2035 RTP/SCS. Mr. Ikhata announced that over 1,600 public comments have been received and read with the majority of these comments being positive. Mr. Ikhata clarified that all comments will be grouped and categorized based on the topic/issue and these comments will receive a response. Mr. Ikhata discussed the RTP's revenue sources; collaboration with federal agencies and other Metropolitan Planning Organizations (MPO); the critical need of a Goods Movement System; Active Transportation for healthy communities; recommendation of a Plan with SCS; Environmental Justice, etc..., and emphasized the bottoms-up approach utilized in the development of the RTP/SCS.

President Pam O'Connor thanked Mr. Ikhata and announced that responses to the RTP/SCS and PEIR public comments will be available on the SCAG website on March 19, 2012 and announced that a Special Joint Meeting of the Policy Committees is scheduled for March 21, 2012 and participation by video-conference will be available at the satellite offices.

Mr. Ikhata announced that a California Air Resources Board (ARB) meeting to discuss the SCS is scheduled for March 22, 2012. In regard to the CHSRA Memorandum of Understanding (MOU), Mr. Ikhata reported that the CHSRA will review the revised Business Plan prior to taking action in April 2012.

To follow-up on Hasan Ikhata's comment, Councilmember Keith Millhouse, Moorpark, VCTC, reiterated that the CHSRA MOU has been approved by all agencies, with the exception of Orange County Transportation Agency, and that the CHSRA will take action in April 2012 to allow review of the revised Business Plan. Mr. Ikhata stated that the CHSRA has until June 2012 to take action and is in support of the MOU.

PUBLIC COMMENT PERIOD

President Pam O'Connor opened the Public Comment Period and announced that each of the ten (10) public comment speakers will be allowed to speak for ninety (90) seconds.

Robert Vinetz, MD, FAAP, Program Director, Queenscare Family Clinics and Co-Chair of the Asthma Coalition of Los Angeles County (ALAC), thanked SCAG for its work in the SCS and commented regarding direct impacts on children's health in planning for the environment and communities and strongly urged to consider the health aspects in the RTP/SCS.

Bonnie Holmes-Gen, Senior Policy Director, American Lung Association of California (ALAC), thanked SCAG for its work in the development of the RTP/SCS while considering public health, Transit- Oriented Development (TOD), investment in Active Transportation; and noted a letter that was submitted to SCAG with ALAC's recommendations along with support letters.

Terry Roberts, Area Director-Riverside/San Bernardino, American Lung Association of California (ALAC), thanked SCAG for its efforts in the SCS and major emphasis on public health; urged to increase investments in Active Transportation; zero-emissions freight technology; and coordination with public health experts to expand health equity in the SCS.

Karen Jakpor, MD, MPH, Physician Volunteer, American Lung Association of California (ALAC), shared her perspective as a patient suffering with asthma; how public health impacts the RTP/SCS in communities; urged reduction of vehicle trips; and increased investment in zero-emission freight transportation.

Denny Zane, Executive Director, Move LA, commented on funding enhancements of the Metrolink and Goods Movement Systems which are vital to interconnectivity and economy of the region and to address its funding strategy in the RTP/SCS at the March 21, 2012 meeting which is consistent with legal practices and policies of the Regional Council.

Jerard Wright, Angeles Chapter Transportation Committee Co-Chair, echoed Mr. Zane's comments on transportation investments and land use component and emphasized the importance of adequate funding.

Pauline Chow, Esq., Southern California Regional Policy Manager, Safe Routes to School National Partnership, thanked SCAG on its efforts in the development of the RTP/SCS and commented regarding Active Transportation support and funding; the need for policy and SCAG leadership for the creation of a regional transportation finance strategy committee, Complete Streets and Safe Routes to School Strategy.

Martha Cortez, Health Policy Director, Alliance for a Better Community (ABC), thanked SCAG for its efforts in the development of the RTP/SCS and urged to prioritize safety, health and equity of Active Transportation.

Rachel Morris, Executive Director, VCCool, and Ventura Bicycle Union Representative, stated that 1,318 signatures have been obtained for additional funding for Active Transportation as this has an overall effect in the region.

Ezequiel Gutierrez, Esq., thanked SCAG for its efforts in the development of the RTP/SCS and suggested ongoing monitoring of meeting the GHG targets with an effort to create TOD villages while achieving meaningful emissions reductions.

John Longville, Board of Trustees, San Bernardino Community College District and former SCAG President (1992-1993), complimented on the development of the Draft 2012 RTP/SCS and encouraged increased funding for Metrolink and Goods Movement.

Lee Dolley, Manhattan Beach resident, stated support for the northern completion of the 710 Fwy along with the supporters from the City of Alhambra and stated that the voters approved Measure R for funding of much-needed projects. Speaking specifically on the 710 Fwy project, Mr. Dolley stated Metro and Caltrans have implemented an environmental review process and is looking forward to the completion of the project.

Richard Lambros, Managing Director, Southern California Leadership Council, complimented SCAG for its work in the development of the RTP/SCS, specifically responses to the comments on the PEIR and RTP/SCS; appreciated the significant and important changes that were proposed specifically the local control and economic benefits aspects of the Plan; and requested to consider Phase 2 of the economic recovery strategy as a companion measure of the RTP/SCS.

Andrew Henderson, Vice President & General Counsel, Building Industry Association of Southern California (BIASC), echoed the comments made on SCAG's efforts in the development of the RTP/SCS and the proposed approaches on the PEIR and RTP/SCS. However, Mr. Henderson expressed concerns on the TAZ maps and the need to make certain that the proposed approaches will be reflected in the Final RTP/SCS.

President Pam O'Connor closed the Public Comment Period.

Hasan Ikhata, Executive Director, provided information on the status of the lawsuit against SANDAG regarding its RTP, and announced that a meeting was held on February 9, 2012 with the Executive Directors of the MPOs to discuss the issues and possible consideration to provide support to file an amicus brief for SANDAG. In regard to the growth forecasts and TAZ maps, Mr. Ikhata reiterated that changes will not be made although SCAG will work closely with the cities, counties and agencies.

Councilmember James Johnson, Long Beach, District 30, commented regarding the importance of Goods Movement and the critical need to achieve zero-emission to improve public health and business growth. To attain this on a smaller scale, particularly the four-miles from the Ports of Long Beach and Los Angeles to the existing rail facility, Councilmember Johnson suggested the use of existing technology (e.g. electric catenary system) and a series of near-term improvements in the most impacted parts of the region from Goods Movement, as it would be fiscally-prudent in completing this on a smaller scale prior to implementing a 30- or 60-mile system from the 710

and 60 Fwys. Councilmember Johnson suggested an amendment to the RTP/SCS to include a four-mile zero-emission system in the near-term using existing technology that could be a regional and national model. Hasan Ikhata, Executive Director, stated that SCAG staff is working on the language for the RTP with SCAQMD to include in the Plan.

Councilmember Carl Morehouse, Ventura, District 47, commented on the concerns expressed regarding Active Transportation and asked for elaboration on what is required to request additional funding and how this issue relates to the Plan four years forward. Hasan Ikhata, Executive Director, responded that there is a lot of discussion at the state level for existing funding sources for Active Transportation and that there will be a continued effort to identify investments and needs at local levels.

Councilmember Karen Spiegel, Corona, WRCOG, stated that local and county Active Transportation is not included in the Plan and does not reflect the 1.3% funding. Councilmember Spiegel further stated that programs, such as Safe Routes to School, has benefitted cities and that the amount of funding should be identified and addressed in the Plan. Hasan Ikhata, Executive Director, concurred and stated that there is actually more funding identified than that of 1.3%. He stated that SCAG is working with the six (6) County Transportation Commissions (CTCs) and has also initiated a joint study with Metro regarding the “first and last mile” strategy where Active Transportation is an important element.

Councilmember Judy Mitchell, Rolling Hills Estates, District 40, echoed comments made by Councilmember Johnson regarding Goods Movement; the need to have a clean freight movement; and the inclusion of a language in the RTP regarding near-term projects. Councilmember Mitchell stated that the logistics industry affects the air quality across the basin and emphasized the importance of clean Goods Movement in the region and impacts in the economy and how this relates to unmet air quality standards that affect the funding that will be received from the Federal government.

Supervisor Jeff Stone, Riverside County, thanked SCAG for its efforts in the development of the RTP/SCS; noted that Riverside County has the worst air quality standards; noted the need for clean transportation as emphasized in the public comments; and asked for a stronger language in the RTP that emphasizes the need to transition to cleaner technology and rail. Hasan Ikhata, Executive Director, responded that impacts at the Port of Los Angeles equally affect all the counties in the region; that the language in the RTP on this matter will prompt action with the AQMD and other entities; and stated the need for the Federal government’s leadership in setting policies.

First Vice-President Glen Becerra, Simi Valley, District 46, stated support for and echoed comments made regarding Active Transportation. In planning for the next four years, First-Vice President Becerra suggested a concerted effort to engage local communities with a stronger focus on Active Transportation while creating a thoughtful and balanced approach. In regard to Goods Movement, First-Vice President Becerra stated that this is important as it allows funding for projects in the Plan. He stated his full support for the need of a robust economic plan to complement the RTP/SCS and suggested exploring non-state solutions on the growth of the region and California as a whole.

Councilmember Russell Betts, Desert Hot Springs, CVAG, commented on the improvement of air quality since his childhood; the efforts of zero-emissions Goods Movement; and suggested contacting industries that are affected to support a cooperative effort.

Councilmember Marsha Mclean, Santa Clarita, North L.A. County, commented on funding issues; however, stated that it does not preclude including a strong language in the RTP specifically stating the need for scheduling enhancements for Metrolink areas. Councilmember McLean stated that an increase in ridership was noticeable due to the recent high gas prices and suggested that schedules be amenable to riders to encourage use of public transportation. Hasan Ikhata, Executive Director, responded that the Metrolink system is funded by the CTCs and although funding is limited, there is a need to explore other funding sources for Metrolink while improving and increasing its services.

Councilmember Keith Millhouse, Moorpark, VCTC, as a member of the Metrolink Board, stated that Metrolink recognizes the scheduling needs although there are funding and capacity limitations that exist. He stated that these issues are being examined and schedules are reviewed and adjusted to meet demands and that the Board will continue to address these concerns. Moreover, Councilmember Millhouse stated that he appreciated and is encouraged to see that a representative from Ventura County has obtained 1,300 signatures for increased Active Transportation funding, thus, citing Ventura County as an example of—and is the only large county in the state—without a sales tax to support highway improvements and transportation services. Councilmember Millhouse stated that to be completely reliant upon State and Federal government funding to satisfy transportation needs is challenging. Lastly, Councilmember Millhouse thanked SCAG staff for its efforts in the development of the RTP/SCS.

Councilmember Jerry Amante, Tustin, OCTA, echoed Councilmember Betts' and First Vice-President Becerra's comments recommending the need to explore alternative funding sources due to the limited funding that is received from the state in the wake of facing financial challenges. Councilmember Amante stated that the loss of jobs and businesses that left the state is attributed to stringent regulations by a bankrupt government at the regional and state levels.

Councilmember Bert Hack, Laguna Woods, OCCOG, commented regarding Active Transportation; shared his perspective on the issues and concerns raised; the limited funding that is available; advised that continued dialogue is important to address problems in the region; and stated support for the 2012 Draft RTP/SCS.

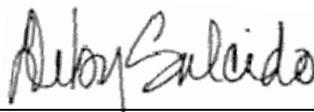
Councilmember Ed P. Reyes, Los Angeles, District 48, shared his perspective in understanding and identifying the strengths of the region while considering the extraordinary levels of poverty and challenges with transit-dependency in certain pockets of the region. Councilmember Reyes asked if there are future strategies that could address this issue in the RTP. Hasan Ikhata, Executive Director, responded that SCAG is required by law to address this issue in the RTP.

President Pam O'Connor announced that the public comments on the RTP/SCS and PEIR are posted on the SCAG website and the responses to these comments will also be posted on March 19, 2012. President O'Connor reiterated that a Special Joint Meeting of the Policy Committees

will be held on Wednesday, March 21, 2012, at 12:00 p.m., at the SCAG Los Angeles office. At the March 21, 2012 meeting, President O'Connor noted that the Policy Committees will recommend that the Regional Council certify the Final PEIR for the RTP/SCS and adopt the Final RTP/SCS at the April 4, 2012 Regional Council meeting, in conjunction with the April 5, 2012 General Assembly, both to be held at the Westin Bonaventure Hotel in downtown Los Angeles.

ADJOURNMENT

There being no further business, the Special Meeting of the Joint Regional Council and Policy Committees adjourned at 12:01 p.m.



Deby Salcido, Officer to the Regional Council