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ASSOCIATION OF GOVERNMENTS
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RESOLUTION NO. 24-664-1

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE 2024-2050 REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY (CONNECT SOCIAL 2024) (STATE CLEARINGHOUSE NO.: 2022100337); AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, THE FINDINGS OF FACT, AND A STATEMENT OF OVERIDING CONSIDERATIONS

WHEREAS, the Southern California Association of Governments (SCAG) is a Joint Powers Agency established pursuant to California Government Code (Government Code) Section 6500 *et seq.*;

WHEREAS, SCAG is the designated Metropolitan Planning Organization (MPO) for the six-county region consisting of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties pursuant to Title 23, United States Code (U.S.C.) Section 134 *et seq.*;

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, U.S.C. Section 134 *et seq.*, Title 49, U.S.C. Section 5303 *et seq.*, and Title 23, Code of Federal Regulations (C.F.R.) Section 450 *et seq.*;

WHEREAS, SCAG is the multi-county designated transportation planning agency 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.*;

WHEREAS, pursuant to Senate Bill 375 (Steinberg, 2008) as codified in Government Code Section 65080(b) *et seq.*, SCAG prepares an SCS as a component of the RTP document that demonstrates how the region will meet its per capita greenhouse gas (GHG) emissions reduction targets as determined by the California Air Resources Board (CARB);

WHEREAS, CARB set the per capita GHG emissions reduction targets from automobile and light-duty trucks for the SCAG region at 8 percent below 2005 per capita emissions levels by 2020 and 19 percent below 2005 per capita emissions levels by 2035;

WHEREAS, pursuant to Government Code Section 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,

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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 (a) and (b) of the Government Code Sections 65080.01; (6) consider the state housing goals specified in Government Code 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 emissions of GHG from automobiles and light trucks to achieve, if there is a feasible way to do so, the GHG reduction targets; and (8) allow the RTP to comply with transportation conformity requirements under Section 176 of the federal Clean Air Act;

WHEREAS, through the continuing, comprehensive and coordinated transportation planning process in conformance with all applicable federal and state requirements, SCAG developed and prepared the 2024-2050 RTP/SCS (Connect SoCal 2024 or Plan);

WHEREAS, Connect SoCal 2024 sets forth the long-range regional plans, policies, goals and strategies for transportation improvements and regional growth throughout the SCAG region through the horizon year of 2050;

WHEREAS, Connect SoCal 2024 includes a forecasted regional development pattern that was developed by working with local jurisdictions using the most recent land use plans and policies and planning assumptions;

WHEREAS, Connect SoCal 2024 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;

WHEREAS, Connect SoCal 2024 includes a financially-constrained plan in terms of transportation revenues and expenditures. It reflects long-term investments and contains a financially constrained set of transportation projects above and beyond the Federal Transportation Improvement Program (FTIP), including projects submitted from the CTCs and additional Regional Strategic Investments needed to achieve the Plan's goals and performance targets;

WHEREAS, Connect SoCal 2024 includes the SCS which sets forth a regional growth forecast to determine the projected increase in population, households, and jobs based on local general plans and known development entitlement agreements (including available data from 6th cycle housing element updates), 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 regional GHG targets set by CARB for the SCAG region;

WHEREAS, Connect SoCal 2024 must be consistent with all applicable provisions of federal and state law including:

- (1) The Moving Ahead for Progress in the 21st Century Act (MAP-21, PL 112-141) and the metropolitan planning regulations at Title 23, United States Code Section 134 et seq., as amended

by the Fixing America's Surface Transportation Act (P.L. 114-94, December 4, 2015) and the Infrastructure Investment and Jobs Act (P.L. 117-58, November 15, 2021);

(2) The metropolitan planning regulations at 23 C.F.R. Part 450, Subpart C;

(3) Government Code Section 65080 *et seq.*; Public Utilities Code Section 130058 and 130059; and Public Utilities Code Section 44243.5;

(4) Sections 174 and 176(c) and (d) of the federal Clean Air Act [42 U.S.C. Sections 7504 and 7506(c) and (d)] and Environmental Protection Agency (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 Title 23, U.S.C. Section 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. Section 12101 *et seq.*) and its accompanying regulations (49 C.F.R. Sections 27, 37, and 38); and

(8) Senate Bill 375 (Steinberg, 2008) as codified in Government Code §65080(b) *et seq.*;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) as codified in California Public Resources Code Section 21000 *et seq.* and CEQA Guidelines (California Code Regulations, Title 14, Section 15000 *et seq.*), SCAG is the Lead Agency responsible for preparing the Final Program Environmental Impact Report for Connect SoCal 2024;

WHEREAS, an Environmental Impact Report (EIR) is a public document used by governmental agencies to analyze the potentially significant adverse environmental impacts of a project. CEQA Guidelines Section 15168 specifies that a Program EIR (PEIR) 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 or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways;

WHEREAS, SCAG has determined that a PEIR is the appropriate CEQA document to assess the regional environmental impacts of Connect SoCal 2024;

WHEREAS, the PEIR for Connect SoCal 2024 is a programmatic document that provides a region-wide assessment of the potential significant adverse environmental effects of implementing the projects, strategies, policies, and programs included in Connect SoCal 2024;

WHEREAS, as a programmatic document, the PEIR does not analyze project-specific impacts. These impacts would be analyzed in detail by lead agencies of individual projects at the local jurisdiction level in accordance with CEQA Guidelines Section 15050(a);

WHEREAS, the PEIR for Connect SoCal 2024 describes Regional Planning Policies and Implementation Strategies (Plan features) as well as feasible mitigation measures necessary to avoid or substantially lessen significant impacts of the Plan. The PEIR also describes and analyzes a reasonable range of alternatives capable of avoiding or reducing these significant effects in accordance with CEQA Guidelines Sections 15126.4 and 15126.6;

WHEREAS, SCAG issued a Notice of Preparation (NOP) of the Draft PEIR for Connect SoCal 2024 on October 17, 2022, and circulated the NOP for a period of 30 days for public review and comments from October 17, 2022, to November 16, 2022, pursuant to CEQA Guidelines Sections 15082(a), 15103, and 15375;

WHEREAS, pursuant to CEQA Guidelines Section 15082 and Government Code Section 65080(b) *et seq.*, SCAG publicly noticed and hosted two virtual scoping meetings, providing the same information, on November 9, 2022, and on November 10, 2022, for the purpose of inviting comments from local, state, and federal agencies, and other interested agencies, organizations and individuals (“Interested Parties”) on the scope and content of the environmental information to be addressed in the PEIR;

WHEREAS, SCAG consulted with representatives of California Native American tribes in the SCAG Region pursuant to Assembly Bill 52 (Gatto, 2014) as codified in Public Resources Code Section 21080.3;

WHEREAS, SCAG further advanced outreach efforts by providing progress updates, overview of the contents and key approaches for developing the Draft PEIR, and the approach to developing mitigation measures for the Draft PEIR to its existing Technical Advisory Committees, Working Groups, Policy Committees, and key stakeholders;

WHEREAS, on November 2, 2023, SCAG’s Energy and Environment Committee recommended that the Regional Council at its November 2, 2023, meeting authorize release of the Draft PEIR for a 65-day public review and comment period beginning November 9, 2023, and ending January 12, 2024, and directed staff to carry out administrative tasks for the Draft PEIR public release;

WHEREAS, on November 2, 2023, the Regional Council approved release of the Draft PEIR for a 65-day public review and comment period beginning November 9, 2023, and ending on the same day as the public review and comment period for the Draft Plan on January 12, 2024;

WHEREAS, on November 9, 2023, SCAG initiated the 65-day public review and comment period, released the Draft PEIR by issuing a Notice of Availability (NOA) of the Draft PEIR to interested parties including representatives of California Native American tribes, federal, state, regional, and local government agencies, and other interested agencies, organizations, and individuals and filed a Notice of Completion with the State Office of Planning and Research (OPR) in the manner prescribed by CEQA Guidelines Section 15085;

WHEREAS, SCAG filed the NOA with each of the County Clerks for the six counties in the SCAG region and published summaries of the NOA in 13 newspapers including the Los Angeles Times with the greatest circulation in the SCAG region, to address the large geographic reach and diverse population within the SCAG region pursuant to CEQA Guidelines Section 15087(a)(1). SCAG distributed the NOA and the Connect SoCal 2024 primarily using electronic mails. Hard copies of the NOA were also mailed directly to interested parties, including federal, state, regional, and local agencies, organizations using the U.S. Postal Service certified mail service and first-class mail, as appropriate, and additional hard copies of the

NOA (separate versions in five languages) were sent to 68 major libraries in the region. In addition, SCAG placed paper copies of the NOA and Draft PEIR at SCAG's Main Office in Los Angeles County and SCAG's regional offices in Imperial, Orange, Riverside, San Bernardino, and Ventura Counties, and published an electronic copy of the Draft PEIR on the SCAG website pursuant to CEQA Guidelines Section 15087(a)(2);

WHEREAS, the 65-day public review and comment period on the Draft PEIR ended on January 12, 2024, in compliance with CEQA Guidelines Section 15105;

WHEREAS, 33 written comment letters on the Draft PEIR were received by SCAG, including two comment letters received after the closing of the 65-day public review and comment period;

WHEREAS, pursuant to CEQA Guidelines Section 15088(a), SCAG evaluated written comments received on the Draft PEIR and provided a written response to each comment, which are included in the Final PEIR, Chapter 8.0, Response to Comments;

WHEREAS, the Final PEIR for Connect SoCal 2024 ("Final PEIR") consists of: (1) the Draft PEIR, including an Executive Summary, Chapters 1.0 through 7.0, and Appendices A-G; (2) Chapter 8.0: Response to Comments on the Draft PEIR and Appendix H; (3) Chapter 9.0: Clarifications and Revisions and Appendices I through J.

WHEREAS, Chapter 8.0 of the Final PEIR includes a list of public agencies, organizations, and individuals commenting on the Draft PEIR; SCAG's written master responses; SCAG's written individual responses to comments specific to the Draft PEIR; and Appendix H of the Final PEIR contains comments on the Draft PEIR, as required by CEQA Guidelines Section 15132;

WHEREAS, Chapter 9.0 of the Final PEIR includes clarifications and revisions to the Draft PEIR in response to comments on the Draft PEIR, the Draft Plan document, and staff-initiated clarifications and revisions;

WHEREAS, on February 1, 2024, SCAG provided a status update on the development progress of the proposed Final PEIR, including a preliminary outline of draft contents for the Proposed Final PEIR, to SCAG's Energy & Environment Committee;

WHEREAS, on March 7, 2024, SCAG's three Policy Committees held a public, joint meeting and were provided an overview of public comments on the Draft PEIR before they were asked to consider a recommendation to the Regional Council to certify the proposed Final PEIR at the April 4, 2024 Regional Council meeting;

WHEREAS, on March 7, 2024, SCAG's three Policy Committees jointly recommended that the Regional Council at its April 4, 2024, meeting certify the Final PEIR;

WHEREAS, on March 25, 2024, SCAG posted the proposed Final PEIR on its website. Pursuant to Public Resources Code Section 21092.5 and CEQA Guidelines Section 15088, SCAG provided written responses to all public agencies that commented on the Connect SoCal 2024 Draft PEIR at least 10 days prior to certifying the Final PEIR;

WHEREAS, the revisions and clarifications to the Draft PEIR in response to comments received and staff-initiated text revisions included in the Final Connect SoCal 2024 and Final PEIR have not

produced significant new information requiring recirculation or additional environmental review under CEQA Guidelines Section 15088.5(b);

WHEREAS, when making the findings pursuant to CEQA Guidelines Section 15091, if changes or alterations which avoid or substantially lessen the significant environmental effect as identified in the final EIR (mitigation measures) are within the responsibility and jurisdiction of another public agency and not the lead agency, the lead agency can find that such mitigation measures “can and should” be adopted by such other agency pursuant to CEQA Guidelines Section 15091(a)(2);

WHEREAS, SCAG has no authority to impose mitigation measures on individual projects for which it is not the lead agency. As such, while SCAG has identified project-level mitigation measures that “can and should” be adopted by the individual project lead agency, all project-level mitigation measures in the Final PEIR are subject to the lead agency’s independent discretion as to which mitigation measures are applicable to the projects. Lead agencies may use, amend, or not use the project-level mitigation measures identified in the Final PEIR or use other comparable measures, as appropriate and feasible, to address project-specific conditions. The determination of significance and identification of appropriate mitigation is solely the responsibility of the lead agency;

WHEREAS, when making findings pursuant to CEQA Guidelines Section 15091(a)(1), SCAG 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);

WHEREAS, in accordance with Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, SCAG has prepared a Mitigation Monitoring and Reporting Program, attached hereto and incorporated herein as Exhibit A;

WHEREAS, in compliance with Public Resources Code Sections 21081 and 21081.5 and CEQA Guidelines Section 15091, CEQA Findings of Fact are required to be prepared for every significant impact of Connect SoCal 2024 identified in the PEIR and for each alternative evaluated in the PEIR, including an explanation of the rationale for each finding. Implementation of Connect SoCal 2024 will result in significant and unavoidable environmental impacts that cannot be fully mitigated to less than significant for all environmental resource categories except for the following which are concluded to have no impact or less than significant impacts and that no mitigation would be required: AG-3 – Timberland and Timberland Production (no impact), AQ-1 Plan Consistency with Federal Transportation Conformity Requirements (less than significant), and GHG-2 Plan Consistency with Senate Bill 375 (less than significant).

WHEREAS, the existence of significant and unavoidable impacts requires the preparation of a Statement of Overriding Considerations. A Statement of Overriding Considerations sets forth specific economic, legal, social, technological, and other benefits of Connect SoCal 2024 that outweigh the significant and unavoidable environmental impacts identified in the PEIR pursuant to CEQA Guidelines Section 15093(b);

WHEREAS, in accordance with CEQA requirements set forth herein, SCAG has prepared CEQA Findings of Fact (attached hereto and incorporated herein as Exhibit B) and a Statement of Overriding Considerations (attached hereto and incorporated herein as Exhibit C)

WHEREAS, pursuant to CEQA Guidelines Section 15089(a), SCAG, as the Lead Agency, must prepare and certify a Final PEIR before approving Connect SoCal 2024;

WHEREAS, the Regional Council has had the opportunity to review the proposed Final PEIR as well as the staff reports related to the Final PEIR, and has considered certification of the Final PEIR at the public meeting held on April 4, 2024;

WHEREAS, SCAG designates the Project Manager overseeing the development of the Final PEIR as the custodian of the documents or other materials which constitutes the record of proceedings upon which the approval of Connect SoCal 2024 is based, which are located at the Southern California Association of Governments, 900 Wilshire Boulevard, Suite 1700, Los Angeles, California; and

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

NOW THEREFORE, BE IT RESOLVED that the Regional Council of the Southern California Association of Governments finds as follows:

1. The Final PEIR for Connect SoCal 2024 has been completed in compliance with CEQA;
2. 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 Connect SoCal 2024;
3. The Final PEIR reflects SCAG Regional Council's independent judgment and analysis; and
4. The Final PEIR incorporates in full the Draft PEIR, including an Executive Summary, Chapters 1.0 through 7.0 and Appendices A through G; in addition to Chapter 8.0: Responses to Comments on the Draft PEIR and Appendix H; and Chapter 9.0: Clarifications and Revisions and Appendices I through J.

BE IT FURTHER RESOLVED that:

1. The SCAG Regional Council hereby adopts the Mitigation and Monitoring Reporting Program, attached hereto and incorporated herein as Exhibit A;
2. The SCAG Regional Council hereby makes and adopts the necessary CEQA Findings of Fact, attached hereto and incorporated herein as Exhibit B;
3. The SCAG Regional Council hereby adopts the Statement of Overriding Considerations, attached hereto and incorporated herein as Exhibit C; and
4. Based on and incorporating all of the foregoing recitals and findings which are true and correct and supported by substantial evidence, the SCAG Regional Council hereby certifies the Final PEIR for Connect SoCal 2024.

PASSED, APPROVED, AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting this 4th day of April, 2024.

Arthur C. Brown

Art Brown
President, SCAG
City of Buena Park

Attested by:

Kome Ajise

Kome Ajise
Executive Director

Approved as to Form:

JE

Jeffery Elder
Chief Counsel