

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No. 23-126

Resolution to accept the 2022 Annual Report)
pursuant to the County of Monterey Condition of)
Approval and Mitigation Monitoring and)
Reporting Program. (2022 Annual Report)
REF230002/Countywide))

WHEREAS, in response to a Settlement Agreement between Ed Leeper, the Save Our Peninsula Committee and the County of Monterey in 2000, the Board adopted procedures for a County of Monterey Mitigation Monitoring and Reporting Program (“Procedures”) on October 9, 2001; and

WHEREAS, in response to a 2011 Settlement Agreement in a second lawsuit filed by Save Our Peninsula Committee and with the goal of improving its mitigation monitoring and reporting procedures under CEQA and the ability of the public to review and monitor County’s compliance with CEQA and its own procedures, the County adopted the Condition of Approval and Mitigation Monitoring and Reporting Program on January 24, 2012 (Resolution No. 12-021) (“Program”), which replaced the previously adopted Procedures; and

WHEREAS, the Program requires staff to prepare annual reports relating to compliance with mitigation measures, any related code enforcement actions, and any proposed action to modify conditions of approval for land use projects approved in the previous calendar year; and

WHEREAS, the County further amended the Program on December 6, 2014, by Board of Supervisors’ Resolution No. 14-364, to improve upon the Program; and

WHEREAS, on February 14, 2017, the Program was again amended by Board of Supervisors’ Resolution No. 17-049, to improve upon the Program; and

WHEREAS, on July 23, 2019, the Program was amended by Board of Supervisors’ Resolution No. 19-270, to streamline the reporting process and further clarify the Program; and

WHEREAS, the Program, as amended last by Board of Supervisors’ Resolution No. 22-311, to align record management within the Program with the updated record management procedures for the Department of Housing and Community Development, is the current Program in effect; and

WHEREAS, Section III.E of the Program requires that the Annual Report be presented to the Board of Supervisors at a noticed public hearing and the notice shall be ten days prior; and

WHEREAS, the 2022 Annual Report is attached to the April 18, 2023 staff report to the Board of Supervisors as Attachment B and is incorporated herein by reference; and

WHEREAS, acceptance of the 2022 Annual Report is not a project under California Environmental Quality Act CEQA Guidelines section 15378(b)(5) because it is an administrative

activity that will not result in direct or indirect physical changes in the environment; and

WHEREAS, notice of the April 18, 2023, public hearing at the Board of Supervisors on the Annual Report was published in the *Monterey County Weekly* on April 6, 2023, and emailed to interested parties who requested notice of the hearing; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on April 18, 2023 on the 2022 Annual Report, at which time all persons had the opportunity to appear and be heard.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Monterey does hereby accept the 2022 Annual Report pursuant to the County of Monterey Condition of Approval and Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED on this 18th day of April 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams

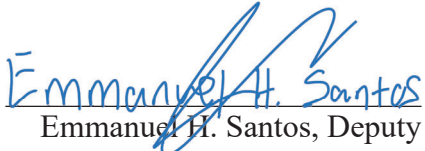
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on April 18, 2023.

Dated: April 25, 2023
File ID: 23-297
Agenda Item No. 19

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos, Deputy