

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

Resolution by the Monterey County Board of Supervisors:

- a. Certifying the Environmental Impact Report/Environmental Assessment for the Davis Road Bridge Replacement and Road Widening Project, County Bridge No. 208, Existing State Bridge No. 44C-0068, New State Bridge No. 44C-0185, Federal Project No. BRLS-5944(068);
- b. Adopting Findings for Project approval and Statement of Overriding Considerations;
- c. Directing the Resource Management Agency to proceed with Project final design and related activities for the Davis Road Bridge Replacement and Road Widening Project, County Bridge No. 208, Existing State Bridge No. 44C-0068, New State Bridge No. 44C-0185, Federal Project No. BRLS-5944(068); and
- d. Adopting a Mitigation Monitoring and Reporting Plan (MMRP).

The Final EIR/EA for the Davis Road Bridge Replacement and Road Widening Project came before the Monterey County Board of Supervisors on July 26, 2016. Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

**FINDINGS FOR CERTIFICATION OF EIR/EA AND ADOPTION OF OVERRIDING
CONSIDERATIONS**

1. **FINDING:** **CEQA (EIR)** – The County of Monterey has completed an Environmental Impact Report/Environmental Assessment (EIR/EA) in compliance with California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), and the Board of Supervisors reviewed and considered the information in the Final EIR prior to approving the Project; and the Final EIR/EA reflects the County of Monterey’s independent judgement and analysis.
EVIDENCE: a) The Davis Road Bridge Replacement and Road Widening Project, (“Project”) consist of the replacement of the existing two-lane, low-level bridge (Bridge No. 44C-0068) over the Salinas River with a bridge that spans the defined floodway of the Salinas River and meets current American Association of State Highway Official and Transportation Officials (AASHTO) requirements; and widens Davis Road to four lanes between Blanco Road and Reservation Road.
b) CEQA requires preparation of an environmental impact report if there is substantial evidence in light of the whole record that the proposed project may have a significant effect on the environment.
c) The Draft EIR/EA for the Project was prepared in accordance with CEQA and NEPA and circulated for public review from December 11, 2015 through February 5, 2016 (SCH#: 2013121013).
d) Project documentation has been prepared in compliance with CEQA and NEPA given the allocation of federal funds from the Federal Highway Administration (FHWA) to complete the Project. The County of Monterey is the Project proponent and lead agency under CEQA.

FHWA's responsibility for environmental review, consultation and other actions required in accordance with applicable federal laws for the Project has been carried out by Caltrans under its assumption of responsibility pursuant to 23 United States Code 327(a)(2)(A). Caltrans is the lead agency under NEPA.

- e) **SUMMARY OF IMPACTS.** Issues that were analyzed in the Draft EIR/EA include land use, growth, farmlands/timberlands, community impacts, utilities/emergency services, traffic and transportation/pedestrian and bicycle facilities, visual/aesthetics, cultural resources, hydrology and floodplain, water quality and storm water runoff, geology/soils/seismic/topography, paleontology, hazardous waste/materials, air quality, noise, energy, natural communities, wetlands and other waters, plant species, animal species, threatened and endangered species, invasive species, cumulative impacts, and climate change (including greenhouse gases). The Draft EIR/EA identified the following project impacts that would result in no impact: population and housing, and mineral resources. The Draft EIR/EA identified the following project impacts that would be less than significant: aesthetics, air quality, land use and planning, hazards and hazardous materials, hydrology and water quality, public services, transportation/traffic, and utilities and service systems.
- f) The Draft EIR/EA identified the following project impacts as potentially significant prior to implementation of standard conditions and/or avoidance, minimization, or mitigation measures: agricultural and forest resources, biological resources, cultural resources, geology and soils, and noise. The Draft EIR/EA identified a significant and unavoidable noise impact pursuant to CEQA.
- g) All feasible Project changes required to avoid significant effects on the environment have been incorporated into the project and/or are avoidance, minimization or mitigation measures. A Mitigation Monitoring and Reporting Plan (MMRP) has been prepared in accordance with CEQA and Monterey County regulations and is designed to ensure compliance during implementation of the proposed project and is hereby incorporated herein by reference.
- h) Evidence that has been received and considered includes: technical studies/reports, staff reports that reflect the County's independent judgment, and information and testimony presented during public meetings. These documents are on file at the offices of the RMA and are hereby incorporated herein by reference.
- i) Staff analysis contained in the EIR/EA and the record as a whole indicate the proposed project could result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Wildlife (DFW) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Wildlife determines that the proposed project will have no effect on fish and wildlife resources.
- j) The site supports several natural communities, two (2) of which are California natural communities of special concern; no State-listed plant species are expected to occur within the proposed project site. The site

potentially supports nine (9) California animal species of special concern including nesting birds. The site also potentially supports the California Tiger Salamander, which is both State and federally listed as a threatened species. The site potentially supports two (2) additional animal species that are Federally listed as a threatened species – the California Coast Steelhead Distinct Population Segment (DPS) and the California Red-Legged Frog; the California Red-Legged frog is also a California species of special concern. For purposes of the Fish and Wildlife Code, the proposed project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. State Department of Fish and Wildlife were provided with a copy of the Draft EIR/EA but did not provide comments or recommend necessary conditions to protect biological resources in this area. The proposed project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).

k) The County prepared Responses to Comments on the Davis Road Bridge Replacement and Road Widening Project Draft EIR/EA. The Responses to Comments respond to comments that relate to chapters of the Draft EIR/EA. The Responses to Comments respond to all significant environmental points raised by persons and organizations that commented on the Draft EIR/EA. The County has considered the comments received during the public review period for the Draft EIR/EA and the Responses to Comments. Together, the DEIR/EA and Responses to Comments and associated appendices constitute the Final EIR/EA on the proposed project.

l) Monterey County RMA, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the EIR/EA is based.

2. **FINDING:**

POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN THE EIR/EA ARE REDUCED TO A LEVEL OF “LESS THAN SIGNIFICANT” BY THE MITIGATION MEASURES IDENTIFIED IN THE EIR AND ADOPTED FOR THE PROJECT- Changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen the significant environmental effects as identified in the final EIR. The proposed project would result in significant and potentially significant impacts to agricultural resources, biological resources, cultural resources, geology and noise that will be mitigated to a less than significant level due to incorporation of mitigation measures from the EIR into the conditions of Project approval.

EVIDENCE: a)

Agricultural and Forest Resources. The proposed project would result in permanent impacts to agricultural resources. The proposed project would convert prime farmland to nonagricultural use; the proposed project would also convert land currently protected by a conservation easement to nonagricultural use and would require the agricultural easements to be revised and re-recorded upon project approval. The following two (2) mitigation measures for Farmlands are prescribed in the Final EIR/EA to reduce impacts associated with

farmlands to less than significant pursuant to CEQA:

Agricultural Land Preservation (AG-1). Permanent impacts to farmlands shall be mitigated in the following ways:

- Export the top 18 inches of all the agricultural topsoil removed as part of the bridge replacement and road widening (approximately 38,000 cubic yards) to create new farmland; and
- Payment of a fee to the Ag Land Trust to acquire and preserve, with an easement, agricultural land at a 1:1 ratio with agricultural land of equivalent farming capability.

Agricultural Easement Land (AG-2).

The County shall receive approval from the Grantees of Agricultural Conservation Easement Document Nos. 2001032384, 2001013353, and 2001032383 to acquire land for the purpose of widening Davis Road. The County shall also revise and re-record the new geographic boundaries of the Agricultural Conservation Easements accordingly.

Biological Resources.

- b) **Natural Communities.** The proposed project would have a temporary and permanent impact on natural communities, primarily natural communities associated with the Salinas River. The proposed project would have a temporary impact on natural communities through the creation of construction access areas, staging areas, and a frontage road. The proposed project would have a permanent impact on natural communities through the removal of riparian trees and an increase in shaded area under the expanded bridge where regeneration would likely be limited. However, construction of the proposed project would result in a more natural river channel, benefit riparian vegetation and provide for more natural river flow. The following two (2) mitigation measures for Natural Communities are prescribed in the Final EIR/EA to reduce impacts associated with Natural Communities to less than significant pursuant to CEQA:

ESA Fencing (NC-1):

- During construction, ESA fencing shall be placed along the edge of the habitat adjacent to the construction area with the aid of a qualified biologist.
- A qualified biologist shall be on hand to monitor tree removal.

Tree Regeneration (NC-2):

- During construction, planted trees shall be protected with fencing.
- Native riparian trees (e.g., black cottonwoods, red willows, and box elders) shall be planted at a 3:1 ratio in the high-flow channel outside the edges of the new bridge deck. Natural regeneration shall be augmented by planting cuttings from nursery-grown trees of local provenance.
- A revegetation plan shall be developed to monitor survival to Monterey County and/or California Department of Fish and Wildlife (CDFW) specifications.

Wetlands and Other Waters. The proposed project would temporarily impact waters under United States Army Corps of Engineers (USACE) jurisdiction, California Department of Fish and Wildlife (CDFW) jurisdiction, and Regional Water Quality Control Board (RWQCB) jurisdiction due to the proposed construction access road in the Salinas River high-flow channel. The proposed project would temporarily

impact waters under United States Army Corps of Engineers (USACE) jurisdiction, California Department of Fish and Wildlife (CDFW) jurisdiction, and Regional Water Quality Control Board (RWQCB) jurisdiction from widening Davis Road as well as from placing two (2) bridge piles in the Salinas River channel. The following three (3) mitigation measures for Wetlands and Other Waters are prescribed in the Final EIR/EA to reduce impacts associated with Wetlands and Other Waters to less than significant pursuant to CEQA:

Native River Soil Material (WET-1):

- If feasible, after the completion of pile driving activities, the native river soil material that has been cleaned out of the piles shall be reused on site.
- If not suitable for reuse, the native river soil materials shall be deposited at an off-site permitted facility.

Completion of Construction (WET-2):

- To the greatest extent possible, the Salinas River Channel shall be returned to its original contour and condition following the completion of construction.
- All constructed ramps into the Salinas River Channel for the temporary construction access road, construction mats, and other temporary material used for construction shall be removed.

Construction Equipment (WET-3):

Refueling, maintenance, and storage of construction equipment and materials shall take place outside of the Salinas River Channel during all construction activities.

Plant Species. The proposed project would temporarily impact trees and/or groups of trees from construction activities such as temporary roads, staging areas and access areas. The proposed project would permanently impact trees and/or groups of trees from installation of stormwater features, bridge decking, the widened roadway and an access road. The following two (2) mitigation measures for Plants are prescribed in the Final EIR/EA to reduce impacts associated with trees to less than significant pursuant to CEQA:

Coast Live Oak (PS-1).

A qualified arborist shall assist the construction crew in placing Environmentally Sensitive Area (ESA) fencing around the Coast Live Oak tree for protection during construction activities.

Riparian Trees (PS-2).

- A qualified arborist shall assist construction crews in the placement of ESA fencing at or beyond the drip line of trees or groups of trees adjacent to the work area to delineate a tree protection zone.
- No construction equipment or storage of construction materials shall be allowed to enter the tree protection zone.

Animal Species. The proposed project would potentially impact species identified as California species of special concern and/or bird species protected under the Migratory Bird Treaty Act and California Fish and Game code, including the pink salmon, western pond turtles, the California legless lizard, the two-striped garter snake, yellow warbler, yellow-breasted chat, tricolored blackbird, western red bat, Monterey Big-Eared Woodrat, and nesting birds. The proposed project would have temporary impacts on animal species due to construction activities such as ground disturbance, work in the river, vegetation removal and

tree trimming. The proposed project would not have any significant permanent impacts to animal species. Rather, overall, the proposed project would benefit animal species by removing the bridge and old roadbed from the Salinas River Channel, allowing for a wider, more natural stream channel and flow dynamic; this is expected to improve the habitat for a number of animal species, such as by increasing the passage of pink salmon in this stretch of the Salinas River, reducing western pond turtle mortality from vehicle traffic, and increasing the potential habitat for California legless lizards and two-striped garter snakes. The following eleven mitigation measures for Animal Species are prescribed in the Final EIR/EA to reduce temporary, construction-related impacts associated with Animal Species to less than significant pursuant to CEQA:

Environmental Training Session (AS-1).

Before construction begins, a qualified biologist shall conduct an environmental training session for all construction and maintenance personnel.

Biological Monitor (AS-2).

- A qualified biologist shall be present at the work site until all ground-disturbing activities and instruction of workers have been completed.
- After all ground-disturbing activities and instruction of workers are completed, a monitor shall be designated who shall ensure on-site compliance with all avoidance and minimization efforts when the qualified biologist is not on site.
- The monitor and the qualified biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the USFWS and the CDFW at any point during construction.
- If work is stopped, either the qualified biologist or the on-site monitor shall immediately notify Caltrans and the County of Monterey.
- If a federally listed species is found in the work area during construction and a Biological Opinion has not been issued for the proposed project, then the qualified biologist or the on-site monitor must stop work and immediately notify Caltrans. Caltrans shall then consult with the USFWS or NOAA Fisheries Service and shall then advise the Construction Contractor.
- Should a State-listed species be found in the work area for which no incidental take permit has been issued, the County's Project Manager shall then consult with CDFW and shall advise the Construction Contractor on how to proceed.

ESA Fencing (AS-3).

The qualified biologist shall identify locations and verify the correct placement and installation of the ESA fencing and the exclusion fence around the work area before work begins.

Special-Status Species Survey (AS-4).

- The qualified biologist shall conduct a survey of the work area for special-status species before ground disturbance and/or vegetation clearing.
- If special-status species are found, they shall be allowed to leave the work area on their own or, if approved by the USFWS and/or

CDFW, the special-status species shall be relocated by the qualified biologist to a safe place outside the work area.

River Monitoring (AS-5).

A qualified biologist shall monitor vegetation removal, initial grading, and other ground-disturbing activities for reptiles and other small wildlife exposed by such activities and then relocate them to a safe place outside the exclusion fence.

Routes and Boundaries (AS-6).

- The number of access routes, the numbers and sizes of staging areas, and the total area of construction activity shall be limited to the minimum necessary to achieve the project goal.
- Routes and boundaries shall be clearly demarcated both on plans and in the field prior to the start of construction activities.

Vegetation Removal and Trimming (AS-7).

Vegetation removal and trimming for the access road and construction areas in the Salinas River Channel shall be conducted during the nonbreeding season for birds. If vegetation cannot be removed during the nonbreeding season, then preconstruction surveys shall be conducted to avoid impacts to nesting birds.

Nesting Birds (AS-8).

- If project construction takes place during the bird nesting season, all suitable nesting habitat within 50 feet of the work limits shall be surveyed by a qualified biologist no more than 14 days prior to ground-disturbing/vegetation removal activities and again within two (2) days (48 hours) of such activities.
- If an active nest is found during preconstruction surveys or after completion of the surveys, a qualified biologist shall delineate an appropriate buffer within which construction shall be prohibited until the qualified biologist determines the nest is no longer active, consulting with the USFWS/CDFW as necessary and conducting regular monitoring (at CDFW-approved intervals) to evaluate the nest for potential disturbances associated with construction activities.

Western Pond Turtle (AS-9).

- The qualified biologist shall monitor the construction activity and capture and relocate any turtles observed in the work area to ensure no direct impacts occur to turtles during Salinas River Channel diversion activities.

Western Red Bat (AS-10).

- The construction crew shall leave all limbs cut from trees to allow time for bats to leave the tree limbs during the night.
- A qualified biologist shall be on hand during tree removal to ensure that cut trees are left in place until the following morning.

Monterey Big-Eared Woodrat (AS-11).

- The area upstream of Davis Road shall be surveyed for woodrat nests by a qualified biologist prior to vegetation removal.
- If any woodrat nests are located within the work area, they shall be disassembled by hand or with hand tools to allow any woodrats in the nest to move out of the work area. The nest material shall then be moved out of the work area.

Threatened and Endangered Species. The proposed project would potentially impact the South/Central California Coast Steelhead DPS

and its habitat during river channelization during construction activities. The South/Central California Coast Steelhead DPS is a federally listed threatened species. The proposed project would have beneficial permanent effects on steelhead and its habitat by improving the natural channel and flow dynamic of the Salinas River. The following three (3) mitigation measures for Threatened and Endangered Species are prescribed in the Final EIR/EA to reduce impacts associated with Threatened and Endangered Species to less than significant pursuant to CEQA:

River Channelization (TE-1).

- Work within the river shall be restricted to the period between June 15 and October 15.
- A qualified biologist shall ensure that the channelization of Salinas River shall not restrict flow and shall allow for unrestricted passage of adult and juvenile steelhead through the biological study area (BSA).

Pile Driving (TE-2).

- Pile driving shall be conducted on dry land during periods of low water flow (June 15 to October 15).

Biological Assessment Requirements (TE-3).

- Construction equipment required for the project shall operate from areas outside the streambed (area of flowing water).
- Work below the tops of the riverbank shall be allowed only during the dry season.
- No fill material shall be allowed to enter the stream.
- Water that contacts wet concrete and has a pH greater than 9.0 shall be pumped out and disposed of outside the creek channel.
- No substances toxic to aquatic life shall be discharged into the Salinas River.
- ESA fencing shall be placed along the upstream and downstream limits of the work area.
- Specific procedures for diversion of the Salinas River shall be followed.
- A bridge for the temporary access road shall be placed over water diversion pipes or, if pipes are not used, over the open river channel and constructed with specific procedures to help keep dirt and other debris from entering the riverbed.
- If hydroseed mixes are used to stabilize disturbed areas, such mixes shall not contain fertilizers.
- Equipment maintenance, servicing and fueling areas shall be located outside the highflow river channel.
- Fueling of vehicles shall take place within a containment area that shall prevent any spilled or leaked fuel from running into the river.
- All motorized equipment used during construction demolition activities shall be checked for oil, fuel, and coolant leaks prior to initiating work in the high-flow river channel. Any equipment found to be leaking fluids shall not be used in or around aquatic habitat

features.

- An emergency response and cleanup plan for construction shall be prepared.
- During river diversion activities, the approved biologist shall be on site to salvage and move any native fish species (except steelhead) trapped in areas of the river isolated from the diverted channel. Non-native aquatic species shall be removed and humanely dispatched.
- If steelhead are found in areas to be diverted or dewatered, work shall be suspended and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) shall be contacted for guidance.
- After project completion, the approved biologist shall prepare a report providing the results of the removal/ relocation effort to the NOAA Fisheries Service and California Department of Fish and Wildlife (CDFW).

Programmatic Biological Opinion (TE-4).

- The United States Fish and Wildlife Service (USFWS) has included the project in the Programmatic Biological Opinion for Projects Funded or Approved under the Federal Highway Administration's Federal Aid Program (8-8-10-F-58) (PBO).
- The project will implement all of the avoidance and minimization measures described in the Programmatic Informal Consultation of the PBO.

California Tiger Salamander (TE-5).

The following measures would be followed for all work occurring from November 1 (or the date of the first substantial fall rain event) to June 1 in the southern portion of the BSA, which includes Project Segment 5: South Bridge Approach to Reservation Road, and Segment 6: Reservation Road:

- A USFWS-approved biologist with the authority to stop work will be present during initial ground disturbing activities and will survey work areas for California tiger salamanders. Caltrans will submit the names of biologists for approval at least 30 days before the start of construction.
- If any California tiger salamanders are observed, activities which may harm salamanders will stop and the animal will be allowed to leave the area on its own. The USFWS and Caltrans will be contacted immediately for instructions on how to proceed.
- A USFWS-approved biologist will conduct environmental awareness training for all personnel before construction begins. Training will include how to recognize California tiger salamanders and their habitat, and describe the conservation measures being implemented.
- All open trenches and other excavations will be covered each night or provided with escape ramps to prevent entrapment of California tiger salamanders. A USFWS-approved biologist will inspect open trenches and other excavations for salamanders prior to work in or

around these features and before they are backfilled.

- Soil stockpile areas will be covered at night to discourage habitation by animals, and inspected in the morning for California tiger salamanders prior to disturbance.
- Night work will be avoided to the extent feasible. If night work is unavoidable, a USFWS-approved biologist will survey the work area before activities begin and remain on site to confirm absence of California tiger salamanders.
- No work will be performed if a rain event of 0.25 inches or greater in a 24-hour period occurs. Construction may resume after precipitation ceases, a drying-out period of 48 hours is observed, and a USFWS-approved biologist inspects all work areas to verify absence of California tiger salamanders.

Invasive Species. The proposed project would have temporary and permanent impacts related to invasive species. Construction of the proposed project has the potential to spread invasive plant species via: entering and exiting construction vehicles and equipment that have been contaminated by invasive plant species, the inclusion of invasive plant species in seed mixtures and mulches, and the improper removal and disposal of invasive plant species. Operation of the proposed project would result in the continued introduction of new and existing species as a result of seeds transported on tires and auto bodies. The following two (2) mitigation measures for Invasive Species is prescribed in the Final EIR/EA to reduce impacts associated with Invasive Species to less than significant pursuant to CEQA:

Weed Abatement Program (IS-1).

- A weed abatement program shall be implemented to minimize the importation of nonnative plant material during and after construction.
- Eradication strategies would need to be employed should an invasion occur.
- Measures addressing invasive species abatement and eradication shall be included in the project design and contract specifications.

Removal of Invasive Wildlife (IS-2).

- A program shall be developed to remove and monitor invasive, nonnative wildlife species during and after construction.
- Measures addressing invasive species abatement and eradication shall be included in the project design and contract specifications, and shall be implemented and enforced by the Construction Contractor.

c)

Cultural Resources. Both historic and prehistoric archaeological resources are located in or adjacent to the project area. These resources could be affected by the proposed project if Environmentally Sensitive Areas, which will be delineated by fencing and signs, are breached. The following three (3) mitigation measures for Cultural Resources are prescribed in the Final EIR/EA to reduce impacts associated with Cultural Resources to less than significant pursuant to CEQA:

Discovery of Cultural Resources (CR-1).

- If cultural materials are discovered, all construction activity within and around the immediate discovery area will be diverted until a

qualified archaeologist can assess the nature and significance of the find.

Discovery of Human Remains (CR-2).

- If human remains are discovered during ground disturbance and earthmoving, the County Coroner will be consulted.
- If the remains are of Native American origin, the coroner must notify the Native American Heritage Commission.
- The landowner or representative will work with the Most Likely Descendant on the respectful treatment and disposition of the remains.

Environmentally Sensitive Area (ESA) Action Plan (CR-3).

- An ESA Action Plan shall be prepared for the identified archaeological resources.
 - A three (3)-foot high orange fence shall protect ESA site CA-MNT-2281H for the duration of the proposed project.
 - Two (2) signs warning construction personnel to stay outside of the ESA boundary shall protect ESA site CA-MNT-2282H for the duration of the proposed project.
 - The Caltrans Archaeologist and Consultant Archaeologist will be notified if an ESA breach occurs, who in turn will notify the State Historic Preservation Officer (SHPO) within 48 hours of any ESA breach and consult immediately to determine how to address the breach.
 - When construction activities are complete, the Resident Engineer and Consultant Archaeologist will coordinate to confirm that protective measures are no longer necessary and that the ESA fencing and signs can be removed.
- d)

Geology/Soils/Seismic/Topography. The proposed project is located in a seismically active region in California and on soils that have the potential for seismically related ground failure, including liquefaction, lateral spreading, and settlement. The following mitigation measure for Geology and Soils are prescribed in the Final EIR/EA to reduce impacts associated with Geology/Soils/Seismic/Topography to less than significant pursuant to CEQA:

Final Geotechnical Report (GEO-1).

- During final design, a detailed geotechnical investigation will be conducted by qualified geotechnical personnel to assess the geotechnical conditions at the project area, including seismic cone penetration tests, exploratory borings to investigate site-specific soils and conditions, and the collection of subsurface soil samples for laboratory testing to evaluate the potential for liquefaction, lateral spreading, and settlement.
 - The project-specific findings and recommendations of the geotechnical investigation will be summarized in a Structure Foundation Report and a Geotechnical Design Report to be submitted to the California Department of Transportation (Caltrans) for review and approval. Those findings and recommendations will be incorporated in the final design of the proposed project.
- e)

Noise. With the proposed project, the 2040 traffic noise levels would increase interior noise levels at Receptor R-22, a single-family

residence located along the east side of Davis Road between Hitchcock Road and Blanco Road, to levels that exceed County thresholds. The following mitigation measure for noise is prescribed in the Final EIR/EA to reduce impacts associated with noise at Receptor R-22 to less than significant pursuant to CEQA:

Interior Noise (NOI-1).

- A noise barrier at least 12 feet high shall be constructed at Receptor location R-22.

3. FINDING:

EIR/EA-ENVIRONMENTAL IMPACTS NOT MITIGATED TO LESS THAN SIGNIFICANT – Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation identified in the final EIR infeasible. The proposed project would result in a significant and unavoidable noise impact that would not be mitigated to a less than significant level even with incorporation of mitigation measures from the EIR/EA into the conditions of project approval, as further described in this finding (see Finding 2).

EVIDENCE: a)

Noise. With the proposed project, the 2040 noise levels for both interior and exterior noise would increase at Receptor R-21, the Hitchcock-Dolan Farm residence located along the west side of Davis Road between Hitchcock Road and Blanco Road, and would exceed County noise standards for interior and exterior noise. Mitigation in the form of mechanical ventilation, such as air conditioning, and building facade upgrades are required to reduce the interior noise level to at or below the County's interior noise standard of 45 dBA CNEL. Due to the historic status of the residence at Receptor R-21—which appears eligible for listing in national, State, and local historical registers—implementation of these measures has the potential to adversely affect the historic integrity of the residence through inappropriate replacement or modification of character-defining architectural elements. Although implementation of these measures would reduce interior noise impacts to less than significant levels, replacement or modification of the residence's historical materials could potentially result in a significant impact to a historical resource under CEQA. The available mitigation (i.e., mechanical ventilation and facade upgrades) would not be a feasible option due to environmental considerations (creation of another potentially significant impact through implementation of mitigation); therefore, the proposed mitigation would not be implemented. Interior noise impacts to Receptor R-21 would therefore remain significant and unavoidable with implementation of the proposed project.

Exterior noise levels at Receptor R-21 must be reduced to or below the County's exterior noise standard of 60 dBA CNEL to avoid significant impacts under CEQA. The property access to Receptor R-21 (Hitchcock-Dolan Farm residence) is from Davis Road, and it is therefore not feasible to abate traffic noise with noise barriers. No other noise abatement measures are feasible to reduce operational traffic-related noise; therefore, exterior noise levels related to traffic noise would remain significant and unavoidable at Receptor R-21.

Therefore, after implementation of all avoidance, minimization and mitigation measures related to Noise, the proposed project would still result in a significant unavoidable impact to Receptor R-21.

4. **FINDING:**

MITIGATION MONITORING & REPORTING PROGRAM

(MMRP)- Per Public Resources Code Section 21081.6, the County of Monterey will adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.

EVIDENCE: a)

At the July 26, 2016 Board of Supervisors meeting, in addition to certifying the EIR, the Board is directing the completion of the Final Design for the Project and adopting a Mitigation Monitoring Program (MMRP), and adoption of the MMRP would be part of the Project approval. The mitigation measures identified in the Final EIR/EA are incorporated as conditions of approval, attached to this Resolution, and incorporated herein by reference.

b)

See Finding #2

c)

The MMRP includes the mitigation measures, as revised in the Final EIR/EA.

5. **FINDING:**

EIR-CEQA ALTERNATIVES TO THE PROPOSED PROJECT -

The EIR/EA considered several alternatives to the proposed project in compliance with CEQA Guidelines Section 15126.6. The EIR/EA considered the following alternatives, summarized below, and as more fully described in the EIR/EA. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make the Project alternatives identified in the EIR/EA infeasible for the reasons described below.

EVIDENCE: a)

No Project Alternative. Under the No Project Alternative, no improvements would be made to Davis Road or the Davis Road Bridge other than routine roadway and bridge maintenance. The No Project Alternative would cost nothing at this time, but would have other impacts. The high water levels within the Salinas River would continue to result in seasonal closures of the Davis Road Bridge from January through April, resulting in both inconvenience and increased cost to the motoring public. In addition, the existing Level of Service (LOS) along Davis Road between Blanco Road and Reservation Road would degrade to LOS F by 2040 for the a.m. peak hour and LOS E for the p.m. peak hour. Traffic delays would also increase at the intersections along Davis Road in the project area. Overall, the No Project Alternative would have fewer impacts to the environmental issues and resources than the proposed project. However, the No Project Alternative would not meet the project objective of providing an arterial roadway crossing over the Salinas River that meets current structural and geometric design standards, providing an all-weather crossing that can accommodate seasonal high flows of the river, accommodating projected travel demand for the 2040 planning horizon at an acceptable LOS, and

improving traffic safety.

b)

Preferred Alternative. The Preferred Alternative would replace the existing Davis Road Bridge with a longer 1,700 ft long and 74 ft 10-inch wide bridge and widen Davis Road from two (2) lanes to four (4) lanes from Blanco Road to Reservation Road. The Preferred Alternative would include two (2) 12 foot lanes in each direction, a 12 foot striped median, and an eight (8) foot shoulder on each side of Davis Road that will be striped to serve as Class II bike lanes. The Preferred Alternative would result in potentially significant impacts associated with agricultural resources, biological resources, cultural resources, geology and soils, and noise. Measures have been proposed to mitigate potentially significant environmental impacts of the proposed project; however, noise impacts to the Hitchcock-Dolan Farm residence located along the west side of Davis Road between Hitchcock Road and Blanco Road would remain significant and unavoidable after mitigation.

c)

Preferred Alternative – Design Variation. The Preferred Alternative includes a design variation that would replace the north and southbound Class II bike lanes with a separate two-way cycle track (Class IV bikeway) along the east side of Davis Road from Blanco Road to Reservation Road. The Preferred Alternative – Design Variation would require changes to the roadway and bridge cross sections for the Preferred Alternative but would not change the impact limits (i.e., footprint) of the roadway widening or bridge as currently proposed under the Preferred Alternative. However, the Preferred Alternative – Design Variation does not meet Caltrans’ regulatory requirements for a separate bicycle path. Therefore, the Preferred Alternative – Design Variation is no longer a feasible Alternative.

d)

Alternative 2. Alternative 2 would replace the existing Davis Road Bridge with a longer 1,700 ft long and 40 ft 10-inch wide bridge that would include 12 foot travel lanes and an eight (8) foot shoulder that will be striped to also serve as Class II bicycle lanes. Alternative 2 would keep Davis Road two (2)-lanes. Similar to the Preferred Alternative and Preferred Alternative – Design Variation, Alternative 2 would result in potentially significant impacts on biological resources, cultural resources, and geology and soils. Alternative 2 would not result in potentially significant noise impacts because the noise impacts are based on future traffic conditions along a widened road, which puts the property lines closer to the roadway and traveling vehicles. However, Alternative 2 would have an impact on Traffic operations because in maintaining a two (2)-lane roadway, the level of service along Davis Road and at intersections along Davis Road (between Blanco Road and Reservation Road) would decrease and the delays at these intersections would increase as a result of regional growth in traffic volumes by the year 2040. Avoidance, Minimization, and Mitigation Measures have been proposed to mitigate potentially significant environmental impacts of Alternative 2.

e)

Environmentally Superior Alternative. Each of the alternatives either avoided or minimized to a greater extent the impacts associated with the proposed project. When all the alternatives were considered, the

No Build Alternative is considered to be the Environmentally Superior Alternative because only the No Project Alternative avoided all the impacts related to the proposed project. However, per CEQA Guidelines Section 15126.6(e), if the analysis concludes that the No Project Alternative is the environmentally superior alternative, another of the alternatives considered must be identified as the environmentally superior alternative. Therefore, the Preferred Alternative is considered to be the Environmentally Superior Alternative because the Preferred Alternative – Design Variation does not meet Caltrans’ regulatory requirements for a separate bicycle path and Alternative 2 does not meet one (1) of the project objectives, which is to accommodate projected travel demand for the 2040 planning horizon at an acceptable LOS. Therefore, the Preferred Alternative is considered to be the Environmentally Superior Alternative because it meets all of the project objectives while avoiding, minimizing or reducing all project-related impacts to less than significant but project-related impacts to noise at a single residence along Davis Road.

6. FINDING:

EIR-STATEMENT OF OVERRIDING CONSIDERATIONS - In accordance with Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093, with respect to the identified significant unavoidable environmental effects of the Project, the Board of Supervisors has evaluated the economic, legal, social, technological, or other benefits of the project against its unavoidable significant environmental impacts in determining whether to approve the project. The Board finds that the benefits of the project outweigh its unavoidable, adverse environmental impacts so that the identified significant unavoidable impact(s) may be considered “acceptable”. Each benefit set forth below constitute an overriding consideration warranting approval of the Project, independent of the other benefits, despite the unavoidable noise impact.

EVIDENCE: a)

The proposed Project will provide a bridge that spans the defined floodway of the Salinas River. The current bridge on Davis Road over the Salinas River is a low-water crossing that gets overtopped with water during larger flows of the Salinas River. During large flow events the County is forced to close the road to avoid motorists from being swept away by the river.

b)

The Project will upgrade this section of Davis Road to meet current American Association of State Highway Officials and Transportation Officials (AASHTO) structural and geometric design standard.

c)

The Project is consistent with the Transportation Agency for Monterey County Regional Transportation Plan (RTP).

d)

The Monterey County 2010 General Plan identifies this section of Davis Road as a major road that links the City of Salinas with the Fort Ord area. The Project will provide a year round connection between the new community of East Garrison and Salinas.

e)

The agricultural lands adjacent to Blanco Road have significant farm

activity that competes with commuter traffic for use of the Blanco Road. The Project will provide an alternate regional route to Blanco Road between the Salinas Valley and Reservation Road.

7. FINDING:

RECIRCULATION NOT REQUIRED- Recirculation of the EIR/EA is not required per CEQA Guidelines Section 15088.5. No new significant information has been added to the EIR/EA since the circulation of the Draft EIR/EA that would require recirculation of the EIR/EA. Per CEQA Guidelines Section 15088.5, the County of Monterey is only required to recirculate an EIR/EA when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public notice but before certification. Significant new information requiring recirculation include, for example a disclosure showing that:

- 1) A new significant environmental impact resulting from the Project or from a new mitigation measure proposed to be implemented;
- 2) A substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- 3) A feasible Project alternative or mitigation measure, considerably different from others previously analyzed, that clearly would lessen the significant environmental impacts of the Project, but that the Project's proponent decline to adopt; or
- 4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

No such significant new information has been added which would require recirculation.

EVIDENCE: a)

Recirculation of the draft EIR/EA is not required where the new information merely clarifies, amplifies or makes minor modification to an adequate EIR/EA. The information provided since the draft EIR/EA meet those criteria.

b)

The mitigation measures incorporated into and imposed on the Project, including mitigation measures that were revised in the Final EIR/EA, will not have new significant environmental impacts that were not already analyzed in the Final EIR/EA for the Project

c)

All the text revisions to the Draft EIR/EA provide clarification and additional detail. After considering all comments received on the draft EIR/EA, the County has determined that the changes do not result in a need to recirculate the Draft EIR/EA.

d)

See Finding #1, #2, and #4.

e)

The project will provide an alternate regional route to Blanco Road between the Salinas Valley and Reservation Road.

DECISION

NOW, THEREFORE, BASED ON THE ABOVE FINDINGS AND EVIDENCE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Certify that the foregoing recitals and findings are true and correct;
- b. Certify with respect to the Final Environmental Impact Report/Environmental Assessment (EIR/EA) for the Davis Road Bridge Replacement and Road Widening Project, County Bridge No. 208, Existing State Bridge No. 44C-0068, New State Bridge No. 44C-0185, Federal Project No. BRLS-5944(068) that (1) the Final EIR/EA has been completed in compliance with CEQA, (2) the Final EIR/EA was presented to the Board of Supervisors of the County of Monterey and that said Board reviewed and considered the information contained in the Final EIR/EA before taking action on the project, and (3) the Final EIR/EA reflects the County of Monterey's independent judgment and analysis;
- c. Adopt Findings for Project approval and Statement of Overriding Considerations;
- d. Direct the Resource Management Agency to proceed with Project final design and related activities for the Davis Road Bridge Replacement and Road Widening Project, County Bridge No. 208, Existing State Bridge No. 44C-0068, New State Bridge No. 44C-0185, Federal Project No. BRLS-5944(068); and
- e. Adopt the Mitigation Monitoring and Reporting Plan (MMRP), attached hereto as Attachment A and incorporated herein.

PASSED AND ADOPTED on this 26th day July, 2016, upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Gail T. Borkowski, 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 resolution of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____, for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
, Deputy