



Monterey County Board of Supervisors

Board Order

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Upon motion of Supervisor Potter, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Held a public hearing and adopted Resolution 16-315 to:

Accept the Annual Report on the status of compliance with Condition of Approval/Mitigation Monitoring and Reporting Plans for all land use projects with mitigation measures approved by the County of Monterey in 2015.

(Condition of Approval and Mitigation Monitoring and Reporting Program 2015 Annual Report - REF160036/Countywide)

PASSED AND ADOPTED on this 6th day of December 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

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 order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on December 6, 2016.

Dated: December 7, 2016
File ID: 16-1314

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

By Denise Hancock
Deputy

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

Resolution No. 16-315

Resolution by the Board of Supervisors accepting)
an Annual Report on the status of compliance)
with Condition of Approval / Mitigation)
Monitoring and Reporting Plans for all land use)
projects with mitigation measures approved by)
the County of Monterey in 2015.)
(Condition of Approval and Mitigation)
Monitoring and Reporting Program 2015 Annual)
Report – REF160036/Countywide).....)

WHEREAS, the California Environmental Quality Act (Public Resources Code section 21000 et seq., “CEQA”) requires that a Mitigation Monitoring and Reporting Plan be adopted for every land use project approved subject to mitigation measures; and

WHEREAS, the California Environmental Quality Act and its implementing regulations in Title 14 of the California Code of Regulations commencing at Section 15000 et seq., (“CEQA Guidelines”) were adopted by the State of California to provide administrative procedures to implement CEQA; and

WHEREAS, the County of Monterey has adopted local guidelines for implementing the California Environmental Quality Act by Ordinance of the Board of Supervisors (Ordinance No. 04087) (Monterey County CEQA Guidelines); and

WHEREAS, the Monterey County CEQA Guidelines incorporate the same provisions of the California Environmental Quality Act that require adoption of a Mitigation Monitoring and Reporting Plan; and

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

WHEREAS, on January 24, 2012, in response to further litigation from Save Our Peninsula Committee, the County amended the Procedures by Board of Supervisors’ Resolution No. 12-021, including the requirement to prepare annual reports relating to the status of 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, with the goal of improving its compliance with CEQA, its related mitigation monitoring and reporting procedures, and the ability of the public to review and monitor compliance with CEQA and its own procedures, the County further amended the Procedures on December 6, 2014 by Board of Supervisors’ Resolution No. 14-364 (“Amended Program”); and

WHEREAS, Section III.E of the Amended Program require that the annual report be considered by the Board of Supervisors at a noticed public hearing; and

WHEREAS, notice of the December 6, 2016 public hearing at the Board of Supervisors on the annual report, as required by the Amended Program, was published in the *Monterey County Weekly* on November 17, 2016; and

WHEREAS, in compliance with Section 9 of the Settlement Agreement (dated September 16, 2011), Save Our Peninsula Committee's representative was provided notice of the Monterey County Board of Supervisors' public hearing noticed for December 6, 2016 and a copy of the annual report; and

WHEREAS, on November 22, 2016, County staff provided a staff report, for the public and Board of Supervisors' consideration, that provided the annual report for 2015, as required by the Amended Program; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on December 6, 2016 and considered the 2015 Annual Report and took public testimony.

DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Monterey accepts the Annual Report on the status of compliance with Condition of Approval / Mitigation Monitoring and Reporting Plans for all land use projects with mitigation measures approved by the County of Monterey in 2015, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED upon motion of Supervisor Potter, seconded by Supervisor Armenta carried this 6th day of December 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

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 order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on December 6, 2016.

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