

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

**Resolution No.**

- Adopting a Resolution to: )  
 )  
 a. Certify that the Board has reviewed and considered the information in )  
 the Mitigated Negative Declaration previously adopted for the Moss )  
 Landing Underground application (PLN130590); )  
 b. Approve and authorize the Chair to sign a Contract to Purchase from )  
 Keith Family Investments, LLC a Public Utility Easements (APN )  
 133-221-001 - PUE "X") in the amount of \$5,943.50 for the Moss )  
 Landing Rule 20A Underground Utility District Project in the )  
 community of Moss Landing; )  
 c. Approve and authorize the Chair to sign the Acceptance and Consent )  
 to Recordation for the Grant of the Public Utility Easement; and )  
 d. Direct the Clerk of the Board to record the executed Easement with )  
 the County Recorder's Office. )

WHEREAS, on December 11, 2016, the Zoning Administrator approved Resolution No. 140-041 adopting a Mitigated Negative Declaration, approving a Combined Development Permit, and adopting a Mitigation Monitoring and Reporting Plan for the Moss Landing Rule 20A Underground Utility District project (PLN130590); and

WHEREAS, on December 16, 2014, the Board of Supervisors approved Resolution No. 14-364 adopting the Conditions of Approval and Mitigation Monitoring and Reporting Program for the project; and

WHEREAS, the purchase of this easement is part of the project analyzed in the Mitigated Negative Declaration.

WHEREAS, there are no substantial changes are proposed in the project which would require major revisions to the previous mitigated negative declaration; and

WHEREAS, there are no substantial changes with respect to the circumstances under which the project is undertaken which would require major revisions to the previous mitigated negative declaration; and

WHEREAS, there is no new information of substantial importance that would show (i) the project would have one or more significant effects no discussed in the previous mitigated negative declaration; (ii) significant effects previously examined would be substantially more severe than shown in the previous mitigated negative declaration; (iii) that any mitigation measures or alternatives previously thought not to be feasible would, in fact, be feasible and would substantially reduce one or more significant effects of the project, and; (iv) that any mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment.

WHEREAS, ten mitigation measures have been identified in the Mitigated Negative Declaration and none of these measures are related to easement purchases; and

WHEREAS, this easement is an integral part of the Moss Landing Rule 20A Underground Utility District Project 8657; and

WHEREAS, this project will significantly enhance the quality of life for the community of Moss Landing by removing unsightly overhead wires and poles and providing an up-to-date utility infrastructure; and

WHEREAS, the acquisition of this easement will be borne by the Moss Landing Deposit Account funded by Duke Energy/Dynegy funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby:

- a. Certified that they have reviewed and considered the information in the Mitigated Negative Declaration previously adopted for the Moss Landing Underground application (PLN130590);
- b. Approves and authorizes the Chair to sign a Contract to Purchase from Keith Family Investments, LLC a Public Utility Easements (APN 133-221-001 - PUE "X") in the amount of \$5,943.50 for the Moss Landing Rule 20A Underground Utility District Project in the community of Moss Landing;
- c. Approves and authorizes the Chair to sign the Acceptance and Consent to Recordation for the Grant of the Public Utility Easement; and
- d. Directs the Clerk of the Board to record the executed Easement with the County Recorder's Office.

PASSED AND ADOPTED upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_ and carried this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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 resolution of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book\_\_\_ for the meeting on \_\_\_\_\_.

Dated:  
File Number:

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

By \_\_\_\_\_  
Deputy