# Attachment A

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

**Resolution No.**

| | |
|---|---|
| Resolution to accept the 2021 Annual Report | ) |
| pursuant to the County of Monterey Condition of | ) |
| Approval and Mitigation Monitoring and | ) |
| Reporting Program. (2021 Annual Report | ) |
| REF220001/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 included 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,** the County further amended the Program on December 6, 2014, by Board of Supervisors' Resolution No. 14-364 in attempt to improve upon the Program; and

**WHEREAS,** on February 14, 2017, the Program was again amended by Board of Supervisors' Resolution No. 17-049 ("Amended Program") with the intent to improve upon the Program; and

**WHEREAS**, with the goal of streamlining the reporting process and the intent to clarify the Program, the County further amended the Program on July 23, 2019, by Board of Supervisors' Resolution No. 19-270. The Program, as amended last in 2019, 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

**WHEREAS,** the 2021 Annual Report is attached to the April 19, 2022, staff report to the Board of Supervisors as Exhibit B and is incorporated herein by reference; and

**WHEREAS,** acceptance of the 2021 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 19, 2022, public hearing at the Board of Supervisors on the Annual Report was published in the *Monterey County Weekly* on April 7, 2022, 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 19th, 2022 on the 2021 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 2021 Annual Report pursuant to the County of Monterey Condition of Approval and Mitigation Monitoring and Reporting Program.

**PASSED AND ADOPTED** this 19th day of April 2022, upon motion of Supervisor_____, seconded by Supervisor_____, 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 order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book___ for the meeting on _____.

Dated:

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

By _____
Deputy