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

Resolution No.: 22-126

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 on this 19th day of April 2022, by roll call vote:

AYES: Supervisors Alejo, Lopez, Askew and Adams
NOES: None
ABSENT: Supervisor Phillips
(Government Code 54953)

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 April 19, 2022.

Dated: April 21, 2022
File ID: 22-335
Agenda Item No.: 42

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

Emmanuel H. Santos

Emmanuel H. Santos, Deputy