

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

RESOLUTION NO. 18-_____

- Resolution by the Monterey County Board of Supervisors to:)
- a. Certify that the County of Monterey has considered the)
State of California Department of Transportation's)
("Caltrans") *Initial Study with Mitigated Negative*)
Declaration dated March 23, 2017;)
 - b. Approve and authorize the Chair of the Board of)
Supervisors to execute a Right of Way Contract with)
Caltrans, effective the earlier of: i) May 31, 2018, or ii) the)
close of escrow with Caltrans for 0.1 acres of land (APN:)
245-111-006) located at San Lorenzo Park in King City,)
California;)
 - c. Grant a permanent utility easement to Pacific Gas and)
Electric Company ("PG&E");)
 - d. Approve and authorize the Chair of the Board of)
Supervisors to execute the Easement Deed to PG&E for 0.1)
acres of land located at San Lorenzo Park in King City,)
California; and)
 - e. Adopt the *County Mitigation Monitoring and Reporting*)
Program.)

WHEREAS, Caltrans has requested use of 0.1 acres of County-owned land located at San Lorenzo Park for a permanent utility easement ("Easement") to PG&E to accommodate Caltrans' construction of the relocation of an 8" gas main to enable a seismic retrofit of the Highway 101 Northbound Bridge; and

WHEREAS, the County became owner of the San Lorenzo Park Parcel located in King City, California on December 20, 1974; and

WHEREAS, the Easement totaling .1 acres of San Lorenzo Park property and its impact to the Park is considered very low, given that the location of this Easement is along the southern park boundary parallel to the existing Northbound Highway 101 Bridge; and

WHEREAS, this Easement is for PG&E to relocate an 8" gas main in order to enable a seismic retrofit of the Highway 101 Northbound Bridge; and

WHEREAS, the County has considered the Initial Study with Mitigated Negative Declaration ("MND"), and the Mitigation and Monitoring Reporting Plan ("MMRP") for Caltrans' Salinas River Bridges Seismic Retrofit Projects dated March 23, 2007; and

WHEREAS, RMA will work with PG&E and Caltrans to minimize impacts to San Lorenzo Park operations; and

WHEREAS, Caltrans will provide a one-time payment to the County to implement measures that mitigate and help eradicate invasive plant species in the Easement area; and

WHEREAS, the County is requiring adherence to the Caltrans' MMRP as part of the

grant of Easement; and

WHEREAS, the County is adopting a *Mitigation Monitoring and Reporting Program* (“County MMRP”) to require Caltrans to report on the implementation of the Caltrans’ MMRP; and

WHEREAS, the County finds that the County’s project component (“Project Component”) proposes no substantial changes to the Caltrans’ Project which would require major revisions of the MND due to involvement of new significant effects or a substantial increase in the severity of previously identified significant effects because the Project included this portion component of the Project and the Caltrans’ Mitigation and Monitoring Plan is incorporated into the grant of Easement; and

WHEREAS, the County finds that no substantial changes have occurred with respect to the circumstances under which the County’s Project Component will be undertaken which would require major revisions of the MND of the Caltrans’ Project due to involvement of new significant effects or a substantial increase in the severity of previously identified significant effects; and

WHEREAS, the County finds that there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the MND was adopted; and

WHEREAS, the County and Caltrans will realize value from the Caltrans’ Project as the construction consisting of the relocation of an 8” gas main to enable a seismic retrofit of the Highway 101 Northbound Bridge improvement, and the County’s granting an Easement for this purpose is in the public interest and will not substantially conflict or interfere with the use of the property by the County for the reasons below:

1. As the project relocates an existing 8” gas main to enable a seismic retrofit of the Highway 101 Northbound Bridge improvement;
2. Construction of the project and granting the Easement would not change the County’s ability to access its property for land management purposes;
3. Construction of the project and granting the Easement further do not change the overall value of the County’s property from the standpoint of future utilization in accordance with land use restrictions and any future uses of the County’s property; and
4. Adoption of the County MMRP will require Caltrans to report on the implementation of the Caltrans Mitigation and Monitoring Plan to address any potential impacts.

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

1. The County certifies that the foregoing recitals and findings are true and correct;
2. The County certifies it has considered the MND and Caltrans’ MMRP for the Caltrans Project;

3. The County finds that the adoption of the County MMRP will require Caltrans to report on the implementation of the Caltrans' MMRP to address any potential impacts;
4. The County finds that the County Project Component proposes no substantial changes to the Caltrans' Project which would require major revisions of the MND due to involvement of new significant effects or a substantial increase in the severity of previously identified significant effects;
5. The County finds that no substantial changes have occurred with respect to the circumstances under which the County' Project Component will be undertaken which would require major revisions of the MND of the Caltrans' Project due to involvement of new significant effects or a substantial increase in the severity of previously identified significant effects;
6. The County finds that there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the MND was adopted;
7. The County finds that the conveyance of the Easement for the County Project Component is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the County;
8. The County approves and authorizes the Chair of the Board of Supervisors to execute a Right of Way Contract with Caltrans, effective the earlier of: i) May 31, 2018, or ii) the close of escrow with Caltrans for 0.1 acres of land (APN: 245-111-006) located at San Lorenzo Park in King City, California;
9. The County grants the Easement to PG&E;
10. The County approves and authorizes the Chair of the Board of Supervisors to execute the Easement Deed to PG&E; and
11. The County does hereby adopt the County MMRP, attached hereto as Exhibit A, and incorporated herein by reference.

PASSED AND ADOPTED this 22nd day of May 2018 upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Nicholas Chiulos, Acting 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 May 22, 2018.

Dated:

Nicholas Chiulos, Acting Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy