

RESOLUTION NO. 17-097

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS FOR THE REPLACEMENT OF BRIDGE NUMBER 10C0166, ON POWERHOUSE ROAD, COUNTY ROAD 248A, MILEPOST 0.90, OVER WILLIAMS CREEK (POTTER VALLEY AREA)

WHEREAS, the existing bridge on Powerhouse Road, County Road (CR) 248A, over Williams Creek at Milepost (MP) 0.90, in Potter Valley, was built in 1960 and is a Structurally Deficient Structure; and

WHEREAS, the Department of Transportation (DOT) has obtained Federal Highway Bridge Program (HBP) funding to replace the Powerhouse Road bridge over Williams Creek (Project), augmented by Toll Credits Program funding; and

WHEREAS, DOT performed an Initial Study (IS) pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*; CEQA) and the Guidelines implementing CEQA (Title 14, California Code of Regulations Section 15000 *et seq.*; CEQA Guidelines) and the County's CEQA Guidelines for the Project; and

WHEREAS, the IS concluded that although the Project could result in a significant effect on the environment, identified mitigation measures would reduce those environmental effects to a less-than-significant level and stated that a Mitigated Negative Declaration (MND) would be prepared; and

WHEREAS, DOT issued a Notice of Intent to Adopt a MND and the draft IS/MND was circulated for public review between May 5, 2017, and June 5, 2017; and

WHEREAS, DOT received no comments on the IS/MND for the Project during the public review period; and

WHEREAS, the Board of Supervisors has reviewed and considered the IS/MND for the Project in compliance with CEQA, the CEQA Guidelines and the County's CEQA Guidelines; and

WHEREAS, the IS/MND and the Mitigation Monitoring and Reporting Program for the Project, is attached to the letter accompanying this resolution and is by this reference incorporated into this resolution as if fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors finds as follows:

1. Recitals. The recitals to this resolution are true and correct and are incorporated herein by this reference.

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2. Findings. The Board of Supervisors hereby makes the following findings: (a) the Board has independently reviewed and analyzed the IS/MND and other information in the record and has considered the information contained therein, (b) the IS/MND has been completed in compliance with CEQA, the CEQA Guidelines and the County's CEQA Guidelines, and (c) the IS/MND represents the independent judgment and analysis of the County as the lead agency for the Project.

3. Location of Documents. The Board of Supervisors hereby designates the Director of Transportation, at the Department of Transportation's offices located at 340 Lake Mendocino Drive, Ukiah, California 95482, as the custodian of the documents and other materials which constitute the records of proceedings on which this decision is based.

4. Adoption. The Board of Supervisors hereby finds, based on the whole record before it, that there is no substantial evidence that the Project, with the proposed mitigation measures and design features of the Project, will have a significant adverse effect on the environment and hereby adopts the final IS/MND and the Mitigation Monitoring and Reporting Program for the Project, in the form attached to the letter accompanying this resolution and incorporated herein by this reference. The Board of Supervisors hereby directs the Department of Transportation to file a notice of determination in accordance with CEQA and the CEQA Guidelines.

The foregoing Resolution introduced by Supervisor Brown, seconded by Supervisor Croskey, and carried this 11th day of July, 2017, by the following vote:

AYES: Supervisors Brown, McCowen, Croskey, Gjerde, and Hamburg
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.



JOHN MCCOWEN, Chair
Mendocino County Board of Supervisors

ATTEST: CARMEL J. ANGELO
Clerk of the Board


Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
KATHARINE L. ELLIOTT
County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board


Deputy
Deputy