
**FINDINGS FOR THE NEVADA COUNTY
2010 REGIONAL TRANSPORTATION PLAN**
REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code, Section 21000 et seq)

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires the Nevada County Transportation Commission (NCTC), as the CEQA lead agency, to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR.

These findings explain how NCTC, as the lead agency, approached the significant and potentially significant impacts identified in the environmental impact report (EIR) prepared for the 2010 Nevada County RTP Update (hereinafter "2010 RTP" or "proposed project"). The statement of overriding considerations identifies economic, social, technical, and other benefits of the proposed project that override any significant environmental impacts that would result from the proposed project.

As required under CEQA, the Final EIR describes the proposed project, adverse environmental impacts of the proposed project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the EIR reflect NCTC's independent judgment regarding the potential adverse environmental impacts of the proposed project.

The Final EIR (which includes the Draft EIR, comments, responses to comments, and revisions to the Draft EIR) for the proposed project examined several alternatives to the proposed project that were not chosen as part of the approved project (the No Project, Financially Unconstrained, and Transit Enhanced Alternatives).

The Findings and Statement of Overriding Considerations set forth below ("Findings") are presented for adoption by the NCTC, as NCTC's findings under the California Environmental Quality Act ("CEQA") (Public Resources Code, §21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., Title 14, § 15000 et seq.) relating to the proposed project. The Findings provide the written analysis and conclusions of the NCTAC regarding the proposed project's environmental impacts, mitigation measures, alternatives, and the overriding considerations, which in the NCTC's view, justify approval of the proposed project, despite its environmental effects.

II. GENERAL FINDINGS AND OVERVIEW

PROJECT BACKGROUND

The NCTC is the agency with primary planning and programming responsibilities to secure transportation funding for the region's highways, transit, streets and roads, pedestrian, and other transportation system improvements throughout Nevada County. This effort requires the NCTC to adopt and submit a Regional Transportation Plan (RTP) to the California Transportation Commission (CTC) and Caltrans every five years. The RTP is a long-range, 20-year minimum, comprehensive transportation plan for all modes including: highways, local streets and roads, transit, bicycle, aviation, rail and goods movement. The purpose of the RTP is to serve as a foundation for the development of the shorter "action" plans called the Regional Transportation Improvement Program (RTIP), which satisfies California transportation planning requirements, and the federal counterpart referred to as the Federal Transportation Improvement Program (FTIP) for all transportation projects that require federal approval.

The NCTC updated and adopted the current RTP in 2005 and has prepared the 2010 Nevada County RTP Update (hereinafter "2010 RTP" or "proposed project") to fulfill the state requirements. The NCTC is the lead agency for the environmental review of the proposed project evaluated herein and has the principal responsibility for approving the project.

PROCEDURAL BACKGROUND

The NCTC circulated a Notice of Preparation (NOP) of an EIR for the proposed project on June 25, 2010 to trustee and responsible agencies, the State Clearinghouse (SCH# 1999072038), and the public. The NOP and comments are presented in Appendix A of the Draft EIR.

The NCTC published a public Notice of Availability (NOA) for the Draft EIR on May 17, 2011, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 1999072038) and the County Clerk, and was published in a regional newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from May 17 through June 30, 2011. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

The NCTC received five (5) comment letters during the Draft EIR public review period, and one (1) comment letter prior to the Draft EIR public period. No additional oral or written comments were received. In accordance with CEQA Guidelines Section 15088, the Final EIR responds to the written comments received. The Final EIR also contains minor edits to the Draft EIR, which are included in Section 3.0, Errata. The Final EIR and the Draft EIR, as amended, constitute the Final EIR.

RECORD OF PROCEEDINGS AND CUSTODIAN OF RECORD

For purposes of CEQA and the findings set forth herein, the record of proceedings for NCTC's findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, and all other public notices issued by the NCTC in relation to the 2010 Nevada County Regional Transportation Plan EIR (e.g., Notice of Availability).
- The 2010 Nevada County Regional Transportation Plan Draft Supplemental EIR and Final EIR, including comment letters, and technical materials cited in the document.
- All non-draft and/or non-confidential reports and memoranda prepared by the NCTC and consultants in relation to the EIR.
- Minutes and transcripts of the discussions regarding the Project and/or Project components at public hearings held by NCTC.
- Staff reports associated with NCTC meetings on the Project.
- Those categories of materials identified in Public Resources Code Section 21167.6.

The Executive Director of the NCTC is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the NCTC at 101 Providence Mine Road, Suite 102, Nevada City, CA 95959.

CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

In adopting these Findings, the Commission finds that the Final EIR was presented to this Commission, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the 2010 RTP. By these Findings, this Commission ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The Commission finds that the Final EIR was completed in compliance with the California Environmental Quality Act. The Final EIR represents the independent judgment of NCTC.

SEVERABILITY

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the 2010 RTP, shall continue in full force and effect unless amended or modified by NCTC.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. GREENHOUSE GASES AND CLIMATE CHANGE

1. DIRECT OR INDIRECT EFFECTS ON CLIMATE CHANGE (EIR IMPACT 3.2.1)

- (a) Potential Impact. The potential for the Project to generate greenhouse gas emissions that would impact climate change is discussed at page 3.2-9 through 3.2-11 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program:
- Mitigation Measure 3.2-1: The NCTC should pursue planning grants and/or other funds for the development of a Regional Blueprint and Sustainable Communities Strategy (SCS) for the region. The NCTC should facilitate this regional transportation and land use planning effort, but it should be a coordinated effort involving each local land use authority actively involved in its development.
 - Mitigation Measure 3.2-2: The NCTC should explore the feasibility of a transportation pricing policy for the transit system and selected portions of the road network to encourage people to drive less and increase use of transit, walking and bicycling modes. Such a policy may include: free or reduced transit fares during high pollution days; fare-free zones on the transit system; transit vouchers; days on which transit is free; congestion pricing options for portions of the road system, such as tolls on freeways and highways; and parking fees to park in certain high-traffic areas served by public transit.
 - Mitigation Measure 3.2-3: The NCTC should consider incorporating a complete streets policy with a strong focus on identifying opportunities to create more active transportation within the region (i.e. bike and pedestrian facilities).
 - Mitigation Measure 3.2-4: Consistent with Appendix F of the CEQA Guidelines, the agencies implementing RTP projects should:
 - Promote measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. As the individual RTP projects are designed there should be an explanation as to why certain measures were incorporated in the RTP project and why other measures were dismissed.
 - Site, orient, and design projects to minimize energy consumption, increase water conservation and reduce solid-waste.
 - Promote efforts to reduce peak energy demand in the design and operation of RTP projects.
 - Promote the use of alternate fuels (particularly renewable ones) or energy systems for RTP projects.
 - Promote efforts to recycle materials used in the construction (including demolition phase) of RTP projects.
 - Mitigation Measure 3.2-5: The NCTC should coordinate with local and regional agencies to assist in efforts to develop local and regional CAPs (Climate

Action Plans) that address climate change and greenhouse gas emissions. Local and regional CAPs should include the following components:

- o Baseline inventory of GHG emissions from community and municipal sources.
- o A target reduction goal consistent with AB 32.
- o Policies and measures to reduce GHG emissions.
- o Quantification of the effectiveness of the proposed policies and measures.
- o A monitoring program to track the effectiveness and implementation of the CAP(s).

NCTC's role in the development of local and regional CAPs should include:

- o Assistance in seeking and securing funding for the development of local and regional CAPs.
- o Collaboration with local and regional agencies throughout their respective planning processes.

- Mitigation Measure 3.2-6: NCTC should assist local agencies with the development of an Alternative Fuel Vehicle and Infrastructure Policy. The policy should include provisions that address best practices, and standards related to saving energy and reducing GHG emissions through AFV use, including:
 - o A procurement policy for using AFV by franchisees of these cities, such as trash haulers, green waste haulers, street sweepers, and curbside recyclable haulers. Such AFVs should have GHG emissions at least 10 percent lower than comparable gasoline- or diesel- powered vehicles.
 - o A fleet purchase policy to increase the number of AFVs (i.e., vehicles not powered strictly by gasoline or diesel fuel) for municipally owned fleets.
 - o A public education policy to encourage the use of alternative fuel vehicles and development of supporting infrastructure.

(c) Findings. Based upon the EIR and the entire record before the NCTC, this Commission finds that:

- (1) Effects of Mitigation and Remaining Impacts. CO2 emissions are projected to increase by 1,400 tons per day from 2010 through the 2030 planning horizon. CO2 emissions were 1,570 tons per day in the AB32 threshold date of 1990 and are projected to be 4,610 tons per day by the AB 32 attainment date of 2020. The trend is increasing rapidly during the planning horizon. The CO2 emissions are related to a projected increase in VMT as a result of projected growth in region.

NCTC does not have land use authority within the County or the incorporated cities; therefore, NCTC's ability to control CO2 emissions and mitigate for climate change impacts is largely limited to transportation funding decisions that may result in decreases in VMT throughout the County.

Implementation of mitigation measures 3.2-1, 3.2-2, 3.2-3, 3.2-4, 3.2-5, and 3.2-6 would assist in reducing the amount of vehicle miles travelled per capita and

reduce energy usage throughout Nevada County. Mitigation measure 3.2-1 would require NCTC to assist in the development of regional blueprint and sustainable communities strategy for Nevada County. Mitigation measure 3.7-2 would require NCTC to explore the feasibility of a transportation pricing policy for the transit system and selected portions of the road network to encourage people to drive less and increase use of transit, walking and bicycling modes. Mitigation measure 3.7-3 would require NCTC to consider incorporating a complete streets policy with a strong focus on identifying opportunities to create more active transportation within the region (i.e. bike and pedestrian facilities). Mitigation measure 3.7-4 would require the implementing agencies to promote measures that are consistent with energy conservation within their projects. Mitigation Measure 3.7-5 would require NCTC to assist in the development of climate action plans for jurisdictions in Nevada County. Measure 3.7-6 would require NCTC to assist local agencies with the development of an Alternative Fuel Vehicle and Infrastructure Policy.

Implementation of the mitigation measures described above will assist in the reduction of per capita VMT levels throughout Nevada County, which will assist in meeting the stated goals of AB 32. Additionally, NCTC has included numerous projects and programs to promote the use and expansion of alternative transportation systems throughout the County and they continue to coordinate with local land use agencies to assist in the development of plans and policies aimed at reducing VMT. However, even after implementation of all of the policies, action plans, and mitigation measures included in the RTP and the EIR, the proposed project will still contribute to an overall significant increase in GHG emission generated in Nevada County. Therefore, this is considered a cumulatively considerable and significant and unavoidable impact.

- (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts to climate change and greenhouse gases, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

B. TRANSPORTATION AND CIRCULATION

1. CAUSE AN INCREASE IN TRAFFIC WHICH IS SUBSTANTIAL IN RELATION TO THE EXISTING TRAFFIC LOAD AND CAPACITY OF THE STREET SYSTEM (EIR IMPACT 3.3-1)

- (a) Potential Impact. The potential for the Project to generate greenhouse gas emissions that would impact climate change is discussed at page 3.3-24 through 3.3-26 of the Draft EIR.
- (b) Mitigation Measures. No feasible mitigation measures were identified.

(c) Findings. Based upon the EIR and the entire record before the NCTC, this Commission finds that:

(1) Mitigation and Remaining Impacts. Future traffic conditions are forecasted to worsen largely due to the projected increase in development. The 2010 RTP has been developed to support planned and proposed growth in the region, but does not involve approvals of development projects. Forecasted growth in the County will result in increased vehicle miles traveled and daily trips regardless of the proposed project. As shown in Table 3.3-10 of the Draft EIR, there are eight study segments in Nevada County that are projected to have a level of service that fails to meet the standard established within its respective jurisdiction.

The proposed project includes funding and other strategies that are aimed at improving transportation conditions, including level of service on roadways. These are beneficial impacts to the transportation system in Nevada County; however, there will be funding shortfalls due to funding constraints. It will not be possible to fund all transportation improvements that are needed in the region. Ultimately it will be the responsibility for local land use agencies to collect development fees to fund projects that are needed, but not able to be funded through the 2010 RTP. The collection of development fees by local agencies to finance needed improvements would ensure that levels of service are maintained in their jurisdiction; however, this is not something that NCTC can control or guarantee. Therefore, implementation of the proposed project would have a significant and unavoidable impact.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the proposed project override any remaining significant adverse impact of the proposed project associated with future traffic conditions, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

C. CUMULATIVE EFFECTS OF THE PROJECT

1. INCREASED TRANSPORTATION GREENHOUSE GAS EMISSIONS MAY CONTRIBUTE TO CLIMATE CHANGE (EIR IMPACT 4.2)

(a) Potential Impact. The potential for the Project to generate greenhouse gas emissions that would impact climate change is discussed at page 4.0-5 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program:

- Mitigation Measures 3.2-1, 3.2-2, 3.2-3, 3.2-4, 3.2-5, and 3.2-6 as presented previously in this document.

(c) Findings. Based upon the EIR and the entire record before the NCTC, this Commission finds that:

- (1) Effects of Mitigation and Remaining Impacts. As discussed under Section 3.2 and 4.1 of the Draft EIR, the proposed project would have a cumulatively considerable contribution to climate change and global warming. CO₂ emissions are projected to increase by 1,400 tons per day from 2010 through the 2030 planning horizon. CO₂ emissions were 1,570 tons per day in the AB32 threshold date of 1990 and are projected to be 4,610 tons per day by the AB 32 attainment date of 2020. The trend is increasing rapidly during the planning horizon. The CO₂ emissions are related to a projected increase in VMT as a result of projected growth in region.

NCTC has included numerous projects and programs to promote the use and expansion of alternative transportation systems throughout the County and they continue to coordinate with local land use agencies to assist in the development of plans and policies aimed at reducing VMT. Implementation of the mitigation measures described Section 3.2 will assist in the reduction of per capita VMT levels throughout Nevada County, which will assist in meeting the stated goals of AB 32. However, even after implementation of all of the policies, action plans, and mitigation measures included in the RTP and this EIR, the proposed project will still contribute to an overall increase in GHGs generated in Nevada County. Therefore, this is considered a cumulatively considerable and significant and unavoidable impact.

- (2) Overriding Considerations. The environmental, economic, social and other benefits of the proposed project override any remaining significant adverse impact of the proposed project associated with impacts to climate change and greenhouse gases, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

IV. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT IMPACTS WHICH ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

A. AIR QUALITY

1. SHORT-TERM - CONFLICT WITH, OR OBSTRUCT, THE APPLICABLE AIR QUALITY PLAN, CAUSE A VIOLATION OF AIR QUALITY STANDARDS, CONTRIBUTE SUBSTANTIALLY TO AN EXISTING AIR QUALITY VIOLATION, OR RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF A CRITERIA POLLUTANT IN A NON-ATTAINMENT AREA (EIR IMPACT 3.1-2)

- (a) Potential Impact. The potential for the proposed project to result in short-term air quality impacts is discussed at pages 3.1-15 and 3.1-16 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program:
 - Mitigation Measure 3.1-1: The implementing agency for any construction activities, including dismantling/demolition of structures, processing/moving

materials (sand, gravel, rock, dirt, etc.), or operation of machines/equipment, shall prepare a dust control plan in accordance with NSAQMD Rule 226. The dust control plan shall use reasonable precautions to prevent dust emissions, which may include: cessation of operations at times, cleanup, sweeping, sprinkling, compacting, enclosure, chemical or asphalt sealing, and use of wind screens or snow fences.

- (c) Findings. Based upon the EIR and the entire record before the NCTC, this Commission finds that the impacts to air quality will be mitigated to a less than significant level as mitigation measure 3.1-1 would require the implementing agency to prepare a dust control plan in accordance with NSAQMD Rule 226. The dust control plan will use reasonable precautions to prevent dust emissions, which may include: cessation of operations at times, cleanup, sweeping, sprinkling, compacting, enclosure, chemical or asphalt sealing, and use of wind screens or snow fences.. Any remaining impacts related to air quality after implementation of mitigation measure 3.1-1 would not be significant.

2. OCCASIONAL LOCALIZED CARBON MONOXIDE CONCENTRATIONS FROM TRAFFIC CONDITIONS AT SOME INDIVIDUAL LOCATIONS (EIR IMPACT 3.1-3)

- (a) Potential Impact. The potential for the proposed project to result in occasional localized carbon monoxide concentrations from traffic conditions at some individual locations is discussed at pages 3.1-16 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program:
 - Mitigation Measure 3.1-2: The implementing agency shall screen individual RTP projects at the time of design for localized CO hotspot concentrations and, if necessary, incorporate project-specific measures into the project design to reduce or alleviate CO hotspot concentrations.
- (c) Findings. Based upon the EIR and the entire record before the NCTC, this Commission finds that the impacts to air quality will be mitigated to a less than significant level as mitigation measure 3.1-2 would require the implementing agency to screen individual RTP projects at the time of design for localized CO hotspot concentrations and, if necessary, incorporate project-specific measures into the project design to reduce or alleviate CO hotspot concentrations. Any remaining impacts related to air quality after implementation of mitigation measure 3.1-2 would not be significant.

3. POTENTIAL TO RELEASE ASBESTOS FROM EARTH MOVEMENT OR STRUCTURAL ASBESTOS FROM DEMOLITION/RENOVATION OF EXISTING STRUCTURES (EIR IMPACT 3.1-5)

- (a) Potential Impact. The potential for the proposed project to release naturally occurring asbestos from earth movement or structural asbestos from demolition/ renovation of existing structures is discussed at pages 3.1-17 of the Draft EIR.

- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program:
- Mitigation Measure 3.1-3: Prior to construction of RTP projects, the implementing agency should assess the site for the presence of asbestos including asbestos from structures such as road base, bridges, and other structures. In the event that asbestos is present, the implementing agency should comply with applicable state and local regulations regarding asbestos, including ARB's asbestos airborne toxic control measure (ATCM) (Title 17, CCR § 93105 and 93106), to ensure that exposure to construction workers and the public is reduced to an acceptable level. This may include the preparation of an Asbestos Hazard Dust Mitigation Plan to be implemented during construction activities.
- (c) Findings. Based upon the EIR and the entire record before the NCTC, this Commission finds that the impacts to air quality will be mitigated to a less than significant level as mitigation measure 3.1-3 would require the implementing agency to assess a project for the presence of asbestos, and if determined present, implement ARB's asbestos airborne toxic control measure (ATCM) (Title 17, CCR § 93105 and 93106), to ensure that exposure to construction workers and the public is reduced to an acceptable level. Any remaining impacts related to air quality after implementation of mitigation measure 3.1-3 would not be significant.

B. TRANSPORTATION AND CIRCULATION

1. RESULT IN INADEQUATE EMERGENCY ACCESS (EIR IMPACT 3.3-5)

- (a) Potential Impact. The potential for the proposed project to result in inadequate emergency access is discussed at page 3.3-27 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program:
- Mitigation Measure 3.3.1: The implementing agencies shall develop a traffic control plan for construction projects to reduce the effects of construction on the roadway system throughout the construction period. As part of the traffic control plan for individual projects, project proponents shall coordinate with emergency service providers to ensure that emergency routes are identified and remain available during construction activities.
- (c) Findings. Based upon the EIR and the entire record before the NCTC, this Commission finds that the impacts to emergency access will be mitigated to a less than significant level as mitigation measure 3.3.1 would require the implementing agency to develop a traffic control plan for construction projects to reduce the effects of construction on the roadway system throughout the construction period. As part of the traffic control plan for individual projects, project proponents will coordinate with emergency service providers to ensure that emergency routes are identified and remain available during

construction activities.. Any remaining impacts related to emergency after implementation of mitigation measure 3.3.1 would not be significant.

V. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT OR LESS THAN CUMULATIVELY CONSIDERABLE

Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR.

Air Quality: The following specific impacts were found to be less than significant:

- Impact 3.1-1: Long-Term - Conflict with, or Obstruct, the Applicable Air Quality Plan, Cause a Violation of Air Quality Standards, Contribute Substantially to an Existing Air Quality Violation, or Result in a Cumulatively Considerable Net Increase of a Criteria Pollutant in a Non-Attainment Area (less than significant)
- Impact 3.1-4: Create Objectionable Odors Affecting a Substantial Number of People (less than significant)

Greenhouse Gas Emissions and Climate Change: The following specific impacts were found to be less than significant:

- Impact 3.2.2: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases (less than significant)

Traffic and Circulation: The following specific impacts were found to be less than significant:

- Impact 3.3-2: Result in a change in the air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks
- Impact 3.3-3: Substantially increase hazards due to design features (e.g. sharp curves or dangerous intersections) or incompatible uses
- Impact 3.3-4: Interfere substantially with implementation of any adopted non-motorized transportation plan (
- Impact 3.3-6: Result in inadequate parking capacity

The proposed project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.

Air Quality: The following specific impact was found to be less than cumulatively considerable:

- Impact 4.1: Cumulative Impact on the Region's Air Quality

Traffic and Circulation: The following specific impact was found to be less than cumulatively considerable:

- Impact 4.3: Cumulative Impact on the Transportation Network

The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:

- The EIR determined that the impact is less than significant for the proposed project.
- The EIR determined that the proposed project would have a less than cumulatively considerable contribution to the cumulative impact.
- The EIR determined that the impact is beneficial (would be reduced) for the proposed project.

VI. PROJECT ALTERNATIVES

A. IDENTIFICATION OF PROJECT GOALS AND OBJECTIVES

An EIR is required to identify a "range of potential alternatives to the project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects." Chapter 2.0 of the Draft EIR identifies the Project's goals and objectives. The Project objectives include:

Goal 1.0: Provide for the safe and efficient movement of all people, goods, services, and information.

Objective 1.A: Program improvements to the transportation system which:

- Improve safety and operations. Performance Measure: State and local accident statistics for Nevada County.
- Reduce travel time required for the movement of persons, goods, and information. Performance Measure: NCTC Traffic Model travel time outputs.
- Maintain levels of service adopted by local jurisdictions. Performance Measure: Freeway segment directional capacities compared with peak hour directional volumes. Level-of-Service on local roadways will be determined in specific traffic studies.
- Support the policies of the local general plans. Performance Measure: Proposed transportation improvements will be reviewed to ensure consistency with the goals, objectives, and policies of adopted General Plans.
- Improve the provision of, and accessibility to, traveler information systems. Performance Measure: Expansion of broadband services, implementation of related ITS elements, and enhanced 511 coverage for Nevada County.

Goal 2.0: Reduce adverse impacts on the natural, social, cultural, and historical environment and the quality of life.

Objective 2.A: Development of the transportation system should be consistent with management and conservation strategies of regional resources contained in the General Plans. (Long-Range) Performance Measure: Proposed transportation improvements will be reviewed to ensure consistency with the goals, objectives, and policies of adopted General Plans.

Goal 3.0: Develop an economically feasible transportation system.

Objective 3.A: Minimize the capital costs of transportation improvements and operating costs of transit services. (Short-range) Performance Measure: When planning transportation improvements, analyze cost effectiveness of alternatives. Monitor transit statistics and recommend implementation measures to reduce operating costs.

Objective 3.B: User charges should recover as much of the cost as possible and still provide the service. (Short-range) Performance Measure: Monitor and update the Regional Transportation Mitigation Fee Capital Improvement Program as needed. Monitor transit system farebox recovery ratios.

Goal 4.0: Create and maintain a comprehensive, multi-modal transportation system to serve the needs of the County.

Objective 4.A: Reduce dependence on the automobile. (Short-range) Performance Measure: The number of pedestrian and bikeway projects implemented, transit ridership statistics, Census Journey-to-Work Mode Split Data, and the number of broadband related transactions that reduce trips.

Objective 4.B: Emphasize mass transit, ridesharing, telecommuting, and pedestrian and bicycle travel as alternatives to the automobile. (Short-range) Performance Measure: Develop and conduct a program to inform the public about alternative forms of transportation utilizing the NCTC website.

Objective 4.C: Program those improvements to the streets and road system that are appropriate with the local general plans. (Long-term) Performance Measure: Transportation improvements will be reviewed to ensure consistency with the goals, objectives, and policies of adopted General Plans.

B. ALTERNATIVES ANALYSIS IN EIR

1. NO PROJECT ALTERNATIVE:

The No Project Alternative is discussed on pages 5.0-3, 5.0-6, and 5.0-8, of the Draft EIR. As required by CEQA, this alternative assumes that the adopted 2005 RTP would remain in place and would guide improvements to the transportation network.

Findings: The No Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.

Explanation: This alternative would be out of compliance with federal and state requirements, including the California Transportation Commission Regional Transportation Plan Guidelines, it would not realize the transportation system benefits of the 2010 RTP (i.e. improvements to highways, local streets and roads, transit, bicycle, aviation, rail and goods movement), and it would not achieve the project objectives. Were transportation funding and improvements to continue to be guided by the 2005 RTP, the No Project Alternative would not achieve the objective associated with additional safety improvements. The Draft EIR does not identify any environmental benefits of this alternative over the proposed 2010 RTP.

2. FINANCIALLY UNCONSTRAINED ALTERNATIVE:

The Financially Unconstrained Alternative is discussed on pages 5.0-3 through 5.0-8 of the Draft EIR.

Findings: The Financially Unconstrained Alternative is rejected as an alternative because it is not considered fiscally feasible.

Explanation: As discussed on pages 5.0-3 of the Draft EIR, the Financially Unconstrained Alternative includes all of the individual projects identified under the Financially Constrained Alternative plus numerous additional projects that are needed but not yet funded over the planning horizon. Under this alternative, total spending would need to increase by approximately \$291,944,659 million in western Nevada County and approximately \$43,500,000 in eastern Nevada County. Total county-wide spending would need to increase by \$335,444,659. This alternative includes all projects without regard to whether or not they can be funded. A complete list of the projects and their long-term project costs are provided in Table 5.2-1 and 5.2-2 of the Draft EIR. Environmental benefits of this alternative over the proposed 2010 RTP include the reduction of impacts from air quality, greenhouse gas emissions, and transportation.

3. TRANSIT ENHANCED ALTERNATIVE:

The Transit Enhanced Alternative is discussed on pages 5.0-5, and 5.0-7 through 5.0-8 of the Draft EIR.

Findings: The Transit Enhanced Alternative is rejected as an alternative because it is not considered fiscally feasible.

Explanation: As discussed on pages 5.0-10 of the Draft EIR, the Transit Enhanced Alternative focuses investment into transit modes, while also funding the locally-funded transportation improvements included in the Financially Constrained Alternative. This alternative would require shifting funds from the Financially Unconstrained Alternative to fund transit capital, operational, and maintenance. Funding under the Financially Unconstrained Alternative is not programmed at this time and it is not known if any funds identified under the Financially Unconstrained Alternative will become available. Therefore, this alternative is not considered fiscally

feasible. Additionally, the increase in transit service under this alternative would not result in a proportionate increase in ridership, particularly in the smaller communities and more rural areas. Environmental benefits of this alternative over the proposed 2010 RTP include the reduction of impacts from air quality, greenhouse gas emissions, and transportation.

4. ENVIRONMENTALLY SUPERIOR ALTERNATIVE:

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed project.

Table 5.4-1 of the Draft EIR provides a comparison of the alternatives using a qualitative matrix that quantifies the impacts of each alternative relative to the other alternatives. As shown in Table 5.4-1 of the Draft EIR, the Financially Unconstrained and Transit Enhanced Alternatives tied for the lowest overall impact (score of 3). The Financially Constrained Alternative ranks third with a score of 6, and the No Project Alternative ranks last with a score of 8.

The Financially Unconstrained Alternative has greater transportation benefits, while the Transit Enhanced Alternative has the greater emission (Air Quality/Greenhouse Gas) benefits. Both are deemed the environmentally superior alternative because they provide the greatest reduction of potential impacts in comparison to the other alternatives. The feasibility of the environmentally superior alternative(s) is/are based on the funding availability over the planning horizon. At this time funding is programmed for a portion of these alternatives (constrained project list), while funding is not programmed for the unconstrained project list, or enhancement of transit. For these economic reasons, the environmentally superior alternative(s) are not feasible.

The NCTC will need to consider the costs and benefits of additional regional roadway projects from the unconstrained list of projects vs. the enhancement of transit service for the region as additional funds become available in the future.

VII. STATEMENTS OF OVERRIDING CONSIDERATIONS RELATED TO THE 2010 NEVADA COUNTY REGIONAL TRANSPORTATION PLAN FINDINGS

As described in Section III of these Findings, the following significant and unavoidable impacts could occur with implementation of the Project:

- Impact 3.2.1: Effects on Climate Change and Global Warming
- Impact 3.3-1: Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system
- Impact 4.2: Increased Transportation Greenhouse Gas Emissions May Contribute to Climate Change (Cumulative Impact)

The adverse effects identified above are substantive issues of concern to NCTC. However, the challenges NCTC and the implementing agencies face in relation to transportation facilities and services, such as the need for roadway safety and addressing the increased roadway congestion and demand for use of existing transportation facilities that will occur based on projected increases in population, are far greater and could lead to a larger regional transportation effect. Implementation of the 2010 RTP projects will help to alleviate many of the problems associated with the larger transportation challenges, including increased roadway safety, relief of traffic congestion, and increased infrastructure to support alternative modes of transportation, all of which will ultimately improve the overall quality of life in Nevada County.

- A. Traffic Safety. The 2010 RTP would provide improvements that would result in increased roadway safety for vehicles, pedestrians, and bicycles.
- B. Decrease Roadway Congestion. The 2010 RTP will implement roadway improvements that will decrease roadway congestion and overall vehicle hours travelled.
- C. Improve Transit and Alternative Modes of Transportation. The 2010 RTP will provide funding for transit, bicycle, and pedestrian modes, which are intended to encourage increased use of alternative modes of transportation. The increased use of these alternative modes of transportation will result in a decrease in emission of air pollutants and greenhouse gases and will assist the County in reducing its potential impact on climate change.
- D. Accommodating Regional Housing Needs Allocation. The State of California requires each county and city to accommodate its fair share of allocated state housing needs, including housing for extremely low, very low, low, moderate, and above moderate income groups. The 2010 RTP has been developed to be consistent with the adopted General Plans, including the housing and land use plans, of Nevada County Grass Valley, Nevada City, and Truckee. The 2010 RTP will assist in reducing traffic congestion and air quality impacts associated with accommodating planned growth, which includes housing growth that must be accommodated under Government Code Section 65580 et seq.

Based on the entire record and the EIR, the need for the improvement of the transportation system, the economic and social benefits of the proposed project in Nevada County outweigh and override any significant unavoidable environmental effects that would result from future implementation of the proposed project. The NCTC has determined that any environmental detriment caused by the 2010 RTP has been minimized to the extent feasible through the mitigation measures identified herein, and, where mitigation is not feasible, has been outweighed and counterbalanced by the significant social, environmental, and land use benefits to be generated to the region.