

RESOLUTION NO. 2013F-005

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FOOTHILL/EASTERN
TRANSPORTATION CORRIDOR AGENCY APPROVING ADDENDUM TO FINAL
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT AND APPROVING
CONCEPTUAL DESIGN OF THE TESORO EXTENSION PROJECT

April 18, 2013

On motion of Board Member Kring, duly seconded and carried, the following resolution was adopted:

WHEREAS, TCA Final Subsequent EIR 4 (“FSEIR”) for the South Orange County Transportation Infrastructure Improvement Project (“SOCTIIP”) was prepared and certified pursuant to the California Environmental Quality Act (“CEQA”), the State of California CEQA Guidelines, and the Foothill/Eastern Transportation Corridor Agency (“F/ETCA”) CEQA Procedures; and

WHEREAS, the SOCTIIP was described broadly to encompass a variety of transportation infrastructure improvements, including multiple variations for extending SR 241; and

WHEREAS, the F/ETCA approved an extension of SR 241 from its existing terminus at Oso Parkway to Interstate 5 at Christianitos Road, but the U.S. Department of Commerce concurred in the Coastal Commission’s objection to the F/ETCA Coastal Zone Management Act consistency certification regarding impacts of SOCTIIP within the coastal zone;

WHEREAS, subsequent to the U.S. Department of Commerce decision, TCA engaged in a comprehensive public outreach process that consisted of over 250 meetings with elected officials, project supporters, opponents, resource agency personnel, and various other stakeholders to solicit public input on the extension of SR 241;

WHEREAS, the 2008 decision of the Department of Commerce under the Coastal Zone Management Act, by its terms did not preclude the F/ETCA from modifying the SOCTIIP project; and

WHEREAS, based on the public input the TCA Board of Directors decided to pursue an extension of SR 241 from Oso Parkway to Cow Camp Road in the vicinity of State Route 74 while deferring decisions regarding future extensions of SR 241 south of Cow Camp Road; and

WHEREAS, in October 2011, the F/ETCA Board authorized staff to develop conceptual engineering plans, complete environmental assessments and develop a financial strategy for the SR 241 extension from Oso Parkway to the vicinity of SR 74; and

WHEREAS, on August 9, 2012 the F/ETCA Board authorized staff to obtain environmental clearances and permits from applicable resource agencies for the Tesoro Extension; and

WHEREAS, the Tesoro Extension consists of a 5.5-mile extension of the SR 241 between Oso Parkway and Cow Camp Road; and

WHEREAS, the Tesoro Extension is a modification of the SOCTIIP described in the 2006 FSEIR; and

WHEREAS, F/ETCA staff prepared the Addendum, dated February 15, 2013, to the FSEIR ("Addendum"), which evaluates whether the modifications to the SOCTIIP proposed by the Tesoro Extension require the preparation of a subsequent or supplemental EIR as provided in CEQA Guidelines section 15162; and

WHEREAS, the F/ETCA Board considered the Addendum with the FSEIR; and

WHEREAS, the Tesoro Extension has independent utility and will operate and provide traffic relief regardless of whether there are any future extensions of SR 241; and

WHEREAS, the approval of the conceptual design of the Tesoro Extension is not the final approval of the Tesoro Extension by the F/ETCA Board, and the construction of the Tesoro Extension will require other discretionary actions of the F/ETCA Board.

NOW, THEREFORE, the Foothill/Eastern Transportation Corridor Agency Board of Directors resolves as follows that:

1. The foregoing recitals are true and correct.
2. The Board approves the Addendum.
3. The Board adopts the findings of the Addendum that: (1) there would be no new significant effects and no increase in the severity of an impact identified in the FSEIR, (2) that the modifications of the SOCTIIP proposed by the Tesoro Extension do not require the preparation of a subsequent or supplemental EIR under Public Resources Code section 21166 or CEQA Guidelines section 15162, and (3) that an Addendum is appropriate and may be used to fulfill the environmental review requirements of the Project.;
4. The conceptual design of the Tesoro Extension, as described in the Addendum, is hereby approved.
5. The Chief Executive Officer of the Transportation Corridor Agencies is directed to bring preliminary design plans regarding the Tesoro Extension to the Board for the Board's future consideration and approval.
6. If any section, paragraph or provision of this Resolution shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any remaining provisions of this Resolution.


7. This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 18th day of April, 2013, by the following vote:

AYES: Chairwoman Bartlett, Vice-Chair Bates, Directors Allevato, Evert, Beall, Kring, Murphy, Bilodeau, Murray, Reardon, Schwing, Shea, Spitzer, McCullough

NOES: None

ABSENT: Martinez



LISA BARTLETT, CHAIR
FOOTHILL/EASTERN TRANSPORTATION CORRIDOR AGENCY

ATTEST:



KATHLEEN LOCH, CLERK OF THE BOARD



SHERRI MCKAIG, ASSISTANT SECRETARY TO THE BOARD