

Date: March 27, 2024
W.I.: 2663
Referred by: RNM Committee

ABSTRACT

Resolution No. 4634

This resolution adopts the Mitigated Negative Declaration prepared for the Napa Valley Forward: State Route 29 (SR-29) Intersection Improvement at Rutherford Road and Oakville Cross Road (Project) (SCH# 2023110670).

Further discussion of this action is contained in the Regional Network Management Committee Summary Sheet dated March 8, 2024.

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RE: Adoption of Mitigated Negative Declaration for the Napa Valley Forward: State Route 29 (SR-29) Intersection Improvement at Rutherford Road and Oakville Cross Road (SCH# 2023110670)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4634

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC proposes the SR-29 Intersection Improvement at Rutherford Road and Oakville Cross Road to improve traffic operations along the SR-29 corridor in Napa County, CA (the “Project”); and

WHEREAS, the Project will be constructed within the State owned Right-of-way in which a Cooperative Agreement with California Department of Transportation (Caltrans) is required; and

WHEREAS, MTC is implementing the Project Initiation Document, Project Approval and Environmental Document phases of the work under an executed Cooperative Agreement with Caltrans (dated February 28, 2022), referred as PID/PA&ED Cooperative Agreement; and

WHEREAS, the execution of the Cooperative Agreement for the subsequent phases of work is conditioned on the completion of obligations and responsibilities assigned to MTC under the PID/PA&ED Cooperative Agreement; and

WHEREAS, as Project Co-Sponsors, MTC and Napa Valley Transportation Authority wish to establish a three-party Cooperative Agreement with Caltrans to continue the work for the subsequent Final Design, Right-of-way, and Construction phases of the Project; and

WHEREAS, Caltrans delegated the role of California Environmental Quality Act (CEQA) Lead Agency for the Project to MTC, which is responsible for completing an Initial Study with a Mitigated Negative Declaration (“MND”) (SCH# 2023110670) pursuant to the

California Environmental Quality Act (“CEQA”) (Public Resources Code § 21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) for the Project; and

WHEREAS, the MND analyzes the environmental effects of the proposed Project, and identifies mitigation to reduce any environmental effects to a less than significant level; and

WHEREAS, Caltrans as a CEQA Responsible Agency reviewed and approved the technical studies associated with the MND along with other responsible agencies, and regulatory agencies pursuant to State CEQA Guidelines § 15073; and

WHEREAS, a proposed MND was made available to the public for review and comment during a 30-day comment period between November 29, 2023, and January 2, 2024; and

WHEREAS, pursuant to State CEQA Guidelines § 15073, MTC also provided a Notice of Intent (“NOI”) to all organizations and individuals who previously requested such notice and published the NOI for the proposed MND in a local newspaper (the Napa Valley Register), at the Napa County Clerk’s office, and online at MTC’s website to invite public review and comment. In addition, hardcopies of the proposed MND were made available at Napa Valley Transportation Authority’s office in Napa County; and

WHEREAS, during the public review period on the proposed MND, MTC received email correspondence from the public; and

WHEREAS, MTC evaluated all comments received on the proposed MND during the comment period, prepared written responses to these comments, and made revisions to the MND. None of the comments or revisions resulted in a change in conclusion of the MND that all impacts would be less than significant with mitigation; and

WHEREAS, MTC prepared the MND (Attachment A) including all appendices and revisions thereto, and prepared responses to comments; and

WHEREAS, no comments or any additional information received by MTC have resulted in substantial revision to the MND or produced significant new information requiring recirculation or additional environmental review under State CEQA Guidelines § 15073.5; and

WHEREAS, State CEQA Guidelines § 15074 provides that a lead agency shall certify that the decision-making body of the lead agency has reviewed and considered the information presented in the MND prior to approving a project; and

WHEREAS, State CEQA Guidelines § 15074 further provides that lead agencies shall certify that the MND prepared for a project has been completed in compliance with CEQA; and

WHEREAS, State CEQA Guidelines § 15074 further provides that the lead agency shall certify that the MND prepared for a project reflects their independent judgment and analysis; and

WHEREAS, the recommendation to adopt the MND was placed on the agendas for the March 8, 2024 Regional Network Management Committee and the March 27, 2024 Commission meetings, which were duly noticed to the public on or before March 1, 2024 and March 20, 2024, respectively; and

WHEREAS, pursuant to CEQA Guidelines § 15072 and 15073, MTC provided notices of the public hearing to all public agencies that submitted comments on the proposed MND prior to adoption of the MND; and

WHEREAS, all of the conclusions made by MTC pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, prior to taking action on the MND, MTC has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the MND, oral and written evidence presented to it during all meetings; now, therefore, be it

RESOLVED that MTC hereby certifies that the foregoing recitals are true and correct and incorporated by this reference; and be it further

RESOLVED, that MTC prepared the MND; and be it further

RESOLVED, that MTC finds the MND satisfies all the requirements of CEQA and the State CEQA Guidelines; and be it further

RESOLVED, that MTC finds on the basis of the whole record before it (including the Initial Study and any comments received), that there is no substantial evidence that the Project will have a significant effect on the environment; and be it further

RESOLVED, that MTC certifies that the MND (attached hereto as Attachment A and incorporated herein as though set forth at length) represents the independent judgment and analysis of MTC; and be it further

RESOLVED, that MTC, as the decision-making body, adopts the MND that was presented to it and that it has reviewed and considered the information in the MND prior to approving the Cooperative Agreement with Caltrans as a first step in implementation of the Project; and be it further

RESOLVED, that staff is directed to immediately (within five working days):

- (a) file a Notice of Determination documenting these decisions (CEQA Guidelines § 15075); and
- (b) retain a copy of the adopted MND as a public record.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on Month Day, Year.

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Attachment A
Resolution No. 4634
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PROJECT MITIGATED NEGATIVE DECLARATION

The Project Mitigated Negative Declaration is on file in the offices of the Metropolitan Transportation Commission, Bay Area Metro Center, 375 Beale Street, Suite 800, San Francisco, CA 94105. The Project Mitigated Negative Declaration can also be found on the Napa Valley Forward webpage at:

<https://mtc.ca.gov/napa-valley-forward-environmental-document>