

Statement of Overriding Considerations

The SJCOG Board of Directors adopts and makes this statement of overriding considerations concerning the project's unavoidable significant impacts to explain why the project's benefits override and outweigh its unavoidable impacts.

The EIR has identified and discussed significant effects that may occur as a result of the project. As set forth in these CEQA Findings, SJCOG has made a reasonable and good faith effort to eliminate or substantially mitigate the significant impacts resulting from the project and has made specific findings on each of the project's significant impacts and on mitigation measures and alternatives. With implementation of the mitigation measures discussed in the EIR, many of the project's effects cannot be mitigated to a level of less than significant. Even with implementation of all feasible mitigation, the project will result in significant and unavoidable impacts as follows:

Aesthetics

Impact AES-1. The proposed transportation projects and land use projects envisioned under the proposed 2022 RTP/SCS would have a substantial adverse effect on scenic vistas and substantially damage scenic resources within a state scenic highway. Impacts would be significant and unavoidable.

Impact AES-2. The proposed transportation projects and land use patterns envisioned by the proposed 2022 RTP/SCS would in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site or its surroundings, and in an urbanized area, would conflict with applicable zoning and other regulations governing scenic quality. Impacts would be significant and unavoidable.

Impact AES-3. Development of proposed transportation improvement projects and land use patterns envisioned under proposed 2022 RTP/SCS would create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area. Impacts are significant and unavoidable.

Cumulative impacts. The combination of forecasted development in the SJCOG region and planned development in neighboring counties will result in a different visual environment than currently exists. The cumulative impacts associated changes in the visual environment (including scenic vistas and scenic resources) and night sky lighting and are considered significant and the contribution of the proposed 2022 RTP/SCS to these impacts is cumulatively considerable. This impact would be significant and unavoidable.

Agriculture and Forestry Resources

Impact AG-2. The proposed 2022 RTP/SCS could result in the conversion of important farmland to nonagricultural use, and/or conflict with existing zoning for agriculture. This impact would be significant and unavoidable.

Cumulative Impacts. The proposed 2022 RTP/SCS would convert agricultural land to non-agricultural uses and may result in conflicts with agricultural zoning and Williamson Act.

Air Quality

Impact AQ-2. Construction activities associated with transportation improvements and land use projects envisioned by the proposed 2022 RTP/SCS would result in a cumulatively considerable net increase in criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard. This impact would be significant and unavoidable.

Impact AQ-3. Operation of the proposed transportation improvements and land use projects envisioned by the proposed 2022 RTP/SCS would result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Impacts would be significant and unavoidable.

Impact AQ-5. The transportation improvements and land use projects envisioned by the proposed 2022 RTP/SCS would expose sensitive receptors to substantial TAC concentrations. Impacts would be significant and unavoidable.

Cumulative impacts. San Joaquin County is in nonattainment for federal ozone and PM_{2.5} standards and state ozone, PM₁₀, and PM_{2.5} standards. Because San Joaquin County is in nonattainment for these air quality standards, a cumulative air quality impact currently exists. Impacts from TAC emissions would be cumulatively considerable despite a decrease in TAC emissions from baseline 2016 conditions because the proposed 2022 RTP/SCS may result in the siting of sensitive receptors in close proximity to existing or new sources of TACs.

Biological Resources

Impact BIO-1. Implementation of transportation projects and the land use scenario envisioned by the proposed 2022 RTP/SCS may result in impacts to special-status plant and animal species, either directly or through habitat modifications. This impact would be significant but mitigable. For agencies utilizing the SJMSCP, this impact would be less than significant.

Impact BIO-2. Implementation of transportation projects and the land use scenario envisioned by the proposed 2022 RTP/SCS would result in substantial adverse impacts on sensitive habitats, including state or federally protected wetlands. This impact would be significant, but mitigable. This impact would be significant but mitigable. For agencies utilizing the SJMSCP, this impact would be less than significant.

Impact BIO-3. Implementation of transportation projects and the land use scenario envisioned by the proposed 2022 RTP/SCS would interfere substantially with wildlife movement, including fish migration, and/or impede the use of native wildlife nursery sites. This impact would be significant, and unavoidable.

Cumulative impacts. Development of the 2022 RTP/SCS would result in direct and indirect impacts to sensitive/special status species or their habitat; impacts to riparian, wetland, or other sensitive natural communities; or interference with wildlife movement.

Cultural Resources

Impact CR-1. Transportation improvement projects and the land use scenario envisioned by the proposed 2022 RTP/SCS would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5. This impact would be significant and unavoidable.

Impact CR-2. Construction activity associated with transportation improvement projects and the land use scenario envisioned by the proposed 2022 RTP/SCS may cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. Potential impacts to archaeological resources would be significant and unavoidable.

Cumulative impacts. The proposed 2022 RTP/SCS could require substantial ground disturbance in undisturbed areas or in infill areas, which could impact historic built environment resources and archaeological resources. Cumulative impacts to archaeological and historical resources is significant and unavoidable.

Geology and Soils

Impact GEO-5. Implementation of the proposed transportation improvements and the land use scenario envisioned by 2022 RTP/SCS could cause a substantial adverse change in or disturb known and unknown paleontological resources as defined in CEQA guidelines section 15064.5. Impacts to paleontological resources would be significant and unavoidable.

Cumulative impacts. The proposed 2022 RTP/SCS could cause a substantial adverse change in or disturb known and unknown paleontological resources and would therefore result in a cumulatively considerable contribution to the significant and unavoidable impact.

Greenhouse Gas Emissions and Climate Change

Impact GHG-1. Construction of the transportation improvements and land use projects envisioned by the proposed 2022 RTP/SCS would generate GHG emissions that may have a significant impact on the environment. Impacts would be significant and unavoidable.

Impact GHG-2. Proposed transportation improvements and land use projects envisioned by the proposed 2022 RTP/SCS would result in a net increase in GHG emissions by 2046 compared to the existing baseline conditions and would therefore have a significant impact on the environment. Impacts would be significant and unavoidable.

Impact GHG-4. Implementation of the proposed 2022 RTP/SCS would conflict with the State's ability to achieve SB 32, EOs S-3-05 and B-55-18, and applicable local GHG reduction plan targets and goals. Impacts would be significant and unavoidable.

Cumulative impacts. Construction of transportation improvement and land use projects would have cumulatively considerable contributions to GHG emissions. This cumulative impact is significant and unavoidable.

Hazards and Hazardous Materials

Impact HAZ-3. The 2022 RTP/SCS includes land use patterns and transportation projects that could occur on previously unknown hazardous material sites or sites on the list compiled by Government Code Section 65962.5, and therefore create a significant hazard to the public or environment. This impact would be significant but mitigable.

Cumulative impacts. The proposed 2022 RTP/SCS, could result in hazards and exposure to hazardous materials. Cumulative impacts related to hazards and hazardous materials is significant and unavoidable.

Hydrology and Water Quality

Impact HYD-2. Implementation of proposed transportation and land use projects envisioned in the proposed 2022 RTP/SCS would substantially decrease groundwater supplies, and interfere with groundwater recharge such that it may impede sustainable groundwater management of the basins. Impacts would be significant and unavoidable.

Cumulative impacts. The proposed 2022 RTP/SCS would contribute significant cumulative impacts related to groundwater supply. Development within the cumulative impact area would substantially decrease groundwater supplies by increasing the amount of overdraft throughout critically over-drafted basins, impeding sustainable groundwater management. Cumulative impacts related to groundwater supply would be significant and the proposed 2022 RTP/SCS contribution to this impact would be significant and unavoidable.

Noise

Impact N-1 Construction activity associated with transportation improvements and land use projects envisioned by the proposed 2022 RTP/SCS would generate a substantial temporary increase in ambient noise levels in excess of standards established in local general plans or noise ordinances and would generate a substantial absolute noise increase over existing noise levels. This impact would be significant and unavoidable.

Impact N-2. Proposed transportation improvements envisioned by the proposed 2022 RTP/SCS would generate a substantial permanent increase in ambient noise levels in excess of standards or over existing noise levels and generate a substantial absolute noise increase over existing noise levels. This impact would be significant and unavoidable.

Impact N-3. Construction activities associated with transportation projects and land use projects would generate excessive groundborne vibration levels. New truck and bus traffic resulting from the 2022 RTP/SCS would generate excessive vibration levels. These impacts would be significant and unavoidable.

Impact N-4. Land use projects envisioned by the 2022 RTP/SCS may place sensitive receptors in areas with noise levels in excess of standards established in the local general plan or noise ordinance. This impact would be significant and unavoidable.

Cumulative impacts. The proposed 2022 RTP/SCS could contribute to a significant increase in traffic noise levels on roadway segments throughout the cumulative impact analysis area, beyond accepted thresholds in various communities outside of the region. The 2022 RTP/SCS contribution to cumulative impacts are cumulatively considerable. These impacts are significant and unavoidable.

Transportation

Impact T-2. The proposed 2022 would result in an overall increase in regional VMT above baseline (2016) conditions. The proposed 2022 RTP/SCS would result in an increase in VMT per capita below the above baseline (2016) conditions. Regional VMT and VMT per capita impacts from implementation of the proposed 2022 RTP/SCS would be significant and unavoidable. The induced travel impact at the regional level would be less than significant.

Cumulative impacts Implementation of the 2022 RTP/SCS would increase daily VMT in 2046 compared to the baseline 2016 conditions resulting in significant and unavoidable impacts. The

proposed 2022 RTP/SCS contribution to cumulative VMT impacts would be cumulatively considerable. These impacts are significant and unavoidable.

Tribal Cultural Resources

Impact TCR-1. Implementation of proposed transportation improvements and future projects included in the land use scenario envisioned in the 2022 RTP/SCS has the potential to impact tribal cultural resources. Impacts would be less than significant with mitigation incorporated.

Cumulative impacts. The proposed 2022 RTP/SCS would continue to develop under the SCS and could result in expansion of urban areas into undeveloped land and that development could encourage development in adjoining counties that have the potential to impact tribal cultural resources. The increase in growth in previously undisturbed areas contributes to regional impacts on tribal cultural resources. The cumulative impact would be significant and unavoidable.

Wildfire

Impact WF-1. Proposed transportation improvements and land use projects envisioned by the proposed 2022 RTP/SCS would be located in or near an SRA or very high fire hazard severity zone, and significant risks of loss, injury, or death from wildfires or downstream flooding or landslides would occur. Impacts would be significant but mitigable.

Cumulative impacts. The 2022 RTP/SCS is not expected to substantially increase wildfires, but the occurrence of wildfires always exists within the SJCOG region and transportation and land use projects under 2022 RTP/SCS could place people and structures within or less than two miles from an near SRAs or lands classified as very high fire hazard severity zones. Construction and operation of projects would risk exacerbating these existing fire hazards by creating additional potential sources of fire ignition. The proposed 2022 RTP/SCS's contribution to wildfire impacts would be cumulatively considerable. These impacts are significant and unavoidable.

In accordance with Section 15093 of the CEQA Guidelines, and having reduced the adverse significant environmental effects of the project to the extent feasible, having considered the entire administrative record on the project, and having weighed the benefits of the project against its unavoidable adverse impacts after mitigation, the SJCOG Board of Directors hereby finds that the following legal, economic, social and environmental benefits of the project outweigh its unavoidable adverse impacts and render them acceptable based upon the following considerations. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact:

- a. The implementation of 2022 RTP/SCS transportation projects will provide a safe, secure, and efficient transportation systems that would provide improved mobility and access for the residents of San Joaquin County and that is consistent with economic, social and environmental goals and policies of the region
- b. The SCS will achieve the regional GHG reduction targets set by the California Air Resources Board (CARB) and in accordance with other State and Federal regulations.
- c. The project will promote consistency between the California Transportation Plan, the 2022 RTP/SCS, other plans developed by cities, the County, districts, Native American tribal governments and State and Federal agencies in responding to Statewide and interregional transportation issues and needs.

- d. The construction of transportation projects will result in both short-term and long-term economic benefits to the SJCOG region and its residents. Transportation projects will indirectly provide for a number of jobs relating to construction and maintenance. The 2022 RTP/SCS plans for approximately \$12.6 billion in revenues expected to be available to the region from all transportation funding sources over the course of the planning period -- which will result in direct and indirect employment benefits.