



RESOLUTION 03-2016
Adopted by the
CALIFORNIA OFF-HIGHWAY MOTOR VEHICLE RECREATION COMMISSION
at a meeting conducted in
Sacramento, California
October 21, 2016

**Certification of the Final Environmental Impact Report for
Carnegie State Vehicular Recreation Area**

WHEREAS, the Commission is established within the California Department of Parks and Recreation (California State Parks) with responsibility for advisory oversight of the California Off-Highway Motor Vehicle Recreation Program pursuant to Public Resources Code Section 5090.15 et seq.; and

WHEREAS, General Plans are submitted to the Off-Highway Motor Vehicle Recreation Commission (OHMVRC) for approval pursuant to Public Resources Code Sections 5090.15(c) and 5002.2, which requires the OHMVRC to hold a public hearing to consider and approve general plans prepared for State Vehicular Recreation Areas (SVRAs) pursuant to PRC section 5002.3; and

WHEREAS, the Deputy Director of the Division of Off-Highway Motor Vehicle Recreation has presented to this Commission for approval the General Plan for Carnegie SVRA dated September 2016 (General Plan) together with the related Draft Environmental Impact Report (EIR), Final EIR, including Public Comments and Responses to Public Comments; and

WHEREAS, the General Plan and EIR were developed through a public input and review process begun in May 2012, and the culmination of a collaborative public planning process led by California State Parks; and

WHEREAS, the General Plan is consistent with the California State Parks SVRA classification; and

WHEREAS, the General Plan will guide the development and management of the Carnegie SVRA for public use and resource protection for the next 20 or more years, by establishing goals and guidelines to assist in the daily and long-term management of the SVRA to provide OHV recreation and related recreation activities while ensuring that its sensitive resources are protected; and

WHEREAS, the General Plan is subject to the California Environmental Act (CEQA) and the General Plan and EIR function as a “tiered EIR” pursuant to PRC 21093, covering general goals and objectives of the General Plan, and that the appropriate level of CEQA compliance will be conducted for each project relying on the Plan; and

WHEREAS, the Commission toured Carnegie SVRA on February 4, 2016 and met in Tracy California on February 5, 2016 to receive comments from the public on the EIR prepared for the General Plan; and

WHEREAS, the Commission met in Sacramento California on October 21, 2016 to receive comments from the public and consider for approval the General Plan and FEIR for Carnegie SVRA;

NOW, THEREFORE, BE IT RESOLVED: That this Commission has reviewed and considered the information and analysis in the General Plan and EIR prior to approving the General Plan and EIR, and this Commission finds that the General Plan and EIR reflect the independent judgement and analysis of this Commission and has been completed in accordance with CEQA; and be it

RESOLVED, as stated in Impact 3.2-2 and Impact 3.2-3 of the Draft EIR, the operation of Carnegie SVRA as envisioned in the General Plan, even with implementation of goals and guidelines to reduce impacts, would have significant and unavoidable impacts associated with Air Quality; and

RESOLVED, the General Plan and operation of Carnegie SVRA include the following conditions that render acceptable the significant and unavoidable effects related to Air Quality:

- Carnegie SVRA provides an OHV recreation destination in close proximity to the large East Bay urban centers, limiting the amount of emissions and carbon production associated with citizens traveling to and from other facilities,
- OHV emissions are regulated at the state level through the California Air Resources Board Green/Red Sticker Registration Program,
- The General Plan provides Visitor Experience Areas that limit development and SVRA operations in the portions of Carnegie SVRA nearest to the neighboring community of Livermore, CA,
- Carnegie SVRA is legislatively established and sited through Public Resource Code 5006.48, directing the California State Parks to operate Carnegie SVRA as an OHV recreation facility,
- Inherent in the operation of an OHV recreation facility are air quality impacts associated with OHV engine emissions and fugitive dust emissions,
- California State Parks is directed by Public resources Code 5090.43(a) to make the fullest public use of outdoor recreational opportunities on SVRA lands,
- Carnegie SVRA is sited in a canyon with few sensitive receptors, primarily limited to intermittent SVRA staff housing and campgrounds, and

RESOLVED, the Commission adopts a statement of overriding considerations, finding that a commitment to responsibly managing Carnegie SVRA to reduce air quality impacts during future operation and planning efforts, outweighs the potential adverse air quality environmental effects required as a part of the approval of the Project; and

RESOLVED: In connection with its review of the General Plan and EIR prior to approving the General Plan, the Commission independently finds the environmental conclusions contained within the EIR are supported by facts therein and that each fact in support of the findings is true and is based on substantial evidence in the record and that the plan goals and guidelines have been incorporated into the General Plan, which will avoid or substantially lessen the potential impacts identified in the EIR; and be it

RESOLVED: That all feasible mitigation measures have been incorporated into the General Plan to substantially reduce significant effects on the environment, as described in the Findings, and that the legal, social, technological and other benefits of the General Plan described herein outweigh the unavoidable air quality impacts, as described in the Statement of Overriding Considerations adopted at the time of project approval, and so the unavoidable significant environmental impacts are overridden by these factors and are, therefore, acceptable; and be it

RESOLVED: That the commission acknowledges that additional project level environmental analysis will be required and completed prior to implementation of project specific plans; and be it

RESOLVED: The location and custodian of the General Plan and other materials which constitute the record of proceedings on which the Commission's decision is based is: Off-Highway Motor Vehicle Recreation Commission, 1725 23rd Street, Suite 200, Sacramento, California, 95816, Phone 916/324-4442; and be it

RESOLVED: The Off-Highway Motor Vehicle Recreation Commission hereby certifies the EIR prepared for the Carnegie SVRA General Plan; and be it

FURTHER RESOLVED: That a Notice of Determination will be filed with the Governor's Office of Planning and Research within five days of this approval.

Attest: This Resolution was duly adopted by the California State Parks, Off Highway Motor Vehicle Recreation Commission on October 21, 2016 at the Commission's duly noticed public meeting at Sacramento, California.

By:  _____ Date: 10-21-2016
Brian Robertson, Chief
Off-Highway Motor Vehicle Recreation Division
for Lisa Mangat, Director
California State Parks
Secretary to the Commission

