

RESOLUTION NO. F2025-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FOOTHILL/EASTERN
TRANSPORTATION CORRIDOR AGENCY ADOPTING THE FINAL
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL
IMPACT STATEMENT, ENVIRONMENTAL COMMITMENTS RECORD AND
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR THE
STATE ROUTE 241 (SR 241)/STATE ROUTE 91 (SR 91) TOLLED EXPRESS LANES
CONNECTOR PROJECT AND PROCEEDING WITH THE STATE ROUTE 241 (SR
241)/STATE ROUTE 91 (SR 91) TOLLED EXPRESS LANES CONNECTOR PROJECT**

WHEREAS the Foothill/Eastern Transportation Corridor Agency (the "Agency") in cooperation with the California Department of Transportation ("Caltrans") proposes to implement the State Route 241 (SR 241)/State Route 91 (SR 91) Tolled Express Lanes Connector Project (the "Project"); and

WHEREAS the Project consists of constructing a tolled median-to-median connector between State Route 241 and the tolled lanes in the median of State Route 91(Express Lanes); and

WHEREAS Caltrans as the CEQA Lead Agency for the Project certified a Final Supplemental Environmental Impact Report/Environmental Impact Statement (Supplemental EIR/EIS) analyzing all phases and potential impacts of the Project and prepared accompanying Environmental Commitment Record ("ECR") as the Mitigation Monitoring Reporting Record for the Project; and

WHEREAS subsequent to Caltrans's certification of the Supplemental EIR/EIS changes were made to the Project design, including a net increase of 3.2 miles of permanent improvements, including additional temporary advanced signage, and other roadway improvements.

WHEREAS at a duly noticed Board meeting on April 10, 2025, the Agency Board reviewed and considered the environmental effects of the Project as shown in the Supplemental EIR/EIS and independently reviewed and considered the ECR, and the CEQA findings that were adopted by Caltrans in support of certification of the Supplemental EIR/EIS; and

WHEREAS Public Resources Code section 21002.1, subdivision (d), provides that before taking action on a project, a responsible agency must consider the environmental effects identified in the EIR of the activities that it is required to approve or carry out.

WHEREAS California Code of Regulations, title 14, sections 15041, subdivision (b) and 15096, subdivision (g)(1) provide that when deciding whether to approve a project, a responsible agency must also consider whether to adopt mitigation measures or alternatives, but only for the significant impacts, if any, of the activities it is approving.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors that:

1. The recitals set forth above are held to be true and correct and, by this reference, are hereupon incorporated as Findings.
2. The Board of Directors, as a Responsible Agency under CEQA, has independently reviewed and considered the Certified Final Supplemental EIR/EIS, Environmental Commitment Record, Project CEQA Findings, and Revalidation for the SR 241/SR 91 Tolled Express Lanes Connector Project that was prepared by Caltrans.
3. The Board of Directors adopt the Certified Final Supplemental EIR/EIS, Environmental Commitment Record and Project CEQA Findings by Caltrans for the SR 241/SR 91 Tolled Express Connector Project, pursuant to Public Resource Code Section 21002.1(d), CEQA Guideline Section 15041(b), 15091, and 15096 and the Agency's Administrative Code Procedures for Implementing CEQA.
4. The Board of Directors proceed with the SR 241/91 Tolled Express Lanes Connector and find that Project modifications does not involve substantial changes to the Project described in the Supplemental EIR/EIS; does not involve substantial changes with respect to the circumstances under which the Project is described in the Supplemental EIR/EIS is being undertaken, and does not involve new information which was not known and could not have been known at the time Caltrans certified the Supplemental EIR/EIS and that no further documentation is required.
5. The Board of Directors directs staff to file a Notice of Determination with the County of Orange within five (5) working days of the Agency's approval of the Project.

Adopted this 10th day of April 2025, by the Board of Directors of the Foothill/Eastern Transportation Corridor Agency.



Patricia (Trish) Kelley, Chair
Foothill/Eastern Transportation Corridor Agency

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ATTEST:

I, Mengci Yang, Acting Clerk of the Board of the Foothill/Eastern Transportation Corridor Agency hereby certify that the foregoing Resolution No. F2025-02 was adopted on April 10, 2025, by the Board of Directors of the Foothill/Eastern Transportation Corridor Agency by the following vote:

Motion: Scott Voigts

Yes: Patricia Kelley, Nick Anas (Alternate), Anthony Beall, Denis Bilodeau, Doug Chaffee, Jamey Federico (Alternate), William Go, Janice Lim, Natalie Meeks, David Penaloza, Ray Schnell, Donald Wagner

No: None

Absent: John Taylor

Abstain: None



Date: 2025.04.10 13:23:41
-07'00'

Mengci Yang, Acting Clerk of the Board
Foothill/Eastern Transportation Corridor Agency

APPROVED AS TO FORM:



Ben Rubin, Legal Counsel