



FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

CALIFORNIA OFF-HIGHWAY MOTOR VEHICLE RECREATION COMMISSION

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

October 24, 2024

The California Environmental Quality Act (CEQA) requires a lead agency to balance the environmental benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, the lead agency may determine that the effects are acceptable and must state in writing the specific reasons to support its action. The statement of overriding considerations must be based on information in the record and included in the record of the project approval and mentioned in the notice of determination.

This Commission has reviewed and considered the information and analysis in the General Plan and Environmental Impact Report (EIR), including Impact 3.3-1 and Impact 3.3.2, which state that the operation of Carnegie State Vehicular Recreation Area (SVRA) as envisioned in the General Plan Update, even with the implementation of all goals and guidelines to reduce impacts, would have significant and unavoidable impacts associated with Air Quality. Therefore, pursuant to Section 15093 of the CEQA Guidelines, the Commission provides the following findings and statement of overriding considerations.

Carnegie SVRA is legislatively established and sited through Public Resource Code 5006.48, which directs California State Parks to operate Carnegie SVRA as an off-highway vehicle (OHV) recreation facility. 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. Inherent in the operation of an OHV recreation facility are air quality impacts associated with engine emissions and fugitive dust emissions.

However, the Commission determined that the project's significant and unavoidable effects of these emissions, as described in the EIR, are acceptable given the following conditions:

- Carnegie SVRA provides an OHV recreation destination in close proximity to 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 sited in a canyon with few sensitive receptors, primarily limited

- to intermittent SVRA staff housing and campgrounds;
- The General Plan Update contains a set of goals and guidelines to be implemented to reduce adverse impacts on air quality resulting from General Plan Implementation, as outlined in the attached Mitigation Monitoring and Reporting Program (MMRP).

Therefore, as stated in Resolution OHV-24-01, 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 effects of the project's emissions.

Furthermore, the Commission finds that the statement of overriding considerations is based on information contained in the General Plan Update and EIR, that the 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 Update, which will avoid or substantially lessen the potential impacts identified in the EIR.

Moreover, the Commission determined that all feasible mitigation measures have been incorporated to substantially reduce significant effects on the environment, as described in these Findings, and that the legal, social, and other benefits of the General Plan Update described herein outweigh the unavoidable air quality impacts, and so the unavoidable significant environmental impacts are overridden by these factors and are, therefore, acceptable.