

RESOLUTION NO. 25-__

A RESOLUTION OF THE CUPERTINO CITY COUNCIL AUTHORIZING SUBMITTAL OF A COMMENT LETTER ON THE DRAFT PLAN BAY AREA 2050+ AND THE ASSOCIATED DRAFT ENVIRONMENTAL IMPACT REPORT

WHEREAS, the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) have released the Draft Plan Bay Area 2050+ and its accompanying Draft Environmental Impact Report (Draft EIR) for public review and comment; and

WHEREAS, the Draft Plan Bay Area 2050+ serves as the region's long-range transportation, housing, economic, and environmental plan and will guide major regional investments, local planning expectations, and statutory processes such as the Regional Housing Needs Allocation (RHNA); and

WHEREAS, the Draft EIR evaluates the environmental impacts associated with implementation of the Draft Plan Bay Area 2050+, including impacts related to wildfire risk, emergency evacuation, water supply, wastewater, stormwater, landfill capacity, air quality, transportation, public services, hazardous materials, and other environmental resources; and

WHEREAS, the City Council of the City of Cupertino has carefully reviewed the Draft Plan and the Draft EIR and identified substantial concerns regarding:

- reliance on an overstated regional population and employment forecast;
- use of a non-standard modeling approach that diverges from State demographic projections;
- voluntary and non-enforceable mitigation measures that leave numerous impacts Significant and Unavoidable (SU);
- deficiencies in wildfire, evacuation, and public-safety analysis;
- inconsistencies in the water-supply and cumulative-impact findings; and
- risks associated with sea-level rise, tidal flooding, freeway-adjacent air-quality exposures, and overstressed public-service and infrastructure systems; and

- major funding risks and unfunded local obligations associated with many strategies and mitigations that rely on future regional, state, or federal revenues that have not yet been secured; and

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve the City Council Comment Letter on the Draft Plan Bay Area 2050+ and Draft Environmental Impact Report, attached as Exhibit A to this Resolution.

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment. In the event that this Resolution is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the proposed action would have no or only a de minimis effect on the environment. The foregoing determination is made by the City Council in its independent judgment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 2nd day of December, 2025, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED: Liang Chao, Mayor City of Cupertino	Date
ATTEST: Kirsten Squarcia, City Clerk	Date

Reserved for Exhibit A