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**FRESNO COUNTY SB 375 TASK FORCE  
SPECIAL MEETING WITH ARB  
MEETING NOTES**

**Date:** Monday, March 1, 2010  
**Time:** 3:00–4:00 p.m.  
**Place:** San Joaquin Valley Air Pollution Control District  
Governing Board Room  
1990 E. Gettysburg Ave.,  
Fresno, CA

**ATTENDEES:**

Doug Ito, ARB (on video-conferencing)  
Jamesine Rogers, ARB (on video-conferencing)  
Keith Bergthold, City of Fresno  
Scott Tyler, City of Fresno  
Sandy Brock, City of Fresno  
Dave Fey, City of Clovis  
John Holt, City of Clovis  
Lynn Gorman, County of Fresno

Steve McDonald, Caltran  
Beverly Baucher, Caltrans  
Tom Jordan, SJVAPCD  
Dan Barber, SJVAPCD  
Mike Bitner, Fresno COG  
Kristine Cai, Fresno COG  
Kathy Chung, Fresno COG

**INTRODUCTION**

Tom Jordan, Air District, stated that at the request of the Fresno COG staff, the meeting will be recorded.

All attendees gave self-introductions.

Kristine Cai, Fresno COG, explained that the purpose of this meeting was to discuss two questions that were raised during the last SB 375 task force meeting:

1. Must our land use scenarios for the target-setting be used in our SCS?
2. How will the State use the targets we submit to set our final targets?

**MUST OUR LAND USE SCENARIOS FOR TARGET-SETTING BE USED IN OUR SCS?**

Kristine Cai explained that our current scenarios for target-setting represent ambitious thoughts from city staffs that have not been blessed by their elected officials. When it comes time to develop the SCS, will the cities be held to these scenarios or will they have the flexibility to change them?

Dave Fey, City of Clovis, concurred that this was the concern of both the City of Clovis and the City of Fresno. He further explained that his concern stemmed from Clovis's experience with the housing element and the RHNA process. Because of the ramifications of the RHNA results, Clovis is now held to specific numbers and locations of housing, and Clovis has lost \$5 million in affordable housing projects because they do not have a certified housing element. They have fears they will be held to the target-setting scenarios

**Member Agencies:** The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

made at the staff level without the consent of their city council. Dave Fey also stated his concern that the setting of targets may affect the ability of his city council to exercise its land use authority.

Doug Ito, ARB responded by saying:

"There's a perception that 375 somehow may result in some boundaries or constraints on local land use decisions. Coming from a practitioner's standpoint as we look at implementing 375, we're really viewing this as something that ultimately gets implemented at the local level so it's really starting from the decisions that cities are making."

"The process we are going through is not intended to be the pre-planning of what you are going to be held to."

"From a target-setting perspective, the statute only allows us to comment up and to the point where we're setting targets for the MPO regions. And there really isn't a comment about how the region goes about reaching the target."

"The target-setting scenarios that we've been asking the MPOs to provide—those are to the degree to which the regions are comfortable proposing--suggested targets or suggested scenarios. That's as far as they're going."

"We're asking MPOs, 'Give us as much information as you can about where your region is, where you think it's going, how the recession has impacted you, and help us to understand your region so that when we go about setting targets we're not completely off our mark because we relied on information from three years ago.'"

"375 requires that this process be a very transparent and public one. So on your concern about the data being used in a different way, we do expect to post the scenarios we get from the MPOs, the data we get, on our website, so that not just other state agencies, but members of the public and other jurisdictions can see where each region is going."

Dave Fey expressed his concern that tools and technical restrictions will replace the discretion of city councils.

Doug Ito responded:

"There's built into the process the recognition that local land use authority has got to remain intact. The intent of 375 is not to undo that."

Keith Bergthold, City of Fresno, stated that his fear is the development community may take maps and data and say "This is it." In the past, data has been used in ways not intended, so there's an underlying fear of this data getting out when they're at a concept stage.

Doug Ito answered:

"We'd love as much information as possible . . . Is there a way that local jurisdictions can provide information that Fresno COG can consolidate or does something with so that when they provide us with the suggested target, it's not as explicit as you might have otherwise provided?"

"It's to what degree you can provide is what it comes down to. There's going to be some regions that don't give us any information. But if you're able to describe the kinds of policies that the local governments are thinking of putting in place and the kinds of impacts that you can see could happen. It doesn't have to be that this is the land use piece, this is the transit piece, this is the transportation demand management piece. It could be greater infill by a certain percent non-specific to location within the region."

Keith Bergthold asked "So if we describe the detailed analysis we did by TAZ, but then we destroyed all that data and send you the narrative, would you be OK? Doug Ito answered "It is what we would have."

Doug Ito further explained:

“The target sets the goal for the region and when you enter into SCS development, even if you have a completely new strategy for the entire region, as long as you meet the target, that’s really what the target’s there for. So you can submit TAZ level information for target-setting, completely scrap that, and come in during the SCS with a new parcel-level view as long as it meets that target.”

#### **HOW WILL THE STATE USE THE TARGETS WE SUBMIT TO SET OUR FINAL TARGETS?**

Kristine Cai asked if we submit our most ambitious targets to ARB, what will ARB do with it? Will ARB look at each region’s target and increase them by a certain percent to reach a statewide target? Or will ARB look at the individual targets and stick with them? Or what? If we give ARB our most ambitious target and ARB increases it, what can we do?

Doug Ito responded:

“There was a predisposed concept that we’re trying to hit a number. What we’re asking each MPO to do in terms of providing scenarios is to give us an indication of what the region thinks they can go. There isn’t a netting out of a number that we need. So a lot of it is going to be based on the information that is provided by each one of the regions.”

Kristine asked if there were any other questions from anyone at this time and no one responded. Doug Ito said if any other questions arise in the future, we can schedule another meeting like this one