

June 30, 2018

**Amanda Monaco, J.D.**  
Policy Advocate  
Leadership Counsel for Justice and Accountability  
764 P St., Suite 012  
Fresno, CA 93721

**Re: Draft 2018 Regional Transportation Plan**

Dear Ms. Monaco,

Fresno COG has received and thanks Leadership Counsel and its partners for the June 1<sup>st</sup>, 2018 letter regarding the draft 2018 RTP/SCS. Respectfully, Fresno COG offers the following responses:

**Comment:**

Thank you for the opportunity to comment on the Draft 2018 Regional Transportation Plan for Fresno County. We commend the Fresno Council of Governments (Fresno COG) for the significant time and resources it has spent to date on the public process for the development the 2018 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS). Leadership Counsel has been engaged in this process from the beginning and has helped ensure that environmental justice and disadvantaged communities have the opportunity meaningfully engage. Through these comments and our continued participation in this RTP/SCS update process, Leadership Counsel aims to ensure that Fresno COG explicitly considers input received by residents and representatives of disadvantaged communities and that the final RTP/SCS plans for an integrated and comprehensive multi-modal transportation system that affirmatively addresses the disparate adverse conditions impacting disadvantaged communities as required by state and federal law.

Fresno COG has made substantial strides in developing a more inclusive public process, new project evaluation criteria intended to benefit the County's communities most in need of transportation infrastructure, and policies to better suit the needs of environmental justice communities. However, the Draft falls short of legal mandates and guidance that require that Fresno COG "to explicitly consider" the public input, including input provided by residents of disadvantaged communities, and to advance access to critical infrastructure and services in low-income communities, communities of color, and immigrant communities which have been denied these services in the past. In addition, the Draft fails to incorporate and take advantage of

recommendations contained in CalTrans 2017 RTP Guidelines (“Guidelines”) intended to ensure that RTP/SCS fulfills its potential to facilitate sustainable development, advance the state housing goals, promote public health, and address the needs of disadvantaged communities and protected populations.

Fresno COG must revise the Draft to address these shortcomings, including in particular by planning for the transportation needs of disadvantaged communities and environmental justice communities. This letter below provides additional detail about the Draft’s deficiencies and recommendations regarding revisions which would ensure that the final RTP/SCS complies with applicable state and federal mandates and advances transportation access for the communities and populations with the greatest need.

**Response:** Thank you for your comments and for recognizing the strides Fresno COG’s 2018 RTP/SCS has made in engaging our most disadvantaged citizens in the transportation planning process. The RTP/SCS addresses the multi-modal transportation needs in the next 25 years in the Fresno region. The Plan has been developed in compliance with all related state and federal regulations. It has met the requirement of 2017 RTP Guidelines and has “facilitated sustainable development, advance the state housing goals, promote public health, and address the needs of disadvantaged communities and protected populations”, which can be demonstrated by the following examples in the 2018 RTP/SCS:

- The 12 Smart Growth Principles adopted as part of the San Joaquin Valley Blueprint process have been applied in the 2018 RTP/SCS to advance the sustainability in the region; (page 3-4)
- Aggressive housing targets for more affordable townhomes and multi-family are included in the housing growth allocation in the SCS; (page 3-11)
- Public health was incorporated throughout the process by the implementation of the Integrated Transport and Health Impact Model (ITHIM) in the SCS scenario process, as well as the inclusion of the Health Priority Index, a health status measure by census tract, in the project ranking criteria; (page 3-12, Appendix C, item 4)
- The needs of disadvantaged communities are addressed through multiple programs and projects, such as the Sustainable Infrastructure Grant Program, the incorporation of disadvantaged communities in the Health Priority Index as part of the project ranking criteria, and through the Transportation Needs Assessment Study and the Regional Active Transportation Plan. (page 5-18, Appendix G, item 4)

In addition, the Policy Element incorporates languages highlighting the rights of the protected population; the Plan’s benefits and burdens on the environmental justice population are fully analyzed in the Environmental Justice Report.

The 2018 RTP process is transparent, inclusive and effective. The RTP Roundtable, which provided guidance and recommendation to the development of the plan, comprised representatives from the local governments, State DOT and other various sectors and interest groups such as public health, air quality and environment, water, education, transit agencies, the building industry, social equity representatives, bicycle and pedestrian advocates, and the general public. A region-wide workshop in April 2017 that was widely advertised through the regional TV network and other media solicited input from residents

during scenario development. That input was incorporated in the SCS scenarios. In June/July 2017, 516 residents participated in the 15 community workshops and provided suggestions for transportation improvements and many more provided input through our online survey. The suggestions were forwarded to the local governments and many of them were submitted as part of the RTP projects. In the fall of 2017, Fresno COG held a month-and-a-half long outreach to hear from the public about the scenarios. 20 informational booths were held at community events throughout the county; 11 presentations were given at the request of community organizations; online & interactive surveys were provided. The survey results from the fall outreach were carefully considered by the Roundtable, TTC/PAC and the Policy Board before Scenario D was selected by all of the four committees as the preferred scenario.

**Comment:**

**I. The Draft RTP Fails to Serve as a “Comprehensive” Planning Document That Will Lead to an “Integrated” Transportation Network & Fails to Include Action to Affirmatively Overcome Past & Present Discriminatory Practices As Required by Law**

Federal law requires the metropolitan planning process to be “continuous, cooperative, and comprehensive,” and “include strategies and actions that lead to the development of an integrated multimodal transportation system.” 23 CFR §450.306(b), 23 CFR 450.324(b). However, the Draft RTP fails to address the transportation needs of rural communities as identified during the public process; stipulates unreasonably long timelines for completion of projects benefiting disadvantaged communities; lacks an adequate analysis of the impact of projects on environmental justice communities, and does not include effective planning for transportation that complements availability of affordable housing. By failing to invest in the needs of rural areas and disadvantaged communities in a timely manner that ensures their connection to the regional system and failing to properly analyze the plan’s allocation of benefits to protected classes, inadequately investing in rural areas and not ensuring their connectivity to the rest of the transportation system, the Draft RTP/SCS does not satisfy the requirement that Fresno COG plan for an “integrated” or “comprehensive” multi-modal system.

Furthermore, federal and state civil rights law requires Fresno COG to ensure that its does not discriminate against protected classes, either intentionally or in effect. 42 USC § 2000d, 49 CFR § 21.5(b)(2); Gov. Code §§ 11135. Where present or prior discriminatory practices or patterns result in inferior access to services, MPOs must take action to overcome the persisting effects of those practices or patterns. 49 U.S.C. § 21.5(b)(7). Many disadvantaged communities within Fresno COG’s jurisdiction are disproportionately comprised of people of color and immigrants and also lack access to basic public and private investments, including transportation investments such as sidewalks, streetlights, and stormwater drainage, as a result, at least in part, of discriminatory practices. However, the RTP not only fails to include projects which will affirmatively address these discriminatory practices but entrenches historic discrimination by failing to include most of the projects identified by residents as critical to addressing the needs of disadvantaged communities.

We recommend the following revisions to the Draft RTP to ensure that the 2018 RTP complies with Fresno COG's obligations to create a "comprehensive" and "integrated" plan that makes strides to reverse existing inequities impacting protected classes and low-income communities of color in Fresno County.

**Response:** Fresno COG's 2018 RTP/SCS is developed in a "continuous, cooperative and comprehensive" manner. It is built upon the 2014 RTP/SCS, and continues to consistently apply the 12 Blueprint smart growth principles throughout the entire document. The 2018 RTP/SCS aims to provide diverse transportation options that foster sustainable growth and a vibrant economy with better air quality and healthy communities through a combination of programs. Fresno COG had a robust and inclusive public process that ensured region-wide participation in the plan development process. (please refer to Chapter 6 of the RTP document for more information about the public outreach process). The 2018 RTP is a product of collaboration among Fresno COG, local governments, LAFCO, transit agencies, State DOT, the San Joaquin Valley Air District, the California Air Resources Board, and representatives from multiple sectors, including: education, water, environmental/air quality, social equity, the building industry, active transportation and agriculture, as well as the general public. The 2018 RTP was developed, thoroughly vetted and reflects many of the suggestions, changes and recommendations from members of the EJ Subcommittee, Policy and Action Element Subcommittee, Project Scoring Criteria Subcommittee and the above listed stakeholders. The impact of the RTP projects on the EJ population is fully analyzed in the EJ report, which is included as an appendix in the RTP document.

The 2018 RTP/SCS is a comprehensive plan that addresses multiple issues, including but not limited to: different transportation modes, air quality, climate change, housing, congestion, goods movement, safety, environmental justice etc. It is also an integrated plan that breaks traditional silos of transportation and land use planning. An example of such integrated planning in the 2018 RTP/SCS is the significant amount of housing and employment allocated along the major transportation corridors, which is reflected by the Transit Oriented Development indicator on page 3-11.

Fresno COG expanded its outreach scope in the 2018 RTP/SCS process to better involve individual residents to provide comments and suggestions for the process. It was well-received and more than a thousand project suggestions were received from the participants. Local government staff was present at the June/July workshops, and discussed the local plans with the residents. Workshop comments that included project suggestions were provided to the local governments for consideration. Among the project suggestions received for the County area and the 12 disadvantaged small cities, close to 2/3 of the feasible RTP projects suggested by the public are included in the RTP. Some project recommendations were clearly infeasible and thus were not included in the RTP. Examples of infeasible project recommendations included, by are not limited to:

- Projects that were located on local streets and, therefore, do not qualify for the federal funding which is the focus of the RTP. Projects need to be located on the federally designated functional classification system in order to qualify for federal funding and be included in the RTP. Here is the link to the functional classification: [http://dot.ca.gov/hq/tsip/hseb/crs\\_maps/index.php](http://dot.ca.gov/hq/tsip/hseb/crs_maps/index.php)

- Suggestions that were not transportation related projects and thus were not appropriate for inclusion in RTP included suggestions for added traffic enforcement, dog catching and parks safety.

Project suggestions that are potentially qualifying RTP projects went through project prioritization process at the local governments and could fall out of the local process. Stakeholders and concerned residents are encouraged to follow up with the local governments on the specific projects that did not get submitted to the RTP process.

The residents were clearly informed at each workshop that their project suggestions would be forwarded to local governments and would be subject to the prioritization process at their local governments. The local governments own and maintain the local streets and roads. Fresno COG does not have authority over local streets and roads and does not have the ability to include projects directly from the workshops without going through the local governments. Leadership Counsel, as well as other interested parties, is strongly encouraged to develop a relationship with the local governments and be involved in the local governments' project selection process to ensure resident project suggestions are appropriately prioritized.

By State definition, 13 of the 15 incorporated cities in the Fresno region, as well as the predominant areas of the unincorporated areas in Fresno County, are identified as disadvantaged communities as defined by SB 535 (de Leon)<sup>1</sup>. Fresno COG received twice as many projects in the 2018 RTP compared to the 2014 Plan in total from all jurisdictions. The rural unincorporated communities are part of the County and projects from such communities are evaluated and ranked by the County based on the needs of all the streets and roads in the rural areas. Projects for the rural communities are spread out throughout different time periods of the entire plan. Contrary to the commenter's claim that the Plan "stipulates unreasonably long timelines for completion of projects benefiting disadvantaged communities", the projects from the disadvantaged communities from the 13 cities and the County are in the FTIP (first 4 years of the Plan), as well as spread throughout in the near term and further out in the Plan. Fresno COG encouraged transportation projects to be delivered as early as possible by giving incentives for projects to be delivered in the early stage of the Plan. (Please refer to the project ranking criteria in Appendix C, item 4 for detailed information on scores awarded by project delivery date). Furthermore, the 2018 RTP/SCS addresses disadvantaged communities' needs through multiple programs and projects. For example, the Sustainable Infrastructure Planning Grant Program was created to help advance transportation planning projects in disadvantaged communities; the RTP project ranking criteria provides extra points to projects located in disadvantaged communities with health burdens, and both the Transportation Needs Assessment study and the Regional Active Transportation Plan incorporated project ranking criteria for disadvantaged communities.

Chapter 6 Public Participation and Chapter 7 Environmental Justice Report show COG's extensive efforts to meaningfully include disadvantaged communities and EJ population in

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<sup>1</sup> <https://oehha.ca.gov/calenviroscreen/sb535>

the process. During the fall 2017 outreach, Fresno COG received 1,218 suggestions for projects, 663 from workshop attendees and 555 from online participants. Fresno COG staff processed all of the workshop and online suggestions and forwarded all of them, regardless of their nature, to local agencies for consideration. As a result, local agencies submitted twice as many projects in response to our RTP Call for Projects than the previous RTP cycle. Among the project suggestions received for the County area and the 12 disadvantaged small cities, close to 2/3 of the feasible RTP projects suggested by the public are included in the RTP. The EJ report also provided full analysis on the impacts of the Plan on the EJ population and the vulnerable communities. The EJ analysis shows that the Plan does not cause any disproportional adverse impacts to the EJ or vulnerable communities.

Contrary to what the commenter claimed that the Plan “does not include effective planning for transportation that complements availability of affordable housing”, affordable housing is addressed in the 2018 RTP in that 39% of the new housing will be multi-family and 6% townhomes compared to 15% multi-family and 7% townhomes in the status quo (2011 RTP). In addition, 24% of the new housing and 36% of the new jobs will be allocated within ½ mile of the BRT corridors, which reflects the effective integrated land use and transportation planning that complements the availability of affordable housing.

#### **Comment:**

##### **1. Fresno COG Must Not Disregard Projects Identified By the Public to Meet the Needs of Disadvantaged Communities**

Fresno COG created a process in which local jurisdictions submit projects for funding through the RTP, and Fresno COG. As a result of this process, almost all projects proposed during the public engagement process by residents, including in particular residents of color and immigrants and members of disadvantaged communities, were excluded from the Draft RTP. For instance, numerous projects proposed by residents of the rural disadvantaged unincorporated communities of Lanare, Cantua Creek, El Porvenir, and Tombstone Territory for essential pedestrian and bicycle infrastructure, public transit and road improvements were excluded. These neighborhoods, which are disproportionately comprised of people of color and which are environmental justice communities, have seen little if any transportation investment in their history.

A recipient of federal funding may not “utilize criteria or *methods of administration* which have *the effect of* subjecting persons to discrimination because of their race, color, or national origin.” 49 CFR § 21.5(b)(2); See also Gov. Code § 11135. Fresno COG’s chosen method of selecting projects of allowing local jurisdictions to select which projects are ultimately included in the RTP resulted in the near categorical exclusion of projects proposed by residents to benefit communities disproportionately comprised of protected classes and therefore has an unlawful effect of denying transportation improvements based on residents’ inclusion in a protected class.

In addition, by allowing jurisdictions to eliminate projects proposed by residents during the public participation process with no analysis by Fresno COG, Fresno COG effectively ignores that input. Fresno COG's methodology therefore conflicts with the federal requirement that the COG "explicitly consider" input provided by the public and the criteria identified by the Department of Transportation to assess COGs' Title VI compliance. 23 CFR § 450.316(a)(1)(vi); DOT, FHA, Title VI Requirements in Metropolitan and Statewide Planning<sup>2</sup> (providing that DOT will consider the mechanisms in place to ensure that issues and concerns raised by low-income and minority populations are appropriately considered).

To satisfy the COG's civil rights and public participation obligations, Fresno COG must select an alternative methodology which does not result in the exclusion of projects designed to benefit communities of color and immigrant communities without analysis and revise its project list accordingly.

We recommend that the COG revise its methodology that it uses to determine the RTP/SCS project list to include an independent analysis of each project proposed by the public and to include a set aside requirement. Fresno COG should also add a policy to the Policy Element stating that no public dollars can be used to subsidize new growth at the expense of disadvantaged communities.

**Response:** Fresno COG staff, working with the seven Regional Transportation Plan Mini-Grant recipient organizations, hosted 15 community workshops throughout the County between June 5 and July 6, 2017. In total, 516 people attended workshops with 413 of them participating in our workshop demographic survey.

Fresno COG also developed an online survey in English and Spanish to provide opportunity for transportation suggestions or needs input from those who could not attend the workshops. The survey was available through July 9, 2017.

This was the first time Fresno COG hosted RTP outreach workshops to assess community transportation needs and suggestions prior to local agencies submitting project lists in response to our call for projects. It was not a required engagement process, however Fresno COG felt strongly that assessing public need was important. These outreach efforts were focused on providing the public an opportunity to communicate transportation project needs or suggestions through Fresno COG to their local governments and elected officials for consideration and evaluation.. It was expressed to the participants that their project suggestions are subject to local governments' project selection process. During the workshop presentations and online engagement it was made very clear that Fresno COG was collecting project suggestions only (see 3 screen shots below from the PowerPoint slides used at each workshop, available in English and Spanish), and that there was no guarantee the suggestions gathered from participants would become part of the RTP list of projects. They were not at any point asked to submit RTP projects for automatic inclusion in the RTP. Participants were told that Fresno COG would share all the project suggestions with appropriate local agencies, but that Fresno COG was not able to submit

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<sup>2</sup> Available at [https://www.fhwa.dot.gov/environment/environmental\\_justice/legislation/ej-10-7.cfm](https://www.fhwa.dot.gov/environment/environmental_justice/legislation/ej-10-7.cfm)

projects on its own because Fresno COG does not have the authority or financial ability to build and maintain transportation facilities and transit lines. Those facilities and services belong exclusively to responsible local agencies. Therefore, Fresno COG did not "allow(ing) jurisdictions to eliminate projects proposed by residents during the public participation process" as local governments have their own project prioritization process, and Fresno COG staff has no ability or jurisdiction to submit projects themselves or force local agencies to select any particular projects for inclusion.

## How to Suggest a Project

Fill out a comment sheet with details about your project suggestion:

- **Red** sheets are used for road improvements
- **Green** sheets are used for active transportation
- **Blue** sheets are used for transit projects



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## Today's Activity

- Your table will work together to suggest transportation projects in your community.
- These projects are **suggestions only** – there is no guarantee that suggested projects will be included in the plan.
- There are three types of transportation projects: **roadway improvements**, **active transportation**, and **transit**



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## What happens next?



- Fresno COG will gather and forward your suggestions to the local agencies
- The local agencies (Cities & County) will evaluate your suggestions based on:
  - The General Plan & Circulation Element
  - Cost of project and available funding
  - Farebox requirements (transit)
  - Facility & safety requirements
  - Other factors



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During the workshops and through the online portal Fresno COG received 1,218 suggestions for projects, 663 from workshop attendees and 555 from online participants.

Fresno COG staff processed all of the workshop and online suggestions and forwarded all of them, regardless of their nature, to local agencies for consideration, following the procedures communicated to all COG committees and participants in verbal and written form. As a result, local agencies submitted twice as many projects in response to our RTP Call for Projects than the previous RTP cycle. Among the project suggestions received for the County area and the 12 disadvantaged small cities, close to 2/3 of the feasible RTP projects suggested by the public are included in the RTP. Some project recommendations were clearly infeasible and thus were not included in the RTP. Examples of infeasible project recommendations included, by are not limited to:

- Projects that were located on local streets and, therefore, do not qualify for the federal funding which is the focus of the RTP. Projects need to be located on the federally designated functional classification system in order to qualify for federal funding and be included in the RTP. Here is the link to the functional classification: [http://dot.ca.gov/hq/tsip/hseb/crs\\_maps/index.php](http://dot.ca.gov/hq/tsip/hseb/crs_maps/index.php)
- Suggestions that were not transportation related projects and thus were not appropriate for inclusion in RTP included suggestions for added traffic enforcement, dog catching and parks safety..

Project suggestions that are potentially qualifying RTP projects went through project prioritization process at the local governments before they were submitted to the RTP and could fall out of the local process. Stakeholders and concerned residents are encouraged to follow up with the local governments on the specific projects that did not get submitted to the RTP process.

Fresno COG and local jurisdictions did consider the project suggestions from the residents, including those in EJ communities and disadvantaged communities, and address their needs through the project list. Project suggestions that are located on local streets can't be included in the RTP, but were forwarded to the local governments for consideration in the local process. Accordingly, Fresno COG's method of selecting projects did not have the effect of subjecting persons to discrimination due to their race, color, or national origin, as the majority of eligible projects from the EJ and disadvantaged communities were selected for inclusion in the RTP. Fresno COG's methodology thus does not conflict with 49 CFR § 21.5(b)(2) or Gov. Code § 11135.

Specific to areas of the County your letter referenced, instead of "numerous projects proposed by residents of the rural disadvantaged unincorporated communities of Lanare, Cantua Creek, El Porvenir, and Tombstone Territory for essential pedestrian and bicycle infrastructure, public transit and road improvements were excluded" as claimed by the commenter, many of the project suggestions from these communities were not eligible RTP projects. The results of the projects suggested by the residents from Lanare, Cantua Creek, El Porvenir, and Tombstone were as follows:

- Residents from Lanare submitted 11 feasible RTP project suggestions, and 8 of them are included in the RTP
- Residents from Cantua Creek submitted 5 feasible RTP project suggestions, and none is included in the RTP
- Residents from El Porvenir submitted zero feasible RTP project suggestions. All the project suggestions were local non-eligible projects
- Resident from Tombstone submitted 4 feasible RTP project suggestions and all 4 of them are included in the RTP

The rural unincorporated communities are part of the County and projects from such communities are evaluated and ranked by the County based on the needs of all the streets and roads in the rural areas. Fresno COG would like to reiterate that Leadership Counsel and its partners are strongly encouraged to develop a relationship with local governments, and be involved in the project prioritization process at the local level. .

Fresno COG has explicitly considered public input throughout the planning and development of the RTP. Participant input was communicated through the forwarding and verbal reporting of all outreach results and input/suggestions to the RTP Roundtable, Transportation Technical Committee, Policy Advisory Committee and Policy Board. See agendas and minutes for each of those bodies at this link: <http://agendas.fresnocog.org/>. Summaries of this information have also been available online at <https://www.fresnocog.org/2018-regional-transportation-plan-public-outreach/>

The public weighed in on crafting the RTP project scoring criteria, they were represented and deeply involved in the 30 member RTP Roundtable responsible for overseeing development of the entire RTP, and they sat on our 11 member Environmental Justice (EJ) Task Force assisting staff to set thresholds for EJ populations.

Meaningful consideration was given to all public input prior to committee and board selections of a preferred scenario as evidenced by open meeting discussions. Committees

and the Policy Board discussed issues surrounding RTP and SCS Scenario development from early in the planning process through the receipt of public input and culminating in selection of the preferred SCS scenario.

In conclusion, Fresno COG complied with the FTA approved Title VI Plan and LEP plan for public participation and inclusion in the transportation decision making process.

### **Comment:**

## **2. Revise Project Timelines to Eliminate Delay and Frontload Project Benefiting Disadvantaged Communities**

Federal Transportation Administration Circular 4703.1 identifies three guiding environmental justice principles which COG's must incorporate and transportation decision-making process and environmental review documents. The third principles requires COG's and other agencies "prevent the *denial of, reduction in, or significant delay* in the receipt of benefits by minority and low-income populations." Emphasis added.

In conflict with this requirement, the few projects that the RTP does include to address the needs of disadvantaged communities and environmental justice communities are not scheduled for implementation until years and even decades into the planning period. For example, the Draft includes a sidewalk requested by residents of Lanare along Mt. Whitney Avenue -- a road with high velocity traffic that lacks active transportation infrastructure but which pedestrians from the disadvantaged community rely on to travel between homes, the community center, and a small store -- but schedules it for completion only in 2050. Other projects in more affluent areas are scheduled for much earlier completion. This includes a project to install new bike lanes in Clovis as early as 2022 and many road expansion projects.

Fresno COG must revise the timelines for projects identified to meet the needs of people and communities of color and immigrant communities to ensure timely completion early in the planning period. In addition, many of the projects requested by residents in the RTP workshops to address the needs of disadvantaged communities are small and inexpensive, and their impact on public safety is much more critical than other projects slated for more immediate construction. Fresno COG should especially prioritize projects proposed during the public process that would address public health and safety risks associated with absent or deficient infrastructure in DUCs consistent with Fresno COG's duty to not to discriminate in the allocation of transportation benefits and to take affirmative actions to remove disparate adverse conditions impacting protected classes. See e.g., 49 CFR §§ 21.5(b)(1)(ii)&(iv); 21.5(b)(3); 21.5(b)(7); Gov. Code § 11135.

**Response:** 13 of the 15 incorporated cities in the Fresno region, as well as the majority of the unincorporated areas in Fresno County, are identified as disadvantaged communities. Fresno COG received twice as many projects in the 2018 RTP compared to the 2014 Plan in total from all jurisdictions. Projects from the disadvantaged and non-disadvantaged

communities are spread out throughout different time periods of the entire plan. Some are in the FTIP (first 4 years of the Plan), some are in the near term and some are further out in the Plan. Project timelines were submitted by local governments and were part of the local governments' project prioritization process. Fresno COG encouraged transportation projects to be delivered as early as possible by giving incentives for projects to be delivered in the early stage of the Plan. (Please refer to the project ranking criteria included in the Appendix C for detailed information on scores awarded by project delivery date). Projects submitted through the public participation process were forwarded to the local governments, and were subject to their funding eligibility and the project prioritization process at the local level. The project ranking criteria in the RTP process included additional points in the project scoring criteria for projects that addressed issues of public health and safety and were located in the disadvantaged communities. The EJ report provides a full analysis on the impact of the RTP program, and has found no disparate adverse impacts on the EJ population from the Plan. By providing such incentives and extra points for projects located in disadvantaged communities, Fresno COG did take affirmative steps to remove any disparate adverse conditions impacting protected classes based on the prioritization process.

A clarification point of note, the above referenced sidewalk project along Mt. Whitney Ave (Project Number FRE501436) was submitted with an open to traffic date of 2042 not 2050 as stated above and is consistent with the plan horizon. As stated previously, the implementation agency, in this case was Fresno County, determines the priority and timing of each project submitted to the RTP. Due to the incentives in the scoring criteria to award additional points for projects benefiting disadvantaged communities, the Mt. Whitney sidewalk scored high enough to be included in the RTP Constrained Project List. Again, since projects are proposed by local jurisdictions, Fresno COG would like to reiterate that Leadership Counsel and its partners are strongly encouraged to develop a relationship with local governments, and be involved in the local governments' project prioritization process.

**Comment:**

**3. Conduct a Disadvantaged Communities Needs Assessment**

The Transportation Needs Assessment program incorporated into the 2014 RTP was passed by Fresno COG to analyze transportation needs of disadvantaged communities and rural communities in the County. Instead, it only analyzed the gaps in transportation between cities in the County, leaving out many isolated and disadvantaged rural communities with significant transportation needs. Without an analysis of the needs of unincorporated communities within the county, the Transportation Needs Assessment ("TNA") did not fulfill its purpose to serve as a tool for evaluating which projects are needed to meet the needs of communities that lack critical transportation infrastructure throughout the region. The Draft 2018 RTP does but not but should include a similar program which would ensure that Fresno COG completes an analysis that includes residents' transportation needs in unincorporated Fresno County.

Disadvantaged communities of color, particularly in rural areas of Fresno County, suffer from absent and severely inadequate roads, sidewalks, and public transit as compared to more affluent areas of the County with smaller populations of people of color. Thus, the incorporation of a TNA with an explicit focus on disadvantaged unincorporated communities would assist Fresno COG in fulfilling its duty to ensure that the RTP plans for a “comprehensive” and “integrated” regional transportation network, which includes the needs of rural and unincorporated communities, and to identify appropriate actions necessary to overcome the effects of the disproportionate denial of infrastructure and services to communities of color and immigrant communities in the region. See 23 CFR §§ 450.300; 450.305(b); 49 CFR 21.5(b)(7). Its inclusion is also consistent with the CalTrans Guidelines which describes consideration of rural communities a “key element” of the transportation planning process. p. 153.

We recommend that Fresno COG conduct a Disadvantaged Communities Needs Assessment in the next two years by including this in the Environmental Justice policies and adding an action item with funding to the Action Element. The assessment process would include targeted workshops with in disadvantaged communities and regional workshops to identify the transportation projects needed to connect them to critical resources and services, such as health centers, grocery stores, educational centers. The results from this process would form the basis of the needs assessment for future RTP rounds, which would in turn serve as the basis for the Project Evaluation Criteria and the Environmental Justice analysis for the 2022 RTP. The Sustainable Infrastructure Grants Program should be expanded with existing and future funding sources to fund projects identified by the Disadvantaged Communities Needs Assessment.

**Response:** All the 13 incorporated cities in Fresno County and the unincorporated rural areas in the County that were identified as disadvantaged communities were fully considered in the Transportation Needs Assessment study that was completed in 2016. The report is available at: <https://www.fresnocog.org/transportation-needs-assessment/>. The study went an extra step and expanded the coverage of disadvantaged communities by including both the CalEnviroscreen definition and the Water Code 79505.5 definition in the study. Rural unincorporated communities in the County such as Lanare, Riverdale, Caruthers, etc. were also included in the study. The study mainly focused on the gap between the communities/cities because the Steering Committee, which Leadership Counsel was part of, decided that the areas *within* the cities/communities are under the planning jurisdiction of each local government, and local governments are responsible for assessing such needs. The study *also* conducted connectivity and accessibility analysis for ten regional and sub-regional facilities, the majority of which are located in the disadvantaged communities. The study was referenced in the Action Element on page 4-69. The recommended project list from the Transportation Needs Assessment study has been forwarded to the local governments and six out of the 15 recommended projects are included in the 2018 RTP.

**Comment:**

#### **4. Expand the Sustainable Infrastructure Grant program**

In addition to applying for federal and state funding for the projects that disadvantaged communities identified as necessary for meeting their needs, Fresno COG should also expand the Sustainable Infrastructure Grants program in order to comply with its obligation to “overcome the effect of” disparate impacts on protected groups. Fresno COG created the Sustainable Infrastructure Grants program through the 2014 RTP, shaped the program over the last four years to be a planning grants program using SB 1 planning funds, and this year Fresno COG selected several rural transit planning projects for funding. This is a successful model of a program that prioritizes dedicating dollars to projects benefiting disadvantaged communities, and should be expanded to incentivize local agencies plan other types of transportation projects that benefit disadvantaged communities, such as active transportation infrastructure and road improvements.

**Response:** The Sustainable Infrastructure Planning Grant Program’s specific objectives are to encourage local and regional multimodal transportation and land use planning that furthers the region’s RTP/SCS and contributes to the State’s GHG reduction targets. Fresno COG collaborated with stakeholders, local member agencies, and project sponsors to establish an equitable program for the first two cycles (FY 17-18 and FY 18-19) that included scoring criteria that was weighted heavily towards projects that benefited disadvantaged communities. In the first two cycles we received a total of seven applications from one local agency and one transit agency and we were able to award three of seven projects (43%). The recent passing of SB 1 in 2017 allowed Fresno COG to identify funding for this program. Fresno COG will continue to welcome local agencies to submit transportation planning projects under this program should the SB 1 be supported by the voters in November 2018. .

**Comment:**

**5. Identify housing for all segments of the population, and ensure that jurisdictions are implementing affordable housing programs before allocating funding to projects**

Fresno COG must include more programs to incentivize local agencies to invest in affordable housing to fulfill their federal affordable housing requirements. Fresno COG’s housing obligations in its SCS extend beyond identification of RHNA requirements; as specified in state law, an SCS must “identify areas within the region sufficient to house all the population of the region...including all economic segments of the population, over the course of the planning period of the regional transportation plan,” “identify areas within the region sufficient to house an eight-year projection of the regional housing need,” and “consider the state housing goals” including a suitable living environment for all economic segments of the population including farmworkers. Gov. Code § 65080(b)(2)(B).

In order to comply with these obligation, Fresno COG must do more thorough planning for how it will meet affordable housing needs in the region. It should also encourage compliance with federal fair housing requirements by ensuring that local agencies are effectively implementing their affordable housing programs before allocating funding to

projects proposed by local agencies. We explore additional potential incentivization programs obligations more below.

**Response:** Fresno COG is committed to its obligations relating to regional housing under California Government Code §65080 (B). The SCS provides all of the information required by California Government Code §65080 (B), such as details on the SCS land use pattern, including general location of uses, residential density, projected housing growth and density that accommodates the eight-year projection of the regional housing needs for all economic segments of the population, and employment growth density.

Fresno COG is dedicated in taking positive actions towards contributing to providing a range of housing opportunities in the region. As indicated in the Action Element Section 4.11, our programs such as the Blueprint, Regional Housing Needs Allocation Plan, Circuit Planner and Circuit Engineer Programs, and Measure C TOD program are examples of such efforts. In addition, Fresno COG also actively participated in other state and regional programs such as the Affordable Housing Sustainable Communities program and Fresno County Multi-Jurisdiction Housing Element. Fresno COG is happy to provide any assistance needed to the member agencies and other entities when resources and expertise are available. However, Fresno COG lacks general land-use authority and respects the authority of the other government entities (including cities and the county). Therefore, Fresno COG would like to encourage Leadership Counsel and other signatories of the letter to be engaged with the respective local governments for direct dialogue regarding their programs and land-use planning efforts such as the Housing Element, Assessment of Fair Housing, SB 2 housing program implementation etc.

The requirements and objectives of the many different funding programs vary widely and are not all within Fresno COG's purview, and transportation infrastructure funding is essential to local agencies ability to attract future development, including affordable housing. Due to the high costs of construction in California, any additional incentives that local agencies can provide to affordable housing developers, such as providing transportation infrastructure instead of requiring it as an additional cost to the developer, will help agencies attract more housing development. Penalizing local agencies by withholding transportation funding would ultimately hinder local agencies' ability to attract affordable housing development.

**Comment:**

**6. In the Action Element, Fresno COG should add a commitment to developing a projects map for the 2022 RTP**

We are encouraged to see the addition of a commitment in the Action Element to developing an activity-based model by 2018. This will be crucial for a more accurate model to measure impact of the RTP on environmental justice communities. Existing modeling limitations this round made accurate modeling of impacts on EJ communities incomplete and inaccurate. An activity based model will be able to better predict movement of

individuals between areas in the County (not just within TAZs) and how transportation infrastructure will facilitate or impede that movement.

Another tool that will be critical for conducting an effective EJ analysis will be a projects map to superimpose the map of project locations over a map of existing EJ communities. This was asked for in 2014, and advocates were told that such a map would be prepared for this 2018 RTP round. Since this was not finished this round, we ask that Fresno COG include an explicit, funded and prioritized commitment to develop a projects map for the 2022 RTP.

**Response:** For the 2018 RTP, all capacity increasing projects were mapped. Although non-capacity projects were not mapped due to the limited resources at Fresno COG for processing thousands of such projects, they are available in spreadsheet format and can be easily sorted by jurisdiction, or project type. Fresno COG has budgeted for a project mapping tool to map all projects in the 2022 RTP. The budget for this tool can be viewed in the 2018-19 Overall Work Program. Fresno COG's activity-based model development will be wrapped up by June 2018, and is expected to be applied in the 2022 RTP.

**Comment:**

**7. Support rural smart growth throughout the document**

Fresno COG should implement effective policies for rural smart growth to comply with its obligation to address current disparities in transportation investment. DOT Title VI Regulations 49 CFR 21.5(b)(7). Such a policy would also preserve farmland and reduce GHG emissions. In order to comply with law requiring the RTP to be an "internally consistent" document, Fresno COG should integrate rural smart growth throughout the document, including in the Policy Element, Action Element, Growth Scenario, and other chapters. Gov. Code § 65080(b). We would gladly work with Fresno COG to shape this language.

**Response:** Fresno COG has adopted the 12 Smart Growth Principles as part of the San Joaquin Valley Blueprint process, which support rural smart growth. These principles have been integrated throughout the RTP/SCS. The 12 Smart Growth Principles are:

1. Create a range of housing opportunities and choices
2. Create walkable neighborhoods
3. Encourage community and stakeholder collaboration
4. Foster distinctive, attractive communities with a strong sense of place
5. Make development decisions predictable, fair, and cost-effective
6. Mix land uses
7. Preserve open space, farmland, natural beauty, and critical environmental areas
8. Provide a variety of transportation choices
9. Strengthen and direct development towards existing communities
10. Take advantage of compact building design
11. Enhance the economic vitality of the region
12. Support actions that encourage environmental resource management



Fresno COG participates in a variety of programs that further the implementation of smart growth principles in rural communities, such as the Measure C Transit-Oriented Development (TOD) program, which has scoring specific to the small rural cities, and the Affordable Housing and Sustainable Communities Program, which has a funding set aside for rural communities. Fresno COG is committed to furthering the 12 Smart Growth Principles in both its rural and urban communities.

## **II. Recommended Changes to the Policy Element**

### **Comment:**

#### **A. We commend Fresno COG on inclusion of an Environmental Justice policy**

We appreciate Fresno COG staff and stakeholders from the public on the RTP Roundtable working with us and other environmental justice (EJ) advocates to include more commitments to investing in and protecting the health of environmental justice communities in its Policy Element. While we were not able to collectively include an explicit commitment to ensuring equitable investment, this is a step towards that goal.

**Response:** Thank you for acknowledging the steps taken to strengthen the environmental justice policies. The EJ analysis included a map of the approved EJ TAZ's in comparison to Cal EnviroScreen 3.0 and SB 535 designated disadvantaged communities. The map further emphasizes that transportation investments focused in these areas are in line with the States priorities for mitigating neighborhoods that have the highest health and economic burdens and confirms that the designated EJ TAZs in the 2018 RTP are appropriately captured. FCOG's Goal in Table 2-1C is committed to improving mobility and accessibility for all, including the protected populations in accordance with federal and state statutes.

### **Comment:**

#### **B. The EJ goal in the Policy Element must be accompanied by “pragmatic,” “action-oriented” policies that will effectuate equitable treatment of environmental justice communities in the “short term and long term.”**

State law requires that the RTP be “*action-oriented* and *pragmatic*, considering both the *short-term and long-term future*, and shall present *clear, concise policy guidance* to local and state officials.” Gov. Code § 65080. Furthermore, the Policy Element must include “*pragmatic* objectives and policy statements.” Gov. Code § 65080(a).

While the new Environmental Justice goal in the Policy Element outlines some general policies for serving the needs of environmental justice groups, several of the policies listed are vague. The wording of these policies should be strengthened so that they constitute “pragmatic,” “action-oriented policies” that serve all segments of the population in both the “short term and long term.” For example, the policy regarding alignment with Title VI and Environmental Justice obligations should be reworded to state: “Ensure equitable

distribution of benefits and burdens of transportation projects in alignment with Fresno COG's Title VI and Environmental Justice obligations through timely implementation of projects identified in needs assessments and requested by disadvantaged communities and environmental justice communities during the public participation process." Policies under this goal should also include a clear commitment to "Prioritize planning for rural smart growth and projects that benefit disadvantaged communities and Environmental Justice communities via creation of project evaluation criteria and provision of funding to incentivize such projects." This link to the project evaluation criteria, which did include many points for projects benefiting disadvantaged communities, complies with the requirement that the RTP be an "internally consistent document." Gov. Code § 65080(b). Currently, the document lacks internal consistency. Such a link to the project evaluation criteria, along with inclusion of a commitment to provide funding to incentivize such projects in the Action Element, would start to comply with Fresno COG's obligation to create an "internally consistent" document.

**Response:** Thank you for your comments. The current Environmental Justice goal is to improve mobility and accessibility for all, in accordance with federal and state statutes, which includes Title VI and EJ obligations through policies that seeks to ensure fair distribution of the benefits and burdens of transportation projects, and to ensure the 2018 RTP/SCS has no disproportional negative impacts on minority and/or low-income populations. The EJ analysis concluded that disadvantage communities did not bear a disproportional share of burdens due to the proposed RTP/SCS policies and projects. Therefore the current goals are sufficient in achieving an equitable and fair distribution of benefits and burdens of transportation projects.

The 2018 RTP/SCS addresses disadvantaged communities' needs through multiple programs and projects. For example, the Sustainable Infrastructure Planning Grant Program was created to help advance transportation planning projects in disadvantaged communities; the RTP project ranking criteria provides extra points to projects located in disadvantaged communities with health burdens, and both the Transportation Needs Assessment study and the Regional Active Transportation Plan incorporated project ranking criteria for disadvantaged communities. As pointed out previously in the letter, project suggestions from the residents (including those from disadvantaged and EJ communities) who participated in the public workshops were forwarded to local governments and were subject to their funding eligibility and local governments' project prioritization process. Fresno COG does not have authority over local streets and roads and it is not appropriate to include in the Policy Element a goal to accept projects directly from public process without going through the local jurisdictions.

Under Table 2-1C of the Policy Element, there is a policy to "support transportation projects that benefit disadvantaged communities through public engagement." Fresno COG conducted extensive outreach to solicit project suggestions from disadvantaged communities, and such project suggestions were forwarded to local governments for consideration in the RTP project submittal. When such projects in the disadvantaged communities were submitted to the RTP by the local governments, Fresno COG has developed scoring criteria that made such projects more competitive. Fresno COG is consistent in its efforts to support the disadvantaged communities in that a policy was

developed to support disadvantaged communities; extensive efforts were made to reach out to such communities; when projects from such communities were submitted through the local governments, a process was in place to help such projects to be more competitive; and the Sustainable Infrastructure Planning Grant program was set up to benefit the disadvantaged communities.

Please refer to Chapter 5 Financial Element, Section 5.3 Project Evaluation Criteria and Appendix C, item 4 for additional details on the project scoring criteria and process.

**Comment:**

**C. Promote integrated land use and transportation planning within the SB 375 goal, particularly the availability of affordable homes near jobs**

We appreciate that the current policy element highlights the importance of partnering with local agencies to promote the integration of land use and transportation. Integrating these can best achieve climate reduction and air quality goals; improve equitable access to jobs, housing, and services; conserve habitat, farmland and other open space; and maximize the benefits of good regional planning. The benefits of this integration are at the heart of Sustainable Communities Strategies and SB 375. We therefore suggest these edits:

- "Goal: A regional transportation and land use network consistent with the intent of SB 375 (Senate Bill 375 also known as the Sustainable Communities Protection Act of 2008)."
- "Objective: Development of a regional transportation network which is environmentally sensitive, fosters sustainable regional growth, and helps reduce greenhouse gas emissions wherever possible."

While we recognize that Fresno COG lacks land use authority and cannot achieve this goal on its own, as this Policy Element notes elsewhere, it can communicate with its member jurisdictions and align the actions that it does take with that purpose.

One key land use issue that Fresno COG and its member jurisdictions will address in the Regional Housing Needs Allocation and associated Housing Elements is the distribution of affordable housing. When jobs and homes are located close to one another, commutes are short. A lack of affordable homes in job-rich locations can spur long commutes. (One study of the Bay Area found that a lack of affordable homes there is *quadrupling* some workers' commutes.) We would encourage that a policy on this topic be added to the SB 375 Goal, such as "Educate member jurisdictions and other stakeholders about the benefits of a good match between the number of jobs, and those jobs' wages, with the availability and affordability of homes ("jobs-housing fit") in reducing commute lengths and saving money for households. Identify areas where the fit is poor, especially job-rich areas that lack affordable homes, and use the Regional Housing Needs Assessment process to prioritize housing growth in those areas."

**Response:** Thank you for your comments relating to regional housing and for your extensive involvement in the RTP/SCS development, particularly with the Policy Element

Subcommittee, RTP Roundtable, and for your previous comment letters and discussions relating to housing.

The Goal and Objective listed above are from the 2014 RTP/SCS and have since been updated, per the Leadership Counsel's recommendation in your comment letter on the Draft Policy Element received on June 26, 2017. After discussion with the Policy Element Subcommittee and RTP Roundtable during the summer of 2017, Leadership Counsel's recommendations were incorporated into the updated goal and objective as follows:

- Goal: A multimodal regional transportation network compatible with adopted land use plans and consistent with the intent of SB375 (Senate Bill 375 also known as the Sustainable Communities Protection Act of 2008).
- Objective: Development of a regional transportation network which is environmentally sensitive, fosters sustainable regional growth, and helps reduce greenhouse gas emissions wherever possible.

Per Leadership Counsels' recommendation to incorporate a policy relating to educating member jurisdictions about the benefits of a good "jobs-housing fit," which was also included in your June 26, 2017 comment letter, Fresno COG also had discussions with member agencies, the Policy Element Subcommittee, and RTP Roundtable regarding this suggestion during the development of the Draft Policy Element in 2017. Member agencies did not feel that jobs-housing ratios in their communities were as disproportionate as other regions in the State and concluded that they did not see a need for this at the time. According to data from the 2015 American Community Survey and 2016 Labor Market Information from the California Employment Development Department, each agency in the region has a jobs-housing ratio between 1 and 2, which means there is enough housing for 1-2 workers per household. If member agencies later decide this is an apparent issue that they would like assistance with, Fresno COG is open to discussion.

**Comment:**

**D. Recognize that roadway expansion induces more driving demand and prioritize more effective strategies that not only reduce congestion but better meet air quality and climate goals**

Under "Highway, Streets, and Roads Goals," we appreciate that you removed Level of Service, an out-of-date concept. However, this section continues to imply that the goal is to reduce congestion rather than to make it easy and convenient for people to drive less. It also implies that roadway development can alleviate congestion. However, research has found that expanding roadway capacity expansion is counterproductive. It fails to alleviate congestion and leads to both short- and long-term increases in vehicle miles traveled and associated air pollution. "A capacity expansion of 10% is likely to increase VMT by 3% to

6% in the short-run and 6% to 10% in the long-run."<sup>3</sup> We therefore suggest that you add a policy that reads: "Except where needed to serve existing communities that currently lack paved road networks, limit roadway expansion and instead prioritize alternative solutions to reduce congestion by promoting alternatives to single-occupancy driving, including public transit, telecommuting, car- and van-pooling, a better jobs-housing fit, and cycling or walking."

**Response:** Under the same “Highway, Streets and Roads” goal, in Table 2-2A, there are policies to “Preserve and promote the use of existing transportation facilities where feasible”; “Encourage alternative transportation solutions over roadway expansion to reduce congestion”. We believe these two policies in the RTP are sufficient to address the commenter’s objective of “prioritize alternative solutions to reduce congestion by promoting alternatives to single-occupancy driving, including public transit, telecommuting, car- and van-pooling, a better jobs-housing fit, and cycling or walking”. Roadway capacity is needed when goods produced in the region needs to be transported; when the region has grown to an extent that alternative strategies would not meet the needs of the growth. It is not appropriate to limit roadway expansion as proposed by the commenter because of the reasons stated above.

**Comment:**

**E. Add a policy that focuses on first mile/last mile solutions**

We applaud the goal to develop "an integrated multimodal transportation system which facilitates the movement of people and goods." We would encourage a policy that focuses attention on "first mile / last mile" solutions. For example, someone might commute from Madera to downtown Fresno via the Amtrak, but they must then travel from downtown Fresno to their job or meeting location. Solutions for this "last mile" might include bikeshare, carshare, enhanced taxi service, employer-run shuttles, or other alternatives.

The policy might read: “Conduct a study that identifies first-mile last-mile linkages near transit stops and stations throughout the county. Work with local jurisdictions to identify solutions and prioritize these for funding, with a priority on high-volume transit and on transit that serves disadvantaged communities or communities of color.”

**Response:** This suggestion was included in Leadership Counsel’s June 26, 2017 comment letter regarding the Draft Policy Element. After discussion with the Policy Element Subcommittee and RTP Roundtable, it was decided that Fresno COG will not include this additional policy in the 2018 RTP/SCS but will revisit the idea of conducting a study on first mile/last mile solutions at a later date when the HSR and/or BRT are fully operating. Fresno COG encourages and supports alternative transportation and shared mobility options for first mile/last mile solutions, which have been incorporated into the Policy Element. The

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<sup>3</sup> Handy, Susan. (2015). Increasing Highway Capacity Unlikely to Relieve Traffic Congestion. [http://www.dot.ca.gov/newtech/researchreports/reports/2015/10-12-2015-NCST\\_Brief\\_InducedTravel\\_CS6\\_v3.pdf](http://www.dot.ca.gov/newtech/researchreports/reports/2015/10-12-2015-NCST_Brief_InducedTravel_CS6_v3.pdf)

first mile/last mile strategy is incorporated in the Fresno County Regional Long Range Transit Plan study, which will be completed in 2019. Fresno COG is actively seeking to integrate alternative rural transit services with pilot projects such as Green Raiteros and FCRTA's feasibility study of an electric shared mobility or shuttle service to close the first/last mile gap and support existing routes.

**Comment:**

**F. Adopt a ten-year target and identify near-term investments to contribute to Caltrans' statewide goal of tripling biking and doubling walking by 2020.**

Related to the active transportation section, Caltrans has set a statewide goal to triple biking and double walking mode shares by 2020 as compared to 2010-2012. We would encourage Fresno COG to adopt the same ten-year target and then identify near-term investments that would achieve this. Given the relatively low rates of walking and biking and plans for infill investment in a number of communities, this target is likely well within reach.

**Response:** Fresno COG is dedicated to active transportation. The 2018 RTP is investing about 8% of its total revenue in bike and pedestrian projects compared to 3% in the 2014 RTP and 2% in the 2011 RTP; over 500 bike and pedestrian projects are funded in the 2018 RTP and more than 280 bike lane miles and 500 miles of sidewalks are to be added to the system by 2042 due to the investment projected in the 2018 RTP. Based on the modeling, the region is expected to more than double its walking trips by 2042 compared to 2014 RTP; biking trips will increase by about 40% compared to the 2014 RTP.

Due to its rural nature, Fresno region's land use is more spread out than the other urban areas such as the Bay Area; in addition, the weather is extremely hot in the summer. As compared to more urbanized counties with moderate temperatures, these facts impact the ability of residents in Fresno County to utilize biking and walking as transportation alternatives. Despite of such obstacles to active transportation, which contributes to the relatively low rate of walking and biking trips, we are optimistic that biking and walking will become an increasingly popular transportation option in the region.

**Comment:**

**G. Modify active transportation goal to include a commitment to improving pedestrian- and cyclist-safety infrastructure and to bringing pedestrian and cyclist deaths to zero in ten years (Vision Zero).**

We appreciate that Fresno COG wishes to improve bicycle and pedestrian safety, but we would modify that goal as follows: "...through education, enforcement, *and improved infrastructure, with the goal of zero pedestrian and cyclist deaths in ten years ("Vision Zero").*" Policies should be added to reflect the value of pedestrian- and cyclist-safety infrastructure, such as improved lane striping and protected bike lanes, the installation of stop signs and traffic signals, and traffic calming solutions. Fresno COG could work with local jurisdictions to study and design strategies to improve dangerous streets and

intersections. These interventions are particularly important in low-income communities and communities of color, where pedestrian and cyclist injuries are more common.

**Response:** Fresno COG is committed to bicycle and pedestrian safety. The 2018 RTP/SCS seeks to make the street network safer for pedestrians and bicyclists as well as transit users and auto drivers. Fresno COG staff believes the Policy Element contains a sufficient number of goals, with supporting objectives and policies, relating directly to walking and bicycling as written. These goals include:

- an efficient, safe, integrated, multimodal transportation system;
- maximize bicycling and walking through their recognition and integration as valid and healthy transportation modes in transportation planning activities;
- safe, convenient, and continuous routes for bicyclists and pedestrians of all types which interface with and complement a multimodal transportation system;
- improved bicycle and pedestrian safety through education, engineering and enforcement; and
- increase development of the regional bikeways system, related facilities, and pedestrian facilities by maximizing funding opportunities.

During the RTP project scoring process, safety projects were advanced by receiving extra points. Fatality and serious injuries including bike and pedestrian crashes were analyzed in Chapter 8, which sets safety targets for five performance measures required by MAP 21 and the FAST Act. Fresno COG analyzed the historical crash statistics/trend, and the Policy Board adopted safety targets that are reflective of the conditions in Fresno region. Although Fresno COG did not expressly adopt the “zero-death” vision, we will continue to monitor and assess the safety issues on the streets and roads in the region, and work with the local governments to fund safety projects that will reduce fatality and serious injuries.

Fresno COG Policy Board approved the Fresno County Regional Active Transportation Plan in February 2018. By implementing this plan, pedestrian and bicyclist safety will also be improved and the number of collisions involving pedestrians and bicyclists will also be reduced. A 50% or greater reduction in injuries and fatalities is a reasonable expectation if all aspects of this plan, including supporting programs, are implemented.

## **II. Recommended Changes to the Action Element**

### **Comment:**

Along with the project list, the Action Element is one of the most critical pieces of the RTP, since it outlines the concrete actions that Fresno COG commits to take in order to implement the policies and priorities outlined in the Policy Element and the SCS. According to the 2017 RTP Guidelines, the Action Element must provide “clear direction” to implement the policies in the Policy Element. p. 114. Therefore, it is critical to include clear actions for implementing the Environmental Justice and Title VI goals from the Policy Element.

**Response:** Thank you for your comment. Specific responses about the comment that “it is critical to include clear actions for implementing the Environmental Justice and Title VI goals from the Policy Element” are provided below based on the further details provided by the author of the comment letter.

**Comment:**

**A. Include timelines for proposed actions in Action Element**

We urge Fresno COG to include timelines for all Proposed Actions set out in the proposed section. Without clear timelines, it is not clear when implementation of actions should occur. This lack of “clear direction” could lead to a “significant delay” in benefits from protected groups, amounting to an unlawful disparate impact under federal civil rights law.

**Response:** The Action Element describes transportation programs and projects that would be undertaken during the 2018 RTP plan timeframe. The Action Element provides direction about the MPO’s and other agencies’ roles and responsibilities as RTP projects and policies are established. It consists of short- and long-term activities that address regional transportation issues and needs. Each mode or transportation strategy includes an inventory of the existing system, an assessment of needs, and proposed actions. The latter is divided into short-range (0-4 years) and long-range (5-26 years) actions. Accordingly, the RP already provides the anticipated timelines requested by the commenter. The precise timing of proposed actions, of course, will be based on projected travel demand, funding availability, appropriate policy, and other feasibility issues. The short-range measures will then form the basis for the Regional Transportation Improvement Program (RTIP) (state funding) and the Federal Transportation Improvement Program (FTIP) (federal funding). The RTIP and FTIP are updated individually every 2 years and both programs include project delivery timelines based on individual program approved project awards. The RTP is updated every 4 years, and the programs and projects under the Action Element will be updated as appropriate.

Fresno COG considers the current format for the “Accomplishments” and “Proposed Actions” sections sufficient and effective in describing the efforts COG has been and will be involved with.

**Comment:**

**B. Incorporate EJ and Title VI commitments into Proposed Actions**

Fresno COG has made significant strides towards effective implementation of Title VI and addressing environmental justice issues in the 2014 RTP/SCS process, including inclusion of a set of policies in the Policy Element for protecting environmental justice groups and furthering Title VI.

In order to provide “clear direction” for implementation of these policies, Fresno COG must include a paragraph under “Proposed Actions” of section 5.11 saying that it will consider



the following initiatives going forward: implementation of its Title VI and Environmental Justice Plan; a qualitative and quantitative Environmental Justice Needs Assessment; the expansion of the Sustainable Infrastructure Planning Grants Program; and a general commitment to furthering Environmental Justice and Title VI goals.

**Response:** As provided in Chapter 7 of the RTP, the Environmental Justice Report, Fresno COG has adopted environmental justice principles and objectives that promote equity throughout the agency's regional planning efforts. (See detailed goals and strategies in Chapter 2: Policy Elements and Chapter 4: Action Element), demonstrating a general commitment to furthering Environmental Justice and Title VI goals.

Fresno COG continues to implement the FTA approved 2016 Title VI Plan. Although Environmental Justice (EJ) and Title VI are distinct elements, collectively they can contribute to the development of an equitable transportation system. These elements are regularly mistaken and used interchangeably, thus, making it essential to understand their differences. Title VI is a separate process from the EJ analysis and encompasses criteria extending beyond the RTP. Update to the 2016 Title VI plan will begin in early 2019.

Future mapping tools that illustrate the proposed RTP projects and investment will contribute to improving the quantitative analysis; FCOG is committed to developing this tool as stated in Section 7.10 of the RTP. As stated in the EJ Appendix D and the tool has been funded in the FY 1819 OWP Budget.

Please refer to response in question I4 related to the Sustainable Infrastructure Planning Grant program.

**Comment:**

**C. Include additional language describing actions that will be taken to ensure that transportation planning supports fair housing goals**

“Clear direction” must also be provided for implementing Fresno COG’s affordable housing obligations.

While Fresno COG does not receive federal funding directly from HUD, it is still subject to the Fair Housing Act (Title VIII of the Civil Rights Act). Under the Fair Housing Act, as recipients of federal funding, Fresno COG and local governments in Fresno County are required by law to act consistently with and further the goals of the Fair Housing Act (“FHA”). They must do so not only in the programs that are federally funded, but in all of their activities. HUD defines jurisdictions’ obligation to affirmatively further fair housing under the FHA to mean:

taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

Fresno COG is also subject to requirements under California civil rights laws to avoid any actions or inactions which would contribute to existing patterns of segregation and disparities in access to opportunity based on protected characteristics. These requirements extend to Fresno COG and member jurisdictions' identification and allocation of RHNA sites, as well as planning and investment actions and inactions that cross housing, land use, transportation, and education lines.

In Fresno County, many areas of racially and ethnically concentrated poverty exist. These areas have also received the least public investment, and few, if any, affordable housing opportunities exist for lower-income families in new development and growth areas. Therefore, Fresno COG's RTP/SCS growth scenarios, policies, plans, and actions must expand -- and not restrict -- access to opportunity both within and outside of low-income neighborhoods through clearly defined land use, housing, transportation, and public engagement strategies. Such policies would not only avoid further aggravating current disparities but would also help guide local agencies towards meeting their AFFH obligations. Such inter-agency collaboration goes towards the heart of Title VI and the Civil Rights Act by "promot[ing] economic mobility and equal access to the many benefits provided by affordable housing, great schools, and reliable transportation."

In light of these legal obligations, Fresno COG must provide "clear direction" on how it is going to implement these obligations. We suggest the addition of the following language in the Overview or in the new Transportation Planning to Support Local Housing Needs section:

Fresno COG seeks to address disparities in transportation access, pursuant to its obligation under Title VI, and to support local agencies' efforts to address housing needs and access to opportunity by coordinating with and providing resources to local agencies conducting land use planning. Fresno COG shall do so by identifying areas of concentrated minority and low-income populations; helping local agencies identify housing needs in the region, particularly in areas of racially and ethnically concentrated poverty and facilitating local governments in developing and implementing strategies to expand affordable housing opportunities outside of lower-income neighborhoods in areas of opportunity and new development and growth areas; and identifying, planning for, and funding initiatives to address transportation needs in areas of concentrated minority and low-income populations.

Additionally, we recommend that Fresno COG further detail the actions that it has already taken and plans to take in light of its duty to affirmatively further fair housing.

We are glad to see Fresno COG's support for and implementation of the AHSC, Multi-Jurisdictional Housing Element ("MJHE"), and Measure C programs noted in "Accomplishments" as housing-related activities. These programs may be a step towards affirmatively furthering fair housing if done in a manner that alleviates resource deficits and inequities and expands access to opportunity for disadvantaged communities and protected classes.

To facilitate Fresno COG and member jurisdictions' compliance with their obligations under state and federal civil rights laws, we recommend the addition of commitments to the following action under "Proposed Actions" in section 5.11:

- Allow public participation in and provide public notice of the Countywide Housing Element Technical Committee meetings hosted by Fresno COG, post committee meeting minutes to the Fresno COG website, and annually publish a report documenting the outcomes of committee meetings and activities performed pursuant to MJHE Program 1. Fresno COG currently does not allow the public to attend these meetings or provide meeting minutes to the public. Doing so would create greater transparency in and strengthen Fresno COG and member jurisdictions' efforts to implement MJHE Program 1, which contains the Housing Element's only explicit commitments for jurisdictions to work collaboratively to affirmatively further fair housing.
- Similar to the role played by Fresno COG in facilitating the development of the MJHE, Fresno COG could convene local jurisdictions to facilitate the timely development of local and/or regional Assessments of Fair Housing pursuant to HUD's AFFH Rule.
- Convene jurisdictions to provide information regarding the availability of and eligibility requirements to receive funding for community and specific plans and the development and maintenance of affordable housing pursuant to SB 2. Provide technical support for the development of the allocation plan required of local jurisdictions in a manner consistent with the Valley Blueprint, Roadmap, MJHE, RTP/SCS, and jurisdictions' obligations under state and federal civil rights laws.
- Commitment to require that jurisdictions receiving competitive funding allocations from COG must create and implement Displacement Avoidance and AFFH plans.
- To avoid contributing to existing patterns of concentrated poverty and concentrated racial and ethnic groups, Fresno COG could also work with local agencies to identify areas that are not well served by transit, as well as opportunities to align fair housing goals with planned transportation investments.

**Response:** Thank you for your comments relating to Fresno COG's federal and state obligations relating to housing, which were also included in Leadership Counsel's comment letter on the Draft Action Element received on December 1<sup>st</sup>, 2017.

Per our response to the December 1<sup>st</sup>, 2017 comment letter, Fresno COG has been taking positive efforts to contribute to providing a range of housing opportunity for people regardless of their income, race, national origin, religion, sex, disability or familial status. The EJ chapter and the EJ report address EJ principles, policies and regulations, including Title VI in terms of impacts from the 2018 RTP/SCS. The Regional Context chapter provides mappings of concentrated minority and low-income population.

As indicated in the Action Element Section 4.11, Fresno COG's compliance efforts with the Fair Housing Act include COG's own programs such as the Blueprint, Regional Housing Needs Allocation Plan, Circuit Planner and Circuit Engineer Programs, and Measure C TOD program. Our efforts can also be demonstrated through our active participation in other state and regional programs such as the Affordable Housing Sustainable Communities program and Fresno County Multi-Jurisdiction Housing Element.

Fresno COG is dedicated to working with our member agencies and other government entities in implementing the Fair Housing Act, and will be happy to provide any assistance needed to other entities when resources and expertise are available. However, Fresno COG respects the authority of the other government entities and would like to encourage Leadership Counsel and other signatories of the letter to be engaged with the respective local governments for direct dialogue regarding their programs such as the Housing Element, Assessment of Fair Housing, SB 2 housing program implementation, etc.

Below is a response to each of the bullet recommendations provided above.

- Similar to the role played by Fresno COG in facilitating the development of the MJHE, Fresno COG could convene local jurisdictions to facilitate the timely development of local and/or regional Assessments of Fair Housing pursuant to HUD's AFFH Rule.

*Response: HUD published a notice in the Federal Register on January 5 suspending most local governments' obligation under the Affirmatively Furthering Fair Housing (AFFH) rule to submit an Assessment of Fair Housing (AFH) until after October 31, 2020, and in many cases after 2025. However, in the future, if member agencies are interested in developing a regional Assessment of Fair Housing, Fresno COG would be happy to help facilitate the project if requested to do so by the member agencies. Fresno COG's role in the Multi-Jurisdictional Housing Element was to assist the County with coordination of the project.*

- Convene jurisdictions to provide information regarding the availability of and eligibility requirements to receive funding for community and specific plans and the development and maintenance of affordable housing pursuant to SB 2. Provide technical support for the development of the allocation plan required of local jurisdictions in a manner consistent with the Valley Blueprint, Roadmap, MJHE, RTP/SCS, and jurisdictions' obligations under state and federal civil rights laws.

*Response: Fresno COG is following the development of the SB 2 funding guidelines and technical assistance available to local agencies, and will relay information to member agencies as it becomes available.*

- Commitment to require that jurisdictions receiving competitive funding allocations from COG must create and implement Displacement Avoidance and AFFH plans.

*Response: Similar to the issue with withholding funding from agencies that are not "effectively implementing" their affordable housing programs, as mentioned in your comment #5 above, the requirements and objectives of the many different funding programs vary widely and are not all within Fresno COG's purview, and Fresno COG does not have authority over local governments' displacement avoidance policies and AFFH plans.*

- To avoid contributing to existing patterns of concentrated poverty and concentrated racial and ethnic groups, Fresno COG could also work with local agencies to identify areas that are not well served by transit, as well as opportunities to align fair housing goals with planned transportation investments.

*Response: Fresno COG, in conjunction with local public transit agencies, participates in the Unmet Transit Needs process, which identifies needs of communities that are not well served by transit. Fresno COG will be happy to provide any assistance needed to other entities in the area of housing when resources and expertise are available.*

**Comment:**

**III. Sustainable Communities Scenario**

As mentioned above, the SCS must identify areas to sustain the housing needs of all segments of the population over the course of the planning period. Gov. Code § 65080(b)(2)(B)(ii). It is not clear whether this was done in the formation of the SCS, or in the evaluation of the SCS alternatives. When comparing the scenarios, Fresno COG staff modeled housing type, but not the allocation of affordability of housing in each scenario.

The RTP must be an internally consistent document. Therefore, the priorities in the SCS must correspond with the project evaluation criteria, as well as the priorities identified in the Policy Element and the Action Element. The RTP currently lacks coherence, since it is not clear whether the priorities expressed in the SCS, the Policy Element, the project evaluation criteria and the Action Element align. To ensure internal consistency, Fresno COG must explain how projects were selected to comply with both the SCS and the project evaluation criteria, as well as the values expressed in the Policy Element. Since protection of EJ communities is a priority in the Policy Element, Fresno COG must more clearly explain how the projects list changed between the four proposed SCS, and how the alternative projects list impacted EJ communities.

**Response:** Fresno COG is committed to its obligations relating to regional housing under California Government Code §65080 (B). The SCS provides all of the information required by California Government Code §65080 (B), such as detail on the SCS land use pattern, including general location of uses, residential density, projected housing growth and density that accommodates the eight-year projection of the regional housing needs for all economic segments of the population, and employment growth density. Pursuant to Government Code § 65080(b)(2)(B)(ii), the SCS identifies areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth. Specifically, as stated in the Environmental Justice Report, page 25, the 2018 RTP assumes 47,484 new single family, 32,391 new multifamily units and 5,137 new townhomes over the

next 20 years to accommodate a countywide population that is anticipated to grow to an estimated 1,347,000 persons by 2042. Table 3-2 on page 3-6 of the RTP provides forecasts for the preferred scenario, including household population, number of housing units, and employment. 2018 RTP/SCS plans additional, new housing developments with a greater emphasis on increasing the amount of multifamily housing options in the EJ communities compared to non-EJ areas. The 2042 Total Multifamily and Townhome units account for more than 50 percent of the new housing products mix in EJ+VC areas compared to 27 percent in Non EJ, Non VC communities. In the modeling, availability of various housing types is used as the proxy for affordability, which is reflected by the availability of townhomes and multi-family housing.

The 2018 RTP/SCS was created with the vision - “A region of diverse transportation options that foster sustainable growth and a vibrant economy, and contribute to improved air quality and healthy communities.” The SCS, the Policy Element, the project ranking criteria in the Financial Element and the Action Element were all developed with the same consistent overarching theme that was expressed in the vision statement. The project evaluation criteria developed and approved by a Project Evaluation Subcommittee, which Leadership Counsel was actively involved in, looked at a combination of factors such as sustainability, public health, air quality, accessibility, safety, congestion, disadvantaged communities, etc. The project scores resulted from the project evaluation criteria was combined with the priorities in the SCS scenarios, which led to the creation of project lists for each of the SCS scenarios. Both the project evaluation criteria and the SCS project scenario tool were approved by the Roundtable, TTC/PAC and the Policy Board and are available on COG website and in the RTP document in Appendix C.

#### Comment:

#### **IV. Recommended Changes to the Environmental Justice Report**

Fresno COG staff worked diligently with many stakeholders on developing the Environmental Justice chapter. However, this chapter does not fulfill the requirements of the law because it does not accurately reflect the impact of the RTP on EJ versus non-EJ populations.

According to Executive Order 12898, Fresno COG must “identify and address, as appropriate, disproportionately high and adverse human health or environmental effect of its programs, policies, and activities on minority populations.” FTA Circular 4703.1 further requires MPOs to incorporate EJ principles into its transportation decision-making process and environmental review documents. The Circular states that MPOs must do three key things: (a) “avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;” (b) “ensure the full and fair participation by all potentially affected communities in the transportation decision-making process;” and (c) “prevent the *denial of, reduction in, or significant delay* in the receipt of benefits by minority and low-income populations.” p. 2.

Fresno COG does not accurately “identify...disproportionately high and adverse human health or environmental effect of its programs, policies, and activities on minority populations” because of severe limitations in its methodology for identifying the impact of the RTP projects on EJ communities. While we are glad that COG staff added more indicators to measure housing mix and air quality concerns, the metrics used to measure impact on EJ versus non-EJ communities do not give an accurate picture of actual impacts. Decreased travel time during peak hours, congestion within EJ versus non-EJ TAZs, transit investment effectiveness, and distribution of transit investments do not successfully show whether the projects in the RTP are meeting the transportation needs of EJ communities. More importantly, since Fresno COG has an obligation to affirmatively overcome prior patterns of disparate impact, Fresno COG must measure whether the RTP projects will put beneficial investments in communities that have not seen meaningful transportation investments for many years. The EJ element must effectively measure whether Fresno COG’s RTP will *reverse* prior patterns of lack of investment in EJ communities, based on what the actual needs of EJ communities are. Therefore the EJ analysis must include the following components:

- Information gathered directly from EJ communities on what their actual transportation needs are (these were expressed by many communities in the projects that they proposed in the RTP outreach workshops)
- Fresno COG must develop a project map to show where projects are located in relation to EJ communities
- A new activity-based model must be developed in order to better approximate travel around the region

**Response:** The EJ performance indicators, definition of EJ population, low income threshold, expanded definition of Vulnerable Communities and the draft analysis were developed through a collaborative process with the EJ taskforce and approved by both the EJ taskforce and the RTP Roundtable.

Fresno COG has satisfied the requirements of 49 CFR § 21.5(b)(7). As stated before, 14 of the 16 jurisdictions in County of Fresno are designated by the State as a Disadvantaged Community. The EJ analysis included a comparison of EJ communities to Non EJ communities regionally and sub-regionally. Additionally, the analysis included an examination of an expanded definition for Vulnerable Communities in comparison to EJ and Non EJ communities. All performance indicators analyzed with the EJ Chapter indicate that in terms of overall equity, the 2018 RTP’s projects appear to distribute benefits and impacts equitably over Fresno County. In most cases, EJ communities fared better than non-EJ communities. Fresno COG is therefore taking affirmative action to overcome effects of any prior discriminatory practice or usage.

Below is a response to each of the bullet recommendations provided above.

- Information gathered directly from EJ communities on what their actual transportation needs are (these were expressed by many communities in the projects that they proposed in the RTP outreach workshops)

*Response: Fresno COG also is taking affirmative action to assure that no person is excluded from participation in or denied the benefits of the program or activity on the grounds of race, color, or national origin. FCOG made an extraordinary effort to gather information on the transportation needs of EJ communities through the public outreach process as stated in earlier sections. All proposed projects and outreach comments received are available at the RTP website. For projects suggested in the 12 disadvantaged smaller cities and Fresno County (project suggestions excepting those from Kingsburg, Clovis and the City of Fresno), about 2/3 of the feasible project suggestions are included in the RTP. Local projects, which are not eligible for federal funding and thus can't be included in the RTP, were all forwarded to local governments for consideration under other funding programs.*

- Fresno COG must develop a project map to show where projects are located in relation to EJ communities

*Response; Again, future mapping tool that illustrate the location of proposed RTP projects and investment will contribute to improving the quantitative analysis, FCOG is committed to developing this tool as stated in the EJ Appendix D and has funded the tool in the FY 18-19 OWP budget.*

- A new activity-based model must be developed in order to better approximate travel around the region.

*Response: As stated in the RTP Chapter 7: EJ Analysis and EJ Appendix D, Fresno COG is committed to and has already begun developing an activity-based model to improve the modeling capabilities. The activity-based model development will be wrapped up by June 2018.*

## **Comment:**

### **V. Project Evaluation Criteria Incorporated Important Commitments**

We commend Fresno COG on including effective project evaluation criteria in this RTP process. Much work went into developing project evaluation criteria that prioritized projects that benefit disadvantaged communities, protected the environment, and protected public health.

However, as noted above, Fresno COG must establish a process that ensures that projects submitted by the public, particularly by disadvantaged communities and environmental justice communities, are evaluated for inclusion in the RTP, rather than allowing local agencies to exclude projects submitted by the public. Alternatively, the project evaluation criteria should incentivize inclusion of such projects by adding substantial points to projects that were identified by the Disadvantaged Communities Needs Assessment. Points should



also be added for projects submitted by disadvantaged communities as part of the RTP outreach process.

**Response:** As discussed previously in this letter, Fresno COG does not have the authority over local streets and roads, and RTP projects are submitted by local governments who have ownership of the streets and roads. Local governments went through their individual project prioritization process before projects were submitted to the RTP based on factors such as funding availability, the needs of their communities, project cost-effectiveness, etc.

Fresno COG clearly indicated to workshop and online participants that their project suggestions would be forwarded to their local governments for consideration. In good faith, Fresno COG met its self-imposed commitment to gather transportation needs/suggestions and convey them to our member agencies, transit agencies and active transportation planners, going above and beyond all mandates. When projects from disadvantaged communities were submitted to Fresno COG by the local governments, COG's project ranking criteria gives such projects extra point(s) to help them advance in the regional process. As stated in the previous sections, about 2/3 of feasible project suggestions from the 12 disadvantaged small cities and the Fresno County were included in the RTP.

Again, Fresno COG would like to reiterate that Leadership Counsel and its partners are strongly encouraged to develop a relationship with local governments, and work with the local governments on advancing the projects that concern them.

**Comment:**

**VI. Public Participation Plan Made Progress, but Changes Needed for 2020 Round.**

Fresno COG's 2018 Public Participation Plan was used as a successful model of public participation statewide, due to its inclusion of an outreach mini-grants program, several series of community workshops aimed at a wide variety of stakeholders, and an RTP Roundtable that provided input into decisions about each of the RTP elements. Leadership Counsel appreciates the inclusive process that Fresno COG staff created for vetting many of the decisions regarding the RTP.

However, we recommend several significant changes for the next round. First, in order for the public to meaningfully participate in determining the values expressed in the RTP, the first round of workshops should be dedicated to gathering information about community needs and values. Instead of being shaped by the public, the scenarios for this round were based largely on data from four years ago and one public workshop in an urban center. This did not allow for many voices in the county to shine through as scenarios were being developed, and restricted all of the county to four scenarios based on outdated information and urban priorities. Next round, we strongly recommend that Fresno COG conduct a complete round of workshops asking for residents' and stakeholders' transportation needs and values before developing the four alternative scenarios. Then, scenarios can be formed based on this information, and a second round of workshops can ask community residents and stakeholders to choose between scenarios.

**Response:** As discussed at the SCS Public Hearing on May 16, 2018, staff is seriously considering extensive community outreach on values and needs for the next RTP cycle. We appreciate the Leadership Counsel's recommendations in that regard and will consider them moving forward.

We thank you for your involvement in the 2018 RTP/SCS development process, and appreciate your efforts to engage the community residents in the process. Please feel free to contact me or my staff Kristine Cai at 559-233-4148 should you have any further questions or comments regarding the 2018 RTP/SCS.

Sincerely,

A handwritten signature in blue ink that reads "Tony Boren". The signature is written in a cursive style with a large, stylized 'T' and 'B'.

Tony Boren,  
Executive Director