



November 13, 2017

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

RE: October 19th Comment Letter regarding FCOG 2018 RTP Action Element

Ms. Monaco:

Fresno COG has received and thanks the Leadership Counsel for its October 19th letter addressing the Action Element of the 2018 Regional Transportation Plan (RTP). In response to your letter and other comment letters received previously, Fresno COG has added Section 5.11 Integrated Transportation and Land Use Planning to the Action Element to highlight the efforts that Fresno COG has been taking in the integrated transportation and land use planning. Attached is the write up for Section 5.11, and comments for this section are welcome until December 1, 2017. Respectfully Fresno COG offers the following responses (in blue) to the comments in your letter:

Comment:

Include commitments to further all SCS priorities.

We commend FCOG for including an extensive section on air quality. We encourage Fresno COG to also include commitments to acting to further the other priorities identified by the RTP Roundtable, the public and Fresno COG's own performance measures, including protecting public health, investing in disadvantaged communities, and protection of resource areas and farmland.

For example, since the Sustainable Infrastructure Grants program will be using SB 1 Sustainable Communities Planning Grant funding to contribute to sustainable development in disadvantaged areas, this plan should be highlighted as an increase in investment in disadvantaged communities. Also, since many local agencies we recommend that Fresno COG commit to giving technical assistance to local agencies seeking grant funding for disadvantaged communities, and explain how Fresno COG will publicize the availability of its circuit planners to help with local agency applications.

Response: Section 5.11 Integrated Transportation-Land Use Planning in the Action Element includes a description of the Circuit Planner and Circuit Engineer Programs and how projects are selected to receive those services. While Fresno COG makes an effort to provide services to each relevant project submitted, the program is limited based on staff

City of Clovis
City of Coalinga
City of Firebaugh
City of Fowler
City of Fresno
City of Huron
City of Kerman
City of Kingsburg
City of Mendota
City of Orange Cove
City of Parlier
City of Reedley
City of San Joaquin
City of Sanger
City of Selma
County of Fresno

availability and funding. Section 5.11 also includes a subsection that provides information on the farmland/resource land conservation programs that Fresno COG has been involved in. Public health efforts will be described in the SCS chapter.

The Sustainable Infrastructure Planning Grant Program was created as one of the implementation programs of the 2014 RTP/SCS to encourage regional multimodal transportation and land-use planning projects that help further the region's RTP/SCS, contribute to the state's GHG reduction targets and address the needs of the disadvantaged communities. The regional guidelines and criteria development has been an open, collaborative process among stakeholders, local member agencies, non-profit organizations and community-based organizations to allow for a transparent and equitable approach. Extra points are given to projects in the disadvantaged and health-burdened communities in the draft scoring criteria to help address needs in the disadvantaged communities. Local governments and transit agencies are eligible applicants for this program and eligible sub-applicants include non-profit organizations, community-based organizations, and Native American tribal governments. Points are given in the draft scoring criteria for involving active community engagement to encourage collaboration between the applicants and the communities. Once the guidelines and criteria are approved by our Board, a call-for-projects will be initiated and communication via email and website will be released. The Circuit Planner and Circuit Engineer program is available to assist the agencies with applications for this program if the capacity of the Circuit Planner and Circuit Engineer program allows.

Comment:

Additionally, as part of Fresno COG's efforts to address public health and air quality concerns, we encourage Fresno COG to include plans to develop active transportation infrastructure alongside its expansion of transit in the county, citing its key functions in helping residents access transit, healthy foods, and other necessary services and resources.

Response: As bikeways and pedestrian facilities, including trails, have become increasingly important to the Fresno County region due to air quality, economic development and quality of life (health) considerations, Fresno COG has become more involved in integrating active transportation into the regional transportation planning processes. Moving forward, Fresno County will continue to implement planned bikeway facilities as a part of its road construction program. Additionally, Fresno COG is in the process of developing the Fresno County Regional Active Transportation Plan, which will make each jurisdiction eligible for new funding to construct new trails, sidewalks, bike lanes, and other improvements for bicycling and walking. The plan will support applications for funding from state and federal sources. In the Vision and Goals section of the plan the first goal listed is "create a network of safe and attractive trails, sidewalks, and bikeways that connect Fresno County residents to key destinations, especially local schools, transit and parks."

Comment:

Commit to conserving resource areas and farmland.

As the Draft Action Element acknowledges, agriculture is central to the region's economy, with 2016 crop receipts in Fresno County alone amounting to nearly \$6.2 billion. We agree that providing mobility for agricultural workers and moving crops to market are important functions of the region's transportation system, and we support Fresno COG's efforts to ensure that road and rail networks are up the task.

But low-density, greenfield development, and transportation projects designed to serve it, harm the region's agricultural economy by converting irreplaceable farmland and rangeland to other uses -- a danger acknowledged in the performance measures adopted earlier this year, which include important farmland conversion. Poorly planned development threatens other resource areas as well, including watersheds and habitat corridors that connect the Valley floor with higher altitudes, and aquifer recharge areas critical to achieving groundwater sustainability.

To avert these harms, and ensure the best possible result on the farmland conversion performance measure adopted by Fresno COG, we would respectfully recommend that the Action Element incorporate the following:

- A description of how Fresno COG intends to take resource areas and farmland into account in developing land use scenarios, selecting projects and implementing the 2018 RTP/SCS;
- A commitment to ensure that transportation projects 1) avoid harm to resource areas and farmland wherever possible, 2) minimize any harm that cannot be avoided, and 3) fully mitigate any resulting impacts.
- A description of how Fresno COG intends to mitigate any impacts.

As discussed at recent Roundtable meetings, and in the presentation immediately after the September 27th meeting, other MPOs have found straightforward and inexpensive ways to achieve many of these goals. We are confident that Fresno COG, which has shown leadership in many other areas, can do the same.

Response: Fresno COG, in partnership with the eight valley MPOs, developed the San Joaquin Valley Greenprint project. The SJV Greenprint assembled a comprehensive, interactive database that catalogs current conditions and trends related to the region's biological, agriculture and water resources. The maps and data collected for the SJV Greenprint are publicly available through the San Joaquin Valley Data Basin Gateway (<http://sjvp.databasin.org>). The SJV Greenprint is intended to assist local agencies/organizations and their decision-makers, making available a wide range of public data on regional resources, compiled in a single repository with interactive mapping capability.

Furthermore, a description of Fresno COG's contribution to farmland/ resource land conservation efforts can be found in the draft Action Element's Section 5.11 Integrated Transportation and Land Use Planning, which also includes the agricultural land mitigation policy and recommendation adopted by the Policy Board with regard to construction of transportation projects. The role farmland plays in developing the 2018 RTP/SCS scenarios will be described in the SCS chapter.

Comment:

Include commitments to federal civil rights obligations and environmental justice obligations.

As voiced in previous comment letters submitted by Leadership Counsel and others, Fresno COG's Title VI and environmental justice obligations require it to engage the public and ensure equitable distribution of benefits in all of its activities. Steps towards fulfilling these obligations have been taken in the Policy Element and Public Participation pieces of the RTP process. In the Action Element, Fresno COG must also set out concrete plans to (1) evaluate inequities in existing transportation investments and resources, (2) assess the needs of disadvantaged communities and environmental justice communities, and (3) ensure that the needs of the County's most vulnerable communities are addressed and their communities are not negatively impacted by investments. As part of these steps, Fresno COG must include a commitment to engage disadvantaged communities in determining their own needs and viable solutions to addressing those needs.

We strongly recommend that Fresno COG include language committing to undertake such community engagement and consideration of disadvantaged communities' and EJ populations' needs particularly when it receives augmented or new funding. For example, we hope to see a plan stating how Fresno COG will conduct stakeholder and community engagement to determine allocation of SB 1 funding.

A section on civil rights obligations, environmental justice and would also be a good place to include the Sustainable Infrastructure Grants program, which will contribute to these goals if implemented in a way that guarantees that the funding is received by disadvantaged communities.

Response: Fresno COG has conducted extensive outreach efforts at different stages of the 2018 RTP development process to reach out to the EJ population and the disadvantaged communities. In June/July 2017, Fresno COG hosted 15 community workshops throughout the region to solicit input on transportation improvement needs. Each of the 15 workshops included dinner, childcare, and Spanish translation when needed. Many of the workshops were in the disadvantaged communities. During those workshops and through an online survey Fresno COG specifically asked participants to tell us their public transit, street and road and active transportation needs. As a result of this outreach Fresno COG received 1,218 suggestions for projects. All of those suggestions and any comments received were

forwarded to the local agencies from applicable jurisdictions. Due to this effort the number of projects received from local agencies in response to Fresno COG's Call for Projects doubled to over 3,000 for the 2018 Regional Transportation Plan.

During the October 2017 outreach effort, Fresno COG coordinated 11 presentations and 20 informational and interactive booths held at community events around the Fresno County region, receiving feedback from 29 communities representing 50 zip codes throughout Fresno County on the Sustainable Communities Strategies scenarios. The final Fall 2017 Sustainable Communities Strategy scenario outreach survey results have shown that among the 1,339 people that Fresno COG reached in October, 78.1% were minority, compared with Fresno County's demographic of 70% and the average household income for the people who participated in the survey was between \$36,000 to \$49,000, compared with the regional average of \$45,563.

All of the data and comments from the Spring, June, and Fall 2017 outreach is available online on Fresno COG's website at: <http://www.fresnocog.org/2018-regional-transportation-plan-public-outreach>.

The 2018 RTP/SCS scenario development included a measurable EJ indicator, "Access to community resources," to determine the potential impacts to EJ communities as identified by the EJ subcommittee and was available to the public during the outreach process.

A Transportation Needs Assessment study was conducted in 2015/16 to evaluate the transportation needs in the region, especially in the disadvantaged communities, as part of the 2014 RTP/SCS implementation efforts. The study can be found at: <http://www.fresnocog.org/transportation-needs-assessment>.

SB 1 funding is broken out into several programs. Most of the funds coming to the Fresno County region go directly to local agencies and Caltrans from the local streets and roads program and are to be used for road maintenance and rehabilitation based on Caltrans' and the local jurisdiction's discretion. Fresno COG administers Active Transportation Program (ATP) and State Transportation Improvement Program (STIP) funding. The ATP is a regionally competitive program and the STIP is dedicated to regionally significant projects and typically supports the Measure C expenditure plan. The local planning funds are being used for projects that will advance the RTP/SCS goals. Fresno COG created the Sustainable Infrastructure Planning Grant Program from the SB1 local planning fund, which awards extra points to projects in disadvantaged communities and includes extensive community engagement requirements. The local partnership program is dedicated to the Fresno County Transportation Authority for projects on its expenditure plan. Funding is based on the population and Measure C revenue. The rest of SB 1 funding is a statewide competitive process. Overall, the estimated revenues are allocated as follows: 65 percent to maintain existing transportation infrastructure, 15 percent for public transit, 12 percent for congestion relief, 4 percent in incentives for local transportation funding initiatives and 4 percent for sustainability measures. Details for SB 1 funding programs, including the

Sustainable Infrastructure Planning Grant program, will be detailed in the financial element with other revenue sources and funding opportunities.

An SB 1 funding breakdown may be found at:
<http://www.rebuildingca.ca.gov/overview.html>.

The Environmental Justice (EJ) Report, which is a part of the 2018 RTP, provides analysis on both the benefits and burdens on the EJ communities from the transportation investment included in the 2018 RTP. It is intended to make sure that environmental justice communities within Fresno County share the benefits of the investments without bearing disparate impacts from the Plan.

Comment:

Include commitments to furthering affordable housing in the region.

Fresno COG must seek to affirmatively further fair housing through equitable land use policies and transportation investments in its Sustainable Communities Strategy. SB 375 addresses transportation planning and planning for affordable housing as two interconnected elements of addressing systemic discrimination and disparate impacts, by requiring that “housing planning be coordinated and integrated with the regional transportation plan” by “allocat[ing] housing units within the region consistent with the development pattern included in the sustainable communities strategy.” Furthermore, fair housing and equitable access to transportation are pieces of the same Title VI obligation to combat segregation and discrimination. Therefore we recommend that Fresno COG include affordable housing goals in its Action Element as well. ABAG, for example, offers data on housing locations and market information for local agencies, and facilitates dialogue and information sharing between local governments, stakeholders and state and federal policymakers about housing planning, production, and market trends.

Response: The Action Element’s Section 5.11-- Integrated Transportation-Land Use Planning includes a description of Fresno COG’s role in furthering fair housing with regard to the Regional Housing Needs Allocation process and the Fresno County Multi-Jurisdictional Housing Element. Fresno COG is also involved in other activities furthering affordable housing in the region, such as the Measure C Transit-Oriented Development (TOD) program and providing technical assistance to Affordable Housing and Sustainable Communities Program applicants. Fresno COG continues to stay apprised of housing issues on a federal, state and local level to provide information sharing and technical assistance, as well as a forum for discussion and consensus on regional housing issues in Fresno County.

Comment:

Include plans to evaluate the impact of transportation plans on water resources, and ways to ensure that development does not harm water resources.

With the passage of the Human Right to Water and the Sustainable Groundwater Management Act (SGMA), California's legislature has expressed its strong commitment to ensuring that our state's water resources are sustainably managed so that all households can have a stable, affordable source of clean drinking water. Under SGMA, all planning processes must abide by the groundwater management plans of Groundwater Sustainability Agencies. While our region's Groundwater Sustainability Plans will not be adopted until 2020, it is not too early for Fresno COG to take groundwater resources into consideration in implementing its RTP. As noted above and discussed on September 27th, an excellent way to do so would be to treat groundwater recharge areas as constraints to development in the preferred land use scenario.

Response: Fresno COG is open to coordinating how to best help manage groundwater resources with adopting Groundwater Sustainability Plans affecting the Fresno region. However, using groundwater recharge areas as constraints to development may be premature at this stage and supersedes local land use authority. The Fresno region's SCS is based on existing General Plans that have already been adopted, and almost all of Fresno County is considered a groundwater recharge area. Fresno COG understands that this may need to be part of a larger conversation with the Groundwater Sustainability Agencies and local governments involved.

Comment:

More broadly, Fresno COG should include in its Action Element a commitment to evaluating how the regional transportation investments will impact water resources. Since project-by-project evaluations would be too narrow to see how projects are cumulatively affecting water resources, Fresno COG is in the best position to effectively analyze how the suite of RTP investments will impact water resources on a regional level.

Response: Fresno COG is required to evaluate the RTP's cumulative impact with regard to water resources in the Program Environmental Impact Report (PEIR) per the California Environmental Quality Act (CEQA). The EIR will reference the Sustainable Groundwater Management Act as a new regulation signed into law by Governor Brown after the last EIR was completed in 2014. Fresno COG will assess water table(s) and potential project impacts (RTP/SCS) on the water table if data is available. Fresno COG will also include mitigation measures that local agencies should address as new development takes place and is assessed as part of their environmental review process. Fresno COG understands the importance of evaluating the plan's cumulative impacts on all natural resources, among other factors, but is not specifically detailing its commitment in the Action Element, instead opting to do so in the EIR.

In addition to the EIR analysis, the SJV Greenprint project established a central database for localities and groundwater management agencies to use as a resource for making critical decisions. The SJV Greenprint Gateway includes hundreds of natural resource data sets and dozens of maps specifically showing areas of groundwater recharge, withdrawal and

subsidence levels. More information about the SJV Greenprint project can be found at: <http://www.fresnocog.org/san-joaquin-valley-greenprint-program>

Comment:

Commit to Additional Short-Range Air Quality Improvement Measures.

In addition to the already pronounced plans, Fresno COG, in cooperation with the SJVUAPCD, the cities of Fresno and Clovis and Fresno County, should prioritize the paving of all unpaved roads and shoulders in Fresno County. Additionally, agencies should commit to regular street cleaning of paved roads. Paved roads contribute approximately 5 tons of direct PM2.5 a year, and unpaved roads contribute an additional 4 tons.

Response: Fresno COG is committed to prioritizing projects in the Congestion Mitigation and Air Quality (CMAQ) program that provide the most pollution reduction at the most effective cost. This is why one of CMAQ's key components is its focus on cost-effectiveness. Forty percent of the CMAQ funding available through the competitive bid process is required to be used to fund cost-effective projects. During the CMAQ scoring committee process, projects identified as cost-effective are scored and selected first, until 40 percent of the CMAQ competitive funding has been allocated. Historically, shoulder stabilization projects and alternative-fuel bus/vehicle replacements are among those projects that most often qualify for cost-effective consideration.

Comment:

Commit to assessing needs of underserved areas and investing in existing communities that lack sufficient transportation services and infrastructure before expanding service and infrastructure to new growth areas.

The Draft Action Element states an intent to extend transit service to "new growth areas" in its Multimodal section. This desire to ensure that all areas are linked to an effective transportation network is understandable. However, before looking to new growth areas, Fresno COG must ensure that existing areas that do not have adequate public transit are prioritized and connected to the transportation network before service is expanded to new areas. We recommend that Action Element include a commitment to evaluating the needs of underserved communities and extending services to those communities before extending services to new growth areas. This analysis should be done for all types of transportation infrastructure that would benefit disadvantaged communities: multimodal, highways and roads, transit, and active transportation.

Response: Transit operators in the Fresno County region evaluate each transit system annually with a productivity report that includes a ridership analysis required to be in compliance with respective farebox requirements. This report takes into consideration the review of any recently added routes and/or service by any one of the Clovis Transit, FAX and FCRTA public operators. There is also a social service provider (Fresno EOC Transit)

that at times is more suited to address certain transportation requests for new and or additional service as they may or may not fall into the realm and scope of public transit operators due to the state requirements for farebox and or ridership requirements. This annual evaluation process will continue by all public transit and social service operators to determine if underserved communities' needs are reasonable to meet as defined by the annual unmet needs process. An example is FCRTA's proposed, new service to the community of West Park, scheduled to begin on Nov. 13, 2017 as a result of collaborative efforts with CRLA and West Park residents. This will be a six-month demonstration project to determine if farebox requirements are met and there is reasonable ridership to substantiate service beyond the demonstration period.

A Transportation Needs Assessment study was conducted in 2015/16 to evaluate the transportation needs in the region, especially in the disadvantaged communities, as part of the 2014 RTP/SCS implementation efforts. The study can be found at: <http://www.fresnocog.org/transportation-needs-assessment>.

Comment:

We understand that traditional transit models are not well suited to some situations where disadvantaged communities live, such as very rural communities. However, with technological innovation and creative solutions like *Van y Vienen*, a community rideshare program in West Fresno County, we are confident that solutions exist to suit the needs of these communities while also being cost-effective. We ask that Fresno COG include commitments to exploring these types of community-based solutions in the multimodal, urban transit, and rural transit sections of the Action Element. We recommend that Fresno COG dedicate a portion of their transportation expenditures to fund community-based transportation solutions.

Response: This is something worth exploring further with Leadership Counsel staff to determine whether such projects are cost effective. In addition, such projects would fall under the realm of the region's social service transportation provider, FEOC Transit. As a community-based organization FEOC would be best suited to pursue this venture since it is already involved with the *Van y Vienen* project.

Fresno COG administers the Measure C Extension Expenditure Plan's Carpool Incentive Program, the Commuter and Agricultural Worker Vanpool Subsidy Programs and the Senior Taxi Scrip Program benefitting residents across the Fresno County region. These ridesharing program rewards are mentioned within the RTP Action Element and they are marketed to all residents across the region with availability to all who qualify. The programs all offer significant financial rewards to participants, making commute travel less expensive and therefore more accessible. We welcome any opportunities Leadership Counsel may provide to market the programs to disadvantaged, very rural communities, while identifying any barriers to participation.

Comment:

For all project categories, commit to investing in solutions for rural needs in addition to metropolitan and highly-populated areas.

Many of the actions planned in the Action Element focus attention on major corridors and the Fresno-Clovis metropolitan area. While this is logical from a most-bang-for-the-buck perspective, Fresno COG has a duty not only to large, populated areas, but also to the families and communities living in its rural areas. The Action Element must make clear commitments to pursuing effective transportation and land use planning for its rural areas, as well as highly populated areas and major corridors.

Response: Fresno COG works closely with each of its 16 member agencies. The rural unincorporated communities have been well-represented by Fresno County and the Fresno County Rural Transit Agency (FCRTA). FCRTA provides service to small cities as well as unincorporated rural communities. There are numerous programs/projects that include both the urban and rural areas, e.g., the Regional Active Transportation Plan (ATP), the Transportation Needs Assessment Study, the Multi-jurisdictional Housing Element, the Sustainable Infrastructure Planning Grant Program, etc.

Comment:

Emphasize the commitment to developing an activity-based model by 2020.

We are happy to see Fresno COG's plans to create an activity-based model (ABM) by 2018 in its Draft Action Element. We know that this will vastly improve Fresno COG's ability to evaluate the impact of its transportation investments across a wide variety of factors including race and income. We would like to see this commitment be emphasized with its own bold heading with a description below explaining why this is so important.

Response: Fresno COG's activity-based model has been under development since January 2017, and it is expected to be completed in spring 2018. The ABM development efforts are described in the draft Action Element on page 16 under 5.3 Highway, Roads and Street/Accomplishment/ COG Regional Travel Demand Forecast Model.

Comment:

Include links to studies and information, and timelines for planned actions.

In the interest of transparency, we suggest Fresno COG add a public-release date or a start-up date to the text for every legislative act, study, plan, survey, guide, program and service mentioned therein.

We recommend that there also be a link to each legislative act, study, plan, survey, guide, program or service referenced in the Action Element, so that members of the public have an opportunity to verify the summary information in the Action Element or better their

understanding if they so choose. COG would need to agree to keep the links active for as long as the Action Element was in effect. As an example, on page 8 we would like to see a link to the San Joaquin Good Movement Action Plan from 2007 so that readers may easily refer to that text.

Response: Comment noted. Fresno COG will try to invest efforts that will make the RTP document more readable. Fresno COG will soon launch a newly designed and better organized web portal. The RTP and all its relative chapters will be uploaded and accessible online. Staff will review the capability of hyperlinking referenced resource texts.

Sincerely,

A handwritten signature in blue ink that reads "Tony Boren". The signature is written in a cursive, flowing style.

Tony Boren

Executive Director