

Appendix E



Orange Cove, California - Citrus fields

Public Review and Adoption Materials

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Appendix E Item 1: Response to Public Comments

June 2, 2014

Mr. Salvador Gonzales, Chief Operating Officer
Lance Kashian & Company
265 E. River Park Circle, Suite 150
Fresno, CA 93720

Mr. John Kashian
The Kashian Group
265 E. River Park Circle, Suite 150
Fresno, CA 93720

Dear Mr. Gonzales and Mr. Kashian:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated April 15, 2014. A copy of your submitted letter is attached, as a reference.

In regards to your inquiry, Fresno COG responded via phone call and email on April 30, 2014 to clarify the formal requests that we edit the 2014 RTP to include improvement on the Shaw and 99 interchange into the RTP as well as to setup a meeting to further discuss.

Fresno COG acknowledges that the Interchange at Shaw and State Route 99 is an integral facility and that is why it is indeed programmed in the RTP. Fresno COG staff provided a direct link to where the project was programmed in the **DRAFT RTP Financially Constrained Project List in Appendix C page 11 of 66 and in the DRAFT Conformity Document: Appendix B (page 64 of the PDF)**. Secondly, per the request of Lance-Kashian & CO, Mr. Tony Boren, representing Fresno COG, held a meeting with Mr. Salvador Gonzales (Kashian & Co), Caltrans (Sharri Ehlert and Michael Navarro), and the City of Fresno (Scott Mozier) on May 12, 2014 to discuss what the transportation plan/vision for the Shaw Interchange is within the life of the RTP and/or beyond. The meeting discussion included an overview of the project's inclusion in the appendix and that it is within the financially constrained project list. Lance-Kashian & Co requested that the project be moved from the Tier II list to the Tier I of the Measure C Urban Program in order to advance it and get it programmed in the Federal Transportation Improvement Program. Fresno COG staff explained that in order to get the project programmed in the FTIP, the project must demonstrate that it has committed funds and it must have member agency support in order to start the process of moving and amending the project from the Tier II Urban to the Tier I Urban Measure C project lists. It was explained that because of financial constraint requirements, this process ultimately will require that other projects be delayed in order to accommodate and advance proposed projects like the Interchange at Shaw and State Route 99. Lance-Kashian & Co will continue working with the City of Fresno on this request.

References provided:

SR 99/Shaw Ave. Interchange as was programmed in the DRAFT 2014 RTP:

RTP Financially Constrained Project List in Appendix C page 11 of 66

[http://www.fresnocog.org/sites/default/files/publications/RTP/Draft RTP/Appendices/2014 RTP Appendix C.pdf](http://www.fresnocog.org/sites/default/files/publications/RTP/Draft_RTP/Appendices/2014_RTP_Appendix_C.pdf)

FRESNO COUNCIL OF GOVERNMENTS							
2014 REGIONAL TRANSPORTATION PLAN							
FINANCIALLY CONSTRAINED PROJECT LISTING (In \$000)							
AGENCY	PROJECT ID	PROJECT TITLE	PROJECT DESCRIPTION	PROJECT TYPE	ESTIMATED OPEN TO TRAFFIC	CI	ESTIMATED TOTAL COST (In \$000)
Caltrans	FRE500570	SR 41-Ashlan to Shaw: NB Auxiliary Lane	Add 1 NB Auxiliary Lane	Streets & Roads-Capacity Increasing	2035	Y	\$7,000
Caltrans	FRE500521	SR 99 Interchange at Shaw: Improvements	Improve Interchange	Streets & Roads-Capacity Increasing	2035	Y	\$86,000
Caltrans	FRE500520	SR 99 & SR 43/Floral Rd Interchange: Widen and Replace Bridge	Replace bridge structures and widen Floral	Streets & Roads-Capacity Increasing	2035	Y	\$13,000
Caltrans	FRE500490	Ashlan-Grade separation @ UPRR & SR 99 Interchange	Grade separation	Streets & Roads-Capacity Increasing	2035	Y	\$7,600

DRAFT Conformity Document: Appendix B (page 64 of the PDF)

[http://www.fresnocog.org/sites/default/files/publications/Air Quality/Conformity/Fresno COG Draft Conformity for 2014 RTP and 2015 FTIP.pdf](http://www.fresnocog.org/sites/default/files/publications/Air_Quality/Conformity/Fresno_COG_Draft_Conformity_for_2014_RTP_and_2015_FTIP.pdf)

Regionally Significant Project Listing

Jurisdiction/Agency	TIP/RTP Project ID	CTIPs Project ID (if available)	Description			Estimated Cost	Conformity Analysis Year (project open to traffic)							
			Type of Improvement	Facility Name/Route	Project Limits		2014	2017	2020	2023	2025	2032	2035	2040
Caltrans	FRE021106	10300000176	Near Centerville, from Temperance Avenue to Academy Avenue (Quality). Construct 4 lane expressway on new alignment.	180	Temperance to Quality	\$71,813,991	X	X	X	X	X	X	X	X
Caltrans	FRE021108	10300000178	Kings Canyon Expressway-Segment 3 (Near Centerville and Minkler, on Route 180 from west of Smith Avenue to east of Frankwood Avenue. Construct 4 lane expressway on existing alignment.) (Measure C Project D in the Rural Regional Program)	180	Trimmer Springs to Frankwood	\$90,948,000			X	X	X	X	X	X
Caltrans	FRE021105	10300000175	In and near Fresno from Clovis Ave to Temperance Ave. Construct 6-lane freeway from Clovis Ave to Fowler Av and 4-lane freeway from Fowler Ave to Temperance Ave.	180	N/A to N/A	\$98,530,170	X	X	X	X	X	X	X	X
Caltrans	FRE500490		Grade separation	Ashlan	UPRR to SR 99	\$7,600,000							X	X
Caltrans	FRE111352	20300000752	American Ave @ SR 99-Interchange Improvements	N/A	Interchange Cross Streets: American Ave & SR 99	\$10,385,000						X	X	X
Caltrans	FRE500520		Replace bridge structures and widen Floral	N/A	Interchange Cross Streets: SR 99 & SR 43	\$13,000,000							X	X
Caltrans	FRE111351	20300000748	Interchange Improvements	N/A	Interchange Cross Streets: I-5 & SR 198	\$18,236,000						X	X	X
Caltrans	FRE500518		Upgrade Interchange	N/A	Interchange Cross Streets: Central & Chestnut	\$72,500,000						X	X	X
Caltrans	FRE111355	20300000756	North/Cedar/SR 99-Improve Interchange	N/A	North Ave to Cedar	\$81,605,000						X	X	X
Caltrans	FRE500521		Improve interchange	N/A	Interchange Cross Streets: SR 99 & Shaw	\$86,000,000							X	X
Caltrans	FRE500513		Passing Lanes	SR 180 W	James to Lake	\$11,782,000		X	X	X	X	X	X	X
Caltrans	FRE500514		2 Lane on New E-W Alignment	SR 180 W	I-5 to Junction SR 33/SR180	\$223,000,000							X	X
Caltrans	FRE500570		Add 1 NB Auxiliary Lane	SR 41	Ashlan to Shaw	\$7,000,000							X	X

Best Regards,

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

Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Lance-Kashian Letter dated April 15, 2014 - Notated

Lance-Kashian & Co.

265 E. River Park Circle, Suite 150 • Fresno, California 93720
Voice: (559) 438-4800 • Facsimile: (559) 438-4802

#1

April 15, 2014

Honorable Amarpreet Dhaliwal, Chairman
Fresno County Council of Governments
2035 Tulare Street Suite 201
Fresno, CA 93721

RE: 2014-2040 Draft Regional Transportation Plan Comments and Request

Dear Mr. Chairman,

We have taken time to review the 2014-2040 Draft Regional Transportation Plan and wanted to convey both our support and concerns that we would like to address.

First, and as you may know, Lance-Kashian & Company is celebrating our 50th year of doing business having started on April 30, 1964. We have developed the built environment here in Fresno and across California. With that in mind, we believe that the Fresno County Council of Governments has been progressive and is making great strides in moving our infrastructure plan forward. Particularly, the Intelligent Transportation Systems. It is the technology infrastructure that will move not only Fresno County, but our great State to the forefront of moving people and goods.

1A However, we are very concerned as property owners of the interchange at Shaw and Highway 99, since there is no mention of improving this all-to-integral facility. The volumes of traffic, safety of the drivers, congestion and continued deferral of this location of our City is of grave concern. There is no mention of its improvement. Moreover, with the High Speed Rail Authority now beginning we believe that there will be even more impacts to be considered. Our request of the Fresno County Council of Governments is to edit the 2014-2040 Regional Transportation Plan to include the Shaw and 99 facility.

1B Furthermore, we would like to meet with you and your staff about moving the interchange forward and increasing its priority on the Council of Government's list.

1C

Again, thank you very much for the work that the COG is doing to move our great County forward when it comes to Transportation Planning for the future. We very much look forward to working together in the near future.

Very truly yours,

Lance Kashian & Company


Salvador Gonzales,
Chief Operating Officer

The Kashian Group


John Kashian

RECEIVED

APR 17 2014

BY:
FRESNO COG

June 2, 2014

Mr. Len Marino, P. E., Chief Engineer
Central Valley Flood Protection Board
3310 El Camino Ave. Rm. 151
Sacramento, CA 95821

Dear Mr. Marino:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated April 18, 2014. A copy of your submitted letter is attached, as a reference.

Information presented in the comment letter (including impact statements and mitigation measures), have been identified as changes to the Draft Program Environmental Impact Report (PEIR) as referenced in Chapter 3 of the Final PEIR.

Best Regards,



Tony Boren
Executive Director
Fresno Council of Governments

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

Attachment: Central Valley Flood Protection Board Letter dated April 18, 2014 – Notated

Cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

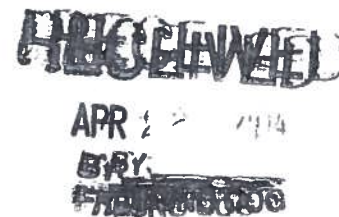
CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
 SACRAMENTO, CA 95821
 (916) 574-0609 FAX: (916) 574-0682
 PERMITS: (916) 574-2380 FAX: (916) 574-0682



April 18, 2014

Ms. Barbara Steck
 Fresno County Council of Governments
 2035 Tulare St., Suite 201
 Fresno, California 93721



Subject: CEQA Comments: 2014 Regional Transportation Plan/Sustainable Communities Strategy, Draft EIR, SCH No. 2012081070

Location: Fresno County

Dear Ms. Steck:

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed transportation plan may result in projects located adjacent to or within the following regulated streams under Board jurisdiction pursuant to Title 23, California Code of Regulations (23 CCR), Section 112:

<u>Stream</u>	<u>County - Limits</u>
Alta Main Canal	Fresno
Byrd Slough	Fresno
Cameron Slough	Fresno - within the Kings River designated floodway
Cole Slough	Fresno
Crescent Bypass	Kings and Fresno - North Fork Kings River
Dog Creek	Fresno
Dry Creek	Fresno
Five Mile Slough	Fresno
Fresno Slough	Kings and Fresno
Globe Slough	Fresno
James Bypass	Kings and Fresno
Lower San Joaquin River Flood Control Project	Fresno, Madera, and Merced
Sand Creek	Tulare and Fresno
San Joaquin River	Friant Dam to West End of Sherman Island



The Board enforces its regulations for the construction, maintenance, and protection of adopted plans of flood control that protect public lands from floods. Adopted plans of flood control include federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways. The geographic extent of Board jurisdiction includes the Central Valley, and all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins (23 CCR, Section 2).

A Board permit is required prior to working in the Board's jurisdiction for the following:

- Placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction,

Ms. Barbara Steck

April 18, 2014

Page 2 of 2

encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (23 CCR Section 6);

- Existing structures that predate permitting, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (23 CCR Section 6);
- Vegetation plantings require submission of detailed design drawings; identification of vegetation type; plant and tree names (both common and scientific); quantities of each type of plant and tree; spacing and irrigation method; a vegetative management plan for maintenance to prevent the interference with flood control operations, levee maintenance, inspection, and flood fight procedures (23 CCR Section 131).

Other local, federal and State agency permits may be required and are the responsibility of the applicant to obtain.

Board permit application forms and our complete 23 CCR regulations can be found on our website at <http://www.cvpfb.ca.gov/>. Maps of the Board's jurisdiction including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and Board designated floodways are also available on a Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

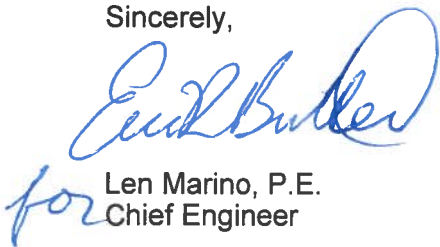
Additional Considerations Related to Potential Impacts of Vegetation and Hydraulics

Accumulation and establishment of woody vegetation that is not managed may have negative impacts on channel capacity and may increase the potential for levee over-topping or other failure. When vegetation develops and becomes habitat for wildlife, maintenance to initial baseline conditions typically becomes more difficult as the removal of vegetative growth may be subject to federal and State resource agency requirements for on-site mitigation. The proposed project should include mitigation measures to avoid decreasing floodway channel capacity.

Adverse hydraulic impacts of proposed encroachments could impede flood flows, reroute flood flows, and/or increase sediment accumulation. The proposed project should include mitigation measures for channel and levee improvements and maintenance to prevent and/or reduce hydraulic impacts. If possible off-site mitigation outside of the Board's jurisdiction should be used when mitigating for vegetation removed at the project location.

If you have any questions please contact James Herota at (916) 574-0651, or via email at james.herota@water.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Len Marino".

for Len Marino, P.E.
Chief Engineer

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

June 2, 2014

Stephenie Frederick
Transportation Director
League of Women Voters of Fresno
1345 Bulldog Lane
Fresno, CA 93720

Dear Ms. Frederick:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated April 24, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 3A) marked to reference those answers provided below.

Item 3A: Thank you for your comments. Your congratulations to the Fresno COG Committees, Boards and Staff is sincerely appreciated.

Item 3B: Thank you for the detailed comment. The policy element identifies goals, objectives and policies that direct the course of action that will provide efficient integrated multimodal transportation systems that will serve the mobility needs of people, including accessible pedestrian and bicycle facilities, freight, and direction to minimize mobile sources. The *plan* for addressing the identified needs and issues that are consistent with the goals, policies and objectives of the policy element is found in the action element, and the actual projects that strive to achieve the goals and objectives are found within the project lists.

For example, Table 6-1G addresses Air Quality. The identified *Goal* is to be in attainment and maintenance of federal and state ambient air quality standards. One of the objectives within this goal is to implement all appropriate Transportation System Management, Transportation Demand Management, and Transportation Control Measure strategies as technologically and economically feasible. One of the policies to reach this goal is to improve vehicular flow and efficiency of the region's circulation system using intelligent transportation systems (ITS) where feasible. So, the action element further discusses what are intelligent transportation systems and the tools and techniques that are being implemented or expected to be implemented throughout the Fresno County region and the San Joaquin Valley (see ITS planning and program section of the action element). Lastly, the project lists that are part of the financial element connect the policies and actions of the RTP as they relate to ITS by programming projects that meet the goals, objectives, policies and actions of the RTP. An example of an ITS project can be found in the financially constrained project list (see FRE500135: McKinley Ave from SR 99 to Clovis). A detailed project list that identifies all of the Transportation Demand Management and Transportation Control Measure projects can be found in the conformity document.

The project list selection went through its own committee process. The top 10 SCS performance indicators were not applied in how projects were selected/prioritized. These indicators were used in

comparing the overall impacts from land use and transportation projects. Impact from individual project would be too small to be reflected by the traffic model.

Item 3C: This is a very good recommendation. As a requirement of MAP 21, a performance measurement system will be implemented and incorporated in the 2018 RTP that can track the process of the plan. A rule making process for establishing such performance measures and performance targets is taking place at the national level. The key for such performance measures is the availability of data. Performance measures established for the MAP 21 requirement will have data available and collected by responsible agencies. That way, such data could be compared over time, and thus the effectiveness of the RTP/SCS could be assessed. Vehicle miles travelled is a good potential performance measure. Unfortunately, the performance indicators established during the 2014 RTP/SCS process are mostly a modeled number, and currently we do not know sources that collect such data over time. As such, evaluations will be done in the future, not in July 2014 as you suggested immediately after the adoption of the 2014 RTP. Due to the requirements of the MAP 21, there will be changes in the performance measures in the 2018 RTP/SCS.

Item 3D: To make the 2014 RTP project list more accessible, Fresno COG staff agrees that the scoring criteria for each mode should be included with the project list. It will be added to Appendix C.

Item 3E: Thank you for the thoughtful approach and detailed comments on the Policy Element of the 2014 RTP. Fresno COG also thanks the League for the two in office meetings on April 22, 2014 and on May 1, 2014. As staff explained in the May 1, 2014 meeting, substantive changes to the document at this point in time would necessitate a recirculation of the 2014 RTP/ 2015 FTIP/ the PEIR and the Transportation Conformity document. The League agreed that working toward these changes would best be served in future documents rather than delay the adoption of the current work. The benefits of changing the order of the chapters in the document could be discussed in the future, as long as there is not a conflict with any new RTP guidance that will be released prior to the 2018 RTP cycle. For further information regarding performance measures/performance indicators and measurable objectives please see response under 3C above.

Item 3F: In order to address the Community Equity Coalition Policies a clarification will be made to the Policy Element in Table 6.1C General Transportation, Environmental Justice. The policy will be clarified to read:

“Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs.” This clarification will address both the proposed sustainable infrastructure planning and infrastructure program as well as the needs assessment proposal.

In addition a clarification will be incorporated in Table 6-1E General Transportation, Regional Transportation Network. The policy will be clarified to read:

“Under the direction of the Policy Board, identify and coordinate a strategy and methodology to assist member agencies in avoiding or fully mitigating all significant impacts of new transportation facilities on environmentally sensitive areas and natural resources by identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.”

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.

For further information regarding performance measures/performance indicators and measurable objectives please see the response under 3C above.

Item 3G: Thank you for your commentary on the 2014 RTP.

Best Regards,



Tony Boren

Executive Director
Fresno Council of Governments

Attachment: League of Women Voters of Fresno Letter dated April 24, 2014 - Notated

The League of Women Voters of Fresno

1345 Bulldog Lane, Fresno, CA 93720

(559) 226-VOTE (8683)

To: Policy Board, Fresno Council of Governments

From: League of Women Voters, Fresno

Date: April 24, 2014

Subject: Final Commentary on the 2014 Draft RTP

3A

The forecasts of what the San Joaquin Valley must expect in the years ahead are bleak: water shortages, longer wildfire seasons, more intense heat waves, increased energy use, more polluted air (RTP, Page 4-21). These developments are already extracting their costs.

Although we can no longer stave off climate change, we can – with political will – lessen the severity of its consequences for ourselves, our children, and the generations that follow.

Here the RTP can be an invaluable tool. Along with its EIR, it contains huge amounts of information about how we govern ourselves, what our transportation systems and services provide, what our air quality targets should be, how we protect ourselves, how to cleanse the environment – air, land, water – on which we depend for existence.

We congratulate the board and staff on the creation of this compendium of critical information.

The League of Women Voters offers the following suggestions for rendering the RTP an even more useful tool to improve our economy and our quality of life.

Integrate RTP Components

3B

The League believes that the components of future RTPs must be integrated with one another. At present, the various elements of the plan appear to stand in isolation from one another. For example, it is not clear how the policy element

relates to the project list, or how the project list meets the needs described in the transportation element. It is not clear whether the projects were used as inputs in the creation of the four SCS scenarios, or whether the SCS-B performance indicators determined how projects were prioritized for funding.

If the components of the RTP were better integrated, the RTP could become an analytical tool for the COG Policy Board. Input in the form of consistent policies, scoring criteria, and transportation needs will result in lists of projects that are extensive descriptions of existing transportation services and public outreach – can be placed in appendices to make the plan itself more accessible to policymakers.)

Report on Success of RTP

3C

The amazing modeling capacity and databases developed to create the SCS can be used to evaluate the effectiveness of the RTP projects and of land-use decisions throughout the county. We suggest that the COG begin by tracking the top ten SCS performance indicators over each four-year interval between RTPs and report on them. Progress – or the lack of it – will provide invaluable information to the COG Policy Board.

With this progress information, and with clear-cut indicators clearly in mind, the COG Policy Board will know what inputs in the form of revised policies, scoring criteria, and transportation needs should be entered into the next RTP to create lists of projects that achieve more desirable outcomes.

The League suggests that the first reporting interval might begin as early as July 2014, after adoption of the 2014 RTP.

Scoring Criteria

3D

To make the 2014 RTP project list accessible, the League suggests that the scoring criteria for each mode be presented along with the project list. Then it will be possible to see the relationship of the scoring criteria to the top ten indicators of the current SCS, and to have a better understanding of which criteria are given more weight. For example, is congestion reduction favored over reduction of vehicle miles traveled? We might be better able to understand the decisions that support the County of Fresno's intent to spend 64% of its capacity-enhancing dollars on projects located only in north Fresno County, where the projects will considerably enhance the value of the land.

Policy Element

The policy element is rightly labeled "Foundation of the Plan." Since it is so critical, the League suggests that it be placed early in the plan, immediately following the introductory chapter. In keeping with eventually making the RTP into an analytical tool, the League feels that two sets of policies should be incorporated into the existing policy element.

3E

- SCS Policies. The policy element should incorporate the land use, transportation, healthy environment, and social equity performance indicators of the SCS. These would find an excellent home in Table 6-1 D, whose policy is to support SB 375. In fact, an existing paragraph already declares, "Planning and programming processes should incorporate performance measures and outcomes as integral components." The indicators can be added immediately beneath this paragraph.

The resource conservation performance indicators of the SCS should be incorporated into Table 6-1 E, whose first policy is to "Avoid or fully mitigate all significant impacts of new transportation facilities on environmentally sensitive areas and natural resources."

3F

- Community Equity Coalition (CEC) Policies. The League believes that three policies of the CEC can and should be incorporated into the policy element. Two of them – infrastructure needs assessment and planning grants for small, disadvantaged communities – fit perfectly into Table 6-1 C, whose objective is to "incorporate concern for environmental justice into transportation decisions." The third policy – conservation of farmland – belongs in Table 6-1E, along with the farmland conservation indicator of the SCS.

With these additions, the policy element will be tied even in the 2014 RTP to the adopted SCS, and will incorporate the concerns of the community coalition.

For future RTPs, the League also suggests that the policy element be evaluated for greater specificity and more measurable objectives. At this time, almost nothing about the policy element is measurable. The addition of the SCS performance indicators, which are measurable, will be a step in the direction of a more forceful, specific policy element. The goal should be to create a set of policies that bear directly on prioritizing the transportation projects listed in the RTP for future funding.

Conclusion

3G

The League of Women Voters of Fresno believes that this highly valuable 2014 RTP can be strengthened by clarifying scoring criteria and by incorporating SCS and community coalition policies into the existing policy element. The League further believes that future RTPs can be restructured to be invaluable analytical tools. These will enable the COG Policy Board to make decisions that will help to support our economy and quality of life in the challenging years that lie ahead.

Respectfully submitted,

Stephenie Frederick
Transportation Director
League of Women Voters of Fresno

June 2, 2014

Gavin Feiger
Senior Program Associate
Post Office Box 7989,
South Lake Tahoe, California 96158

Dear Mr. Feiger:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated May 9, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 4A) marked to reference those answers provided below. Where multiple questions are posed under a singular item, your question has been placed in italics, with the response following the question.

Item 4A: Policy clarifications regarding the following proposals:

1. Proposed Sustainable Planning and Infrastructure Grant Program
2. Needs Assessment Proposal

To be clarified in the Policy Element:

Table 6-1C General Transportation, Environmental Justice / Policies will be clarified to read:

"Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs."

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

Policy clarifications regarding the following proposal:

3. Natural and Working Lands Conservation Policy

To be clarified in the Policy Element:

Table 6-1E General Transportation, Regional Transportation Network / Policies will be clarified to read:

"Under the direction of the Policy Board, identify and coordinate a strategy and methodology to assist member agencies in avoiding or fully mitigating all significant impacts of new transportation facilities on environmentally sensitive areas and natural resources by identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities."

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.

Item 4B: Referencing Chapter 2 of the Draft PEIR (Page 2-13, Bullet 1), "Scenario "D" was proposed by the Coalition of Community Organizations after Scenario's A, B and C were presented and vetted through the public process, and as such, was only reviewed by the Fresno COG committee. While Fresno COG Staff did work with the proposing group to model scenario results and discuss basic

information in regards to this scenario, Scenario D is not formally analyzed within this PEIR, due to the lack of public process vetting.”

In addition, Scenario D was not fully analyzed for a collection of reasons. First, and as noted above, the scenario was developed after the public process of determining and analyzing Scenario’s A, B and C – and did not go through the proper vetting process the other scenarios went through (which fully included the participation of the group that later developed Scenario D – who also heavily influenced scenario’s A and C, as well). Second, the scenario did not include approved developments within Fresno County, such as Friant Ranch and Millerton – removing such developments from the map, would usurp local land use authority. In addition to not including such developments, the scenario placed much larger amounts of development in areas that historically had not received such levels of development interest, in areas that lack sufficient infrastructure, and in areas that are significantly further from existing transportation connections and utility services. All of these reasons resulted in a scenario that is considered inconsistent with the adopted general plans of many of the cities, as well as the general plan of the County of Fresno.

SB 375 states that the preferred scenario must meet the reduction targets, while also being ambitious and achievable. Overall, Scenario D may have been ambitious, but the scenario was not considered achievable or feasible due to the aforementioned issues.

Item 4C: The Program PEIR was prepared to reflect a regional analysis of impacts related to the proposed project, as appropriate. The responsibility to nominate, potentially fund or partially fund, design, environmentally assess, and construct or implement transportation improvements listed in the Regional Transportation Plan and Sustainable Communities Strategy (RTP and SCS) is the responsibility of local agencies in Fresno County (15 incorporated cities and the County of Fresno), the Fresno County Transportation Authority (FCTA), and Caltrans.

The local agencies are also responsible for preparing general plans to guide land use development and are responsible for approving proposed land use developments consistent with their general plans or amending their general plans to accommodate proposed developments. Each of these local agencies, FCTA, and Caltrans actions requires subsequent environmental review.

Fresno COG, as the regional transportation planning agency, is only responsible for preparing the RTP and SCS, working with federal, state, other regional (including the FCTA), and local funding agencies to identify and program funding for transportation improvement projects nominated by Caltrans, the FCTA (consistent with the Measure C Expenditure and Implementation Plans), other regional agencies such as the Fresno County Rural Transit Agency (FCRTA), and local agencies. Fresno COG has no authority to prepare final design services, environmentally review, acquire right-of-way, or construct any transportation improvements listed in the RTP and SCS other than those it administers under contract with the FCTA (Vanpools, Rideshare Programs, etc.).

As a result of the responsibilities noted above, Fresno COG can only identify appropriate mitigation measures that should be carried out by the local agencies, other regional agencies, and Caltrans and further reference the need for subsequent environmental analysis. Where Fresno COG has responsibility to address an impact, it has identified mitigation measures that it has the authority to carry out or implement.

Regarding the “model ‘Natural Working Lands Conservation Policy”, no additional statements or agriculture resource-related mitigation measures will be added to the Draft PEIR. As the following existing Draft PEIR mitigation measure reflects (Mitigation Measure associated with Impacts 3.3.1 through 3.3.3 found beginning on Page 3-34 of the Draft PEIR), Fresno COG is continuing to work with several organizations, including the Sierra Alliance, as well as its member agencies (15 cities and the County of Fresno), to develop appropriate policies that will protect agricultural resources potentially impacted by transportation projects throughout Fresno County.

Impact and Mitigation Measures 3.3.1 through 3.3.3: “As part of the RTP and SCS formulation process; and at the request of a collection of community-based organizations, following the selection of the preferred scenario, the Fresno COG Policy Board directed the Fresno COG Policy Advisory Committee (PAC) (which is comprised of the city managers and county administrator) to form a sub-committee to analyze, discuss and provide recommendation on possible policies aimed at preservation of agricultural, natural and working lands; sustainable planning and infrastructure programs; and needs assessment activities, for inclusion into the transportation planning process at Fresno COG. Working collaboratively with the community-based organizations, interested stakeholders and professional staff, this committee is currently on-going, and discussing the formulation of policy and program language to:

- Develop a methodology to help implementing agencies quantify the conversion of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance associated with their proposed projects.
- Develop a methodology for implementing agencies to consider preservation ratios to minimize loss of prime, unique, and statewide importance farmland; and coordinate efforts to provide a mechanism for preservation activities.”

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities. It is expected that such policies will be developed by the COG during Fiscal Years 2013/14 and 2014/15.

Item 4D:

Specifically, how was the information presented to the COG Board?

Response: All of the workshop comments, online comments, scenario selection results from public workshops, online surveys and professional survey results were handed out, presented to and discussed with Fresno COG’s Policy Board for their review and consideration when choosing a “preferred” Draft Sustainable Communities Strategy and at various points during development of the Regional Transportation Plan. Below is a listing of when the Fresno COG Policy Board received public outreach data or feedback at their open, monthly meetings. They also received updates and recommendations forwarded from the RTP Roundtable at many meetings:

- **November 2012**—Fresno COG Policy Board receives presentation on Regional Transportation Plan and Sustainable Communities Strategy: 2012 Survey Report conducted by AIS Market Research. Results also available continually available online since this date.
- **July 2013**—Policy Board receives presentation of all May/June 2013 RTP/SCS workshop public comments and collected presentation clicker data. They were given handouts of the comments and compiled data results as well as an upcoming August/September 2013 workshop listing

- **September 2013** – Policy Board receives presentations on Scenarios, lists of all SCS Workshop and Online Comments submitted. Workshop and online polling data charts, and complete tallies of all SCS Workshop Results. Responses and comments available on Fresno COG website continually since then.
- **October 2013** – Policy Board receives presentation on all four scenarios
- **November 21, 2013**—Policy Board received presentation on all four scenarios, public outreach conducted, requested policies, deadlines and work completed in development of RTP.

Additionally, we would like to note that the local agency planners, city managers and elected officials who are responsible for incorporating land use principals into their General Plans did receive, review and consider all of the public input. Much of the SCS process was influenced by comments made throughout the process as Scenarios A, C and D were all essentially built by the public or community organizations in response to public comment.

Why was Scenario B chosen even though it did not have the support of the community?

Response:

Ultimately the Policy Board selected a scenario that they found to be ambitious and achievable, as directed in SB 375. After considering the TTC, PAC and RTP Roundtable recommendations to approve Scenario B, and after reviewing the data, comments, workshop and survey results, as well as additional information supplied by local agency and Fresno COG staff's two year RTP process, the Policy Board found Scenario B to be their best option. Fresno COG staff also recommended Scenario B based upon the following criteria:

- It meets the greenhouse gas emission reduction requirements of Senate Bill 375 ambitious and achievable goals
- Scenario B was based on the current planning assumptions (General Plans) of all 16 cities and Fresno County, without requiring the cities and the County to update their general plans which are lengthy and expensive processes
- It is a significant step forward compared to the status quo of previous planning
- It is a growth plan that acknowledges the local land use authority of the cities and the county
- It is on track to meet the goals set in the San Joaquin Valley Blueprint Plan
- It is realistic and feasible growth scenario that allows the Fresno County region grow at its own pace and with its own characteristics

Between when Scenario B was chosen and the draft documents came out, what steps were taken to incorporate the public input?

Response: The public input collected was used to build Scenarios A, C & D, and it was presented to the Policy Board prior to the selection of a preferred scenario. Beyond that, in response to public comment a Policy Advisory Committee Subcommittee met to consider and discuss three additional policies. As a result, Policy modifications were made or added to the Regional Transportation Plan in the chapters referenced below, as well as other steps taken to begin implementation of the new policies.

1. ***Sustainable Planning and Infrastructure Grant Program*** - A funding structure is needed to implement this type of program, and Fresno COG staff as well as members from interested community based organizations, are exploring possible funding streams. Fresno COG is committed to continuing to work with member agencies and other stakeholders to develop and implement a

new funding program in the near future. The intent for developing this program is reflected in the Policy Element, Table 6-1C General Transportation, Environmental Justice.

2. ***Needs Assessment Proposal*** – The following was clarified in the Policy Element: Table 6-1C General Transportation, Environmental Justice / Policies will be clarified to read:
“Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs.”

Additionally, in the 2014-15 Fresno COG Overall Work Program – Work Element 313 Environmental Justice, Task 313.10 –the following was added: Conduct needs assessment in disadvantaged communities (\$100,000 consultant budget)

1. ***Natural and Working Lands Conservation Policy*** - *In the 2014 RTP- PEIR, Table 1-1 - Summary of Impacts the following was added:*

3.3.3 Other Changes in the Existing Environment

As part of the RTP and SCS formulation process; and at the request of a collection of community based organizations, following the selection of the preferred scenario, the Fresno COG Policy Board directed the Fresno COG Policy Advisory Committee (PAC) (which is comprised of the city managers and county administrator) to form a sub-committee to analyze, discuss and provide recommendation on agricultural mitigation measures for inclusion into the transportation planning process at Fresno COG. Working collaboratively with the community-based organizations, interested stakeholders and professional staff, this committee is currently on-going, and discussing the formulation of policy and program language to:

- Develop a methodology to help implementing agencies quantify the conversion of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance associated with their proposed projects.
- Develop a methodology for implementing agencies to consider preservation ratios to minimize loss of prime, unique, and statewide importance farmland; and coordinate efforts to provide a mechanism for preservation activities.

Policy Element, Table 6-1E General Transportation, Regional Transportation Network the policies will be clarified to read:

“Under the direction of the Policy Board, identify and coordinate a strategy and methodology to assist member agencies in avoiding or fully mitigating all significant impacts of new transportation facilities on environmentally sensitive areas and natural resources by identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.”

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.

Even though added roadway capacity was not a highlight of any public input, why is the largest category of funds, almost 40% of the RTP budget (based on the fiscally constrained project list,

Appendix C), targeted at “Streets & Roads-Capacity Increasing” compared to less than 23% going to “Streets & Roads-Operations & Maintenance?”

Response: Although capacity increasing projects still have the largest percentage of funds among all the modes in the 2014 RTP/SCS, it has decreased compared to 2011 RTP/SCS by 16%, about \$1 billion total investment. Our region is forecast to have over 1.3 million population by 2035. To accommodate the growth and at the same time achieve the GHG reduction target, the 2014 RTP/SCS is designed with a more compact development, which is reflected in higher density and more mixed development that are suitable for the Fresno market. The new growth will take place within existing sphere of influence of the cities, some as infill development, some as greenfield development. Capacity increasing projects are needed to support some of the new growth. Alternative transportation, such as transit, bike and pedestrian projects, are also heavily invested to divert necessary travel into alternative mode other than single-occupancy vehicle. The transit and bike & pedestrian projects combined account for 38% of the 2014 RTP/SCS revenue, just 1% less than capacity increasing projects. In short, Fresno COG SCS tries to have a balanced approach in addressing growth and GHG reduction: while accommodating part of the market demand for single family homes, thus, some greenfield homes, thus capacity increasing projects in the urban fringe, Fresno COG SCS also invests heavily in transit, bike & pedestrian, and other operational improvement, and ride share programs to reduce travel. Investment of capacity increasing projects in the rural and small urban cities is to accommodate growth and goods movement.

Item 4E (Q2): Please reference the above paragraph (the last paragraph from Response 4D).

Item 4E (Q3): Fresno COG SCS will still be able to make the targets without the BRT in Fresno.

Item 4F: Reference Response to Comment 4C above. In addition, Fresno COG is authorized by federal law (23 U.S.C. Subsection 134, which establishes six core functions of a Metropolitan Planning Organization [MPO] such as Fresno COG):

1. Establish a setting – establish and manage a fair and impartial setting for effective regional decision-making
2. Evaluate alternatives – evaluate transportation alternatives, scaled to realistically available options
3. Maintain a Long-Range Transportation Plan (LRTP) – develop and update a fiscally constrained long-range transportation plan covering a planning horizon of at least twenty years
4. Develop a Transportation Improvement Program – develop a fiscally constrained program based on the long-range transportation plan and designed to serve the region’s goals
5. Protect air quality – transportation plans, programs, and projects must conform with the State Implementation plan (SIP)
6. Involve the public – involve the general public and all the significantly affected sub-groups in the functions listed above

Each MPO is also required to operate consistent with provisions contained in its Joint Powers Agreement with its member agencies (local agencies or the cities and the County). The Fresno COG JPA mandates Fresno COG’s responsibilities as carrying out comprehensive areawide planning processes with respect to items such as transportation, land use, housing, open space, water quality and air quality management; as well, as additional activities when authorized to do so by the Policy Board. The JPA further states that the aforementioned activities shall be prepared, to the greatest extent possible, by the member agencies. This description reinforces the introductory language provided within the

JPA, which states that the Fresno Council of Governments is established to develop consensus regarding policy questions and common problems with respect to issues that transcend municipal borders; and to allow for a coordinated course of action without infringing on the political traditions and powers of the individual governments. To change Fresno COG's responsibilities from that of planning and programming, a majority of the member agencies (the cities and the County of Fresno), representing a majority of the region's population, would have to approve an amendment to the Fresno COG JPA that directs Fresno COG to not only fund, but to also design, environmentally assess, and construct improvement projects contained in the RTP and RTIP. To date, none of the local agencies have requested that Fresno COG expand its responsibilities beyond planning and programming functions.

Finally, it is the COG's position that policies contained in the RTP and SCS are advisory to the extent that they are to be followed by Fresno COG to identify, prioritize, plan, and program candidate transportation improvement projects nominated by its local agencies, other regional agencies, and Caltrans to address state and federal planning and programming requirements.

Item 4G: Fresno COG will not be adding any additional mitigation measures to the Final PEIR at this time as noted and explained in Response to Comment 4C above.

Item 4H: The linear length in lane miles has been identified as a change to the Draft PEIR in Chapter 3 to this Final PEIR. The linear length in lane miles associated with new or expanded transportation improvements is 615. All project alternatives (except the No Project) have the same set of improvement projects. As a result, there are no differences in terms of impacts among the alternatives studied. The linear lane miles associated with the No Project alternative is 968. For purposes of the analysis, it is not possible to accurately reflect the amount of agricultural land that would be impacted by new or expanding transportation improvement projects. There are a number of key factors that must be considered in order to make such a calculation including, but not limited to the following:

- Amount of Right-of-way (ROW already acquired by the affected local agency or Caltrans
- Amount of ROW impacting agricultural operations vs. vacant of any use
- How wide the expanded or new facility will be
- Whether traveler safety is an issue that would require wider lanes, shoulders or median treatments
- The need for truck acceleration and deceleration lanes
- Extent of intersection improvements
- Bike lane requirements, lane type and width
- Pedestrian and streetscape improvements
- Provision for parking and type of parking
- Need for bus turnouts
- Staging area requirements
- Location of utility easements and relocation
- Road alignment
- The need for roundabouts now required along Caltrans facilities where warranted – require more ROW
- The need for passing lanes
- The need for continuous left turn lanes
- Other turn lanes
- The extent of drainage facilities and culverts
- Bridge requirements and footprint

- Overcrossing and undercrossing requirements and footprint
- Other considerations

While other MPOs may have estimated the impact of new facilities on agricultural operations, the estimates are rough considering the above. The exact extent of agricultural land impact by type of farmland can only be known once design plans and environmental review of each individual transportation improvement project is complete. It is not possible at the regional scale of the Fresno COG 2014 RTP and SCS PEIR. As such, mitigation measures to be carried out by those agencies responsible for implementing RTP and SCS transportation improvement projects are included in the Draft PEIR and will reduce the severity of potential significant impacts if they are carried out in accordance with the measures noted. The extent to which the measures will be effective can only be determined as environmental documents are prepared for individual improvement projects.

Item 4I: Figure 4-23, on page 4-26 of the Draft EIR is a visual representation of ALL capacity increasing projects within the plan. No additional details were given regarding a singular project on the map in order for staff to respond with a specific notation within the project list. If indeed a specific location is identified, staff is happy to discuss its project list details and description.

Item 4J: The Draft PEIR will be changed as noted in Chapter 3 of this Final PEIR to reflect “Implementing Agencies” instead of “Implantation Agencies” as noted on various pages reflected in the comments.

Best Regards,



Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Sierra Nevada Alliance Letter dated May 9, 2014 - Notated

May 9, 2014

Barbara J. Steck
Deputy Director
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SIERRA NEVADA ALLIANCE

Keeping light in the range.

Subject: Comments on Fresno RTP/SCS and DEIR

Mrs. Steck and Board Members,

On behalf of the Sierra Nevada Alliance, we write to provide both policy comments on the Fresno COG 2014 Regional Transportation Plan and Sustainable Community Strategy (RTP/SCS) and to provide comments on the Draft Environmental Impact Report (DEIR) supporting the RTP/SCS. The Sierra Nevada Alliance has been participating in a local coalition regarding the RTP/SCS for more than a year now, providing oral and written comments to the COG Board, the PAC, and the PAC Subcommittee, largely regarding working lands and open space conservation.

Since 1993 the Sierra Nevada Alliance has been protecting and restoring Sierra lands, water, wildlife and communities. Our mission is to protect and restore the natural resources of the Sierra Nevada for future generations while promoting sustainable communities. We are truly an Alliance, with over ninety-five Member Groups that span the entire 400 mile mountain range. Our members and groups who live in Fresno County engage in a range of conservation activities including protection of communities from air and water pollution, protection of wildlife species and habitat, preservation of open space and farmland, and partner with those within our communities historically disadvantaged and frequently bearing the greatest burden of negative health and environmental impacts. New Towns and other conversion of working lands and open space, and those effects on water resources, are our paramount concerns in Fresno County.

We appreciate all of the work the COG and the PAC/TTC have done so far. Unfortunately, the RTP/SCS and DEIR do not meet the legal requirements of SB 375 or CEQA and do not reflect the community input gathered by the COG over the last two years. We are looking forward to continuing to work together to strengthen Scenario B in this 2014 RTP/SCS and the comments and recommendations here will help the COG revise the RTP/SCS and DEIR to legally adequate documents reflecting what your constituents are expecting.

We are asking for an *explicit commitment in this RTP/SCS* to move forward with three policies/programs: A needs assessment, a grant program, and a land conservation policy.

4A

In order to achieve these goals, we supported Scenario D because it is fiscally prudent, responsible and equitable, and protects farmland and open space. Given limited financial resources, we want to make sure not to divert taxpayer money into supporting the development of new areas that the County cannot afford to maintain. We want the COG to focus future growth and funding to existing cities and low-income rural communities, so that all of us can benefit from having complete communities. It is imperative that we protect our economy by preserving farm and range land and conserving the water that helps us feed the nation and the world.

Due to loss of state planning and redevelopment funds, it is increasingly difficult to find funding to determine what our communities need and how to invest in them. The goal of the first two policies is to provide funding to allow all communities to do long range planning and provide certainty that there is funding available to implement aggressive ideas and help all of our communities. The third policy ensures that our agriculture land and open space continues to benefit our economy and community while incentivizing investment in existing communities. We are very excited to see the PAC recommend moving forward on the Needs and Assessment and Grant Program in the 2014 RTP, based on the May 9, 2014 PAC meeting. **This third policy, land conservation, is the focus of these RTP/SCS and DEIR comments.**

We are disappointed that Scenario D was not fully analyzed in the DEIR. Scenario B consumes 75 percent more valuable agricultural land than Scenario D. Because Scenario B sends more growth to the foothills and quality agricultural land, it uses 50 percent more land than Scenario D to accommodate the same amount of growth. Instead of building in existing communities that want growth, Scenario B converts quality agricultural land into urban pavement. Scenario B paves over 75% more high quality agricultural land than Scenario D.¹ Removing land from agricultural production translates into 57 million more dollars lost from our agricultural economy *each year* – a loss that would not occur under Scenario D.² Directing new growth to existing communities uses less water and protects Sierra watersheds. Fresno’s agricultural economy in particular relies on access to freshwater. By protecting more land, Scenario D supports agricultural economy. Growing more within existing city and town boundaries and investing in agricultural communities supports farmers, conserves water, and preserves Fresno County’s proud agricultural heritage.

Because the COG consistently defers any authority over projects listed in the RTP/SCS and analyzed in the DEIR, this document is not an adequate program-level analysis of the impact of the RTP/SCS transportation projects. In order to address this and because Scenario B results is the most land consumed of any the four scenarios considered, we are asking the COG to address the comments and incorporate the language outlined here and, specifically in the “Model Natural and Working Lands Conservation Policy” submitted by the Sierra Nevada Alliance to the PAC for the May 9, 2014 meeting.

These comments are organized as follows and questions requesting a response are indicated by a bold “Q#”:

- Lack of meaningful public engagement
- Intent of the RTP/SCS and lack of internal consistency
- Authority over transportation projects versus land use projects
 - With this authority, the need to analyze land conversion impacts from transportation projects, including growth-inducing impacts
- Appendix: Model Natural and Working Lands Conservation Policy (language for the Policy Chapter of the RTP/SCS and for the EIR):
 - Identify specific impacts due to transportation projects
 - The hierarchy of land conservation (avoid, reduce, mitigate)
 - Respecting local land use authority

Under each of these categories, comments and suggested language are provided for the RTP/SCS (*Chapter 6, Policies: Foundations of the Plan*, unless otherwise specified) and, where appropriate, the EIR.

¹ Source: Comparative GIS analysis by technical consultant David Ausherman using the State of California’s Farmland Mapping & Monitoring Program data for Prime Farmland, Unique Farm Land, and Farmland of Statewide Significance. This differs from the COG’s performance measures because those only show farmland *outside* spheres of influence.

² Scenario B loses approx. 6 sq. mi. more than Scenario D would, and that extra land lost translates into \$57m lost that would not be lost under Scenario D. Every acre of farmland contributes up to \$15,000 to the economy annually, according to The Growth Alternatives Alliance’s report, *Landscape of Choice*. The title page for that report lists these participating organizations: Fresno Business Council, American Farmland Trust, Fresno County Farm Bureau, the Building Industry Association, and Fresno Chamber of Commerce.

Lack of *meaningful* public engagement

4D Elected officials are not listening to the public

In public workshops, participants overwhelmingly preferred scenarios that restricted growth in new towns. Yet, Scenario B diverts taxpayer money to develop new areas we can't afford to maintain instead of directing funding for streets and other infrastructure to existing communities. The Community-wide SCS workshop results³:

A: 19.12%

B: 23.9%

C: 56.97%

Beyond this simple vote, which is not “scientific” as compared to the 2012 AIS survey commissioned by the COG, there were overwhelming comments⁴ asking for no growth in the foothills, investing in existing communities, and the three scenarios being too similar, to highlight a few issue areas.

Before these unscientific public workshops, the COG commissioned AIS to conduct a “scientific” (RTP/SCS page 2-7) survey⁵ taking place in October of 2012. According to the 2014 Fresno COG Regional Transportation Plan Public Outreach Strategy (page 14): *“Fresno COG is working with a survey firm to conduct ‘scientific’ surveys whose participants are reflective of the county’s demographics, including the homeless and non-English speaking populations from the urban and rural areas. The consultant will be responsible for preparing a detailed list of findings that assess whether or not values and priorities of the Fresno County community that were identified during the Blueprint Planning Process public outreach efforts still hold true today, as well as assessing whether the transportation priorities defined during Measure C survey development are still priorities to our communities. Survey findings will feed directly into Regional Transportation Plan development, including the drafting of Fresno COG’s Sustainable Communities Strategy.”*

The “scientific” survey indicates that the public wants maintenance of existing infrastructure, more public transit (especially for disadvantaged populations), and more sidewalks and bike paths. These scientific results are very similar to the unscientific community meetings. It is unclear what was done with all of this public input.

Q1: In Chapter 2 of the RTP/SCS, “Public Participation: Working Together for a Better Plan,” can the COG please indicate how public comment and requests, scientifically-collected and not, are included in the preferred scenario, as selected by the COG? Specifically, how was the information presented to the COG Board? Why was Scenario B chosen even though it did not have the support of the community? Between when Scenario B was chosen and the draft documents came out, what steps were taken to incorporate the public input? Even though added roadway capacity was not a highlight of any public input, why is the largest category of funds, almost 40% of the RTP budget (based on the fiscally constrained project list, Appendix C), targeted at “Streets & Roads-Capacity Increasing” compared to less than 23% going to “Streets & Roads-Operations & Maintenance?”

Intent of the RTP/SCS and Internal Consistency

4E The first page of the SCS, (Chapter 4, pg. 4-2) states that “The SB 375 SCS requirements *address regional land use and housing accommodation in the context of transportation investment*” (emphasis added). Thus, the intent of SB 375 is to influence regional land use and housing through transportation projects, which are the purview of the COG.

³ http://www.fresnocog.org/sites/default/files/publications/SCS/Final_SCS_Workshop_Results_Summary.pdf

⁴ http://www.fresnocog.org/sites/default/files/publications/SCS/SCS_Workshop_comments_pulled_from_spreadsheets.pdf

⁵ http://www.fresnocog.org/sites/default/files/publications/RTP/FCOG_RTP_and_SCS_2012_Survey_Revised_PP2_Nov14.pdf

The SCS, on the same page (4-2) states that “The path toward living more sustainably is clear: *focus housing and job growth in urbanized areas* where there is existing and planned transportation infrastructure, *protect sensitive habitat and open space*, invest in a transportation network that provides residents and workers with transportation options that reduce GHG emissions, and *implement the plan through incentives and collaboration*” (emphasis added). This reinforces that the intent of the SCS, which must be internally consistent with the RTP, is to invest in existing communities, protect sensitive habitat, and implement these intentions.

Continuing on the first page (Chapter 4): “Transportation strategies contained in the RTP – investing in public transit system, managing transportation demand, making transportation system improvements, and continuing to expand and improve bike and pedestrian facilities - are major components of the SCS.”

Q2: Can the COG please explain how the RTP, specifically the Fiscally Constrained Project List, is consistent with the SCS even though the largest percentage of funds is directed toward increasing road capacity, largely on the urban fringe and in rural areas, while increasing capacity is not mentioned as a goal in the SCS? See Table 1 (next page).

Table 1: Fiscally Constrained Project list categories as a percentage of total expenditures.

Category	In \$000	Percentage of Total
Bike and Pedestrian Total	\$94,381	2.11%
Streets & Roads-Capacity Increasing Total	\$1,757,971	39.36%
Streets & Roads-Operations & Maintenance Total	\$1,022,181	22.89%
Transit	\$1,591,878	35.64%
Total	\$4,466,411	100.00%

Finally, page 4-23 of the SCS states that “The steep increase in transit projects is mostly due to the BRT corridors currently planned within the region.”

Q3: Can the COG please explain how the region will meet its GHG reduction targets and transit-spending goals without Bus Rapid Transit in Fresno?

COG authority over transportation projects

4F

We recognize that Fresno COG does not have land use planning authority⁶, but it has the authority and responsibility to determine which regional transportation projects it will include in the RTP/SCS, which projects it will fund, and (by virtue of preparing an SCS), and which projects will be eligible for CEQA exemptions and other streamlined permitting requirements.⁷ The funding is particularly relevant to Fresno because of its county-wide sales tax for transportation. Fresno COG can and should exercise this authority by explicitly stating in the SCS that projects consistent with the SCS will adhere to the mitigation hierarchy: *avoidance* of impacts is prioritized, followed by *minimization*, followed by *mitigation*.

Q4: Can the COG cite to any State or Federal laws or regulations that would prevent the COG from imposing mitigation requirements to reduce listed impacts at the programmatic level over all or most RTP projects? Is it the COG’s position that policies contained in the RTP Policy Element, for example, are merely advisory, or do they have authority over the RTP projects?

⁶ Cal. Government Code § 65080.

⁷ See, e.g., Cal. Public Resources Code §§ 21155 and 21155.1 (requirements for designation as a “sustainable communities project” exempt from CEQA, including consistency with an SCS that ARB has accepted would meet GHG reduction targets); 21155.2 (process for “sustainable communities environmental assessment” and streamlined CEQA review for certain transit priority projects); and 21159.28 (circumstances under which projects consistent with SCS can avoid CEQA review of GHG emissions and regional transportation network impacts).

With this authority over transportation projects, we recommend that the COG adopt the attached Natural and Working Lands Conservation Policy.

Model Natural and Working Lands Conservation Policy

4G Please see Attachment 1: Model “Natural and Working Lands Conservation Policy” Language. These policies would likely only apply to projects over which Fresno COG has full or partial purse string control, as compared to projects funded solely by direct state or federal funds.

In the EIR, Impact 3.3.3 cursorily considers possible impacts from improved transportation infrastructure: “owners of agricultural lands nearest to urbanized areas may feel pressure to develop as transportation improvements within proximity of these lands are improved or implemented” (pg 3-42 to 3-43). These growth-inducing impacts are deferred to “implementation agencies,” even though the COG has authority over their adopted transportation projects and their impacts.

Q5: In the EIR, will the COG include a programmatic-level mitigation measure to address the growth-inducing impacts of transportation projects in the RTP/SCS, for Impact 3.3.3? The language we propose is: “RTP projects that are found, in accordance with CEQA, to induce growth or remove a substantial barrier to growth will not receive funding until the applicable local jurisdiction(s) has adopted land conservation/mitigation policies in line with those recommended in the RTP/SCS EIR.”

Q6: Will the COG include the language provided in the attached Natural and Working Lands Policy, or similar language, in Chapter 6 of the RTP/SCS? If so, please indicate which language was incorporated, if the language was taken directly from the Policy or paraphrased/changed, and where the language is located in the final documents. If not, please explain why no changes were made to the final documents.

Q7: Will the COG include the language provided in the attached Natural and Working Lands Policy, or similar language, as mitigation measure for impacts 3.3.1, 3.3.2, and 3.3.3 in EIR for the RTP/SCS? If so, please indicate which language was incorporated, if the language was taken directly from the Policy or paraphrased/changed, and exactly where the language was placed in the final EIR. If not, please explain why no changes were made to the final EIR.

Natural and Working Lands Policy Questions to be addressed by the COG staff and consultants

Without any kind of analysis in the EIR, the true land conversion impacts of transportation projects in the Fresno RTP/SCS cannot be determined. The Fiscally Constrained Project List does not even include linear lengths (distances) of widening or new highway construction projects, or how much right-of-way is being used or acquired.

Both the Bay Area (Plan Bay Area) and SACOG quantified the land conversion impacts, all types of agricultural land open space, from their transportation projects. There is a legal requirement to use the best available data and this impact analysis can be done using the Greenprint and similar methodology used by Bay Area and SACOG.

4H **Q8: Will the COGs quantify lands to be converted due to RTP projects (as compared to land use jurisdiction projects)? Will the COG calculate the land which will be consumed by the capacity increasing projects indicated on the map (Figure 4-23) and Fiscally Constrained Project List**

(Appendix C)?

Additionally, there is a capacity increasing project indicated in Figure 4-23: Capacity Increasing Projects (page 4-26 of the RTP/SCS) which I was not able to find on the Project List.

4I Q9: Can the COG please point out where this project is in the project list under “Streets & Roads-Capacity Increasing?”

By making the *feasible* changes indicated by the above questions and attached Model Policy, impacts identified would be *substantially reduced*. Because of this, *adoption of these mitigation measures is a legal requirement*.

4J Q10: “Implantation agencies” is used in the first sentence of “Mitigation Measures” on pages 3-92, -112, -177, -212, -305, -307, -308, -309, -327, -332, -334, -336, -368, and -372 of the DEIR. Is it supposed to be “implementation agencies” or “implementing agencies?”

Thank you again and I look forward to your responses.

Sincerely,



Gavin Feiger
Senior Associate

ENCL: Model Natural and Working Lands Conservation Policy

Model “Natural and Working Lands Conservation Policy”

For the Fresno RTP/SCS and Accompanying EIR

We recognize that Fresno COG does not have land use planning authority¹, but it has the authority and responsibility to determine which regional transportation projects it will include in the RTP/SCS, which projects it will fund, and (by virtue of preparing an SCS), which projects will be eligible for CEQA exemptions and other streamlined permitting requirements.² Fresno COG can and should exercise this authority by *explicitly stating in the SCS that projects consistent with the SCS will adhere to the mitigation hierarchy: **avoidance of impacts is prioritized, followed by minimization, followed by mitigation.***

These policies would likely only apply to projects over which Fresno COG has full or partial purse string control, as compared to projects funded solely by direct/earmarked state or federal funds.

Policy Chapter (6) Model Language

In order to attain the objectives in the Policies and SCS chapters of the RTP and make these chapters internally consistent and consistent with the RTP project list, the following policies and statements should be included in Chapter 6: Policies:

- A standalone “Land Conservation” section, similar to SACOG’s (Chapter 6).³
- Acknowledge and support preservation of the existing road and highway system as the top priority for local public works agencies and Caltrans, and expect to help them secure adequate funding sources for necessary work.
- Focus on ensuring transit and the existing arterial system performs well for an increased number of local trips, to support infill and compact development from smarter land uses without pushing growth outward because of overly congested conditions, and on providing a strong grid network (which offers alternative routes) wherever land uses allow.
- Preserve and protect agricultural lands as a means for providing open space and for the managed production of resources.

In order to attain the objectives in the Policies chapter of the RTP, the following policies should be included in Chapter 6 of the RTP/SCS:

¹ Cal. Government Code § 65080.

² See, e.g., Cal. Public Resources Code §§ 21155 and 21155.1 (requirements for designation as a “sustainable communities project” exempt from CEQA, including consistency with an SCS that ARB has accepted would meet GHG reduction targets); 21155.2 (process for “sustainable communities environmental assessment” and streamlined CEQA review for certain transit priority projects); and 21159.28 (circumstances under which projects consistent with SCS can avoid CEQA review of GHG emissions and regional transportation network impacts).

³ <http://www.sacog.org/2035/files/MTP-SCS/6%20-%20Policies%20and%20Strategies%20Final.pdf>

Avoidance

- Establish goals and quantify benefits for avoiding conversion of these resources (acres in each category) based on increasing development efficiencies (measured by people, jobs and economic outcomes per acre), and identify policies for mitigating conversion that cannot be avoided.
- Reinforce efforts to meet GHG reduction targets by not supporting development studies for new communities.

Minimization

- Minimize the urban growth footprint of the region by improving circulation within and access to existing communities instead of access to and beyond the edge of existing communities.
- Develop buffers and transition areas between urban uses and agricultural land to reduce incompatibility issues that are associated with cultivation, pest control and harvesting of crops.

Mitigation

- Set a threshold of significance for the loss of natural or working lands, and this threshold would apply to all transportation projects funded as part of the RTP.
- The threshold would be set by the end of 2014 and the mitigation ratio, in the form of conservation easements for land of equal value, would be at least 1:1.

Respecting Local Land Use Authority

- Fresno COG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore it cannot be ensured that this mitigation measure would be implemented in all cases. Further, there may be instances in which site-specific or project-specific conditions preclude the reduction of all project impacts to less than-significant levels.
- Fresno COG can and will require compliance with existing local regulations and policies that exceed or reasonably replace any of the above measures that reduce farmland conversion.

Encourage Local Jurisdictions to Adopt the Model Language in this document and, more broadly:

In order to attain the objectives in the Policies chapter of the RTP, the following policies should be included in Chapter 6 of the RTP/SCS:

- Encourage local jurisdictions to analyze possible impacts to agriculture and natural resources as a result of growth.
- Encourage local governments to direct greenfield developments to areas immediately adjacent to the existing community edge through incentives and support for regulatory reform for local jurisdictions.
- Provide additional information to local and regional stakeholders regarding the benefits of reducing land conversion and related impacts in the alternate scenarios, specifically adding discussion of:
 - Greenhouse gas increase as a result of conversion of agricultural and natural lands to urban uses (based on U.C. Davis research cited above and other relevant science)
 - Reduction in agricultural economic output resulting from conversion of agricultural lands to urban uses
- Work with local jurisdictions to conduct an assessment of current land use plans and policies in the county (including LAFCO) to determine the effectiveness of current policy approaches in reducing land conversion over time and to highlight best practices.

- Developing and disseminating model zoning and regulatory elements for jurisdictions, such as agricultural enterprise zones, on-farm value added facilities (i.e. commercial kitchen), worker housing, and expanding agro-tourism by allowing visitors to interact and engage with farmlands more directly.

In addition to agriculture and farmland, this language will provide greater protection of **open space**:

Open Space

In order to attain the objectives in the Policies chapter of the RTP, the following policies should be included in Chapter 6 of the RTP/SCS:

- Project and future land use development implementation agencies should identify open space and recreation areas that could be preserved and will include mitigation measures (such as dedication or payment of in-lieu fees) for the loss of open space.
- Project and future transportation development implementation agencies shall conduct the appropriate project-specific environmental review, including consideration of loss of open space. Potential significant impacts to open space shall be mitigated, as feasible. The project sponsors or local jurisdiction can and should be responsible for ensuring adherence to the mitigation measures prior to construction.
- In addition to agriculture and farmland, this language will provide greater protection of open space and forest resources.

EIR Model Language

Moving on to the Preliminary Environmental Impact Report (PEIR), the goals of the policy element are explicitly stated as (pg. 2-5 to 2-6 in the EIR):

The Policy Element for the 2014 RTP and SCS supports three broad overarching focus points:

- Preservation of existing facilities and services.
- Sound financial management leveraging of existing funding.
- Balancing Transportation needs with land use

By making the following, *feasible*, changes, impacts identified would be *substantially reduced*. Because of this, *adoption of these mitigation measures is a legal requirement*.

In the EIR, with *authority over transportation projects*, the COG should create a list of land use impacts (conversions) due to *transportation projects adopted in the RTP*.

Both the Bay Area (Plan Bay Area) and SACOG quantified the land conversion impacts, all types of agricultural land open space, from their transportation projects. There is a legal requirement to use the best available data and this impact analysis can be done using the Greenprint and similar methodology used by Bay Area and SACOG.

In the EIR, with *authority over transportation projects*, the COG should analyze the *growth-inducing impacts of the transportation projects adopted in the RTP*.

In the EIR, Impact 3.3.3 cursorily considers possible impacts from improved transportation infrastructure: “owners of agricultural lands nearest to urbanized areas may feel pressure to develop as transportation improvements within

proximity of these lands are improved or implemented” (pg 3-42 to 3-43). These growth-inducing impacts are deferred to “implementation agencies,” even though the COG has authority over their adopted transportation projects and their impacts.

After fully analyzing the land conversion impacts of transportation projects, the COG should *require* impacts of *transportation projects* to be mitigated for and *recommend* mitigation for *land use projects* implemented by local jurisdictions. The requirements and recommendations should be the same language (recommend that local jurisdictions follow the requirements laid out here for RTP projects) and follow the mitigation hierarchy: ***avoidance of impacts is prioritized, followed by minimization, followed by mitigation.***

In order to make the EIR a satisfactory program-level EIR, this or similar language should be included as mitigation measures for impacts 3.3.1, 3.3.2, and 3.3.3 in EIR for the RTP/SCS:

Mitigation measures that shall be considered by implementing transportation agencies and/or project sponsors where feasible based on project-and site-specific considerations include, but are not limited to:

Avoidance

- Requiring project relocation or corridor realignment, where feasible, to avoid farmland, especially Prime Farmland.
- If a project involves acquiring land or easements, it shall be ensured that the remaining non-project area is of a size sufficient to allow viable farming operations, and the project proponents shall be responsible for acquiring easements, making lot line adjustments, and merging affected land parcels into units suitable for continued commercial agricultural management.

Minimization

- Minimizing isolation, severance and fragmentation of agricultural land by constructing underpasses and overpasses at reasonable intervals to provide property access;
- Managing project operations to minimize the introduction of invasive species or weeds that may affect agricultural production on adjacent agricultural land;
- Requiring buffer zones, which can function as drainage swales, trails, roads, linear parkways, or other uses compatible with ongoing agricultural operations, (the width of buffer zones to be determined on a project-specific basis, taking into account prevailing winds, crop types, agricultural practices, ecological restoration, and infrastructure) between projects and adjacent agricultural land, which should be designed to protect the feasibility of ongoing agricultural operations and protect ecological restoration areas from noise, dust, and the application of agricultural chemicals;

Mitigation

- Project and future transportation development implementation agencies shall conduct the appropriate project-specific environmental review, including consideration of loss of Farmland. Potential significant impacts to Farmland shall be mitigated, as feasible. The project sponsors or local jurisdiction can and should be responsible for ensuring adherence to the mitigation measures prior to construction.
- Mitigation of at least 1:1. Acquiring conservation easements on land at least equal in quality and size as partial compensation for the direct loss of agricultural land or contributing funds to a land trust or other entity qualified to preserve Farmland in perpetuity.
- If a Williamson Act contract is terminated, a ratio greater than 1:1 of land equal in quality shall be set aside in a conservation easement, as recommended by the Department of Conservation.

Mitigation Example: As an example of cost for a large-scale project, there is currently a CalTrans project in Tulare County where the loss of farmland and possible mitigation are being discussed. The project—known as Tulare Expressway—would realign and widen 9.3 miles of State Route 65 between Lindsay and Exeter. The project would consume approximately 320 acres of farmland. The cost for the project—without mitigating the farmland impact—is estimated at \$94.5 million to \$97 million. Based on previous mitigation agreements in Kern County as well as one farm appraisal near the project site, an estimate for acquiring conservation easement on 320 acres of local farmland was between \$1.28 million and \$2.56 million, or 1.5%-3% added to the estimated cost of the project. Each Caltrans District has Environmental Enhancement and Mitigation Program (EEMP)¹ funds specifically set aside for the mitigation of farmland loss, and these funds can be matched by the Department of Conservation (California Farmland Conservancy Program – CFCP¹). Most likely, an estimate for conservation easement over ranchlands or most natural lands would be considerably less than for productive farmlands.

¹ Caltrans Environmental Enhancement and Mitigation Program (EEMP): <http://www.dot.ca.gov/hq/LocalPrograms/EEM/homepage.htm>

¹ Department of Conservation California Farmland Conservancy Program (CFCP): <http://www.conservation.ca.gov/dlrp/cfcp/Pages/Index.aspx>

Broadly, again Fresno COG cites lack of land use planning authority to avoid any commitment to enforce mitigation measures and states that implementing agencies should (pg. 3-39 to 3-40 and in Table 1-1 – Summarization of Impacts, Mitigation Measures, and Significance):

- Encourage in-fill development, in place of development in rural and environmentally sensitive areas
- Allow transfer of development rights away from agricultural land to mixed-use development areas
- Consider agricultural resources, and avoid / minimize / mitigate any encroachment on those resources

With the authority over transportation projects, please change the word “should” to “shall” or “will” in the mitigation measures for impacts 3.3.1, 3.3.2, and 3.3.3 in EIR for the RTP/SCS.

Respecting Local Land Use Authority

Given that Fresno COG does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures above for transportation projects, which the COG does have authority over.

In addition to agriculture and farmland, this language will provide greater protection of **open space and forest resources**.

Mitigation measures that shall be considered by implementing transportation agencies and/or project sponsors where feasible based on project-and site-specific considerations include, but are not limited to:

Open Space

- Project and future transportation development implementation agencies should identify open space and recreation areas that could be preserved and should consider mitigation measures for the loss of open space.
- Require project relocation or corridor realignment, where feasible, to avoid protected open space.

Forest Resources

Avoidance

Require project relocation or corridor realignment, where feasible, to avoid timberland or forest land.

Mitigation

Require conservation easements on land at least equal in quality and size as partial compensation for the direct loss of timberland or forest land.

Respect local land use authority

Require compliance with existing local regulations and policies that exceed or reasonably replace any of the above measures that reduce forest land conversion.

June 2, 2014

Mr. Gavin Feiger
Senior Program Associate
Post Office Box 7989,
South Lake Tahoe, California 96158

Dear Mr. Feiger:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated May 9, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 5A) marked to reference those answers provided below.

Item 5A1: The responsibility to nominate, potentially fund or partially fund, design, environmentally assess, and construct or implement transportation improvements listed in the Regional Transportation Plan and Sustainable Communities Strategy (RTP and SCS) is the responsibility of local agencies in Fresno County (15 incorporated cities and the County of Fresno), the Fresno County Transportation Authority (FCTA), and Caltrans.

The local agencies are also responsible for preparing general plans to guide land use development and are responsible for approving proposed land use developments consistent with their general plans or amending their general plans to accommodate proposed developments. Each of these local agencies, FCTA, and Caltrans actions requires subsequent environmental review.

Fresno COG, as the regional transportation planning agency, is only responsible for preparing the RTP and SCS, working with federal, state, other regional (including the FCTA), and local funding agencies to identify and program funding for transportation improvement projects nominated by Caltrans, the FCTA (consistent with the Measure C Expenditure and Implementation Plans), other regional agencies such as the Fresno County Rural Transit Agency (FCRTA), and local agencies. Fresno COG has no authority to prepare final design services, environmental review, acquire right-of-way, or construct any transportation improvements listed in the RTP and SCS other than those it administers under contract with the FCTA (Vanpools, Rideshare Programs, etc.).

As a result of the responsibilities noted above, Fresno COG can only identify appropriate mitigation measures that should be carried out by the local agencies, other regional agencies, and Caltrans and further reference the need for subsequent environmental analysis. Where Fresno COG has responsibility to address an impact, it has identified mitigation measures that it has the authority to carry out or implement.

In addition, it is the local agencies, Caltrans, and other responsible agencies that are responsible for mitigating impacts reflected in the Draft PEIR, not Fresno COG. While Fresno COG staff provides technical planning expertise during the review and prioritization of transportation improvement projects submitted for inclusion in the RTP and SCS, it is the Fresno COG RTP/SCS roundtable, Transportation Technical Committee (TTC), Policy Advisory Committee (PAC), and Policy Board that ultimately decide on the evaluation criteria to be applied to projects. Furthermore, it is the TTC, PAC and Policy Board that decide

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

which projects will ultimately be funded, not COG staff. These committees are represented by the member agencies who submit candidate projects for evaluation and funding and work collaboratively through Fresno COG to improve the multi-modal transportation system in Fresno County.

Measure C is a completely different program developed and implemented in accordance with the Measure C Expenditure Plan and Implementation Plan. Any revision of the Measure C program requires a review by the Fresno COG committees and Board, the affected Measure C committees, and by the Fresno County Transportation Authority (FCTA).

Item 5A2: Agree that “Sierra Nevada” is singular. This change is reflected in Chapter 3 of the Final PEIR.

Item 5B: Agree. The following sentence should be added to the paragraph - “However, only the flow-through volume is renewable.” This change is reflected in Chapter 3 of the Final PEIR.

Item 5C: Agree. The following words and sentences should be added to the paragraph – “serious overdraft”, and “The California Water Plan Update 2013 identifies the Tulare Lake Basin, which the majority of Fresno County is in, as being in a critical condition of overdraft.” These changes are reflected in Chapter 3 of the Final PEIR.

Item 5D: Agree. The following sentence should replace the sentence currently in the Draft PEIR – “Construction of the proposed projects and future land use development could cause water quality impacts, because individual improvement projects and future developments would increase the area of paved surface.” This change is reflected in Chapter 3 of the Final PEIR.

Item 5E: The local agencies are responsible for preparing general plans to guide land use development and are responsible for approving proposed land use developments consistent with their general plans or amending their general plans to accommodate proposed developments. Each of these local agencies, the Fresno County Transportation Authority (FCTA), and Caltrans actions requires subsequent environmental review in which the appropriate mitigation measures are determined at the project level.

Some of the informal concerns that have been raised in the past from implementing agencies in regards to requiring mitigation plans is that projects go through at least CEQA and, if federally funded, the NEPA process. Until funding has been committed, in which implementing agencies can seek reimbursement, and until a project can be designed and constructed, projects will not go through any environmental review and mitigation measures cannot be planned until the environmental technical studies have been completed. Also, requiring such a mitigation plan upfront could also add additional burdens on to disadvantaged communities, given the upfront funding that would be required to provide such analysis. For these reasons, providing a mitigation plan before receiving funds has not been a concept that was considered practical.

However, Fresno COG welcomes the idea to further discuss this item in order to develop consensus since it would require making changes to the scoring and ranking criteria of RTP and FTIP projects. It will be a discussion that will need to be vetted through the committee process and will need to include discussions with federal, state, other regional (including the FCTA), transit, local agencies and stakeholders.

Items 5F and 5I: Fresno COG will not be adding any additional mitigation measures to the Final PEIR at this time. As the following existing Draft PEIR mitigation measure reflects (Mitigation Measure associated with Impacts 3.3.1 through 3.3.3 found beginning on Page 3-34 of the Draft PEIR), Fresno COG is continuing to work with several organizations, including the Sierra Nevada Alliance, as well as its member agencies (15 cities and the County of Fresno), to develop appropriate policies that will protect agricultural resources potentially impacted by transportation projects throughout Fresno County.

Impact and Mitigation Measures 3.3.1 through 3.3.3: “As part of the RTP and SCS formulation process; and at the request of a collection of community-based organizations, following the selection of the preferred scenario, the Fresno COG Policy Board directed the Fresno COG Policy Advisory Committee (PAC) (which is comprised of the city managers and county administrator) to form a sub-committee to analyze, discuss and provide recommendation on possible policies aimed at preservation of agricultural, natural and working lands; sustainable planning and infrastructure programs; and needs assessment activities, for inclusion into the transportation planning process at Fresno COG. Working collaboratively with the community-based organizations, interested stakeholders and professional staff, this committee is currently on-going, and discussing the formulation of policy. It is expected that such policies will be developed by the COG during Fiscal Years 2013/14 and 2014/15.

Item 5G: Fresno COG will not be adding any additional mitigation measures to the Final PEIR at this time as explained in 5F and 5I above. However, Fresno COG welcomes the idea to further discuss this item in order to develop consensus since it would require making changes to the scoring and ranking criteria of RTP and FTIP projects. It will be a discussion that will need to be vetted through the committee process and will need to include discussions with federal, state, other regional agencies (including the FCTA), local agencies and stakeholders.

Item 5H: Fresno COG welcomes the idea to further discuss this item in order to develop consensus since it would require making changes to the scoring and ranking criteria of RTP and FTIP projects. It will be a discussion that will need to be vetted through the committee process and will need to include discussions with federal, state, other regional agencies (including the FCTA), transit, local agencies and stakeholders.

As a sub-note, it is important to keep in mind that local implementing agencies, through informal discussions, have expressed concerns with suggestions as the one provided here because if a project is going to impact directly or indirectly any surface or subsurface water, the permitting agencies such as the Army Corp of Engineers or the State Water Resources Control Board review the plans and issue permits to prevent any contamination. Also, a Storm Water Pollution Prevention Plan is implemented to prevent any discharge from the construction site. These measures are always taken when a project is being constructed and cannot take place during the RTP project submittal process when there are no funds committed to the project.

Best Regards,

A handwritten signature in blue ink that reads "Tony Boren". The signature is fluid and cursive, with the first name "Tony" and last name "Boren" clearly distinguishable.

Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Sierra Nevada Alliance Letter dated May 9, 2014 - Notated

May 9, 2014

Barbara J. Steck
Deputy Director
Fresno County Council of Governments (FresnoCOG)
2035 Tulare Street, Suite 201
Fresno, CA 93721
bjsteck@fresnocog.org



Subject: Comments on Fresno RTP/SCS and DEIR

Mrs. Steck and Board Members,

On behalf of the Sierra Nevada Alliance, we write to provide both policy comments on the Fresno COG 2014 Regional Transportation Plan and Sustainable Community Strategy (RTP/SCS) and to provide comments on the Draft Environmental Impact Report (DEIR) supporting the RTP/SCS. The Sierra Nevada Alliance has been participating in a local coalition regarding the RTP/SCS for more than a year now, providing oral and written comments to the COG Board, the PAC, and the PAC Subcommittee, largely regarding working lands and open space conservation.

Since 1993 the Sierra Nevada Alliance has been protecting and restoring Sierra lands, water, wildlife and communities. Our mission is to protect and restore the natural resources of the Sierra Nevada for future generations while promoting sustainable communities. We are truly an Alliance, with over ninety-five Member Groups that span the entire 400 mile mountain range. Our members and groups who live in Fresno County engage in a range of conservation activities including protection of communities from air and water pollution, protection of wildlife species and habitat, preservation of open space and farmland, and partner with those within our communities historically disadvantaged and frequently bearing the greatest burden of negative health and environmental impacts. New Towns and other conversion of working lands and open space, and those effects on water resources, are our paramount concerns in Fresno County.

Starting on Page 3-257 of the DEIR, in the Hydrology and Water Resources section, the COG continues to defer all review and mitigation to the local jurisdictions or implementing agencies. The COG does have authority over transportation projects because it has the authority and responsibility to determine which regional transportation projects it will include in the RTP/SCS, which projects it will fund, and (by virtue of preparing an SCS), which projects will be eligible for CEQA exemptions and other streamlined permitting requirements. This is particularly, relevant in Fresno, with its countywide sales tax for transportation.

5A1

This document is not an adequate program-level analysis of the impact of the RTP/SCS transportation projects on Hydrology and water resources. The COG should do a program-level analysis of the cumulative impacts on hydrology and water resources of all projects on the RTP Project List.

Specifically,

Surface Waters (Page 3-263)

There are numerous surface water sources in the area, including lakes, rivers, and streams. In addition, there are numerous creeks and canals. A number of wetland and vernal pool areas also exist.

The San Joaquin River and the Kings River are the primary natural surface water sources within Fresno County. Both rivers originate in the Sierra Nevada's and flow toward the valley floor. The San Joaquin River's approximate annual run-off is 1,600,000 acre-feet (an acre-foot is 325,851 gallons). The Kings River's annual run-off is very similar to that of the San Joaquin River."

5A2 **Q1: Sierra Nevada is singular, not multiple or possessive. Please always use "Sierra Nevada" to describe the region.**

A number of challenges and potential impacts to water resources are pointed out in the DEIR. We are providing comments and questions, indicated by "Q#" below.

Challenges (key points underlined for emphasis)

Groundwater Resources (Pg. 3-266)

5B In addition to surface water systems, groundwater is a significant water resource. Groundwater is water that is stored underground, typically between saturated soil and rock. Because of their capacity to store usable water in a manner that is perennially secure from loss or evaporation, groundwater reservoirs are a significant water resource. Most groundwater reservoirs store far more water than the volume that flows through them annually. However, only the flow-through volume is renewable. A groundwater resource can contain several aquifers, or water-bearing zones. An aquifer refers to a rock formation that is water bearing.

Groundwater (Pg. 3-268)

5C Use of groundwater has produced serious overdraft in some areas of the County and has resulted in constraints to the availability of water supplies. The California Water Plan Update 2013 identifies the Tulare Lake Basin, which the majority of Fresno County is in, as being in a critical condition of overdraft. Overdraft can lead to numerous issues, such as increased extraction costs, land subsidence, water quality degradation, and environmental impacts. In reaction to drought conditions, nearly all communities in the region have introduced water conservation programs.

Impacts (underlining added to DEIR language for emphasis)

Environmental Impacts, Mitigation Measures, and Significance After Mitigation (Pg. 3-269)

5D To determine the actual potential for significant impacts on hydrology and water resources resulting from implementation of the 2014 RTP and SCS, transportation project- and future development project-specific studies would be necessary. However, some general impacts can be identified based on the nature of the individual transportation improvements and future land use development. Projects and future land use development located in watersheds, adjacent to impaired water bodies, or in flood hazard areas are most likely to affect water resources. Construction of the proposed projects and future land use development could cause water quality impacts, because the individual improvement projects and future developments would increase the area of paved surface. Water quality could be affected by storm water runoff that passes over paved surfaces before it reaches a major creek, river, or water body.

Impact 3.11.1 – Violate Regional Water Quality Control Board water quality standards or waste discharge requirements (Pg. 3-271)

Local surface water quality would be affected by increased urban runoff and construction runoff.

Increasing impervious surface area would increase urban runoff, which transports greater quantities of contaminants to receiving waters. Construction activities can increase pollutant loads in storm water. In addition, road cut erosion can increase long-term siltation in local receiving waters.

Mitigation Measures

The specific impacts on hydrology and water quality will be evaluated as part of the implementation agencies' project-level environmental review process regarding their proposed individual transportation improvement project(s) and future land use development(s). Implementation agencies will ultimately be responsible for ensuring adherence to the mitigation measures identified prior to construction. Given that Fresno COG does not have land use authority to approve development projects, their role will be to encourage inclusion of the mitigation measures referenced below.

- Improvement projects and new development will include upgrades to storm water drainage facilities to accommodate increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce velocity.
- Transportation network improvements and future land use developments will comply with local, state and federal floodplain regulations. Proposed transportation improvements and applicable new developments will be engineered by responsible agencies to accommodate storm drainage flow.
- Responsible agencies should ensure that operational best management practices for street cleaning, litter control, and catch basin cleaning are provided to prevent water quality degradation.
- Responsible agencies implementing projects requiring continual water removal facilities should provide monitoring systems including long-term administrative procedures to ensure proper operations for the life of the Project.
- Responsible agencies should ensure that new facilities include water quality control features such as drainage channels, detention basins, and vegetated buffers to prevent pollution of adjacent water resources by runoff.

5E

Q2: Will the COG use its authority over transportation projects to condition funds so that local jurisdictions or agencies must provide a mitigation plan before receiving any funds from COG-controlled or influenced funding streams?

5F

Q3: Will the COG consider adding the following, or similar, language as a mitigation measure for Impact 3.11.1?

- "When undertaking water quality upgrades or including water quality aspects of transportation projects, include bicycle and pedestrian facilities where possible."

Impact 3.11.2 – Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (Pg. 3-272)

5G

The installation of transportation infrastructure, the expansion of project facilities, and the construction of new development could encounter groundwater. Individual projects and future land use developments may require dewatering during construction and for the life of a project. The process of dewatering includes removal of water (groundwater or surface water) from a construction site by pumping or evaporation. The dewatered effluent must be discharged at another location which could have impacts on groundwater. In addition, individual projects under the RTP and SCS could impact groundwater recharge by increasing the amount of paved surface area. The paving required for highway projects and the construction of future land use development could have significant effects on the

amount of surface water that filters into the ground. Pollutants in the runoff from proposed transportation facilities and future development could affect groundwater basins.

Transportation projects can be growth-inducing. For example, building or widening a highway toward “new towns” such as Friant Ranch induces growth in these far-flung and water-intensive developments.

Q4: Will the COG use its authority over transportation projects to drop these projects to the bottom of the priority list or condition money so that their environmental review of transportation projects must include increased water demand from land use (development growth) induced by transportation project?

Impact: 3.11.7 – Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map (Pg. 3-281)

5H Figure 3-14 depicts the amount (in acres) of new development associated with the Project by FEMA 100-year flood zone areas (Zones A, AD, AE, and AH). As can be seen, only 436 acres of new development is estimated to be located within FEMA Flood Zones by 2040. Most new development (2,810 acres) will be located outside FEMA 100-year flood zone areas or within areas that have a .2% or less chance of flooding on an annual basis.

Based on this language, transportation projects can be developed in 100-year flood hazard areas.

Q5: Will the COG require that no new or expanded transportation projects be allowed in 100-year flood plains; and use COG authority over transportation projects to drop these projects to the bottom of the priority list or condition money so that the COG/RTP does not fund any new or expanded physical transportation projects in 100-year flood hazard areas?

Impact: 3.11.8 – Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Pg. 3-282)

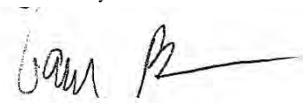
5I A portion of the transportation projects included in the 2014 RTP and SCS could occur within the 100-year flood hazard area, thus increasing the potential to obstruct or exacerbate floodwaters. The construction of projects involving support structures in the floodway could obstruct floodwaters at some locations.

Q5: Will the COG require that no new or expanded transportation projects be allowed in 100-year flood plains; and use COG authority over transportation projects to drop these projects to the bottom of the priority list or condition money so that the COG/RTP does not fund any new or expanded physical transportation projects in 100-year flood hazard areas?

By making the *feasible* changes indicated by the above questions, impacts identified would be *substantially reduced*. Because of this, *adoption of these mitigation measures is a legal requirement*.

Thank you again and I look forward to your responses.

Sincerely,



Gavin Feiger
Senior Associate

June 2, 2014

Mr. Nicholas Don Paladino
Fresno Cycling Club
8735 N. Cedar, #130
Fresno, CA 93720

Dear Mr. Paladino:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in emails dated April 10, 2014 and May 9, 2014 along with written comments. A copy of your submitted comments is attached, with letter number and alphabetical letters (example: 6A) marked to reference those answers provided below.

Item 6A: The project titles and descriptions of FRE500855 and FRE500856 have been changed to reflect Class II Bike Lanes.

Item 6B: Projects with estimated open to traffic dates prior to 2014 were incorrectly listed in the Draft RTP. It was determined that some projects had the wrong date and are not completed yet and some were completed and should be removed from the list.

Item 6B-1: The City of Fresno confirmed that project FRE090108 will be considered fully completed in June of 2014 and will not be removed from the project list. However, project FRE500257 is complete and was removed from the project list.

Item 6B-2: The 10 projects cited as duplicates were duplicated. The 5 projects with the prefix "FRE500" were removed and the remaining projects are active and programmed in the FTIP with the appropriate costs. The projects changes did impact the bike and pedestrian total; therefore, the updated numbers will be reflected in all applicable areas of the final document.

Item 6B-4: The project changes did impact the bike and pedestrian total; therefore, the updated numbers will be reflected in all applicable areas of the final document.

Item 6C: The correct number is 91.8 and the chapter text has been updated.

Item 6D: The Shaw BRT Corridor is the second BRT corridor. However, the East side boundary of that BRT line has been corrected to reflect SR-168 instead of Fowler Avenue.

Item 6E: A policy regarding the Regional Active Transportation Plan that COG will develop has been added under the goal of maximizing bicycling and walking on Page 6-14.

Item 6E-1: The duplicate sentence has been removed from Page 6-15.

Item 6F: The top line of text was misplaced due to formatting factors and has been corrected on Page 7-4.

Item 6F-1: An explanation of the Active Transportation Program (ATP) has been added to the State Funding discussion on Page 7-10.

Item 6F-2: The correct Measure C figure is \$1.4 billion and has been corrected where applicable, including Page 7-10.

Best Regards,



Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Comments from Nicholas Don Paladino dated April 10, 2014 and May 9, 2014 - Notated

Rob Terry

From: NICHOLAS PALADINO <ndpaladino@sbcglobal.net>
Sent: Thursday, April 10, 2014 4:33 PM
To: Melissa Garza
Subject: San Joaquin Bicycle Projects

Melissa,

Sorry for the long delay in submitting this rebuttal to Mr. Gouveia's comments on the titles of the three Bike/Ped projects for the city of San Joaquin.

In his response to you Mr. Gouveia stated that Class I or Class II and bike lane or bike path is "a matter of semantics." This is incorrect. The three classes of bikeways are clearly defined in the state Streets and Highways Code Section 890.4 which I quote below:

"890.4. As used in this article, "bikeway" means all facilities that provide primarily for bicycle travel. For purposes of this article, bikeways shall be categorized as follows:

- (a) Class I bikeways, also known as "bike paths" or "shared-use paths," which provide a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized.
- (b) Class II bikeways, also known as "bike lanes," which provide a restricted right-of-way designated for the exclusive or semiexclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.
- (c) Class III bikeways, also known as onstreet or offstreet "bike routes," which provide a right-of-way designated by signs or permanent markings and shared with pedestrians and motorists."

The article referred to is Article 3, the California Bicycle Transportation Act, of the Streets and Highways Code. Thus the code clearly defines the three classes of bikeways, and there is no such thing as a Class I Bike Lane.

Unfortunately there exists within our county and state-wide a tendency to use the term "trail" rather than "bike path" or "shared-use path." Thus I often see the term Class I Trail.

Mr. Gouveia is correct that Class I does exist in the 2012 CAMUTCD. However, the definitions given in the CAMUTCD for the three classes are those given in the Streets and Highways Code. See definitions 22 through 24a and definitions 31b through 31d on pages 77-79. Those definitions are used in the 2012 CAMUTCD Part 9, Traffic Control for Bicycle Facilities. Those definitions are also used in the Highway Design Manual. Index 301.2 of Chapter 300 of the HDM is titled "Class II Bikeway (Bike Lane) Lane Width." Chapter 1000, Bicycle Transportation Design, of the HDM also consistently uses the definitions of the Streets and Highways Code.

6A Thus FRE500855 and FRE500856 should be titled Class II Bike Lanes. I can not determine whether FRE500861 is to be a bike lane or a bike path, as the description reads "on the railroad alignment."

6-A1

Nicholas Don Paladino
 Advocacy Director, Fresno Cycling Club

Rob Terry

From: NICHOLAS PALADINO <ndpaladino@sbcglobal.net>
Sent: Thursday, April 10, 2014 10:25 PM
To: Melissa Garza
Subject: RTP Appendix M Comments

Melissa,

Below are my observations, comments, and questions on the Bike & Pedestrian portion of Appendix M of the draft RTP:

6B - This is the 2014 RTP. Thus I was surprised to see "Estimated Open to Traffic" dates of 2011, 2012, and 2013. If these projects have not been completed, should they not have dates of 2014 and later?

6-B1 - Projects FRE090108 and FRE500257 are complete and should be removed from the list. This will change the total for Bike and Pedestrian projects. I am suspicious that other projects in the city of Fresno may also be complete, but I have not field checked them.

6-B2 - Based upon the Project Title and Project Description, the following projects appear to be duplicates:
-- FRE110114 and FRE500011
-- FRE110137 and FRE500049
-- FRE110113 and FRE500260
-- FRE090125 and FRE500993
-- FRE110144 and FRE500365

If these are indeed duplicates, then only one needs to be listed with the appropriate cost. Then the total for Bike and Pedestrian projects should be recalculated.

6-B3 - FRE021804 is Kingsburg Railroad Depot Restoration. How can this possibly be a Bike & Pedestrian project?

6-B4 - If the total for Bike and Pedestrian projects is altered, then this will change the pie charts in the narrative portion of the RTP, probably reducing the portion going to these two modes of transportation.

Nick Paladino

Rob Terry

From: NICHOLAS PALADINO <ndpaladino@sbcglobal.net>
Sent: Friday, May 09, 2014 4:18 PM
To: Barbara Steck
Subject: More Comments on Draft RTP

Barbara,

Below in an email are the written comments on the draft RTP that I gave to you prior to the TTC meeting:

Chapter 4

6C Page 4-17, right column: there appear to be inconsistent figures of Important Farmland converted to other purposes. The text says 97.8 acres, but the figures for Prime, Statewide, and Unique Farmland total to 91.8 acres.

6D Page 4-25, top of the right column: I believe the Shaw Avenue BRT corridor is the *third* BRT corridor.

Chapter 6

6E Page 6-14, right column: replace the narrative concerning bicycle and pedestrian plans with COG's intent to write a regional Active Transportation Plan.

6E1 Page 6-15, left column: the policy "Provide information to the public . . ." is given twice.

Chapter 7

6F Page 7-4, left column: I find the text and information under the heading "The following federal programs . . . confusing. The first line "The following funding programs are considered . . ." does not match the heading nor the listing of expired programs given below it. Moreover, that line of text seems to be continued by the two lines of text beneath the listing.

6F-1 Page 7-10, top of left column: the discussion of state funding sources should include the new Active Transportation Program (ATP). This may require a revision to the discussion of the federal Transportation Alternatives Program (TAP) on page 7-6.

6F-2 Page 7-10, Discussion of Measure "C" Funds: two different figures are given for the funds expected to be generated/collected over the 20 year period. The first paragraph states "approximately \$1.7 billion," and the second paragraph gives "approximately \$1.4 billion." Also the final page of Appendix M, Measure C Extension Plan, shows the total 20 year sales tax estimate as \$1,447,481,840.

Nick Paladino

June 2, 2014

Jennifer Bryan-Sanchez
Transportation Planning North Branch
Department of Transportation - District 6
1352 West Olive Avenue
P.O. Box 12616
Fresno, CA 93778-2616

Dear Ms. Bryan-Sanchez:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated May 14, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 7A) marked to reference those answers provided below.

Item 7A: Chapter 5 will be amended to include a discussion pertaining to an Active Transportation Plan. The following will be added to Chapter 5, Section 5.7, Non-Motorized Transportation on page 5-98 as a proposed action for future planning activities:

"Bikeways and pedestrian facilities, including trails, have become increasingly important to the Fresno County region over the past several years largely because of air quality, economic development and quality of life (health) considerations. Consequently, Fresno COG has become more involved in integrating active transportation into the regional transportation planning processes. Recognizing walking and bicycling as healthy, accessible and sustainable forms of transportation, Fresno COG will embark on a new effort to develop a Regional Active Transportation Plan (ATP), which will integrate member agency complete Bicycle Master Plans, combined with targeted pedestrian and safe routes to school planning efforts. The Regional Active Transportation Plan will guide efforts to improve bicycling and walking conditions at the local level throughout the Fresno County region and will serve as a blueprint for the future of walking and bicycling in the region. The Plan will provide a countywide understanding of existing conditions and countywide, priority bicycle and pedestrian networks; as well as existing conditions analysis and recommended network for the unincorporated areas in Fresno County and each of the Fresno COG member agencies. Developing an ATP will require coordination and collaboration with a variety of active transportation stakeholders and elected officials that will provide guidance through the formation of an Active Transportation Subcommittee. The Regional ATP will be the roadmap for developing pedestrian and bicycle infrastructure in the region, with an emphasis on promoting walking and bicycling as viable transportation options and fostering a practical, safe, and enjoyable environment that encourages walking and bicycling for recreational and commuter trips with the goal to establish specific policies and programs."

Additionally, in May 2014, Fresno COG submitted an application to Caltrans during the Active Transportation Program call for projects. Furthermore, Fresno COG has already requested funding in the FY 14/15 Overall Work Program to begin the development of a Regional Active Transportation Plan.

Item 7B: That's correct. SB743 is not expected to take effect until 2015, and is not directly applicable to the 2014 RTP EIR.

Item 7C: Agree with all statements. In addition, SR 269 has been added as a north-south access route as identified in Chapter 3 of this Final PEIR.

Item 7D: The RTP Checklist has been updated to include final page numbers and content locations, where applicable.

Item 7E: Fresno COG staff involved federal land management agencies during the preparation of the RTP for the following consultation and coordination efforts:

- Modeling staff consulted with them regarding interregional trips
- Through the quarterly meetings of the San Joaquin Valley Interagency Consultation Group (combination of previous Model Coordinating Committee and Programming Coordinating Group). The San Joaquin Valley Interagency Consultation (IAC) Group has been established by the Valley Transportation Planning Agency's Director's Association to provide a coordinated approach to valley transportation planning and programming (Transportation Improvement Program, Regional Transportation Plan, and Amendments), transportation conformity, climate change, and air quality (State Implementation Plan and Rules). The purpose of the group is to ensure Valley wide coordination, communication and compliance with Federal and California Transportation Planning and Clean Air Act requirements. Each of the eight Valley MPOs and the Air District are represented. In addition, the Federal Highway Administration, Federal Transit Administration, the Environmental Protection Agency, the California Air Resources Board and Caltrans (Headquarters, District 6, and District 10) are all represented.
- All relevant agencies and stakeholders were all sent the Regional Transportation Plan Notice of Preparation for the Environmental Impact Report, officially providing them an opportunity to comment and/or engage in the process.
- Throughout the entire process, the California Department of Transportation and Rideshare program coordinators attended public meetings and served on advisory committees.
- At many points during the development of the Sustainable Communities Strategy, staff consulted with the California Air Resources Board.
- The California Department of Conservation reviewed grant summary documents, of work completed for development of Sustainable Communities Strategy materials.

Federal Highway Administration and Federal Transit Administration staff attended Regional Transportation Roundtable and other standing committee meetings during the development of the 2014 Regional Transportation Plan.

Item 7F: Comment Noted. This item will further be discussed with stakeholders, transit agencies and implementing agencies as potential criteria for the scoring, ranking, and selection process of RTP projects.

Item 7G: Comment Noted. The two sections will be updated to reflect the change request.

Item 7H: Correct. Chapter 4 is the SCS chapter. The SCS is mentioned and referred to throughout the RTP.

Item 7I: Comment noted. Our current model does not produce VMT for transit buses, school buses and heavy duty vehicles. This could be considered in the next model improvement if there is enough interest.

Item 7J: Fresno COG has made the assumption that the Measure C Program will be extended based on the previous success that it has had throughout its existence. It has been passed twice by voters, and the current Measure passed with a success rate of 78%, as voters strongly believe that promises made are promises kept. Financial assumptions are always based on uncertainty, and the federal and state funding sources used to develop the financial constrained revenue projections are all also based on assumptions that Congress and the State of California will continue to appropriate funds. When funding sources or programs are eliminated, or when Congress passes new transportation reauthorization legislation the RTP is updated to reflect those changes.

Item 7K: Thank you for your comments regarding the incorporation of aviation as an important mode of transportation in Fresno County. Fresno COG will continue efforts to work with airport sponsors to meet Capital Improvement Plan (CIP) to ensure eligibility for California Aid to Airports Program (CAAP) eligibility requirements for available State and Federal funds. Further, Fresno COG is working with local agencies and actively seeking to identify any other funding sources to improve the land use compatibility plans that the ALUC is mandated to maintain.

Best Regards,

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

Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Caltrans Letter dated May 14, 2014 – Notated

Cc: Gail Miller, Michael Navarro, Jacqueline Hodaly, Marta Frausto, Lorena Mendibles and Albert Lee (Caltrans)

Ray Sukys, Eric Edlin (FTA)

Jack Lord, Scott Carson (FHWA)

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE

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#7

*Serious drought.
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May 14, 2014

Mr. Tony Boren
Executive Director
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, California 93721

Dear Mr. Boren:

Thank you for the opportunity to review the Fresno Council of Governments (FCOG) Draft 2014 Regional Transportation Plan (RTP). Caltrans, at District 6 and various divisions within the Department, has reviewed the Draft RTP and collectively offers the following comments:

DISTRICT 6:**Transportation Planning**

FCOG is commended for their RTP and developing a guide of current and future investments in their regional transportation system to reduce congestion, build infrastructure, bicycle facilities, and improve access to transit within the 2040 horizon year.

FCOG highly encourages public participation and involvement from their citizens, public agencies and local partners to address transportation goals and strategies. FCOG is commended for utilizing several public forums to reach out to their residents.

FCOG supports all the areas of the Sustainable Communities Strategy (SCS) fundamentals as identified in the Government Code Section 650809(b) (2) (B) and 65584.04(i) (1). Caltrans, along with other agencies, partnered with FCOG in the development of their SCS and were present at many meetings that were offered for this proposed project. FCOG is commended for their timely outreach and preparation efforts to seek comments from their local partners and constituents. This project is a long term plan and focuses on future and existing motor vehicle traffic, transit, rail, goods movement, bicycle and pedestrian facilities, aviation systems and have been incorporated and evaluated according to SB 375 to reduce greenhouse gas (GHG).

FCOG's 2014 RTP has identified a plan that addresses a transportation network that is working and is serving the County of Fresno. FCOG has included the following components in their RTP: Sustainable Communities Strategy, federal funding, air quality planning, complete modeling, multi-county coordination, and environmental impact report which provides a great foundation to plan for the future transit needs of Fresno. The following comments are offered for review:

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

- FCOG encourages the collaboration of working with member agencies and continues the development of a comprehensive multi-modal regional transportation network to complement that of Caltrans.
- FCOG supports the maintenance and rehabilitation of the existing state highway, local streets and roads network which is part of their Short-Term Improvement Plan (2014-2018) and Long-Term Improvement Program (2019-2040).
- FCOG promotes the State's efforts to continue to develop and implement Strategic Highway Safety Plans.
- FCOG's Mass Transportation system consists of both public transit and Amtrak rail passenger service. Further focus has been formed to concentrate on the existing system, needs assessment, unfunded needs, accomplishments and proposed actions.
- FCOG is commended for their notable transit collaboration among Fresno Area Express (FAX), Clovis Transit and Fresno County Rural Transit Agency (FCRTA). Each entity provides exceptional transit service to its customers in the County of Fresno and its surrounding rural cities. These transit agencies are working diligently to enhance coordination between agencies towards a unified transit system by purchasing the same electronic fare box equipment. This would promote simpler transfers and tracking between the transits systems.
- FCOG through the FCRTA is commended for their exceptional delivery of rural transit services. FCRTA has provided efficient public participation methods to respond to the unmet needs process. FCRTA has also purchased additional bus stop shelters with solar lighting, benches and waste receptacles. These new bus stop shelters present a pleasant space that creates a walkable environment and further promotes a productive and efficient transit system. FCRTA further promotes programs for the elderly, disabled and low income youth populations which include Measure C funds, Senior Fare Subsidy Earmark programs, and Taxi Scrip which helps senior citizens over the age of seventy to access paratransit services.
- FCOG is commended for their efforts to enhance bikeways in the County of Fresno; however limited funding continues to have an impact on the creation of future bike lanes.
- FCOG is commended for establishing an assessment of maximum connectivity, ridership and revenue potential in order for the high speed rail (HSR) to reach its highest capability. With the established San Joaquin Valley Rail, Fresno Works Committees, and the High-Speed Rail Authority guiding the development of the HSR maintenance station, it is essential that all modes of the transit connectivity to all potential local transit providers be fully examined to reduce traffic congestion, air pollution and maintenance costs for Fresno and its adjoining counties.

- Caltrans commends FCOG for including Chapter 3 Environmental Justice Report: Ensuring Meaningful Involvement for All People as part of the RTP. It can be referred to as a model for the development of other RTP's for other counties within the San Joaquin Valley.
- Chapter 5-7: Caltrans recommends a section within this chapter to address the development of an Active Transportation Plan (ATP) for strategies to secure Active Transportation Program funding. The ATP Design Plan could provide an assessment of previously funded Caltrans Environmental Justice and Community Based Transportation Planning Grant projects. There could also be a strong connection between an Active Transportation Plan and Chapter 3 on Environmental Justice.

7A

Office of Traffic Operations

The RTP document addresses all modes of transportation: motor vehicles, transit, rail, goods movement, bicycle and pedestrian, aviation, transportation systems management programs and projects for the horizon year 2040.

The Transportation and Traffic portion of the RTP, among other State Regulations, identifies Senate Bill (SB) 743 which creates a process to change analysis of transportation impacts under California Environmental Quality Act (CEQA). Under this bill, the focus of traffic analysis will shift from driver delay to reduction of greenhouse gas emissions, creation of multi-modal networks and promotion of a mix of land uses. Specifically, SB 743 requires the Governor's Office of Planning and Research to amend CEQA guidelines and provide an alternative to Level-of-Service (LOS) for evaluating transportation impacts. Measurements of transportation impacts may include: vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates or automobile trips generated. It is stated in the RTP document that SB 743 is not expected to take effect until 2015 and it is not directly applicable to this EIR.

7B

Under the Highways, Streets and Roads section of the EIR, State Route (SR) 269 should also be added to the list of State Routes that provide north-south access.

The EIR portion of this document has incorporated different Environmental Impacts, their Mitigation Measures and the Significance After Mitigation. In general a project contained within the RTP would result in a significant transportation impact if it:

7C

- Causes an increase in traffic which is substantial in relation to the existing traffic load and capacity.
- Exceeds a standard LOS established by the County Congestion Management Agency for designated roads or highways.
- Results in a change in traffic patterns.
- Substantially increases hazards due to a design feature.

- Results in inadequate emergency access.
- Conflicts with adopted policies, or programs supporting alternative modes of transportation.

HEADQUARTERS:

Division of Transportation Planning: Office of Regional & Interagency Planning (ORIP)

The Office of Regional and Interagency Planning, Regional Planning Branch has completed its review of FCOG's Draft 2014 RTP. We thank you for the opportunity to review and provide comments on the RTP. We offer comments, suggestions, and questions on the following sections:

- 7D** • The RTP Checklist should reference RTP content locations in the body of the RTP and give the appropriate page number locations, not just Chapter or Appendix references.
- 7E** • Clarify where in the RTP FCOG involved federal land management agencies during the preparation of the RTP.
- 7F** • Pages 1-3 and 1-11 mention climate change issues. FCOG should consider Climate Change or Adaptation related projects. Flooding or extreme heat events could both have negative impacts on the State Highway System, as well as local county and city streets and roads.
- 7G** • Page 1-19: The last six information bullets shown under the Transportation Improvement Program (TIP) heading would be more appropriate under the heading of Long Range Transportation (Plan).
- 7H** • Chapter 4: The Sustainable Communities Strategy is mentioned and located throughout the RTP; however, it is highlighted in Chapter 4 and describes how FCOG intends to meet their targets using Scenario B.
- 7I** • Page 4-2: It would be beneficial to expand the discussion and clarify in a specific location in the RTP the broader role of vehicle miles traveled from public transit buses, heavy duty trucks, and school buses.
- 7J** • Pages 7-3 and 7-14: The Measure C ½ cent sales tax that expires 2027 is assumed to be renewed and/or augmented, and it is assumed that the tax payers will vote to extend the Measure through the life of this RTP. What are these assumptions based upon to ensure a financially constrained RTP document for the 2027 to the 2040 time period?

Division of Aeronautics

- 7K** The Division of Aeronautics once again wishes to compliment FCOG on the exceptional job of integrating aviation interests into various sections of the Draft RTP. There is sufficient detail to realize that FCOG recognizes aviation as an important component of the regions health and prosperity. Further,

Mr. Tony Boren
May 14, 2014
Page 5

the pro-active approach to integrating aviation into a multi-modal transportation planning program continues as a noteworthy approach for others outside the region to incorporate aviation into the region's multi-modal transportation system to serve the community for years to come. We appreciate the inclusion of the Ground Access Improvement Program as required for Primary Commercial Service Airports like Fresno Yosemite International Airport. In addition, the RTP sufficiently addresses surface transportation routes and transit service accessibility.

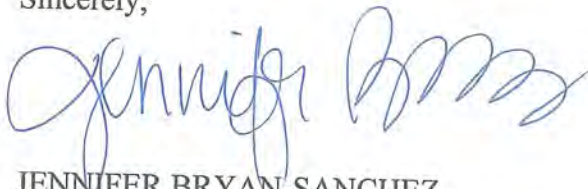
Section 5.6 Aviation Overview:

Also, it is apparent that FCOG understands that there is a particular role of the Airport Land Use Commission to protect the investment in aviation facilities by managing compatible land use development, while improving airport connectivity between the various transportation modes. We recommend that since airport improvement funding is of a higher priority, the Airport sponsors should be sure to update the Capital Improvement Plan (CIP) to ensure eligibility for California Aid to Airports Program (CAAP) funds. The federal Airport Capital Improvement Program (ACIP) process is simultaneous with the State CIP update, and we have no reason to believe that federal AIP funds are lacking. State AIP Matching Grants will only be eligible for funding if the respective airport has updated the State CIP with the current project, and that it is included in the most recent CIP approved by the California Transportation Commission.

More information regarding the CIP and CAAP can be found on our website:
<http://www.dot.ca.gov/hq/planning/aeronaut/documents/casp/acip.htm>. The Division of Aeronautics funding is expected to be higher for FY 2014-15 and beyond due to a \$4.00 transfer of funds from the Airport Loan Program, which will partially be available for Airport Land Use Compatibility Plans.

If you have any questions concerning the comments provided, please call me at (559) 488-7307.

Sincerely,



JENNIFER BRYAN-SANCHEZ
Transportation Planning North Branch
District 6

C: Gail Miller, Michael Navarro, Jacqueline Hodaly, Marta Frausto, Lorena Mendibles, and Albert Lee of Caltrans
Ray Sukys, Eric Eidlin of FTA
Jack Lord, Scott Carson of FHWA

June 2, 2014

Steven R. Frisch, President
Kerri L. Timmer, Governmental Affairs Director
Sierra Business Council
P. O. Box 2428
Truckee, CA 96160

Dear Mr. Frisch and Ms. Timmer:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated May 15, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 8A) marked to reference those answers provided below.

Item 8A: The Blueprint planning process has been seen as the precursor to the Sustainable Communities Strategy and has already had a profound effect on local agency general plans. Both the city of Fresno and the city of Clovis have integrated the Blueprint's Smart Growth Principles into their general plan updates that are slated for adoption in the coming year. Development patterns in these two jurisdictions, which constitute about 70% of the county's population, have an enormous impact on vehicle miles traveled and conservation of farmland as well as greenhouse gas reductions. We are confident that our member agencies have stepped up to the challenge of addressing the aspirations of SB 375.

The Blueprint principles are also referenced in the 2014 RTP Policy Element on page 6-2 and 6-3. Table 6-1D includes a policy to "ensure that planning efforts are as consistent as feasible with planning efforts such as: Blueprint Planning Principles ..."

Item 8B: Fresno COG is committed to conducting transportation planning activities that are mindful of environmental justice (EJ) topics and communities. Fresno COG further understands that addressing the needs and concerns of EJ communities requires multiple strategies and efforts. To this end, Fresno COG has made significant efforts to provide for inclusion and participation from individuals and groups within EJ communities. As an on-going activity, Fresno COG organizes the efforts of the Environmental Justice Task Force to address EJ specific needs, challenges and opportunities. The 2014 Regional Transportation Plan (RTP) has included the current Environmental Justice Report, in full, as a chapter with the document itself – the first MPO in the State to do so – in a pointed effort to highlight the agencies commitment to equity throughout the transportation planning process.

In addition, Fresno COG is also responding to the financing concerns raised by the EJ communities by proposing both a Needs Assessment to determine infrastructure deficiencies, and a grant program that could earmark certain funding amounts to directly address the findings delivered by this assessment, both of which have been incorporated into the 2014 RTP (see 8-D below). Fresno COG understands that some smaller communities do not have the staff or expertise to submit transportation projects for funding consideration, which can further exacerbate the deficiencies within an EJ community, and

create perceived fair-share funding inequalities. To address this need immediately, Fresno COG has hired a consultant team (circuit planners) charged with assisting smaller agencies with both the planning and programming of activities associated with Fresno COG. The intent of this program is to increase both the quantity and quality of project submittals for these agencies, greatly improving their ability obtain projects selected for funding.

The list of transportation projects identified in the Draft PEIR was determined based on a submission of projects by the local agencies (cities and the County) and Caltrans to Fresno COG. Each of the projects were then evaluated and prioritized based upon a set of evaluation criteria approved by the RTP/SCS Roundtable. While it is true that there are significant numbers of low-income and minority populations located in Parlier, Mendota, and Huron, the financially-constrained projects were determined to be those with a reasonably available source of funding, while also meeting the needs, goals, policies, and objectives of the RTP as reflected the evaluation criteria. These three (3) communities were not specifically targeted to receive less than their "fair share" of transportation funding. This was just the result of the project submission and evaluation process. There are a number of projects that will benefit each of these communities including the following:

- 38 total projects in Huron, including bicycle and pedestrian, street and road capacity increasing and operations and maintenance
- 8 total projects in Parlier, including bicycle and pedestrian, street and road operations and maintenance
- 6 total projects in Mendota, including bicycle and pedestrian, street and road capacity increasing and operations and maintenance

In addition, it can be challenging for agencies with limited staff to submit projects during the call for project period. Often, these agencies will seek an amendment to the RTP as they identify projects, and are able to allocate staff resources to formulate the project. Seeing this need, Fresno COG secured the services of a circuit planner mentioned above to assist these communities with project delivery capabilities.

Item 8C: Thank you for your detailed suggestion. Staff agrees with your recommendation and has been discussing this issue throughout the process. After the adoption of the 2014 RTP/SCS, staff will be able to more efficiently develop and incorporate adopted policies and strategies into the evaluation criteria and weighting system before projects are submitted to the next update of the RTP/SCS.

Item 8D:

Policy clarifications regarding the following proposals:

- *Proposed Sustainable Planning and Infrastructure Grant Program*
- *Needs Assessment Proposal*

To be clarified in the Policy Element:

Table 6-1C General Transportation, Environmental Justice / Policies will be clarified to read:

"Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs."

Policy clarifications regarding the following proposal:

- *Natural and Working Lands Conservation Policy*

To be clarified in the Policy Element:

Table 6-1E General Transportation, Regional Transportation Network / Policies will be clarified to read:
“Under the direction of the Policy Board, identify and coordinate a strategy and methodology to assist member agencies in avoiding or fully mitigating all significant impacts of new transportation facilities on environmentally sensitive areas and natural resources by identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.”

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.

Best Regards,

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

Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Sierra Business Council Letter dated May 15, 2014 – Notated



May 15, 2014

Barbara J. Steck, Deputy Director
Fresno County Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
bjsteck@fresnocog.org

RE: SBC Comments on the Fresno COG Regional Transportation Plan/Sustainable Communities Strategy Draft Program Environmental Impact Report (PEIR)

Dear Ms. Steck,

Thank you for this opportunity to comment on the Regional Transportation Plan/Sustainable Communities Strategy and Draft Program Environmental Impact Report (PEIR) dated March 21, 2014. We appreciate your work and the efforts of COG staff, committees and Council members in undertaking this inaugural effort to incorporate Sustainable Communities Strategies into the COG's Regional Transportation Plan. Your commitment to soliciting public input and working with interested constituents is commendable.

The Sierra Business Council is a network of more than 4,000 businesses, organizations and individuals committed to economic prosperity, environmental quality and community vitality in the Sierra Nevada – similar to the *three Es* of the Valleywide Blueprint Principles: *Economy, Environment and Equity*. More than 130 participants in our network reside in or do business in Fresno County, and many more come to Fresno County to recreate. Our work over the past 20 years has demonstrated that simultaneously building vibrant communities, prosperous economies and healthy thriving ecosystems is a highly effective community development strategy for the Sierra Nevada and gateway communities, which is why we have been so interested in working with local community-based organizations on the Fresno SCS process.

SBC believes this SCS and its link to future transportation and land use planning decisions will create a healthier community by all measures. To that end, we are pleased to see an increase over 2011 for transit and active transportation (bicycling, pedestrian) spending in this RTP, as well as the move toward increased diversity of housing choices and the commitment to projects that support disadvantaged

communities. These kinds of activities benefit both residents and visitors alike, and serve to support local business interests, as well, by housing people closer to services, getting people out of their cars and into existing downtown areas and businesses, and generating more tax revenue per acre without having to raise taxes. These strategies also improve public health, a substantial benefit in its own right, but which can also help businesses by bringing more people into town and minimizing employee work days lost to personal or family illness.

These so-called “co-benefits” are recognized in AB 32 and SB 375, the legislation underlying the SCS process (please see Appendix for more information and citations) and are a big part of why SBC believes the COG should do its best to go beyond the bare minimum greenhouse gas emission reduction requirements and use the SCS process to help improve the lives and livelihoods of Fresno County residents.

Rather than viewing the pursuit of co-benefits as “going too far” or being “unrealistic,” **SBC encourages Fresno COG to take advantage of the state’s incentive-based SCS program to achieve as much positive impact as possible in this and subsequent SCS rounds**, as was envisioned in the underlying legislation and in San Joaquin Valley’s own Blueprint process. We believe the SCS can and should be an aspirational document that helps urban and rural communities alike meet their long term development goals.

To that end, we offer the following thoughts and suggestions for your consideration in this and future SCS rounds.

8A

Better Alignment with Blueprint Core Community Values/Smart Growth Principles [General Comment]

The Blueprint Guidance Framework document, dated August 31, 2011, outlines a set of smart growth principles based on core community values, including:

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

The implementation strategies section of the Blueprint framework points out that using the Blueprint to implement SB 375 and develop the SCS can help achieve mutual objectives for smart growth and compact development, efficient transportation systems, higher-density housing, and open space conservation. Many of the smart growth principles listed above, such as #1, #2, #4, #7, #8, #11, and especially **#9 - strengthening and directing development towards existing communities**, are precisely the things the Community-Based Organizations (CBOs) have been asking for and reflecting back to the COG during the SCS public input process.

While the current RTP/SCS promises incremental improvements in some of these areas, **we encourage the Fresno COG to be bold and approve stronger policies and strategies on June 26** so that the smart growth principles from Blueprint and the community preferences expressed in public meetings and surveys can be put into practice and begin achieving community benefits as envisioned.

8B

Social and Economic Effects [PEIR Comment on Section 3-16]

While CEQA does not necessarily require analysis of social and economic impacts from a project, the fact that the Fresno COG receives federal funding as a Metropolitan Planning Organization means it must comply with other environmental justice regulations, such as those of the Federal Highway Administration (FHWA). Section 3-16 of the PEIR addresses this issue.

One of the key elements of the FHWA's environmental justice policy is to prevent "denial of, reduction in or significant delay in the receipt of benefits" by minority populations and low-income groups [PEIR, p. 3-379]. The PEIR points out that Fresno County has a high percentage of both low-income (35%) and minority (66%) populations. And both populations are generally concentrated in five areas: Huron, Mendota, Parlier, Orange Cove and San Joaquin.

Yet three of those five areas – Parlier, Mendota and Huron – are receiving far less than their “fair share” of funding under the current project funding plan. (*)

Jurisdictions Receiving the Least Proportionate Share of Funding			
	% of region's budget	% of region's population	% of "fair share"
Parlier	0.1%	1.6%	4%
Mendota	0.1%	1.2%	7%
Coalinga	0.2%	1.8%	14%
Kerman	0.5%	1.5%	31%
Huron	0.3%	0.7%	36%
Sanger	1.3%	2.6%	49%

Chart provided by CBOs

New or improved transit services are considered by the FHWA to be “beneficial impacts,” according to the PEIR [p. 3-386]. Therefore the lower proportional funding could be considered a “reduction in or significant delay in the receipt of benefits” by those communities. As such, the COG should be addressing these issues and not just pushing them off for project-specific review under local general plans or, worse yet, claiming that the RTP project as a whole is designed to serve the entire population of the county and, therefore, won’t have a disproportionate impact on minority or low-income communities [PEIR, p. 3-390].

In addition, the legislation underlying California’s climate change and greenhouse gas reduction efforts calls for maximizing social and economic benefits. By choosing a Preferred Alternative that allocates more growth to new communities than other alternatives, and developing a finance plan that underspends in key minority and low-income communities, the PEIR fails to adequately address the needs of Fresno’s disadvantaged communities. **We ask that the COG revisit its finance plan to be sure that underserved communities get their fair share of project funding for projects that reflect the core community values and smart growth principles outlined in the Blueprint and voted for by the public at the COG’s various community meetings and surveys.**

()Per CBO letter, this chart divides each jurisdiction’s budget by the total regional budget. No jurisdiction will receive 100% of its “fair share” because the region’s budget also funds agencies like CalTrans. The City of Fresno was not included on this list because, in subsequent analyses that allocated transit agency budgets to the jurisdictions, Fresno moved from an underfunded tier to a more moderate tier.*

8C Project List Development [RTP Comment on Chapter 7 & Appendix C]

We understand that this is the first SCS and everyone is working hard to determine how to fit all the pieces together. In the future, **we ask the COG to reverse the process for identifying transportation projects in the RTP.** The project list is the primary vehicle for reflecting SCS goals and implementing SCS strategies to reduce greenhouse gas emissions and meet other objectives. While the 2014 list may reflect general smart growth principles, there is no way it could have taken specific direction from the SCS, as the SCS was not yet approved when the Call for Projects went out in January 2013. **SCS policies and strategies should be applied via new evaluation criteria and weighting methods that will rank “SCS-friendly” projects more favorably and ensure that precious transportation investments go to projects with the best chance of achieving greenhouse gas emission reduction and other goals.**

8D CBO Proposals [RTP Comment on Chapters 6 & 7]

We thank the Public Advisory Subcommittee, the PAC and the COG staff for their consideration of the CBOs’ three proposals: the Needs Assessment, the Sustainable Planning and Infrastructure grant program and the Natural and Working Lands Conservation Policy. SBC participated in the May 7, 2014 meeting of the PAC Subcommittee, during which committee members agreed to move all three proposals forward to the full PAC.

Needs Assessment

We appreciate the Subcommittee’s support of conducting a county-wide assessment to identify current infrastructure conditions that might be affecting public health in low-income communities, and identify and prioritize transportation-related projects to address those needs. This assessment fulfills a requirement of SB 375 [§65080(a)] calling for the policy document to identify and quantify regional needs, and it meets the SB 375 intent for transportation planning agencies to address issues of local significance and importance to the community.

Grant Program

Similarly with the grant program, we thank the Subcommittee and COG staff for their support of the funding program proposal that would explore the use of new and existing funding sources to implement infrastructure upgrades, Complete Streets projects, improved transit and other actions identified by the needs assessment.

We believe that both of these programs would be stronger if they were included in the Policies section (Chapter 6) of the RTP, since it is the Policy element that “directs the courses of action” to achieve the overall project goals [p. 6-2]. The introduction to the Policy section indicates that policies have already been added to “insure consistency with... the intent of SB 375, new projects, and implementation of the Blueprint Principles.” It would seem appropriate, then, and **we ask the COG to add pursuit of these two programs as policies in Chapter 6 under “Improving mobility and accessibility for all regardless of race, income, national origin, age, or disability” [Table 6-1C: General Transportation Environmental Justice]. A companion line item should then be added in the financial element in Chapter 7 recommending the development of specified new sources of revenue for this purpose, as described in SB 375 §65080(b)(4)(A).**

Natural and Working Lands Conservation

Regarding the Natural and Working Lands Conservation Policy, we agree with the PAC Subcommittee’s May 7 proposal to keep this discussion moving, and **we fully support the creation of an ad hoc committee to work with member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities. We recommend using the draft Natural and Working Lands Conservation Policy language as a starting point for that ongoing discussion. We also support the Subcommittee’s idea to explore how to use the existing valley-wide Greenprint data and process to inform this discussion. We also believe that substantial guidance in developing a Natural and Working Lands Policy could be acquired by working with other jurisdictions that have already adopted similar policies, such as The Counties of Placer, Sonoma, Tuolumne and San Diego.**

Conclusion

How we plan shapes the many factors that contribute to community health and sustainability, at all levels. **Our neighborhoods are our health.** SB 375 requires that the Regional Transportation Plan approved by the COG provide clear policy guidance to the local jurisdictions who do hold the land use and other authorities, as part of a “collaborative” and incentive-based approach to meeting the state-set greenhouse gas emission reductions. We ask the COG to be bold in its Valleywide leadership and amend/approve a first-round RTP/SCS plan that goes beyond the letter of the law to really effect positive change across all communities in Fresno County.



Sincerely,

Steven R. Frisch
President

Kerri L. Timmer
Government Affairs Director

Encl: Appendix

APPENDIX

Co-Benefits Justifications

By asking to maximize co-benefits and investment in existing communities along with meeting greenhouse gas emission reductions, we are not asking for anything that isn't **already suggested in law**.

1. **AB 32 (2006)** – the underlying law for this entire effort, calls for:
 - a. Considering **overall societal benefits** [38562(b)(6)] and
 - b. **Maximizing benefits to the economy, environment, and public health.** [38562(b)(6)]
2. **SB 535 (2012)** - Additional AB 32-related legislation, by Kevin DeLeon:
 - a. Recognizes the disproportionate impacts climate change will have on disadvantaged and low-income communities in California, which already face disproportionate impacts including higher rates of respiratory illness, hospitalizations, and premature death. **[1(a)]**
 - b. Recognizes the **public health impacts of climate change** and requires that activities under AB 32 consider the localized and cumulative impacts in communities that are already adversely impacted by air pollution. **[1(c)]**
 - c. Calls for public and private investment to be directed toward the most disadvantaged communities specifically to **provide an opportunity for small businesses, schools, affordable housing associations, and other community institutions to participate in and benefit [1(d)]**, where disadvantaged communities are defined as:
 - i. areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation;
 - ii. areas with concentrations of people that are of low income, high unemployment, low levels of homeownership, high rent burden, sensitive populations, or low levels of educational attainment.

#

June 2, 2014

Dennis Jacobs, Senior Transportation Engineer
Department of Transportation
Division of Transportation Programming
PO Box 942873, MS-82
Sacramento, CA 94273-0001

Dear Mr. Jacobs:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in an email dated May 15, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 9A) marked to reference those answers provided below.

Item 9-1: Comment noted; change will be made.

Item 9-2: Comment noted; change will be made.

Item 9-3: We will make the change in all of the FTIP documents.

Item 9-4: The Draft FTIP did not reflect the projected revenues for the Active Transportation Program (ATP) because the amounts were not yet confirmed when the Draft FTIP document was released for public review. The projected revenues have been added into the final document.

Item 9-5: Fresno COG has verified the most recent revenue apportionment estimates provided by Caltrans for FFY14/15-17/18 and are \$13,167 for the CMAQ program. Changes have been made to FFY 16/17 and FFY 17/18 to reflect the latest estimated apportionments.

Item 9-6: Fresno COG has verified the most recent revenue apportionment estimates provided by Caltrans for FFY14/15-17/18 should be \$11,201 for the RSTP. Changes have been made to FFY 16/17 and FFY 17/18 to reflect the latest estimated apportionments.

Item 9-7: These projects are available for the public's review because they are not closed out and are anticipated to possibly require an AMOD.

Item 9-8: The alley project being referred to was reviewed by FHWA and on 2/28/12 FCOG received confirmation that FRE130045 was eligible for CMAQ funding.

Item 9-9: The projects that show funds in FFY 18/19 or beyond are active and either have funds programmed in the current 4 year element or in prior years. They are not considered closed out projects.

Item 9-10: FRE111337 is a shoulder stabilization project in which the City cannot put curb and gutter so they will pave a 4' wide shoulder instead.

Item 9-11: Thank you, we will.

Item 9-12: Thank you, we will.

Best Regards,



Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Email dated May 15, 2014 – Notated

To: Melissa Garza, FCOG

15 May 2014

Subject: 2015 FTIP Review

From: Dennis Jacobs, Caltrans FTIP Coordinator

1. Your EPSP document needs to be updated to incorporate MAP-21 funds such as ATP and to specify each type of program that has been agreed to by the parties in the project selection process. Programs not specified are ineligible for the EPSP process.
2. Generally, FTA funded projects can be advanced using EPSP if additional funding becomes available. MPO EPSP agreements must specify that transit operators have been included in the consultation process and FTA must approve the agreements. In addition, the EPSP agreement must include the following specific language:
“For FTA administered funds, projects may be moved within the period of the FSTIP at the request of the agency, as long as funding is available and the change does not negatively impact the delivery or availability of funds for other projects ready for obligation.”
3. You should use (in \$1,000) instead of (\$000) in your documents.
4. Do you not have projected revenues and programming for the first two years of ATP?
5. CMAQ revenues for 16/17 and 17/18 show \$13,248 instead of \$13,167. Is this because someone is paying back a loan?
6. RSTP revenues for 16/17 and 17/18 show \$11,140 instead of \$11,201.
7. You show some projects with prior year funding only. Why are we showing this? Have they not closed out?
8. And you show some projects 18/19 beyond. Is this information for the public to see?
9. For FRE130045 alleys are normally not part of the federal aid system. Has Laura Dawson done an eligibility determination on this?
10. For FRE111337 is this for shoulder stabilization?
11. Please remember to provide 3 copies of the final FTIP to Caltrans.
12. Please ensure that the comments are addressed in the final FTIP submittal.

June 2, 2014

Adam Livingston
Coordinator
Southern Sierra Partnership
Sequoia Riverlands Trust
427 South Garden Street
Visalia, CA 93277

Daniel O'Connell, PhD
San Joaquin Valley Program Manager
American Farmland Trust
17180 Avenue 296
Visalia, CA 93292

Dear Mr. Livingston and Mr. O'Connell:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated May 15, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 10A) marked to reference those answers provided below.

Item 10A: Fresno COG is committed to conducting transportation planning activities that are conscious and mindful of environmental justice (EJ) topics and communities. Fresno COG further understands that addressing the needs and concerns of EJ communities requires multiple strategies and efforts. As such, Fresno COG has made significant efforts to provide for inclusion and participation from individuals and groups within EJ communities. As an on-going activity, Fresno COG organizes the efforts of the Environmental Justice Task Force to address EJ specific needs, challenges and opportunities. The 2014 Regional Transportation Plan (RTP) has included the most recently conducted Environmental Justice Report, in full, as a chapter with the document itself – the first MPO in the State to do so – in a pointed effort to highlight the agencies commitment to equity throughout the transportation planning process.

In addition to the Task-Force activities and report highlighting, Fresno COG is also responding to the financing concerns raised by the EJ communities by proposing both a Needs Assessment to determine infrastructure deficiencies, and a grant program that could earmark certain funding amounts to directly address the findings delivered by this assessment, both of which have been incorporated into the 2014 RTP. Fresno COG understands that often times smaller communities do not have the staff or expertise to submit transportation projects for funding consideration, which can further exacerbate the deficiencies within an EJ community, and create perceived fair-share funding inequalities. To address this need immediately, Fresno COG has allocated funding in both the 2013/2014 and 2014/2015 Overall Work Program to retain the services of a consultant team charged with assisting smaller agencies with both the planning and programming activities associated with Fresno COG. The intent of

this program is to increase both the quantity and quality of project submittals for these agencies, greatly improving their ability to obtain projects selected for funding.

The list of transportation projects identified in the Draft PEIR was determined based on a submission of projects by the local agencies (cities and the County) and Caltrans to Fresno COG. Each of the projects were then evaluated and prioritized based upon a set of evaluation criteria approved by the RTP/SCS Roundtable. While it is true that there are significant numbers of low-income and minority populations located in Huron, Mendota, Parlier, Orange Cove and San Joaquin, the financially-constrained projects were determined to be those with a reasonably available source of funding, while also meeting the needs, goals, policies, and objectives of the RTP as reflected the evaluation criteria. These five (5) communities were not specifically targeted to receive less than their "fair share" of transportation funding. This was just the result of the project submission and evaluation process. There are a number of projects that will benefit each of these communities including the following:

- 38 total projects in Huron, including bicycle and pedestrian, street and road capacity increasing and operations and maintenance
- 6 total projects in Mendota, including bicycle and pedestrian, street and road capacity increasing and operations and maintenance
- 8 total projects in Parlier, including bicycle and pedestrian, safe routes to school, street and road operations and maintenance
- 20 total projects in Orange Cove, including bicycle and pedestrian like rails to trails, street and road capacity increasing and operations and maintenance
- 52 total projects in San Joaquin, including bicycle and pedestrian, new streets and roads, alternative fueling stations, and intersection improvements

In addition, it can be challenging for agencies with limited staff to submit projects during the call for project period. Often, these agencies will seek an amendment to the RTP as they identify projects, and are able to allocate staff resources to formulate the project. Seeing this need, as previously mentioned, in November of 2013, Fresno COG secured the services of a circuit planner, whose role is to provide planning and programming assistance to assist these communities, providing them with greater flexibility and project delivery capabilities.

Item 10B: Thank you for your detailed suggestion. Staff agrees with your recommendation and has been discussing this issue throughout the process. After the adoption of the 2014 RTP/SCS, staff will be able to more efficiently develop and incorporate adopted policies and strategies into the evaluation criteria and weighting system before projects are submitted to the next update of the RTP/SCS. The evaluation criteria and weighting factors are revisited before a call for RTP projects occur, and it is during that process that staff will work with stakeholders on the mechanisms and strategies that will be used to evaluate and rank projects for funding.

Item 10C:

In 2014 RTP, Chapter 7: Financing Mobility.

Section 7.7 – Sustainable Planning and Infrastructure Grant Program

During the 2014 RTP planning process, interested members of the community discussed the need for a Sustainable Planning and Infrastructure Program to further complement the goals of the RTP/SCS. The purpose of such a program would be to support and enhance the implementation of the SCS across Fresno County. The implementation of such a program would be of great value for the Fresno County

region; however, in order to undergo such a process to create a new regional program, extensive coordination between stakeholders, local member agencies, project sponsors and the COG Policy Board is needed to allow for a transparent and equitable approach. In addition, a funding structure is needed to implement this type of program, and Fresno COG staff as well as members from interested community based organizations, are exploring possible funding streams. Fresno COG is committed to continuing to work with member agencies and other stakeholders to develop and implement a new funding program in the near future. The development of an SCS infrastructure grant program is reflected in the Policy Element, Table 6-1C General Transportation, Environmental Justice.

To be clarified in the Policy Element:

Table 6-1C General Transportation, Environmental Justice / Policies will be clarified to read:

“Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs.”

Item 10D:

In 2014 RTP- PEIR, Table 1-1 - Summary of Impacts...

3.3.3 Other Changes in the Existing Environment

As part of the RTP and SCS formulation process; and at the request of a collection of community based organizations, following the selection of the preferred scenario, the Fresno COG Policy Board directed the Fresno COG Policy Advisory Committee (PAC) (which is comprised of the city managers and county administrator) to form a sub-committee to analyze, discuss and provide recommendation on agricultural mitigation measures for inclusion into the transportation planning process at Fresno COG. Working collaboratively with the community-based organizations, interested stakeholders and professional staff, this committee is currently on-going, and discussing the formulation of policy and program language to:

- Develop a methodology to help implementing agencies quantify the conversion of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance associated with their proposed projects.
- Develop a methodology for implementing agencies to consider preservation ratios to minimize loss of prime, unique, and statewide importance farmland; and coordinate efforts to provide a mechanism for preservation activities.

To be clarified in the Policy Element:

Table 6-1E General Transportation, Regional Transportation Network / Policies will be clarified to read:

“Under the direction of the Policy Board, identify and coordinate a strategy and methodology to assist member agencies in avoiding or fully mitigating all significant impacts of new transportation facilities on environmentally sensitive areas and natural resources by identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.”

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities.

Best Regards,

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

Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Southern Sierra Partnership Letter dated May 15, 2014 – Notated



May 15, 2014

Barbara J. Steck, Deputy Director
 Fresno County Council of Governments
 2035 Tulare Street, Suite 201
 Fresno, CA 93721
bjsteck@fresnocog.org

RE: Draft Program Environmental Impact Report for 2014 Regional Transportation Plan / Sustainable Communities Strategy

Dear Ms. Steck,

I am writing on behalf of the Southern Sierra Partnership (SSP), a coalition of business and conservation groups working to protect land, livelihoods and communities in our region, to comment on the Program Environmental Impact Report (PEIR) for the 2014 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS). SSP's member organizations—Audubon California, Sequoia Riverlands Trust, the Sierra Business Council, Tejon Ranch Conservancy, and The Nature Conservancy—are grateful for the opportunity to comment, as is American Farmland Trust, which shares the concerns described below.

SSP serves a 7-million-acre region stretching from the Southern San Joaquin Valley to the peaks of the Sierra and Tehachapi Ranges, and including much of Fresno County. This area contains habitat crucial to preserving biodiversity in a changing climate,¹ as well as farmland that contributes nearly \$38 billion to the economy every year.² It is also home to a diverse and

¹ Southern Sierra Partnership. 2010. Framework for Cooperative Conservation and Climate Adaptation for the Southern Sierra Nevada and Tehachapi Mountains. Retrieved from <http://www.southernsierrapartnership.org/ssp-framework.html>.

² Livingston, A. 2013. Paths to Prosperity for the Southern Sierra and Southern San Joaquin Valley: Capitalizing on the Economic Benefits of Land Conservation and Compact Growth. Retrieved from <http://www.southernsierrapartnership.org/ssp-economic-study.html>.

rapidly growing human population, many of whom come to Fresno County for its rural character and quality of life. But in recent years, the Southern San Joaquin Valley has been characterized by low-density growth and disinvestment in existing communities—a pattern that is converting essential habitat and farmland into subdivisions,³ worsening widespread poverty⁴ and exacerbating some of the worst air quality in the nation.⁵ The SCS process, which was intended to reduce per capita greenhouse gas (GHG) emissions through “changed land use patterns and improved transportation,”⁶ provides an excellent opportunity for Fresno County to distinguish itself from this trend and build greater economic and environmental resilience. In order to take full advantage of this opportunity, we respectfully request that the Fresno Council of Governments (Fresno COG) do the following:

- 1) Review the finance plan to ensure that underserved communities get their fair share of project funding;
- 2) Modify the process used to develop the financially constrained project list in future SCS rounds to include application of approved SCS policy and strategy criteria to the project evaluation and ranking processes;
- 3) Include the Needs Assessment and Sustainable Planning and Infrastructure grant program as policies in Chapter 6 and as line items in the financial element in Chapter 7; and
- 4) Establish an ad hoc committee to work with member agencies to identify conservation and mitigation policies for farmland and habitat for the next SCS round.

10A

I. Fresno COG Should Review the Finance Plan to Ensure that Underserved Communities Get Their Fair Share.

As it stands now, it appears that a number of disadvantaged communities are not receiving a fair share of the planned transportation spending for projects that would benefit low-income and minority populations. The Federal Highway Administration requires that MPOs receiving federal funds must prevent the denial of, reduction in or significant delay in the receipt of

³ American Farmland Trust. 2013. Saving Farmland, Growing Cities: A Framework for Implementing Effective Farmland Conservation Policies in the San Joaquin Valley. Retrieved from <http://www.farmland.org/documents/FINALSJVREPORTPDF1-14-13.pdf>. For more on impacts to habitat, see SSP (2010).

⁴ Between 2007 and 2011, individuals below poverty in Fresno County averaged 23.4% of the population, compared to 14.3% of the population nationwide. Headwaters Economics. 2012. Economic Profile System—Human Dimensions Toolkit: Socioeconomic Profiles. Downloaded from <http://headwaterseconomics.org/tools/eps-hdt> and run in Microsoft Excel.

⁵ According to the American Lung Association’s recently-released State of the Air rankings, the Fresno-Madera metropolitan area suffers from the worst particulate pollution (both short-term and year-round) in the country, and the fourth-worst ozone pollution. American Lung Association. 2014. State of the Air. Retrieved from <http://www.stateoftheair.org>.

⁶ SB 375, § 1(c). California Statutes, 2008.

benefits by these populations.⁷ Based on the PEIR analysis, these populations are concentrated in five areas throughout Fresno County: Huron, Mendota, Parlier, Orange Cove and San Joaquin. The first three of these have been identified by community-based organizations as receiving far less than their “fair share” of funding under the current project funding plan. We believe the COG should re-evaluate the funding plan to ensure that transportation project benefits accrue fairly to existing communities throughout the County, with an emphasis on those with high concentrations of minority or low-income populations, as required by the Federal Highway Administration.

10B II. Fresno COG Should Modify Its Project List Development and Evaluation Process.

Since the project list is the mechanism for implementing approved SCS strategies, those strategies and accompanying RTP policies and actions should be taken into account when evaluating and ranking projects for funding. Fresno COG should develop new evaluation criteria and weighting mechanisms to ensure that projects that support SCS goals, including but not limited to protecting “farmlands, open space, and natural resource areas [that] are critical for the region’s environmental and economic health”⁸ and “incorporat[ing] environmental justice principles into transportation planning,”⁹ are recognized and prioritized for funding.

10C III. Fresno COG Should Include the Needs Assessment and Sustainable Planning and Infrastructure Grant Program as Policies in Chapter 6 and as Line Items in the Financial Element in Chapter 7.

SSP is pleased to see the movement on proposals by the Community Based Organizations regarding development of a needs assessment, a grant program to support infrastructure upgrades and other transportation-oriented projects in underserved communities, and a natural and working lands conservation policy to minimize/mitigate for loss of farmland and natural resource lands due to construction of transportation projects. We respectfully request that Fresno COG add development of the needs assessment and grant program as policies in Chapter 6; they could go in Table 6-1C: General Transportation Environmental Justice. We would also request that an accompanying line item be added to the financial element in Chapter 7 recommending development of a specified set of funding sources for this purpose.

⁷ PEIR, p. 3-379.

⁸ Draft RTP/SCS p. 4-17.

⁹ Draft RTP/SCS p. 4-28.

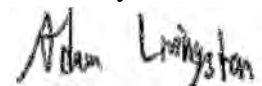
10D IV. Fresno COG Should Establish an Ad Hoc Committee to Adopt Conservation and Mitigation Policies for Farmland, Rangeland and Other Natural Resources and Work with Member Agencies on Implementation and Inclusion in the Next SCS Round.

Finally, we support the creation of an ad hoc committee to adopt and implement policies to protect important farmland, rangeland and natural resource lands in the County, including but not limited to 1) full mitigation for farmland, habitat and other natural resources, 2) a mitigation hierarchy policy (avoid, minimize, mitigate on-site, then compensate) and 3) a policy stating that where impacts cannot be minimized, compensatory offsets will address the specific conservation functions and values that will be lost. If it is not possible to include finished versions of these policies in the current RTP/SCS, we respectfully request that Fresno COG and the ad hoc committee ensure that they are included in the 2018 RTP/SCS.

We recognize that Fresno COG does not have land use planning authority,¹⁰ but it has both the authority and responsibility to provide guidance to local jurisdictions and to determine the regional transportation projects it will include in the RTP/SCS, the projects it will fund, and (by virtue of preparing an SCS) the projects that will be eligible for CEQA exemptions and other streamlined permitting requirements.¹¹ If future generations are to benefit from the natural resources that power Fresno County's economy and support its quality of life, it is essential that Fresno COG use its legitimate authority to ensure that transportation projects it funds, as well as projects that benefit from streamlined permitting requirements due to consistency with the SCS, are required to provide full mitigation.¹²

We look forward to your responses on these points, and appreciate your consideration.

Sincerely,



Adam Livingston

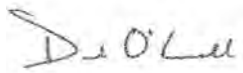
Coordinator

Southern Sierra Partnership

¹⁰ Cal. Government Code § 65080.

¹¹ See, e.g., Cal. Public Resources Code §§ 21155 and 21155.1 (requirements for designation as a "sustainable communities project" exempt from CEQA, including consistency with an SCS that ARB has accepted would meet GHG reduction targets); 21155.2 (process for "sustainable communities environmental assessment" and streamlined CEQA review for certain transit priority projects); and 21159.28 (circumstances under which projects consistent with SCS can avoid CEQA review of GHG emissions and regional transportation network impacts).

¹² This includes but is not limited to mitigation mandated by CEQA (and, for projects that involve action by federal agencies, NEPA).

A handwritten signature in dark ink, appearing to read "D. O'Connell". The signature is written in a cursive, slightly slanted style.

Daniel O'Connell, PhD
San Joaquin Valley Program Manager
American Farmland Trust

June 2, 2014

Heather Dumais
American Lung Association in California
4948 N. Arthur
Fresno, CA 93705

Dear Ms. Dumais:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments submitted in a letter dated May 15, 2014 from various health partners. Since no addresses were provided for a response we are sending this response to your attention to be distributed. A copy of the submitted letter is attached, with letter number and alphabetical letters (example: 11A) marked to reference those answers provided below.

Item 11A: Fresno COG is committed to conduct a county-wide transportation needs assessment, and evaluate such needs in the disadvantaged communities. The commitment is reflected in Table 6-1C of the Policy Element and \$100,000 is budgeted in Fresno COG's 2014-2015 Overall Work Plan for this item. Because Fresno COG's Planning (PL) fund can only be used in transportation related expenses, the needs assessment will be focused on transportation infrastructure. Other infrastructure items such as water and health information will be collected through the collaboration with other government agencies that has expertise and data in such areas. The San Joaquin Valley Higher Density Residential Housing Market Study was funded by Blueprint grant from Caltrans that is not limited to transportation related projects.

In 2014-15 Overall Work Program – Work Element 313 Environmental Justice

Task 313.10 Conduct needs assessment in disadvantaged communities (\$100,000 consultant budget)

To be clarified in the Policy Element

Table 6-1C General Transportation, Environmental Justice / Policies will be clarified to read:

"Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs."

Item 11B:

"The RTP/SCS should place top priority on investing resources in making existing communities more sustainable, where needs are greatest pursuant to the results of the needs assessment, and should include a specified minimum funding level for active transportation projects in these neighborhoods."

Currently programmed active transportation projects and funding fell well short of the budgeted amounts.”

Response: Fresno COG agrees that developing a program, such as a Sustainable Planning and Infrastructure Grant Program, will be an important resource that will address the transportation and infrastructure investment needs of Fresno County residents, including those in disadvantaged communities that will be identified through a Needs Assessment that has been discussed.

Our region’s population is forecast to be over 1.3 million by 2035. To accommodate the growth and at the same time achieve the GHG reduction target, the 2014 RTP/SCS did increase the program of projects for active transportation, such as transit, bike and pedestrian projects, from about 16% in the 2011 RTP to 38% in the 2014 RTP/SCS (1% less than capacity increasing projects). In short, Fresno COG’s 2014 RTP/SCS tries to have a balanced approach in addressing growth and GHG reduction and invests heavily in transit, bike & pedestrian projects, and ride share programs to reduce travel.

Fresno COG solicits eligible projects for the RTP and relies on implementing agencies to provide RTP projects for scoring and ranking. During the 2014 RTP Call for Projects, Fresno COG aggressively encouraged member agencies to submit every single project that their jurisdiction could foresee being implemented over the life of the RTP, including active transportation projects. Throughout the development of the RTP, Fresno COG received confirmation from the member agencies that they provided the information that was adequate, available and accessible to them at the time of project submittal. The revenue surplus is a combination of expected funding sources that are both flexible and non-flexible. There are for example, over \$141 million currently available for bike and pedestrian projects in the RTP, and member agencies acknowledge that it is very likely that additional projects or programs may be amended into the RTP to further maximize the available eligible estimated funding sources.

“The first priority for the RTP/SCS funding should be to invest in existing communities’ transit, road, active transportation, housing and other infrastructure needs rather than funding new growth areas. In order to ensure this happens, the Policy Chapter (Chapter 6) of the RTP/SCS should include clear commitment to create the Sustainable Planning and Infrastructure Program proposed by community organizations and approved through COG advisory committees in May for allocating funding per the results of the needs assessment.”

Response: Since Fresno COG is committed to conduct a county-wide transportation needs assessment, and evaluate such needs in the disadvantaged communities as reflected in Table 6-1C of the Policy Element and since \$100,000 has been budgeted in the 2014-2015 OWP, Fresno COG along with its member agencies and stakeholder groups will continue to actively discuss the development and implementation of a grants program that would invest in active transportation, transit, planning, and other SCS related activities that are essential to safety and health as well as essential to the reduction of air pollution. Fresno COG is eager and committed to continue working with member agencies and other stakeholders to develop and fully implement this new funding program per the results of the needs assessment. The commitment to develop this program is consistent with the policy element and

the financial element. A clarification will be made to the Policy Element in Table 6.1C General Transportation, Environmental Justice / Policies to read:

“Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs.” This clarification will address both the proposed sustainable infrastructure *planning* and the infrastructure *grant* program proposals submitted to Fresno COG by a coalition of health, equity, conservation and sustainable business organizations throughout the development of the RTP/SCS process.

This commitment is also reflected in Chapter 7 of the 2014 RTP: Financing Mobility, in Section 7.7 – Sustainable Planning and Infrastructure Grant Program.

“The Sustainable Planning and Infrastructure Grant Program process should look at every opportunity to provide more residents, and especially our most disadvantaged communities with the lowest household transportation budgets, with more, and more cost-effective, reliable and safe transportation choices, affordable housing, safe routes to schools and other basic municipal services.”

Response: Comment Noted.

“We strongly support moving forward with the City of Fresno’s Bus Rapid Transit project to revitalize the urban core, but we must also allow for similar high quality mobility strategies to be funded in communities throughout the County, where sidewalks, bike lanes and more basic transit service could produce significant benefits.”

Response: Comment Noted.

“As with conducting the needs assessment described above, the final plan should include clear policy element language to ensure this program is developed, funded and implemented within the context of this RTP/SCS.”

Response: The following will be added to the final RTP in the Policy Element in Table 6-1C General Transportation, Environmental Justice / Policies and will be clarified to read:

“Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs.”

Item 11C: Thank you for your clear and detailed comments on the 2014 RTP. Fresno COG recognizes the need to support the integration of clean transportation vehicles and infrastructure where ever feasible. We believe your comment is addressed under Table 6-1G:

Goal: Attainment and maintenance of federal and state ambient air quality standards (criteria pollutants) as set by the Environmental Protection Agency and the California Air Resources Board.

Objective: Integrate land use planning, transportation planning, and air quality planning to make the most efficient use of public resources and to create a more healthy and livable environment.

Policies:

- Consider the air quality impacts of mobile sources when planning transportation systems to accommodate expected growth in the community thereby reducing the consumption and dependence upon non-renewable energy resources used by mobile sources of emissions.
- **Non-single occupancy and lower/zero emission vehicle modes shall be pursued as preferred alternatives where feasible.**
- **Support the development of infrastructure required for alternative fueled vehicles as well as zero emission vehicles.**
- Continue Fresno COG's established policy to fund cost-effective projects that facilitate air quality improvement through emission reductions with Congestion Mitigation and Air Quality Improvement funds.

Best Regards,



Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Health Partners Letter dated May 15, 2014 – Notated



May 15, 2014

Barbara Steck, Deputy Director
Fresno Council of Governments
2035 Tulare Street Suite 201
Fresno, CA 93721

Submitted via email: bjsteck@fresnocog.org

Dear Deputy Director Steck:

On behalf of the undersigned health and medical organizations, we are writing to provide our input into the Fresno Council of Governments' (COG) draft Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and draft Environmental Impact Report (DEIR). We appreciate the COG staff have solicited and taken health organization input into this plan over the past two years and look forward to working with you as the final plan is developed.

Our organizations are committed to the successful implementation of SB 375 because we believe that land use and transportation planning must be better aligned to support healthier Fresno communities and avoid ongoing health burdens. Three recent reports underscore these challenges and that urgent action is needed to improve and protect the health of Fresno residents. While not the solution on its own, the Fresno COG's SB 375 process is at the heart of each of these reports and is a critical component of a healthier future:

1. **The American Lung Association's *State of the Air 2014***¹ report released on April 30th found that the metropolitan Fresno area is the most polluted city in the United States for particle pollution, and the fourth most polluted city due to ozone pollution. Reductions in vehicle trips through more efficient, compact land use decisions, coupled with strong investments in healthier transportation options that serve our existing communities' needs first, are critical to improving air quality and lung health in Fresno, where asthma affects over 20 percent of our children. The American Lung Association in California also recently reported that Fresno County residents could avoid 4,600 asthma attacks, nearly 800 lost workdays and over \$80 million in health costs

¹ American Lung Association. *State of the Air 2014*. April 2014. www.stateoftheair.org

in 2035 due to traffic pollution if the County grows in a more walkable, sustainable manner compared to business as usual planning.²

2. The California Department of Public Health and the California Conference of Local Health Officers released the annual *County Health Status Profiles* report on April 7, 2014.

Unfortunately, these results show that Fresno death rates for lung cancer, heart disease and stroke, and diabetes are all above the state average, with the death rate due to diabetes ranking as fourth worst in California. Cleaner air choices, and more active, walking, biking and transit-accessible neighborhoods are key to providing residents with opportunities to weave more physical activity into their daily lives to help cut down on such troubling chronic disease impacts.³

3. The United States Global Change Research Program's *National Climate Assessment*⁴, released on May 6, 2014 paints a stark picture of climate change impacts across the country, and specifically calls out severe and wide-ranging health impacts of climate change that have particular relevance to the Fresno area, including increased ozone pollution and allergen production and resulting asthma and respiratory health impacts, as well as increasing drought impacts on Valley fever. Further, the report notes risks to California's agricultural crops and impacts to farming communities. Reductions in transportation emissions through strong SCS plans will lessen climate impacts and reduce the tailpipe ingredients of ozone pollution.

SB 375 and the Sustainable Community Strategy should provide Fresno County residents with a vision for a healthier future with cleaner air, less chronic illness and a more sustainable climate. As noted in the health organization letter submitted to the COG on November 19, 2013, the selection of Scenario B as the foundation for the draft RTP/SCS was disappointing as that choice performed the weakest on key performance measures, including walk, bike and transit options, vehicle miles traveled and long-term greenhouse gas reductions. While disappointed in that vote, we believe that the COG and staff are committed to additional policies and programs to improve community health and we offer the following recommendations to support a healthier future for Fresno County.

11A

1. The Council of Governments, in coordination with local planning and health departments and other stakeholders, should conduct a needs assessment of community health and healthy neighborhood infrastructure needs of existing Fresno residents. Also, the needs assessment should be followed up with a plan and timeline for addressing the needs identified in the report. While discussion about this needs assessment is occurring and moving through the COG committee process, the commitment to this needs assessment should be clearly stated in the SCS plan. As discussed at several COG, committee and sub-committee meetings, a critical first step in improving health in our communities is to evaluate where they are falling short in meeting residents' needs. We believe that the SCS plan can best support the health of Fresno County residents if this needs assessment is conducted in the first twelve months after plan adoption. We appreciate that the COG has programmed funding to begin this process and believe that incorporation in the final plan and action to carry out the assessment in the coming year will ensure this remains an ongoing priority during plan implementation.

² American Lung Association in California. *Public Health Crossroads: Fresno County*. March 2014. www.lung.org/california

³ California Department of Public Health. *County Health Status Profiles*. April 7, 2014.

<http://www.cdph.ca.gov/programs/ohir/Documents/OHIRProfiles2014.pdf>

⁴ United States Global Change Research Program. *National Climate Assessment*, (Human Health, Southwest Region Chapters). May 2014. <http://nca2014.globalchange.gov/>

11B 2. **The RTP/SCS should place top priority on investing resources in making existing communities more sustainable, where needs are greatest pursuant to the results of the needs assessment, and should include a specified minimum funding level for active transportation projects in these neighborhoods. Currently programmed active transportation projects and funding fell well short of the budgeted amounts.** The first priority for the RTP/SCS funding should be to invest in existing communities' transit, road, active transportation, housing and other infrastructure needs rather than funding new growth areas. In order to ensure this happens, the Policy Chapter (Chapter 6) of the RTP/SCS should include clear commitment to create the Sustainable Planning and Infrastructure Program proposed by community organizations and approved through COG advisory committees in May for allocating funding per the results of the needs assessment.⁵ The Sustainable Planning and Infrastructure Program process should look at every opportunity to provide more residents, and especially our most disadvantaged communities with the lowest household transportation budgets, with more, and more cost-effective, reliable and safe transportation choices, affordable housing, safe routes to schools and other basic municipal services. We strongly support moving forward with the City of Fresno's Bus Rapid Transit project to revitalize the urban core, but we must also allow for similar high quality mobility strategies to be funded in communities throughout the County, where sidewalks, bike lanes and more basic transit service could produce significant benefits. As with conducting the needs assessment described above, the final plan should include clear policy element language to ensure this program is developed, funded and implemented within the context of this RTP/SCS.

11C 3. **Support Integration of Clean Transportation Vehicles and Infrastructure In Land Use Planning** In addition to including the needs assessment and Sustainable Planning and Infrastructure Program specifically in the Policy chapter (Chapter 6: Policies: Foundation of the Plan), we recommend that the policy element of the plan clearly support the use of low- and zero-emission vehicles, deployment of zero emission vehicle infrastructure, and development and deployment of zero- and near zero emission freight technologies to reduce diesel particulates and black carbon pollution that harm health, shorten lives and compound our climate challenges. Specifically, language on clean freight should be added to Table 6-1G referenced above, or added into Table 6.6B:

Provide special consideration to transportation projects that improve the operational efficiency of goods movement and air quality, including those that support the development and utilization of near zero and zero emission technologies to better protect local communities and our environment.

Thank you for considering our input throughout this process and specific to the draft 2014 RTP/SCS. We look forward to working with the Fresno COG board and staff to develop and implement a final plan that improves health, air quality and our environment, especially in our most disadvantaged communities, while meeting the region's evolving transportation and housing needs.

⁵ At present, language in Chapter 7 of the draft plan expresses COG's commitment to work to develop such a program in the future, but this program does not appear among the policies COG will adopt to implement the plan.

Sincerely,

Tim Gibbs
Director of Campaign Initiatives
American Cancer Society Cancer Action Network

Bonnie Holmes-Gen
Senior Director, Policy and Advocacy
American Lung Association in California

Heidi R. Flori, MD, FAAP
President
California Thoracic Society

Praveen Buddiga, MD
Chair, Air Quality Committee
Fresno-Madera Medical Society

Eric Lerner
Climate Director
Health Care Without Harm

Sara Satinsky, MPH, MCRP
Senior Research Associate
Human Impact Partners

Harry Wang, MD,
President, Sacramento Chapter
Physicians for Social Responsibility

Jeremy Cantor, MPH, Program Manager
Sandra Viera, Program Manager
Prevention Institute

Linda Rudolph, MD, MPH
Co-Director, Center for Climate Change & Health
Public Health Institute

Azibuike Akaba
Policy Analyst
Regional Asthma Management & Prevention (RAMP)

Marty Martinez, MPP
Bay Area Policy Manager
Safe Routes to School National Partnership

June 2, 2014

Janaki Jagannath
Community Worker
California Rural Legal Assistance, Inc. – Community Equity Initiative
2115 Kern Street, Suite 370
Fresno, CA 93721

Dear Janaki:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated May 15, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 12A) marked to reference those answers provided below.

Item 12A: The "new development outside of existing communities" refers to the Friant Ranch and Millerton New Town projects that were approved by the Fresno County Board of Supervisors before the SCS was developed. Fresno COG does not have land use authority, nor did SB 375 give Fresno COG such authority. By leaving out such entitled projects, Fresno COG would not be properly recognizing the County's land use authority.

Item 12B: The Fresno Health Impact Assessment (HIA) team launched the project's full partners' meeting in January 2012, and the project was completed in March 2014. During the entire project development process, Fresno COG was not invited to any of the meetings, and thus did not have any input on any part of the study. The HIA report was submitted to Fresno COG on May 15th of 2014. The study contained highly technical information that came from a modified Bay Area Integrated Transportation and Health Impact Modeling (ITHIM) tool. Fresno COG is currently working closely with Dr. Neil Maizlish of the State Health Department on developing a Fresno ITHIM model that is calibrated to health conditions in Fresno County, and thus could not comment on any specific technical details or outcomes from the HIA report.

However, the methodology applied in the HIA study, either the accessibility portion or the active travel portion, is debatable. Fresno COG's traffic forecast model is a regional model, and is appropriate for use in analysis for the entire region, such as the indicator analysis during the SCS process. In order for the model to produce meaningful results for sub-regional analysis such as the analysis for the selected communities in the HIA, it has always been recommended by practitioners that models be re-calibrated for the sub-regions before any outputs from the model are directly applied in any sub-regional analysis. The HIA failed to use a re-calibrated sub-regional model to conduct the analysis for the selected communities of Lanare, Laton, Riverdale and West Fresno.

Item 12C: FCOG is striving to meet the goals of SB 375 by engaging the Fresno County Rural Transit Agency (FCRTA) to work with community representatives especially those from the communities of Lanare, Laton, Riverdale, Huron and West Fresno County. As a result of these collaborative efforts there is one new service (Lanare Transit) planned and programed for the Lanare, Riverdale communities which will be a transit shuttle service connecting those communities along this southern corridor of Fresno County with intra community and Inter-City transportation needs to those residents.

This service will connect passengers to the Coalinga Transit into Fresno daily and Kings Area Rural Transit (KART) into Hanford as well as scheduled stops within Lanare and Riverdale. The service has been in the works since first meeting with the residents of the Lanare community in September of 2012 with multiple meetings through February of 2014 and surveys taking place in cooperation with the Leadership Council staff and former CRLA staff. The service is set to commence after July of 2014 once all the scheduling, days and hours of service is confirmed. Another change in rural service is the expansion of the Huron Transit Inter-City into Coalinga which currently operates from 9am to 3pm for 5 hours per day. As of July 1, 2014 the Huron transit Inter-City will operate from 9am to 5pm for 7 hours per day so Huron residents will be able to attend college classes and extended business in Coalinga. These new and expanded transit services will enable the residents of disadvantaged unincorporated communities better access to public transit in the rural areas of Fresno County. These new and expanded services will be monitored on a demonstration basis for ridership and cost effectiveness to determine continuation of these services for a period of ninety days after start up.

Item 12D: The key reason that projected revenues, which total \$6.5 billion are not fully allocated to programs or projects is because when Fresno COG released the call for projects, implementing agencies submitted projects that totaled up to \$4.5 billion and not \$6.5 billion. Fresno COG solicits eligible projects for the RTP and relies on implementing agencies to provide projects for scoring and ranking. During the 2014 RTP Call for Projects, Fresno COG aggressively encouraged member agencies to submit every single project that their jurisdiction could foresee being implemented over the life of the RTP. Throughout the development of the RTP, Fresno COG received confirmation from the member agencies that they provided the information that was adequate, available and accessible to them at the time of project submittal. The revenue surplus is a combination of expected funding sources that are both flexible and non-flexible. There are for example, over \$141 million available for bike and pedestrian projects in the RTP, and member agencies acknowledge that it is very likely that additional projects or programs may be amended into the RTP to further maximize the available eligible estimated funding sources.

Fresno COG has committed to working with its member agencies and interested members of the public to create a funding program that will assist all Fresno County communities with SCS implementation type projects. Though there are surpluses of expected revenue resources, it is important to reiterate that not all of the expected revenue sources are flexible. As the revenue projection table shows, there are many different fund types that make up the different funding categories (Bike and Pedestrian, Capacity Increasing, Operations and Maintenance, and Transit) and some of those fund types would not be eligible to use on a SCS Implementation type program. As we continue to work with our member agencies and stakeholder groups to develop and implement an SCS infrastructure grant program we will be looking at both the available and eligible funding sources as well as those that we expect throughout the life of the RTP. The needs assessment that has been budgeted in the overall work program will also serve as a tool to identify specific needed projects that can benefit from the available and eligible funding sources and that can be used in existing communities.

Item 12E: The Program PEIR was prepared to reflect a regional analysis of impacts related to the proposed project, as appropriate. The responsibility to nominate, potentially fund or partially fund, design, environmentally assess, and construct or implement transportation improvements listed in the Regional Transportation Plan and Sustainable Communities Strategy (RTP and SCS) is the responsibility of local agencies in Fresno County (15 incorporated cities and the County of Fresno), the Fresno County Transportation Authority (FCTA), and Caltrans.

The local agencies are also responsible for preparing general plans to guide land use development and are responsible for approving proposed land use developments consistent with their general plans or amending their general plans to accommodate proposed developments. Each of these local agencies, FCTA, and Caltrans actions requires subsequent environmental review.

Fresno COG, as the regional transportation planning agency, is only responsible for preparing the RTP and SCS, working with federal, state, other regional (including the FCTA), and local funding agencies to identify and program funding for transportation improvement projects nominated by Caltrans, the FCTA (consistent with the Measure C Expenditure and Implementation Plans), other regional agencies such as the Fresno County Rural Transit Agency (FCRTA), and local agencies. Fresno COG has no authority to prepare final design services, environmental review, acquire right-of-way, or construct any transportation improvements listed in the RTP and SCS other than those it administers under contract with the FCTA (Vanpools, Rideshare Programs, etc.).

As a result of the responsibilities noted above, Fresno COG can only identify appropriate mitigation measures that should be carried out by the local agencies, other regional agencies, and Caltrans and further reference the need for subsequent environmental analysis. Where Fresno COG has responsibility to address an impact, it has identified mitigation measures that it has the authority to carry out or implement.

Regarding the “model ‘Natural Working Lands Conservation Policy’”, no additional statements or agriculture resource-related mitigation measures will be added to the Draft PEIR. As the following existing Draft PEIR mitigation measure reflects (Mitigation Measure associated with Impacts 3.3.1 through 3.3.3 found beginning on Page 3-34 of the Draft PEIR), Fresno COG is continuing to work with several organizations, including the Sierra Alliance, as well as its member agencies (15 cities and the County of Fresno), to develop appropriate policies that will protect agricultural resources potentially impacted by transportation projects throughout Fresno County.

Impact and Mitigation Measures 3.3.1 through 3.3.3: “As part of the RTP and SCS formulation process; and at the request of a collection of community-based organizations, following the selection of the preferred scenario, the Fresno COG Policy Board directed the Fresno COG Policy Advisory Committee (PAC) (which is comprised of the city managers and county administrator) to form a sub-committee to analyze, discuss and provide recommendation on possible policies aimed at preservation of agricultural, natural and working lands; sustainable planning and infrastructure programs; and needs assessment activities, for inclusion into the transportation planning process at Fresno COG. Working collaboratively with the community-based organizations, interested stakeholders and professional staff, this committee is currently on-going, and discussing the formulation of policy and program language to:

- Develop a methodology to help implementing agencies quantify the conversion of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance associated with their proposed projects.
- Develop a methodology for implementing agencies to consider preservation ratios to minimize loss of prime, unique, and statewide importance farmland; and coordinate efforts to provide a mechanism for preservation activities.”

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities. It is expected that such policies will be developed by the COG during Fiscal Years 2013/14 and 2014/15.

Item 12F1: Figure 4-23, on page 4-26 of the Draft EIR is a visual representation of ALL capacity increasing projects within the plan. No additional details were given regarding a singular project on the map in order for staff to respond with a specific notation within the project list. If indeed a specific location is identified, staff is happy to discuss its project list details and description.

Responding to the comment related to EIR Impact 3.3.3, mitigation measures reflected in Chapter 3, Section 3.3, and in Impacts 3.3.1 through 3.3.3 are appropriate and applicable to address cumulative impacts noted. Further, cumulative and growth-inducing impacts have also been identified and mitigation measures have been referenced in Chapter 5 of the Draft PEIR beginning on Page 5-3 and on Page 5-7.

Item 12F2: CEQA does not require, nor does it identify an environmental checklist for analysis of social and economic impacts. While many of the transportation projects identified in the Draft PEIR are located near minority and low-income communities and households, there are a significant number of projects that are expected to provide a benefit to these communities in the form of increased and improved transit services and other active transportation systems. It should also be noted that the preferred project alternative would provide a better mix of single and multi-family housing units which would result in increased housing affordability and housing choice which would also benefit these communities.

The preferred project alternative (SCS Scenario B) is consistent with the draft and/or adopted general plans of the cities and the County of Fresno. Each of the communities throughout the County will experience growth and development between 2014 and 2040 considering market conditions, planned land use development, the location of jobs, other amenities, and the provision of adequate and/or enhanced access via a multimodal transportation system. Increased VMT to new towns included in draft and/or adopted general plans will not be at the expense of existing communities. The cities and the County plan for housing and employment development to address a demand and to ensure that the growth is logical, justified, and enhances the quality of life within the County. The new towns will not only include the development of housing but other community amenities and services including shopping, office, light industrial development and public services. These amenities will result in localized trips vs. longer trips to existing communities for services.

Best Regards,

A handwritten signature in blue ink that reads "Tony Boren". The signature is fluid and cursive, with the first name "Tony" and last name "Boren" clearly distinguishable.

Tony Boren

Executive Director
Fresno Council of Governments

Attachment: California Rural Legal Assistance Letter dated May 15, 2014 – Notated

Cc: Marisa Christensen Lundlin, CRLA, Registered Legal Services Attorney
Dan Torres, CRLA, Deputy Director
Ilene J. Jacobs, CRLA, Director of Litigation, Advocacy and Training



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

May 15, 2014

Barbara Steck
Deputy Director, Fresno Council of Governments
2035 Tulare Street Suite 201
Fresno, CA 93721
bjsteck@fresnocog.org

RE: Draft 2014 Fresno County Regional Transportation Plan, Sustainable Communities Strategy, and Environmental Impact Report

We thank you for creating the Fresno region's first Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP). The Community Equity Initiative, a program of California Rural Legal Assistance Inc., represents low-income residents of rural, disadvantaged unincorporated communities throughout California. The program seeks to reverse the trends of disinvestment in remote underserved parts of Fresno County and dismantle the existing barriers to participation in public process, with the express acknowledgement that securing rights and equality for rural residents is key to maintaining the long-term health of our state. We have evaluated the draft RTP and EIR for possible impacts on our client communities and for legal compliance. We offer the following comments and conclusions.

Framing our viewpoints

Rural constituencies, who make up the backbone of the state's economy¹, are face to face with the core issues underlying SB 375. Many of our clients work and live near highly toxic agriculture and other dangerous industry due to lack of choice, and often walk and bike out of sheer necessity. Resources are not distributed equitably across rural geographies and, repeatedly, people who live in fringe and island communities are subject to environmental health hazards and lack access to the basics of life such as clean air and water, safe non-toxic employment opportunities, and affordable housing. Lack of choice is compounded by barriers to decision making in rural areas, but Fresno County has the opportunity to include disenfranchised unincorporated populations in decision making for the RTP and EIR through seeking their contribution to and participation in compliance with SB 375 and the long-term health of our economy and natural resources.

It is critical that needs assessments and funding options are provided to remedy existing deficiencies and to support the existing economies of rural and unincorporated areas and to preserve California's diverse rural cultures. Fresno should be alive with robust local economies in our rural areas, jobs/housing balance, affordable transportation and

¹ Fresno County is home to over two million acres of the world's most productive farmland, with agricultural operations covering nearly half of the county's entire land base of 3.84 million acres. Farmers here raise more than 350 different crops, contributing directly more than \$6.6 billion to the California economy and supporting 12 percent of all jobs in the Fresno area. (Draft EIR p. 3-31)



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housing, walkable and bikeable towns, and equality in transit and related services. We offer the following comments to highlight our client community's stake within the COG's work and to ensure that the important investment opportunities available through the billions of transportation and planning dollars via the RTP/SCS are available and accessible to our client community. We applaud the COG's recent interest in pursuing equity in investment planning through recommending three policy proposals on the PAC agenda including the approval of a needs assessment and a grant program.

This RTP/SCS has many strong points, including the most basic goal of meeting the California Air Resources Board's (CARB) greenhouse gas (GHG) emissions reductions targets and significantly reducing vehicle miles traveled (VMT). Compliance with applicable law will require the County to further prioritize investment in existing communities, the COG tends to promote new developments (i.e., sprawl), rather than to adequately preserve farmland and open space and eliminate disinvestment and underinvestment in lower income rural communities with a lack of adequate infrastructure, employment and housing. The COG has a tremendous opportunity to invest in greater access to healthy communities and economic opportunities for residents of all parts of Fresno County including those in remote and unincorporated areas.

Fixing and finishing what we have

12A

The Draft RTP recognizes that maintaining investment consistent with population and service area growth leaves many needs unmet,² the COG has selected a development pattern in Scenario B that encourages new development outside of existing communities and infrastructure support systems. Such growth patterns historically have been a cause for disinvestment in existing communities and increased vehicle miles travelled to city centers. Placing our limited resources into new-growth areas despite the continued deterioration of local streets, roads, sidewalks and bike lanes in existing cities and communities widens the housing inequality gap, decreases the citizen sense of ownership and unity of Fresno and increases vehicle miles travelled and levels of GHG emissions. Fresno COG has the authority to take these negative trends into account and redirect infrastructure and transit improvements back into existing communities, renewing Fresno's civic pride and creating a robust transit system to meet the needs of our existing communities.

The transportation and land use plan in the RTP/SCS should focus growth in communities where people currently reside, and face tremendous need, particularly the historically neglected West and South Fresno areas. It is in these areas that transit investments would have the greatest impact in access to jobs and services and improved streets and sidewalks would improve bikeability and walkability. Transportation services and other civic infrastructure vary throughout this region. Many of the communities we serve lack access to public transit, safe sidewalks and bike lanes, and even basic public infrastructure such as water and sewer systems. Our patterns of growth and investment will determine whether those deficits get addressed or remain. Growth and investment are

² Draft 2014 Regional Transportation Plan 5-40



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not equitably distributed throughout the region, and our client community is best served by a plan that prioritizes investment to areas that have been disproportionately neglected for several decades, in order to bring their level of infrastructure and services to similar quality as communities and cities in the County that have enjoyed greater historical investment. Equitable land use planning, transportation planning and affordable housing planning are key elements of sustainable and healthy communities.

Addressing key health needs through fair allocation of funds

12B

The California Office of Environmental Health Hazard Assessment released a second draft of the California Environmental Screening Tool (CalEnviroScreen 2.0) that uses advanced GIS information and map communities at greatest vulnerability to impacts of environmental hazard. This can be an essential planning tool. 8 of the 10 most environmentally vulnerable census tracts are in Fresno County, located specifically in the unincorporated Southern and Western regions. Residents of Fresno face the state's fourth highest death rate for diabetes, and a higher-than-average diabetes rate on the whole. Though we acknowledge that these outcomes are compound, these results are alarming and as Fresno COG is aware, equitable land-use planning are at the helm of reversing some of these trends to reduce air pollution and chronic disease burdens on residents' quality of life. These regions, whose vulnerabilities can be observed on the Office of Environmental Health and Hazard Assessment, website are legacy unincorporated communities. We believe that the COG can remedy years of community disinvestment by prioritizing the allocation of scarce transportation funds to serve current residents by making the neighborhoods where they live and work safer and healthier.

The cities outside of Fresno proper also require sufficient funds to fix potholes, build sidewalks and bike lanes, ensure safe routes to school, upgrade streets and existing commercial areas, develop affordable housing and improve public transit. The Health Impact Assessment (HIA) conducted by Leadership Counsel for Justice and Accountability with technical support from the University of California, Center for Regional Change shows that many cities and towns would not receive their fair share of regional funding, as the chart below illustrates.³

³ This chart from the HIA divides each jurisdiction's budget by the total regional budget. No jurisdiction will receive 100% of its "fair share" because the region's budget also funds agencies like CalTrans. The City of Fresno was not included on this list because in subsequent analyses that allocated transit agency budgets to the jurisdictions, Fresno moved from an underfunded tier to a more moderate tier.



Jurisdictions Receiving the Least Proportionate Share of Funding

	% of region's budget	% of region's population	% of "fair share"
Parlier	0.1%	1.6%	4%
Mendota	0.1%	1.2%	7%
Coalinga	0.2%	1.8%	14%
Kerman	0.5%	1.5%	31%
Huron	0.3%	0.7%	36%
Sanger	1.3%	2.6%	49%

Transit and walkability for Lanare, Laton, Riverdale and West Fresno

12C

The preferred scenario however does not improve transit access to services for communities such as Lanare, Laton, Riverdale and West Fresno as measured by access to key destinations by means of transit trips of 45 minutes or less.⁴

The 2014 draft RTP increases the total percentage of transit spending, but it does not plan for change in services currently provided to residents of disadvantaged unincorporated communities and those residing in most of West Fresno. The draft RTP acknowledges that infrequent and short service hours, and multiple transfers make commutes arduous and make public transit the last choice for our client population.⁵ FCOG should strive to meet the goals and intent of SB 375 by working with transit providers and maximizing transit dollars to provide improved and more frequent transit service to incentivize the use of public transit. Residents from these communities are forced to rely on personal vehicles for transportation. The draft 2014 RTP should strive to expand transit service through 2035 beyond merely the Fresno-Clovis Metropolitan Area to offer services to all residents of Fresno County.

Effective use of unbudgeted funds to improve transportation options

12D

The Draft RTP estimates that \$6.5 billion in revenue will be available through 2035, but only \$4.5 billion of these funds are allocated to transportation projects. The remaining \$2 billion should be allocated to promote healthy, equitable and sustainable growth in existing communities in order to equitably distribute resources to our client community (and, as a result, the rest of Fresno County would benefit). This is a particularly fitting use of funds because most of the unbudgeted funds are from programs designed to support active transportation and road maintenance. Investments in pedestrian, bicycle, road maintenance, and streetscapes are not only essential to safety, reducing air pollution, and increasing physical activity, they also attract new private investment and infill into existing

⁴ Health Impact Assessment, 34

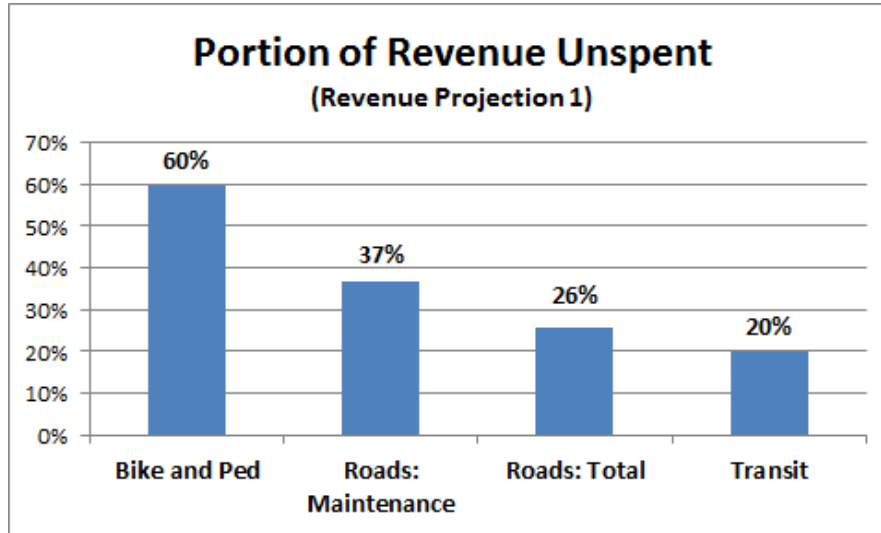
⁵ Draft 2014 Regional Transportation Plan, 5-26



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communities, where they can support or enhance property values and quality of life in Fresno's neighborhoods.



A well-designed grant program can be a critical tool in addressing the challenges of infrastructure deficit in existing communities and we commend the Fresno COG in their openness to securing funds for a sustainable planning and infrastructure grant program. This program will assist in SCS implementation by enhancing the ability of existing neighborhoods to serve as walkable, bikeable, transit-oriented or transit-ready areas for people of all incomes and by meeting the needs identified in the needs assessment. Non-infrastructure programs, such as those that support Safe Routes to School, now part of the Active Transportation Program, often have federal funding opportunities for which the COG can apply to bring both infrastructure and non-infrastructure improvements that support healthy communities. Most of our client communities would qualify as disadvantaged, meaning that 100% of the funds could come from federal coffers without any matching requirement from the County.

Adoption of a natural and working-lands conservation policy

12E

The COG's elected scenario relinquishes 17 square miles of farmland to urbanization. This pattern of farmland consumption can destroy the agricultural resources that provide job opportunities to our client communities. The Draft EIR rightly emphasizes that agriculture forms the basis of the region's economy and employs countless rural residents. This inaugural RTP/SCS process offers the Fresno region an opportunity to address its historic patterns of inefficient fringe development. Promoting conservation practice and implementing a mitigation strategy will ensure that the Fresno COG contributes to reinvigorating economies in disadvantaged unincorporated parts of Fresno county, maintaining existing employment opportunities to our client populations, and ensuring that increasing amounts of acreage are not permanently lost to subdivision development.



Deficiencies in the Draft EIR

Mitigation for land conversion and growth-inducing impacts of transportation projects

12F1

A fuller analysis of land conversion impacts is critical for the efficacy of the EIR. The impact of transportation projects in the Fresno RTP/SCS cannot be determined without full transparency and analysis of figures such as the linear lengths of widening or new highway construction projects, or how much right-of-way is being acquired to carry out these capacity building projects in the Fiscally Constrained Project List. Both the Bay Area (Plan Bay Area) and SACOG quantified the land conversion impacts from their transportation projects in their plans and these were subject to public review. It is essential that Fresno COG to quantify the lands being converted due to RTP projects so that impacts can be assessed and appropriate mitigation can be suggested and executed.

EIR Impact 3.3.3 briefly but inadequately considers effects of transportation infrastructure changes: “owners of agricultural lands nearest to urbanized areas may feel pressure to develop as transportation improvements within proximity of these lands are improved or implemented.” (pp. 3-42 to 3-43). The growth-inducing impacts of transportation projects in the RTP/SCS also require program-level mitigation and an analysis of their potential long-term impacts on attaining GHG reduction targets.

Failure to assess impact on low income communities and communities of color

12F2

The Draft EIR concludes that there will be “no significant impacts on minority or low-income communities.” Several of the scenarios’ deficiencies threaten to impact low income communities and communities of color disproportionately, for example, low income communities stand to be harmed by the reliance on reduced VMT from existing communities to counteract increased VMTs generated by new towns. The Draft EIR that the capacity increasing projects model “no significant impact” on surrounding communities. The Draft EIR’s finding of no significant impacts improperly precludes the COG from developing mitigation measures for this disproportionate impact. Communities located near highways and transit corridors historically are vulnerable to the health hazards of capacity increasing projects and the needs of these communities, particularly unincorporated areas, require close scrutiny.

Conclusion

The following observations address the impact of the draft RTP on low income, disadvantaged, predominantly minority client communities:

1. The recently contemplated grant program and needs assessment have the potential to significantly improve involvement from traditionally underserved communities and yield to more beneficial land use and transportation projects in Fresno County’s disadvantaged unincorporated communities.



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2. Existing communities, especially low-income, disadvantaged unincorporated communities, are long overdue for prioritized investment in their health and viability by way of transportation and land use funding.
3. A critical element in the preservation of green landscapes for long-term GHG reduction and maintaining employment for our client population involves the implementation of a farmland conservation policy.

We thank you for the opportunity to comment and we are confident that the COG will address the long-term health of our most vulnerable populations and work to assess needs and fund projects to improve the quality of life for our client community. The future must include thriving rural and unincorporated areas that enjoy sustainable transit, housing options located near healthy non-toxic jobs, and the air quality and quality of life that is supported by SB 375 compliance.

Sincerely,

Janaki Jagannath
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(559) 233-6710 ext. 313

cc:

Marisa Christensen Lundin, CRLA, Registered Legal Services Attorney
Dan Torres, CRLA, Deputy Director
Ilene J. Jacobs, CRLA, Director of Litigation, Advocacy and Training

June 2, 2014

Veronica Garibay
Leadership Counsel for Justice & Accountability
2115 Kern Street, Suite 320
Fresno, CA 93721

Dear Ms. Garibay:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments submitted in a letter dated May 15, 2014 from various health partners. Since no addresses were provided for a response we are sending this response to your attention to be distributed. A copy of the submitted letter is attached, with letter number and alphabetical letters (example: 13A) marked to reference those answers provided below.

Item 13A: In order to receive funding, projects must be consistent with the RTP and FTIP. Fresno COG's member agencies have the land use authority to grant entitlements to these projects. At any given time, many projects have been entitled by local agencies and are awaiting development. Fresno COG does not have the authority to ignore this fact and pretend that there is not a legitimate claim on the part of developers. Instead, the COG's role is to craft the most ambitious and achievable Sustainable Communities Strategy possible that will provide equitable distribution of resources in meeting the greenhouse gas reduction targets established by ARB. The following policy statements will be clarified in the RTP in response to the CBO proposals and to help achieve that goal.

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

1. *Proposed Sustainable Planning and Infrastructure Grant Program*
2. *Needs Assessment Proposal*

Clarification in the Policy Element:

Table 6-1C General Transportation, Environmental Justice / Policies will be clarified to read:

"Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs."

3. *Natural and Working Lands Conservation Policy*

Clarification in the Policy Element:

Table 6-1E General Transportation, Regional Transportation Network / Policies will be clarified to read:

"Under the direction of the Policy Board, identify and coordinate a strategy and methodology to assist member agencies in avoiding or fully mitigating all significant impacts of new transportation facilities on environmentally sensitive areas and natural resources by identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities."

Item 13B: Please Reference Response 13M. In addition, the percentage of capacity increasing projects in the 2014 RTP/SCS decreased compared to 2011 RTP/SCS by 16%, about \$1 billion total investment. Our region's population is forecast to be over 1.3 million by 2035. To accommodate the growth and at the same time achieve the GHG reduction target, the 2014 RTP/SCS increased the program of projects for active transportation, such as transit, bike and pedestrian projects, from about 16% in the 2011 RTP to 38% in the 2014 RTP/SCS (1% less than capacity increasing projects). In short, Fresno COG's 2014 RTP/SCS tries to have a balanced approach in addressing growth and GHG reduction and invests heavily in transit, bike & pedestrian projects, and ride share programs to reduce travel.

Item 13C: Please Reference Response 13N.

Item 13D: Fresno COG agrees that there are many unmet transportation and infrastructure needs throughout the Fresno County region as discussed in the financial chapter of the RTP. However, a funding structure is required in order to implement a robust grant program that will address the unmet needs. Fresno COG staff continues to seek new and existing eligible funding sources that can be used to adequately address the unmet transportation and infrastructure needs within the Fresno County region.

Item 13E: Regarding the "model 'Natural Working Lands Conservation Policy'", no additional statements or agriculture resource-related mitigation measures will be added to the Draft PEIR or RTP/SCS. As the following existing Draft PEIR mitigation measure reflects (Mitigation Measure associated with Impacts 3.3.1 through 3.3.3 found beginning on Page 3-34 of the Draft PEIR), Fresno COG is continuing to work with several organizations, as well as its member agencies (15 cities and the County of Fresno), to develop appropriate policies that will protect agricultural resources potentially impacted by transportation projects throughout Fresno County.

Impact and Mitigation Measures 3.3.1 through 3.3.3: "As part of the RTP and SCS formulation process; and at the request of a collection of community-based organizations, following the selection of the preferred scenario, the Fresno COG Policy Board directed the Fresno COG Policy Advisory Committee (PAC) (which is comprised of the city managers and county administrator) to form a sub-committee to analyze, discuss and provide recommendation on possible policies aimed at preservation of agricultural, natural and working lands; sustainable planning and infrastructure programs; and needs assessment activities, for inclusion into the transportation planning process at Fresno COG. Working collaboratively with the community-based organizations, interested stakeholders and professional staff, this committee is currently on-going, and discussing the formulation of policy and program language to:

- Develop a methodology to help implementing agencies quantify the conversion of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance associated with their proposed projects.
- Develop a methodology for implementing agencies to consider preservation ratios to minimize loss of prime, unique, and statewide importance farmland; and coordinate efforts to provide a mechanism for preservation activities."

It is expected that such policies will be developed by the COG during Fiscal Years 2013/14 and 2014/15.

Item 13F: Please reference response 13A.

Item 13G: The Fresno Health Impact Assessment (HIA) team launched the project's full partners' meeting in January 2012, and the project was completed in March 2014. During the entire project development process, Fresno COG was not invited to any of the meetings, and thus did not have any input on any part of the study. The HIA report was submitted to Fresno COG on May 15th of 2014. The study contained highly technical information that came from a modified Bay Area Integrated Transportation and Health Impact Modeling (ITHIM) tool. Fresno COG is currently working closely with Dr. Neil Maizlish of the State Health Department on developing a Fresno ITHIM model that is calibrated to the health conditions in Fresno County, and thus could not comment on any specific technical details or outcomes from the HIA report.

However, the methodology applied in the HIA study, either the accessibility portion or the active travel portion, is debatable. Fresno COG's traffic forecast model is a regional model, and is appropriate for use in analysis for the entire region, such as the indicator analysis during the SCS process. In order for the model to produce meaningful results for sub-regional analysis such as the analysis for the selected communities in the HIA, it has always been recommended by practitioners that models be re-calibrated for the sub-regions before any outputs from the model are directly applied in any sub-regional analysis. The HIA failed to use a re-calibrated sub-regional model to conduct the analysis for the selected communities of Lanare, Laton, Riverdale and West Fresno.

Item 13H: The graphic referenced does not particularly correspond with the five cities listed in the text of the formal comment. Nonetheless, Fresno COG is committed to conducting transportation planning activities that are conscious and mindful of environmental justice (EJ) topics and communities. Fresno COG further understands that addressing the needs and concerns of EJ communities requires multiple strategies and efforts. As such, Fresno COG has made significant efforts to provide for inclusion and participation from individuals and groups within EJ communities. As an on-going activity, Fresno COG organizes the efforts of the Environmental Justice Task Force to address EJ specific needs, challenges and opportunities. The 2014 Regional Transportation Plan (RTP) has included the most recently conducted Environmental Justice Report, in full, as a chapter with the document itself – the first MPO in the State to do so – in a pointed effort to highlight the agencies commitment to equity throughout the transportation planning process.

In addition to the Task-Force activities and report highlighting, Fresno COG is also responding to the financing concerns raised by the EJ communities by proposing both a Needs Assessment to determine infrastructure deficiencies, and a grant program that could potentially designate funding allocations to directly address the findings delivered by this assessment, both of which have been incorporated into the 2014 RTP. Fresno COG understands that often times smaller communities do not have the staff or expertise to submit transportation projects for funding consideration, which can further exacerbate the deficiencies within an EJ community, and create perceived fair-share funding inequalities. To address this need immediately, Fresno COG allocated funding in both the 2013/2014 and 2014/2015 Overall Work Program to retain the services of a consultant team charged with assisting smaller member agencies with both the planning and programming activities associated with Fresno COG. The intent of this program is to increase both the quantity and quality of projects, greatly improving their ability to obtain projects that are shelf-ready and more competitive for eligible funding.

The list of transportation projects identified in the Draft PEIR was determined based on a submission of projects by the local agencies (cities and the County) and Caltrans to Fresno COG. Each of the projects were then evaluated and prioritized based upon a set of evaluation criteria approved by the RTP/SCS Roundtable. While it is true that there are significant numbers of low-income and minority populations

located in Huron, Mendota, Parlier, Orange Cove and San Joaquin, the financially-constrained projects were determined to be those with a reasonably available source of funding, while also meeting the needs, goals, policies, and objectives of the RTP as reflected in the evaluation criteria. These five (5) communities were not specifically targeted to receive less than their "fair share" of transportation funding. This was just the result of the project submission and evaluation process. There are a number of projects that will benefit each of these communities including the following:

- 38 total projects in Huron, including bicycle and pedestrian, street and road capacity increasing and operations and maintenance
- 6 total projects in Mendota, including bicycle and pedestrian, street and road capacity increasing and operations and maintenance
- 8 total projects in Parlier, including bicycle and pedestrian, safe routes to school, street and road operations and maintenance
- 20 total projects in Orange Cove, including bicycle and pedestrian like rails to trails, street and road capacity increasing and operations and maintenance
- 52 total projects in San Joaquin, including bicycle and pedestrian, new streets and roads, alternative fueling stations, and intersection improvements

In addition, it can be challenging for agencies with limited staff to submit projects during the call for project period. Often, these agencies will seek an amendment to the RTP as they identify projects, and are able to allocate staff resources to formulate the project. Seeing this need, as previously mentioned, in November of 2013, Fresno COG secured the services of a circuit planner, whose role is to provide planning and programming assistance to assist these communities, providing them with greater flexibility and project delivery capabilities.

Item 13I: FCOG is striving to meet the goals of SB 375 by engaging the Fresno County Rural Transit Agency (FCRTA) to work with community representatives especially those from the communities of Lanare, Laton, Riverdale, Huron and West Fresno County. As a result of these collaborative efforts there is one new service (Lanare Transit) planned and programed for the Lanare, Riverdale communities which will be a transit shuttle service connecting those communities along this southern corridor of Fresno County with intra community and Inter-City transportation needs to those residents. This service will connect passengers to the Coalinga Transit into Fresno daily and Kings Area Rural Transit (KART) into Hanford as well as scheduled stops within Lanare and Riverdale. The service has been in the works since first meeting with the residents of the Lanare community in September of 2012 with multiple meetings through February of 2014 and surveys taking place in cooperation with the Leadership Council staff and former CRLA staff. The service is set to commence after July of 2014 once all the scheduling, days and hours of service is confirmed. Another change in rural service is the expansion of the Huron Transit Inter-City into Coalinga which currently operates from 9am to 3pm for 5 hours per day. As of July 1, 2014 the Huron transit Inter-City will operate from 9am to 5pm for 7 hours per day so Huron residents will be able to attend college classes and extended business in Coalinga. These new and expanded transit services will enable the residents of disadvantaged unincorporated communities better access to public transit in the rural areas of Fresno County. These new and expanded services will be monitored on a demonstration basis for ridership and cost effectiveness to determine continuation of these services for a period of ninety days after start up.

Item 13J: FCOG adheres to all directives on Environmental Justice and will work closely with regional partners/stakeholders to identify ways to improve our EJ analysis, as feasible and appropriate. An environmental justice analysis was completed and is included in Chapter 3 of the RTP/SCS.

Item 13K: Fresno COG did host a total, combined number of 748 people and community organization representatives at 18 workshops held during the development of the 2014 Regional Transportation Plan. Those attendees represented a vast cross section of under-represented communities throughout the County of Fresno. Chapter 2 of the 2014 Regional Transportation Plan outlines the outreach to those communities in detail.

Fresno COG also commissioned a professional, partial stratified sample survey of participants who were reflective of Fresno County's demographics, including the homeless and non-English speaking populations from the urban and rural areas of the Fresno County region. The survey assessed overall community values and transportation spending priorities.

All of the workshop comments, online comments, scenario selection results from public workshops and online surveys, and professional survey results were presented to and discussed with Fresno COG's Policy Board for their review and consideration when choosing a "preferred" Draft Sustainable Communities Strategy. Three of Fresno Council of Governments' standing committees, the Regional Transportation Plan Roundtable, the Transportation Technical Committee and the Policy Advisory Committee, made recommendations to the Policy Board to adopt Scenario B as that preferred scenario. Fresno COG staff also recommended Scenario B based upon the following criteria:

- It meets the greenhouse gas emission reduction requirements of Senate Bill 375 ambitious and achievable goals
- Scenario B was based on the current planning assumptions (General Plans or general plan updates) of all 15 cities and Fresno County, without requiring the cities and the County to update their general plans which are lengthy and expensive processes
- It is a significant step forward compared to the status quo of previous planning
- It is a growth plan that acknowledges the local land use authority of the cities and the county
- It is on track to meet the goals set in the San Joaquin Valley Blueprint Plan
- It is realistic and feasible growth scenario that allows the Fresno County region grow at its own pace and with its own characteristics

Ultimately the Policy Board had to select a scenario that they found was ambitious and achievable. After reviewing the data, comments, workshop and survey results, and additional information supplied by local agency and Fresno COG staff's two year RTP process, the Policy Board found Scenario B to be their best option.

Additionally, we would like to note that the local agency planners, city managers and elected officials who are responsible for incorporating land use principals into their General Plans did receive, review and consider all of the public input. Much of the SCS process was influenced by comments made throughout the process as Scenarios A, C and D were all essentially built by the public or community organizations in response to public comment.

Item 13L: The 2014 RTP/SCS Environmental Justice analysis evaluates region-wide impacts on low-income and minority populations in Fresno County. The RTP/SCS is intended to address all the communities in an equitable manner throughout the region. Project impacts are addressed in detail during subsequent project-level environmental review, based on more precise information regarding project specifications. FCOG will continue to evaluate and monitor environmental justice impacts at a regional scale.

Item 13M: The key reason that projected revenues, which total \$6.5 billion are not fully allocated to programs or projects is because when Fresno COG released the call for projects, implementing agencies submitted projects that totaled up to \$4.5 billion and not \$6.5 billion. Fresno COG solicits eligible projects for the RTP and relies on implementing agencies to provide projects for scoring and ranking. During the 2014 RTP Call for Projects, Fresno COG aggressively encouraged member agencies to submit every single project that their jurisdiction could foresee being implemented over the life of the RTP. Throughout the development of the RTP, Fresno COG received confirmation from the member agencies that they provided the information that was adequate, available and accessible to them at the time of project submittal. The revenue surplus is a combination of expected funding sources that are both flexible and non-flexible. There are for example, over \$141 million available for bike and pedestrian projects in the RTP, and member agencies acknowledge that it is very likely that additional projects or programs may be amended into the RTP to further maximize the available eligible estimated funding sources.

When Fresno COG initiates a call for projects for the MPO administered competitive funding programs, member agencies and partnering agencies take advantage of the near term funding opportunity and submit their priority projects to be scored, ranked and hopefully selected for funding. These are projects that can be implemented within the four years of the Federal Transportation Improvement Program (FTIP), which represents the short range implementation plan of the RTP. Member agencies prepare detailed project plans hoping to receive a commitment of appropriated funds that will provide the funding resources needed to be able to provide their communities with tangible projects requiring design, right of way clearance, and full construction of a project that can be utilized and accessed by the public. Unfortunately, when funds do become available, through appropriated means, the Fresno COG will not receive enough funding to award every project in need. That is, for instance, Fresno COG received \$49.5 million worth of projects applications during the recent CMAQ call for projects, but only \$18.5 million was made available to award, leaving a large sum of projects unfunded. Unfortunately, member agencies continue to demonstrate that there is a substantial higher transportation need and the funds that are made available are not enough to address the concerns in their communities.

Fresno COG has committed to working with its member agencies and interested members of the public to create a funding program that will assist all Fresno County communities with SCS implementation type projects. Though there are surpluses of expected revenue resources, it is important to reiterate that not all of the expected revenue sources are flexible. As the revenue projection table shows, there are many different fund types that make up the different funding categories (Bike and Pedestrian, Capacity Increasing, Operations and Maintenance, and Transit) and some of those fund types would not be eligible to use on a SCS Implementation type program. As we continue to work with our member agencies and stakeholder groups to develop and implement an SCS infrastructure grant program we will be looking at both the available and eligible funding sources as well as those that we expect throughout the life of the RTP. The needs assessment that has been budgeted in the overall work program will also serve as a tool to identify specific needed projects that can benefit from the available and eligible funding sources and that can be used in existing communities.

Please reference Response 13B for information on how spending for transit and active transportation compare to 2011.

Please Reference Response 13P. Furthermore, though the highest dollar is allocated to Streets & Roads – Capacity Increasing projects, it is important to note that Table 7-2 of the RTP reflects the distribution

of the total projects programmed per mode, categorized by percentage of total dollar amount and percentage of total projects. It is illustrated in two ways to highlight the difference in project costs because certain types of projects simply cost more than others. For example, there are 95 fewer bike and pedestrian projects than capacity increasing projects. Though capacity increasing projects make up close to 40% of the funding allocation and cost significantly more than standalone bike and pedestrian projects, they may also include a bike and pedestrian component that is integrated into the overall cost of the project. Many of Fresno COG's member agencies have a Complete Streets policy; which means when a widening project is constructed or a maintenance project is implemented- such as a road paving; a sidewalk and/or bike lane is also added.

The 2014 RTP Transportation Project List represents an increase in active transportation and transit spending compared to the 2011 RTP. A comparison of the two can be found in Chapter 4, the SCS.

Item 13N: Fresno COG is committed to conduct a county-wide transportation needs assessment, which is reflected in Table 6-1C of the Policy Element, and \$100,000 is budgeted in the FY 2014-2015 OWP for this item. Because Fresno COG's PL fund can only be used in transportation related expenses, the needs assessment will be focused on transportation infrastructure. Other items such as existing built conditions and current health information will be collected through the collaboration with other government agencies that has expertise and data in such areas. The San Joaquin Valley Higher Density Residential Housing Market Study was funded by a Blueprint grant from Caltrans that is not limited to transportation related projects.

Item 13O: Fresno COG, along with its member agencies and stakeholder groups, have actively discussed the development and implementation of a grants program that would further invest in active transportation, transit, planning, and other SCS related activities that are essential to safety and health as well as essential to the reduction of air pollution. Fresno COG is eager and committed to continue working with member agencies and other stakeholders to develop and fully implement this new funding program in the near future. The commitment to develop this program is consistent with the policy element and the financial element. A clarification will be made to the Policy Element in Table 6.1C General Transportation, Environmental Justice / Policies to read:

"Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs."

This clarification will address both the proposed sustainable infrastructure planning and the infrastructure grant program proposals submitted to Fresno COG by a coalition of health, equity, conservation and sustainable business organizations throughout the development of the RTP/SCS process.

This commitment is also reflected in Chapter 7 of the 2014 RTP: Financing Mobility, in Section 7.7 – Sustainable Planning and Infrastructure Grant Program.

Item 13P: The status-quo scenario (the 2011 RTP) would reduce GHG by 8.4% in 2035, instead of 2040. It should be pointed out that not everything in the 2011 RTP was against principles of SB 375. The regions have started looking at sustainable development before the passing of SB375. In the 2011 RTP, the City of Fresno had elements such as mid-rise corridors along Blackstone Ave, BRT along Blackstone-Kings Canyon-Ventura corridor, etc. that contributed to GHG reduction. All the elements in the 2011

RTP plus the new changes in the new planning assumptions, in the general plans updates, in additional investments in transit, and in active transportation contribute to the 11% GHG reduction by the SCS, which meets the targets set by the California Air Resource Board.

Although the SCS shows modest increase in bike, walk and transit trips compared to the 2011 RTP, the majority of the reduction in vehicle travel reduction and GHG reduction comes from the decrease of travel distance, which resulted from more compact development and more mixed use developments in the SCS.

The growth forecast in the 2014 RTP/SCS does assume the economy will pick up at a various rate into the future. The economic downturn did not continue into the future as claimed in the forecast, and was not the major factor contributing to the GHG reduction. The fuel forecast applied in Fresno COG's SCS modeling was consistent with what was used by the Four Big MPOs (MTC, SACOG, SANDAG & SCAG) in the State. The fuel price forecasts by Department of Energy and Department of Conservation were incorporated in the forecast used by the MPOs. Test runs show that Fresno Region would not be able to reach the GHG reduction targets without the City of Fresno's new general plan update, which speaks to the fact that land use changes do contribute heavily to the region's ability to achieve 11% of GHG reduction by 2035. In addition, unlike the bedroom communities in the north and south end of the Valley, Fresno region is relatively self-sufficient. Therefore, there are far less inter-regional long-distance commutes in and out of Fresno. The long-distance commute seems to create high GHG reduction numbers in the north and south end of the Valley due to housing and job imbalance in the Bay Area and Southern California, which does not apply in Fresno County.

The following table shows the per capita GHG emission in Fresno region (in pounds/person):

	<u>2011 RTP(Status Quo)</u>	<u>2014 RTP/SCS</u>
<u>Base Year (2005)</u>	<u>15.8</u>	<u>15.8</u>
<u>EIR Base Year (2012)</u>	<u>15.6</u>	<u>15.6</u>
<u>RTP Interim Year (2020)</u>	<u>14.5</u>	<u>14.4</u>
<u>RTP Interim Year (2035)</u>	<u>14.4</u>	<u>14.0</u>
<u>RTP/EIR Horizon Year (2040)</u>	<u>14.4</u>	<u>13.9</u>

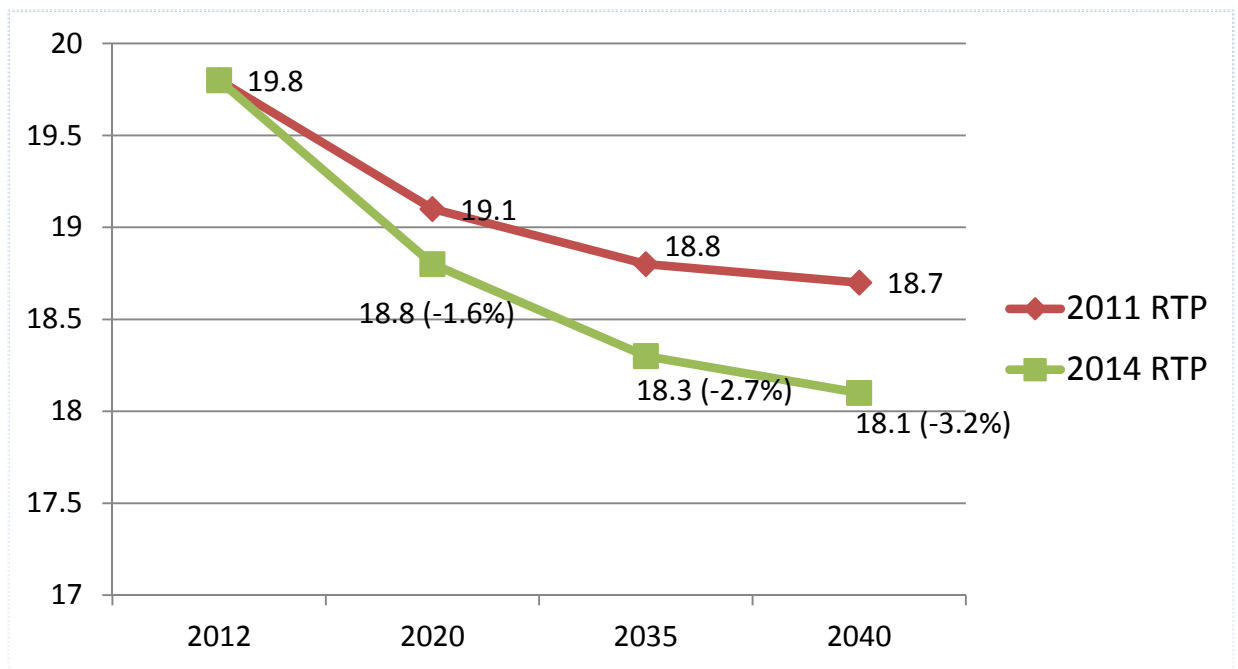
It is also worth noting, per capita GHG reduction curves are not linear, and it gets harder when the number gets smaller. It is incorrect to conclude "77% of the reductions would come from business as usual" by taking the percentage numbers at their face value. In fact, the table shows that Status Quo scenario will leave us stuck at 2020 level by the year 2040. This means the Status Quo could set us back by 20 years. In other words, the policies implemented by SCS moved us forward 20 years.

Due to the fact that many SCS strategies/policies impact on each other, it is hard and misleading to separate such strategies out. For example, residential density itself would not reduce travel or travel related GHG emission. But if combined with transit strategy, mixed-use, and placing jobs closer to residential, then density would play a big role in reducing travel and travel related GHG. The CARB has sponsored multiple research efforts to provide information on potential mechanisms to reduce exposure to criteria pollutants and reduce greenhouse gas emission through improved land use and

transportation strategies. The completed research projects are published on the website at: www.arb.ca.gov.

Fresno COG's SCS modeling shows that Fresno Region is on a solid downward trajectory, either by VMT or GHG emission reduction. The GHG reduction table on page 4-5 of the RTP shows the GHG reduction downward trend, and the VMT comparison chart presented in the SCS public hearing (also shown as follows) also demonstrated a downward trajectory.

Per Capita Daily VMT



The EJ analysis for the SCS also shows that the EJ communities (low-income and minority groups) will not be burdened disproportionately by high and adverse human health or environmental effects. The accessibility measure in the EJ report analyzed the ease of reaching destinations such as schools, major job centers, parks and medical facilities.

Although gentrification has been the focus of attention lately in the San Francisco area, which is caused by high salaried workers wanting to live in the city, Fresno County region has yet to experience that kind of high growth. In fact, the Fresno Region has been trying very hard to attract higher-paid knowledge-based jobs, but without much success. Gentrification is an issue that will need to be dealt with carefully to ensure the existing residents would not be harmed by the new growth, which is desired by the region as economic development and higher tax revenue. For now, it is believed that the priority of Fresno, one of the poorest regions in the State, is to create more jobs, especially higher-paid knowledge based jobs.

Item 13Q: The Draft PEIR does not make any reference to 17 square miles of farmland or rangeland consumed by RTP and SCS projects nor does it reference the City of Sanger in Section 3.3. Furthermore, the RTP and SCS will only impact approximately 91.8 acres of agricultural land outside the current spheres of influence (SOI) or .14 square miles, and a total of approximately 9,853 acres region wide (within and outside of the SOIs). This translates into 15.4 square miles of agricultural land. The reference to almonds in the comment reflects the highest value per acre of all agricultural commodities grown in Fresno County. Referencing the 2012 Agricultural Crop and Livestock Report for Fresno County, the value of crops has consistently increased since 1992 except in 2012 when field and vegetable crops declined. Fruit and Nut tree production value has steadily increased from less than \$1 million to over \$3 million since 1992. While it is understood that any impact is significant (as reflected in the Draft PEIR), Fresno COG is in the process of working with other agencies and local agencies (the cities and the County of Fresno) to develop farmland preservation policies. Development of these policies is a mitigation measure contained in Impact sections 3.3.1 through 3.3.3 of the Draft PEIR.

The Program PEIR was prepared to reflect a regional analysis of impacts related to the proposed project, as appropriate. The responsibility to nominate, potentially fund or partially fund, design, environmentally assess, and construct or implement transportation improvements listed in the Regional Transportation Plan and Sustainable Communities Strategy (RTP and SCS) is the responsibility of local agencies in Fresno County (15 incorporated cities and the County of Fresno), the Fresno County Transportation Authority (FCTA), and Caltrans.

The local agencies are also responsible for preparing general plans to guide land use development and are responsible for approving proposed land use developments consistent with their general plans or amending their general plans to accommodate proposed developments. Each of these local agencies, FCTA, and Caltrans actions requires subsequent environmental review.

Fresno COG, as the regional transportation planning agency, is only responsible for preparing the RTP and SCS, working with federal, state, other regional (including the FCTA), and local funding agencies to identify and program funding for transportation improvement projects nominated by Caltrans, the FCTA (consistent with the Measure C Expenditure and Implementation Plans), other regional agencies such as the Fresno County Rural Transit Agency (FCRTA), and local agencies. Fresno COG has no authority to prepare final design services, environmentally review, acquire right-of-way, or construct any transportation improvements listed in the RTP and SCS other than those it administers under contract with the FCTA (Vanpools, Rideshare Programs, etc.).

As a result of the responsibilities noted above, Fresno COG can only identify appropriate mitigation measures that should be carried out by the local agencies, other regional agencies, and Caltrans and further reference the need for subsequent environmental analysis. Where Fresno COG has responsibility to address an impact, it has identified mitigation measures that it has the authority to carry out or implement.

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities. It is expected that such policies will be developed by the COG during Fiscal Years 2013/14 and 2014/15.

For additional details, please reference Response to Comment 13E.

Item 13R: Figure 4-23, on page 4-26 of the Draft EIR is a visual representation of ALL capacity increasing projects within the plan. No additional details were given regarding a singular project on the map in order for staff to respond with a specific notation within the project list. If indeed a specific location is identified, staff is happy to discuss its project list details and description.

Responding to the comment related to EIR Impact 3.3.3, mitigation measures reflected in Chapter 3, Section 3.3, and in Impacts 3.3.1 through 3.3.3 are appropriate and applicable to address cumulative impacts noted. Further, cumulative and growth-inducing impacts have also been identified and mitigation measures have been referenced in Chapter 5 of the Draft PEIR beginning on Page 5-3 and on Page 5-7.

In addition, the cumulative impacts of transportation improvements have been identified and mitigation measures have been developed as reflected in Chapter 5 of the Draft PEIR beginning on Page 5-16. The transportation improvements identified in the RTP and SCS are reflective of growth and development planned in accordance with locally adopted general plans; including adopted or draft land use and circulation elements. Local agencies, other regional agencies, and Caltrans, as noted above, construct transportation improvement projects. As a result, Fresno COG's role is to encourage implementation of the mitigation measures listed under each of the impacts noted in Section 3.11 of the Draft PEIR and in Chapter 5 of the Draft PEIR. Furthermore, in most cases, the funding for projects includes funding for preliminary design and environmental clearance. It would not be possible for Fresno COG to require a mitigation plan from local agencies before they receive funding through the COG.

Furthermore, local agencies must provide environmental clearance for each project it implements. As a result, appropriate environmental evaluation and mitigation will be identified by the local agencies, other regional agencies, and Caltrans. They are also required to address the growth inducing impacts of individual transportation improvement projects. It would not be possible for Fresno COG to address the growth inducing effects or impact of each individual improvement project in the RTP and SCS given its lack of project-related data and project design implications. Growth inducing impacts are also listed in Chapter 5 of the PEIR starting on Page 5-3.

The RTP and SCS do follow Blueprint principles noted on Page 3-174 of the Draft PEIR. Implementation of the RTP and SCS has shown to reduce GHG impacts consistent with targets set forth by the California Air Resources Board (CARB). Mitigation measures reflected are appropriate for the impacts identified. Fresno COG has already identified a mitigation measure in the Draft PEIR that addresses development of a grant program to reduce GHG emissions from transportation projects. Specifically, the mitigation measure states:

- Continue Development of a GHG Reduction Funding Program

Fresno COG will continue to develop a GHG Reduction Funding Program to reduce GHG emissions from transportation projects. Fresno COG member agencies (the cities and the County) will be eligible to apply for the funding through a formal funding application process.

CEQA does not require, nor does it identify an environmental checklist for analysis of social and economic impacts. While many of the transportation projects identified in the Draft PEIR are located near minority and low-income communities and households, there are a significant number of projects that are expected to provide a benefit to these communities in the form of increased and improved transit services and other active transportation systems. It should also be noted that the preferred

project alternative would provide a better mix of single and multi-family housing units which would result in increased housing affordability and housing choice which would also benefit these communities.

The preferred project alternative (SCS Scenario B) is consistent with the draft and/or adopted general plans of the cities and the County of Fresno. Each of the communities throughout the County will experience growth and development between 2014 and 2040 considering market conditions, planned land use development, the location of jobs, other amenities, and the provision of adequate and/or enhanced access via a multimodal transportation system. Increased VMT to new towns included in draft and/or adopted general plans will not be at the expense of existing communities. The cities and the County plan for housing and employment development to address a demand and to ensure that the growth is logical, justified, and enhances the quality of life within the County. The new towns will not only include the development of housing but other community amenities and services including shopping, office, light industrial development and public services. These amenities will result in localized trips vs. longer trips to existing communities for services.

In addition, Fresno County requires new development to pay for the community services that it requires through assessment districts, impact fees, and other funding mechanisms.

Item 13S: Thank you for the detailed comments provided in Appendix 1 to your May 15, 2014 comment letter. Due to the federal and State deadlines that Fresno COG is required to meet, the numerous changes requested for the Policy Element cannot be incorporated at this time, since it would require taking the requested Policy revisions through our committee and Board processes as well as recirculating the 2014 Regional Transportation Plan and associated documents. It is anticipated by Fresno COG staff that these suggestions will provide meaningful substance as we move toward work on our next update to the Regional Transportation Plan.

Item 13T: Comment noted

Best Regards,

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

Tony Boren
Executive Director
Fresno Council of Governments

Attachment: Leadership Counsel Letter dated May 15, 2014 – Notated



#13



May 15, 2014
Hand Delivered

Barbara J. Steck, Deputy Director
Fresno County Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

RE: Comments to Fresno RTP and Draft PEIR

Dear Ms. Steck:

Thank you for this opportunity to comment on Fresno COG's Regional Transportation Plan (RTP) and first ever Sustainable Communities Strategy (SCS). We write to you as a coalition of health, equity, conservation and sustainable business organizations that has been involved in this RTP / SCS development process over the last three years.

As laid out in SB 375, an SCS offers the opportunity to create a vision to improve public health, economic opportunity, and sustainability in communities throughout a region. The RTP, in turn, can allocate investments to make this vision a reality. We commend this plan's strengths. It anticipates more diverse housing choices in line with market trends, and we estimate that it will significantly boost spending on public transportation. We appreciate that development of this plan involved more community members, from more geographically diverse regions of the county, than have ever participated in RTP development based on our experience. We would especially like to recognize that the Fresno Council of Governments (FCOG or COG) has taken an important step toward achieving state-wide, regional and local goals through its recommendation of three policy proposals designed to improve sustainable development and investment throughout Fresno County.

The plan must go further, though, to put our region on the path to sustainable, healthy, and equitable growth. It must prioritize investment in existing communities that further public health, distribute all available funding equitably, better preserve working lands and open space, and plan for and invest in greater access to healthy communities and economic opportunities for all residents of Fresno. In this correspondence and an attached appendix we suggest policies and actions to further these objectives. In summary, we recommend that this plan:

- 13A • Incorporate a policy allocating RTP investments to existing cities and communities first
- 13B • Allocate all resources at the COG's disposal, especially to increase investments in active transportation and transit, most of all in disadvantaged communities with unmet needs
- Analyze how investments in active transportation and transit compare to the 2011 plan, ensuring that this plan represents a significant improvement
- 13C • Undertake a needs assessment to develop and implement a plan to address unmet transportation and related infrastructure needs throughout the County
- 13D • Develop a robust grants program to ensure adequate funding to address unmet transportation and related infrastructure needs throughout the County
- 13P • Ensure land use and transportation policy changes drive short- and long-term GHG declines
- Develop and implement anti-displacement measures
- 13E • Adopt a Natural and Working Lands Conservation Policy that promotes avoidance of impacts; fully analyze and mitigate impacts of RTP transportation projects; and clarify the mitigation needed for a land use project to be deemed consistent with the SCS
- 13T • Strengthen the RTP as a planning tool by increasing its internal consistency and adding a plan to track its progress
- 13R • Address deficiencies in the PEIR analysis and mitigations

I. Focus Growth and Investment so that All Existing Communities May Thrive

Invest in Existing Communities First

While it has many strengths, this plan unfortunately simply does not do enough to support growth and investment in existing communities. The Draft RTP itself recognizes that maintaining service consistent with population and service area growth leaves many needs unmet,¹ yet the development pattern in Scenario B continues business-as-usual trends to expand beyond existing communities. Furthermore, the SCS anticipates growth in new communities while a number of cities and towns would grow at about half the rate projected in their general plan.

- 13F The RTP and SCS should instead set out a transportation and land use plan that focuses growth in communities where people live today. To ensure that limited and valuable dollars are directed towards improving existing neighborhoods and communities, particularly those that stand to benefit most from investments in infrastructure and transit services, FCOG should adopt a policy in Table 6-1B (General Transportation Multimodal System - Future Travel Demands & Financial Resources) that allocates RTP investments in existing cities and communities first.

Grow and Invest in Ways that Address Key Health Needs

The American Lung Association's State of the Air 2014 report released on April 30, 2014 now shows that Fresno is the most polluted city in the United States by fine particle pollution, and the fourth most polluted by ozone. Many communities lack access to basic services and critical opportunities. Many of the same communities suffer disproportionately the effects of air pollution and environmental degradation. Recently, the California Office of Environmental Health Hazard Assessment release a second draft of the California Environmental Screening Tool (CalEnviroScreen 2.0), that identifies communities at greatest risk from the impacts of environmental degradation. Most of California's top 20% of disadvantaged communities reside in the San Joaquin Valley; 8 of the 10 most vulnerable census tracts are in Fresno County.

Fresno residents also face much higher rates of obesity than the state as a whole and have the state's fourth highest death rate for diabetes. These conditions are affected by the design of our neighborhoods and can be improved through healthier transportation options. As Fresno grows, we must reduce air pollution and chronic disease burdens on residents' quality of life.

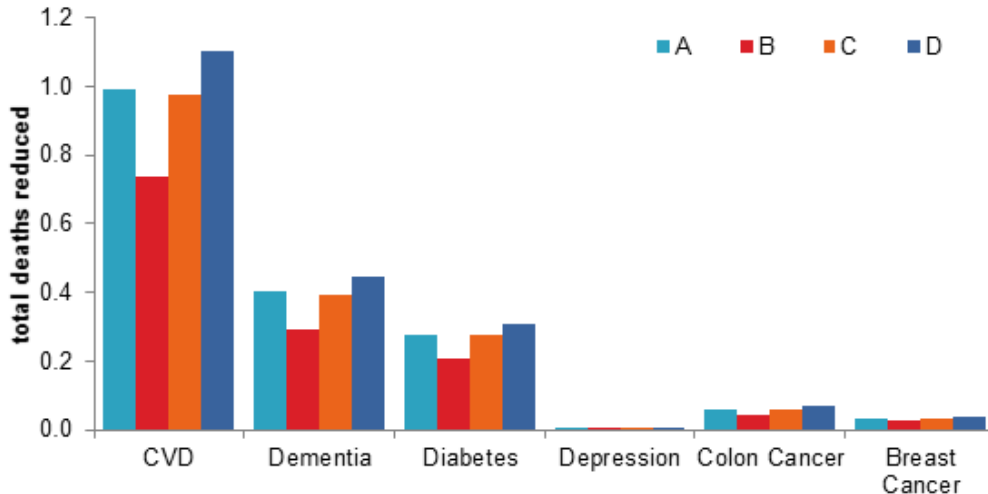
- 13G Unfortunately, this plan does not go far enough to encourage healthier land use and transportation network. The proportions of travel by transit and active transportation barely increase.² The Board selected the scenario that does the least to improve public health. Many of the undersigned organizations participated in a Health Impact Assessment (HIA) that assessed different scenarios' impacts on health in select communities. (We have attached the HIA to this

¹ Draft 2014 Regional Transportation Plan 5-40

² Transit shifts from 1.48% in 2008 to just 1.56% in 2040, bike-ped shifts from 6.47% in 2008 to 6.65% in 2040, per Table 3-86 and 3-87 in the PEIR.

correspondence.) Their impact on the total incidence of physical activity-related diseases in Fresno County is illustrated below. Scenario B did the least to reduce physical activity related diseases. The draft 2014 RTP can and must strive for more health gains to build a healthy and sustainable region.

Reduction in Mortality from Active Travel By RTP Scenario



13H Invest Transportation Dollars Equitably To Help Existing Neighborhoods and Communities Become More Walkable and Transit Friendly

Every city and community needs investments to fix potholes, build sidewalks and bike lanes, develop safe routes to school programs, upgrade streetscapes to encourage private investment, develop affordable housing and improve public transit. Yet some cities and towns would receive investments that are far lower than their share of the population.³

³ This chart divides each jurisdiction's budget by the total regional budget. No jurisdiction will receive 100% of its "fair share" because the region's budget also funds agencies like CalTrans. The City of Fresno was not included on this list because in subsequent analyses that allocated transit agency budgets to the jurisdictions, Fresno moved from an underfunded tier to a more moderate tier.

Jurisdictions Receiving the Least Proportionate Share of Funding			
	% of region's budget	% of region's population	% of "fair share"
Parlier	0.1%	1.6%	4%
Mendota	0.1%	1.2%	7%
Coalinga	0.2%	1.8%	14%
Kerman	0.5%	1.5%	31%
Huron	0.3%	0.7%	36%
Sanger	1.3%	2.6%	49%

This allocation is troubling, as it does not prioritize investment in those communities, both incorporated and unincorporated, that have been historically underrepresented in planning and investment decisions. The PEIR analysis finds that low-income and minority populations are concentrated in five areas throughout Fresno County – Huron, Mendota, Parlier, Orange Cove and San Joaquin – several of which would receive the most disproportionate investment in this plan. In fact, while existing neighborhoods demonstrate significant need and could reap significant benefits from strategic investment for current and future residents, the RTP allocates growth and investment beyond and outside of existing communities.

HIA transit findings: a failure to improve transit service communities beyond metro Fresno

- 13I While the 2014 draft RTP increases the total percentage of transit spending, it does not appear to improve service to residents of the majority of West Fresno nor of disadvantaged unincorporated communities such as Lanare, Laton, Riverdale.⁴ As the draft RTP states, poor service frequency, short service hours, and multiple transfers create long travel times making public transit a distant last choice for travel.⁵ FCOG should strive to meet the goals and intent of SB 375. Currently, residents from these communities are forced to rely on personal vehicles to get to where they need to go, thereby increasing vehicle miles traveled. The draft 2014 RTP should expand transit service through 2035 beyond just the Fresno-Clovis Metropolitan Area by working with transit providers and maximizing transit dollars to provide improved and more frequent transit service.

Prevent Disproportionate Impacts on Disadvantaged Communities

- 13J The Fresno COG restates the accepted tenet of environmental justice at the outset of the environmental justice report of the RTP pledging: “fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.”⁶ However, the RTP and SCS fall short of setting measures to achieve environmental justice within our

⁴ The HIA measured this as access to key destinations by means of transit trips of 45 minutes or less.

⁵ Draft 2014 Regional Transportation Plan 5-26

⁶ Appendix I, p 1

county. In fact, as presented, this RTP may further disproportionate impacts on low income communities and communities of color.

Failure to consider public input on scenario selection

- 13K Fresno COG accepted scenario B as the preferred scenario although that scenario was not the preferred scenario identified by the public during the outreach meetings. The concept of “meaningful participation” is diminished if the decision-making body fails to offer due consideration to the voice of the public. The COG should ensure robust involvement of under-represented communities in RTP implementation efforts and capitalize on such involvement in this RTP and subsequent RTPs to improve the health and well-being of disadvantaged communities.

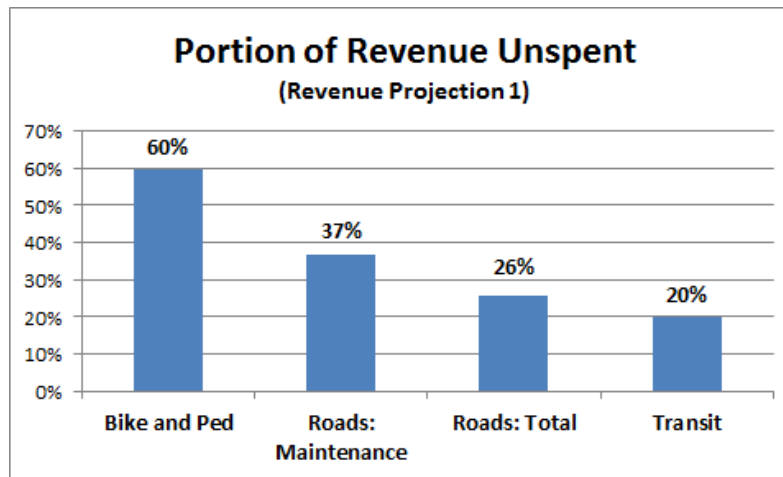
13L Failure to assess Burden of Environmental Impacts on Disadvantaged Communities

Eight of the 10 most vulnerable census tracts in California – based on demographic and environmental metrics - are in Fresno County. Yet the RTP fails to analyze the extent to which the preferred scenario may further impact and disadvantage those vulnerable communities compared to other alternatives. The RTP should assess environmental impacts on those eight communities and other vulnerable communities in the region, include a policy to proactively protect the most vulnerable communities from further degradation, and take steps to address the inequitable distribution outlined above.

13M **Leverage Available Funding for Needed Transit and Active Transportation Improvements**

The region *does* have the resources to help all neighborhoods be healthy and prosperous. However, Fresno is not tapping all the resources at its disposal nor allocating available funds to best move the region toward greater health and sustainability. This RTP estimates that \$6.5 billion in revenue will be available through 2035, but it would spend just over \$4.5 billion. That’s two billion dollars, or 30%, of projected revenues that could be allocated to promoting healthy, equitable and sustainable growth in existing communities.

No information is provided on how spending for transit and active transportation compare to 2011. Comparing the budget to planned expenditures, the least-subscribed programs are those for active transportation and road maintenance. These investments are not only essential to safety, reducing air pollution, and increasing physical activity; they also attract new private investment and infill into existing communities, where they can support or enhance property values and quality of life in Fresno’s neighborhoods. The RTP fails to fund much needed investments in active transportation and transit, instead continuing to spend the greatest portion of funds on capacity-increasing road and highway projects.



Address the Plan's Shortfalls by Full Implementation of Key Coalition Proposals

The COG staff and Policy Advisory Committee recommendation to incorporate coalition proposals is to be commended. We are very grateful for the positive dialogue that allowed their consideration. Their full implementation can help the region begin to address the shortfalls identified above.

13N The Health and Infrastructure Needs Assessment

While the COG, the Coalition and others have identified key areas of need for investment throughout the County there is no comprehensive analysis of needs and critical opportunities for investment. To make its linkage to this plan clear, we believe a policy regarding the development of the needs assessment shall be added to Table 6-1C of the Action Element. Furthermore, we continue to ask that this policy not focus solely on transportation infrastructure deficiencies but the full range of health inequities and infrastructure gaps. We are hopeful that this broader scope can be funded in the same ways that the COG funded other important non-transportation studies and planning efforts, such as the San Joaquin Valley Higher Density Residential Housing Market Study.

13O The Proposed Sustainable Planning and Infrastructure Program

A well-designed grant program can be a critical tool in addressing those challenges. The proposed Sustainable Planning and Infrastructure Program that creates a grant program is a very positive step. We encourage the Board to approve this proposal and then ask staff to incorporate its general intent into this RTP, where it can address several critical weaknesses of this plan. The Proposed Sustainable Planning and Infrastructure Program would support SCS implementation by enhancing the ability of existing neighborhoods to serve as walkable, bikeable, transit-oriented or transit-ready areas for people of all incomes and by meeting the needs identified in the needs assessment. Non-infrastructure programs, such as those that support Safe Routes to School should also be considered. Models to learn from exist throughout the state, such as the

San Joaquin Council of Government's Smart Growth Incentive Program. Because this proposal will take advantage of the excess revenue, particularly in active transportation, and correct the underfunding of disadvantaged cities and towns, we believe it should be incorporated into this RTP as follows:

- Include a policy regarding the development of the grant program.
- In appropriate sections of the Action Element, describe how the grant program can support the development of multimodal neighborhoods and increase transit ridership and the rates of walking and biking.
- Include in the financial element and estimate of revenue allocated to this grant program.

13P

II. Clarify and Increase the Plan's Short and Long Term GHG Emission Reductions

The goal of SB 375 is to reduce greenhouse gas pollution while concomitantly improving public health and access to opportunities by making it easier for people to drive less. We applaud the COG for creating a plan that would meet its SB 375 emission reduction targets. However, we are concerned that the plan could be stronger in general, fails to maintain GHG reduction trends over time, and fails to distribute benefits equitably.

Scenario B had the lowest GHG reductions of all scenarios considered, and in many ways, this plan is still very close to business as usual. In fact, the business-as-usual planning scenario would reduce GHGs by 8.4% in 2040, while Scenario B would only achieve a reduction of 10.97%. In other words, 77% of the reductions would come from business as usual, not the policies implemented by this plan. SB 375 requires the RTP to be "action-oriented," meeting targets via their development pattern, transportation network, and other transportation measures and policies.

The plan does not include an analysis of how anticipated reductions will come about. It is not clear how the plan will reduce vehicle miles traveled and GHG by approximately 11% when it has fairly modest results on several other important indicators. For instance, if this plan is not significantly increasing the amount of trips for which people walk, bike and utilize public transit, (see Footnote 2 above) then how will it effectively decrease vehicle travel?

The intent of SB 375 is for the region to make it easier and more convenient for people to drive less via land use and transportation policies. External trends such as an economic downturn or gas price increases may or may not materialize. The fact that the majority of reductions comes from business as usual suggests that the reductions may stem from such external (non-policy) causes. If these circumstances change (e.g., if the economy picks up again), the region may suddenly find itself headed in the wrong direction with respect to harmful GHG pollutants.

This plan should pay close attention to how GHG reductions intersect with equity issues. If external forces -- a lack of jobs, unaffordable gas -- are the cause of our reduced driving, does that means that people are not *choosing* to drive less, but instead *having no choice but to drive*

less, e.g., not able to afford to drive? Second, are adequate measures being taken to provide lower-income group with access to transit and active transportation options? Since lower-income populations use those travel modes at higher rates than higher-income groups, it is important that displacement not push lower-income people out of transit-oriented and walkable neighborhoods.

Based on evidence from other COGs, we also have concerns that the entire Valley may have experienced a significant short-term decline, perhaps caused by the recession or by gas prices. Greenhouse gases and other key indicators might have then flattened out or even resume a long-term upward trend. Executive Order (S-03-05) calls upon the state to reduce GHG to 80% below 1990 levels by 2050. To ensure that the region is on the right path, we ask that this RTP:

- Provide a clear explanation and a table expressing how individual policies and other, external factors (e.g., economic changes, gas prices, interregional trips) achieve these levels of GHG reductions, including descriptions of all model inputs and methodologies;
- Provide figures for today's values (2012) so that we can understand how 2020, 2035, and 2040 compare not only to 2005 but also to today;
- Demonstrate that the majority of reductions come from policy improvements, rather than economic shifts, rising gas prices, or other factors outside of the region's control;
- Analyze travel pattern changes by income and geographic location to ensure that reduced VMT does not reflect a reduced ability to reach key destinations;
- Ensure anti-displacement measures to (1) ensure that existing residents of communities that will benefit from improvements in pedestrian and transit infrastructure, and (2) to ensure that existing residents are not forced to move due to increased housing costs, thus increasing their commute distances and/or making transit or active travel infeasible;
- Ensure the region is on a solidly emissions downward trajectory, if necessary improving the land use scenario and transportation plan to reach this goal.

13Q **III. Preserve our agricultural economy, farmland, open space, and Natural Resources**

The Draft RTP/SCS projects consumption of nearly 17 square miles of farmland and rangeland—an area more than three times the size of Sanger.⁷ This pattern of growth simultaneously consumes the agricultural resources that power our economy while undermining efforts to revitalize existing neighborhoods, reinvigorate business corridors, and reinvest in downtown development. Loss of farmland as anticipated in the RTP threatens tens, if not hundreds, of millions of dollars per year in economic activity and puts agriculture-related jobs at risk.⁸

⁷ Draft EIR p. 3-35

⁸ For value of average harvested acre of almonds (\$5,692), see Fresno County Department of Agriculture. 2012. Fresno County Annual Crop & Livestock Report. Retrieved from

This inaugural RTP/SCS process offers the Fresno region an opportunity to acknowledge and address its historic patterns of inefficient development. The Fresno COG has the authority and responsibility to determine which regional transportation projects it will include in the RTP/SCS, which projects it will fund, and which projects will be eligible for CEQA exemptions and other streamlined permitting requirements.⁹ By promoting conservation practice and policy, Fresno COG will not only be complying with state law but also facilitating a uniform conservation platform across the county that will assist business development into the future.

The COG should adopt a Natural and Working Lands Conservation Policy identical to or similar to the language provided for the PAC meeting on May 9, 2014. The COG should add a “Land Conservation” section to Chapter 6: Policies, fully analyze the land conversion impacts of RTP-funded *transportation* projects, and require mitigation for unavoidable impacts. Fresno COG should also make explicit in the RTP that for a *land use* project to be deemed consistent with the SCS, it must adhere to the mitigation hierarchy: avoidance of impacts is prioritized, followed by minimization, followed by mitigation. Finally, we request that the COG recommend local jurisdictions to fully mitigate land use projects for farmland, habitat and other natural resources, on land with conservation values and functions equal or greater to impacted lands.

IV. Strengthen the RTP as a Planning Document

Better Integrate and Ensure Consistency Among the Plan’s elements

The goal of SB 375 is to provoke conversations about the integration of land use and transportation planning. To do this, the SCS and RTP need to be internally consistent. The various elements of the plan seem to stand in isolation from one another. For example, it is unclear how the policy element relates to the project list, or how the project list meets the needs in the transportation element.

13T

Track Progress

The COG should track SCS performance indicators over each four-year interval between RTPs and report on them. Progress – or the lack of it – will provide valuable information to the Policy Board. With this information, and with clear-cut indicators clearly in mind, the COG Policy Board will know what inputs in the form of revised policies, scoring criteria, and transportation needs should be entered into the next RTP to create lists of projects that achieve more desirable outcomes.

<http://www.co.fresno.ca.us/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=55145&libID=55154>. For multiplier of 3.50 to account for agricultural value chain in Fresno County, see Draft EIR p. 3-31

The RTP should include a commitment to develop a committee with broad community and agency representation to help plan for the next SCS round by analyzing progress made on existing policies and recommending new policies, as appropriate. The committee should include affordable housing advocates, transportation advocates, neighborhood and community groups, environmental advocates, home builder representatives, broad-based business organizations, landowners, commercial property interests, and homeowner associations, as called for in the public participation planning section of SB 375 (section 65080(b)(2)(E)(i)).

13R **V. Address Deficiencies in the Draft PEIR**

The PEIR Should Include a Full Analysis of Land Conversion Impacts and Provide Programmatic Mitigation for the Growth-Inducing Impacts of Transportation Projects.

Impacts of construction

We respectfully request a fuller analysis of land conversion impacts in the EIR. The true impacts of transportation projects in the Fresno RTP/SCS cannot be determined without analysis in the EIR, yet the Fiscally Constrained Project List does not even include linear lengths (distances) of widening or new highway construction projects, or how much right-of-way is being used or acquired. Both the Bay Area (Plan Bay Area) and SACOG quantified the land conversion impacts from their transportation projects. It is essential that Fresno COG quantify the lands being converted due to RTP projects, so that impacts can be assessed and appropriate mitigation occur.

Impacts of growth inducing transportation projects

In the EIR, Impact 3.3.3 cursorily considers possible impacts from improved transportation infrastructure: “owners of agricultural lands nearest to urbanized areas may feel pressure to develop as transportation improvements within proximity of these lands are improved or implemented” (pg 3-42 to 3-43). These growth-inducing impacts of transportation projects in the RTP/SCS also require programmatic-level mitigation.

Failure to properly mitigate for impacts on water resources

The COG continues to defer all review and mitigation to the local jurisdictions or implementing agencies. The COG does have authority over transportation projects, as stated above. This document is not an adequate program-level analysis of the impact of the RTP/SCS transportation projects on Hydrology and water resources. The COG should do a program-level analysis of the cumulative impacts on hydrology and water resources of all projects on the RTP Project List, both with respect to the projects themselves and with respect to the growth such projects can and will induce. Furthermore, mitigation measures can and should require that local jurisdictions provide a mitigation plan before receiving funding for projects identified in the RTP for impacts on water resources that result both directly from project construction and growth induced by a project.

Failure to properly mitigate for increased GHG emissions caused by vehicle travel

The COG acknowledges in Impact 3.6.1 that “Increased Transportation GHG Emissions May Contribute to Climate Change.” Yet the COG’s primary mitigation strategies would occur “through Implementation of the Regional Blueprint and the RTP SCS.” How can the COG pursue both implementation of the Regional Blueprint and the RTP SCS, when in some cases the RTP SCS does not follow Blueprint principles? Implementation of the RTP SCS is the very cause of the GHG impact that needs mitigated. The mitigation measures here should focus on strategies that go beyond the reductions in the SCS / RTP. One strategy that can be highlighted would be the development of a grant program that funds local jurisdictions’ efforts to plan and build enhancements to existing neighborhoods to make non-auto travel more convenient.

Failure to assess impact on low income communities and communities of color

The Draft Environmental Impact Report concludes that there will be “no significant impacts on minority or low-income communities.” As noted above several of the Scenario’s deficiencies threaten to impact low income communities and communities of color disproportionately. These include the Scenario’s plan for and investment in new communities that will further strain resources that could be available for low income communities, the concomitant reliance on reduced VMT from existing communities to counteract increased VMTs generated by new towns and the failure of the RTP to invest sufficient funds in active transportation and transit projects throughout the County. The Draft PEIR’s finding of no significant impacts forecloses the COG from developing mitigation measures for this disproportionate impact.

VI. Conclusion and Further Suggested Policy and Action Changes

We would like to thank the Fresno COG again for accepting these comments for its work to create the region’s first SCS. This SCS begins the course to a healthier more sustainable region and we look forward to working with the COG in the coming weeks, months and years to make this RTP and SCS stronger and subsequent plans stronger so that they can effectively and equitably fulfill their role to frame and foment a strong, healthy and sustainable Fresno.

In addition to, and in complement of, the recommendations we’ve outlined above, we have attached Appendix 1: Recommended Changes to the Action and Policy Element. We welcome your questions and feedback on the recommendations identified therein as well as those recommendations outlined in this correspondence.

Barbara J. Steck,
May 15, 2014
Page 13

Respectfully submitted,

/s/
Dan O'Connell
AMERICAN FARMLAND TRUST

/s/
Cesar Campos
CCEJN Coordinator

/s/
Marty Martinez
Northern California Policy
Manager

SAFE ROUTES TO SCHOOL
NATIONAL PARTNERSHIP



Craig Breon

/s/
Rey León
Executive Director
Valley LEAP

/s/ Gavin Feiger
SIERRA NEVADA ALLIANCE



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/s/
Sabina Gonzales
Regional Director
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/s/
Carey Knecht, Associate Director
Climate Plan

Appendix 1: Recommended Changes to the Action and Policy Element

We offer the following suggested Changes and Additions to the Action and Policy Element – Edits and additions to policies are underlined. Deletions are in strikethrough.

The Draft RTP identifies the following proposed action to support the region in ensuring that air quality standards are met: Fresno COG, Fresno County and its fifteen cities will encourage land use patterns which reduce dependency on the automobile, reduce energy consumption, and support the use of transit and other alternative modes.¹⁰ This proposed action begs for further strengthening. FCOG should implement actions that result in real land use changes that help meet air quality standards by encouraging, allocating resources, and providing funding to its member jurisdictions via the Sustainable Planning and Infrastructure Program to update neighborhood and community plans that will result in making existing communities more compact, affordable places to live with greater access to jobs and services and increased use of transit and active transportation. FCOG will allocate a portion of flexible spending dollars and future cap and trade dollars to support this grant program.

Table 6-1A

Ensure that public and private transportation providers, community residents, community based organizations, and other interested parties have an opportunity to provide input into the transportation planning process.

Develop and fund bicycle and pedestrian facilities as well as needed community plans to make active transportation a viable alternatives to single-occupancy vehicle use.

Decisions on improvements to the transportation system shall take into account the effective use of all modes and facilities, and any possible impacts low income communities.

Encourage and support the development of methods to expand and enhance transit services and to increase the use of such services, particularly in low income and environmental justice communities.

Support and fund the coordination or consolidation (~~where appropriate~~) of transit and paratransit services to provide more effective, efficient and accessible transportation services.

- The use of where appropriate can potentially exclude low income areas that presently do not have service.

Allocate funding to encourage local jurisdictions to provide incentives to promote public transit, walking and bicycling.

¹⁰ Draft 2014 Regional Transportation Plan 5-125

Table 6-1B

~~Procure~~ Actively seek and apply for, and leverage federal, state and local transportation funding to the maximum degree possible, in order to develop a regional transportation network which serves the residents of the region in the most economical, effective and efficient manner possible.

Table 6-1C

Seek to ensure the full and fair participation by all potentially affected communities in the transportation decision making process by ensuring involvement of and transparent exchange of information with of community residents and organizations with knowledge of diverse communities throughout Fresno

Seek and apply for funding for projects that improve bicycle and pedestrian facilities and improve access to public transit in low income communities.

Conduct a needs assessment that catalogues current health conditions, quality and access to transit service, sidewalks, bike lanes, safe and quality housing, basic infrastructure (safe drinking water, wastewater service, storm water drainage), and opportunity for infill development.

Table 6-1E

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 and land use network which is environmentally sensitive and helps reduce greenhouse gas emissions wherever possible

Polices under Goal: A regional transportation network consistent with the intent of SB 375 (Senate Bill 375 also known as the Sustainable Communities Protection Act of 2008) must be consistent with the SCS.

Avoid or fully mitigate all significant impacts of new transportation facilities on low income communities, environmentally sensitive areas and natural resources, ~~if feasible.~~

Allocate housing and employment growth in existing cities and communities to ensure a fully planned and funded for transportation network.

Develop a the Sustainable Planning and Infrastructure Program to support existing cities and communities to engage in smart growth planning efforts and fund the infrastructure necessary to create walkable, transit ready places to live.

Projects on behalf of or in disadvantaged communities will receive additional ranking points in competitive funding processes to ensure that small cities and communities will receive funding to help meet the goals of SB 375.

Allocate housing and employment growth to existing built cities and communities to ensure that they all contribute towards GHG reduction targets.

Table 6-3A

Provide a transit system that meets the public transportation needs of existing cities and communities, particularly in low income areas, within the service area.

Provide, improve and fully fund transit services that serve low income, elderly, and disabled communities, and include those users in the project review period.

Ensure that transit and active transportation needs are met in existing cities and communities before investments in new growth areas occur by providing funding to address disparities in need.

Table 6-3F

Policy: Provide incentives to reduce dependency on single vehicle occupancy travel without compromising travel mobility. **This policy is unclear and does not realistically achieve the goal of supporting transportation investments that work toward accomplishing air quality goals, optimize utilization of land and encourage a stable economic base.**

Additional points will be given to existing cities and communities that propose projects that promote infill development, bicycle and pedestrian improvements, and increased access to public transit during the project scoring process.

Maximize funding for bicycle and pedestrian projects, especially for those in low income areas.

Table 6-5A

Include and fund bicycle and pedestrian transportation planning as integral parts for the Fresno COG's transportation planning program.

Encourage, provide funding to and assist member agencies to develop new or update existing bicycle and pedestrian transportation plans which are integrated with the regional bikeways system and which provide for bicycle use and walking as alternatives to the automobile for short trips.

Encourage, provide funding to, and assist member agencies to include bicycling and pedestrian sections in all transportation-related documents including, but not limited to, circulation elements of general, community, and specific plans.

Encourage, and provide funding to, member agencies to plan and provide for bicycle and pedestrian-friendly development, including infill development to enhance existing communities and increase the number of compact, mixed-use, and mixed-income neighborhoods, as well as encourage bicycle travel and walking in new development plans and projects.

Encourage and fund member agencies in identifying crucial origins and destinations where bicycling and walking are particularly likely, such as transit stops, schools, and neighborhood-serving retail, and planning and building a dense network of safe and attractive streets for walking and biking.

Encourage and fund member agencies in developing educational programs that increase walking and biking, such as Safe Routes to Schools programs.

Table 6-5B

Encourage and fund member agencies and Caltrans, to the extent feasible and practical, to maintain the regional bikeways system free of deterrents to bicycling such as debris, gravel, glass, leaves, and any other extraneous materials.

Encourage and fund member agencies to adopt policies or design standards to include accommodations for bicycle and pedestrian travel on all new construction, reconstruction, or capacity increasing projects on major roadways where reasonably feasible. Such accommodations may be made by a separate bike and pedestrian path, sidewalks, bicycle lanes, or a shared roadway. A shared roadway would include a wide outside lane or a paved shoulder.

Encourage and fund member agencies and Caltrans to develop, stripe and sign bikeways consistent with state design standards in order to develop a visually consistent, clear, simple and recognizable bikeways system with clearly defined travel areas and boundaries.

Encourage member agencies and Caltrans to give top priority to bikeway and pedestrian projects that serve disadvantaged communities where none exist, and second-highest priority where they will link existing separated sections of the system and that will serve the highest concentration of bicyclists and pedestrians and destination of highest demand.

- Without this addition, this policy has a potential negative impact to low income communities that do not have the systems in place to support bicyclist and pedestrian safety to begin with.

Table 6- 5D

Maximize bicycle and pedestrian spending and prioritize those projects in low income communities.

Identify available and potential new bicycle and pedestrian funding sources and their requirements and assist small cities and communities in applying to these sources.

June 2, 2014

Daniel O'Connell
San Joaquin Valley Program Manager
American Farmland Trust
Box 73856
Davis, CA 95617

Dear Mr. O'Connell:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Following are responses to the comments you submitted in a letter dated May 15, 2014. A copy of your submitted letter is attached, with letter number and alphabetical letters (example: 14A) marked to reference those answers provided below.

Item 14A: The linear length in lane miles has been identified as a change to the Draft PEIR in Chapter 3 to this Final PEIR. The linear length in lane miles associated with new or expanded transportation improvements is 615. All project alternatives (except the No Project) have the same set of improvement projects. As a result, there are no differences in terms of impacts among the alternatives studied. The linear lane miles associated with the No Project alternative is 968. For purposes of the analysis, it is not possible to accurately reflect the amount of agricultural land that would be impacted by new or expanded transportation improvement projects. There are a number of key factors that must be considered in order to make such a calculation including, but not limited to the following:

- Amount of right-of-way (ROW already acquired by the affected local agency or Caltrans
- Amount of ROW impacting agricultural operations vs. vacant of any use
- How wide the expanded or new facility will be
- Whether traveler safety is an issue that would require wider lanes, shoulders or median treatments
- The need for truck acceleration and deceleration lanes
- Extent of intersection improvements
- Bike lane requirements, lane type and width
- Pedestrian and streetscape improvements
- Provision for parking and type of parking
- Need for bus turnouts
- Staging area requirements
- Location of utility easements and relocation
- Road alignment
- The need for roundabouts now required along Caltrans facilities where warranted – require more ROW
- The need for passing lanes
- The need for continuous left turn lanes
- Other turn lanes
- The extent of drainage facilities and culverts
- Bridge requirements and footprint
- Overcrossing and undercrossing requirements and footprint

- Other considerations

While other MPOs may have estimated the impact of new facilities on agricultural operations, the estimates are rough considering the above. The exact extent of agricultural land impact by type of farmland can only be known once design plans and environmental review of each individual transportation improvement project is complete. It is not possible at the regional scale of the Fresno COG 2014 RTP and SCS PEIR. As such, mitigation measures to be carried out by those agencies responsible for implementing RTP and SCS transportation improvement projects are included in the Draft PEIR and will reduce the severity of potential significant impacts if they are carried out in accordance with the measures noted. The extent to which the measures will be effective can only be determined as environmental documents are prepared for individual improvement projects.

Item 14B1: The Program PEIR was prepared to reflect a regional analysis of impacts related to the proposed project, as appropriate. The responsibility to nominate, potentially fund or partially fund, design, environmentally assess, and construct or implement transportation improvements listed in the Regional Transportation Plan and Sustainable Communities Strategy (RTP and SCS) is the responsibility of local agencies in Fresno County (15 incorporated cities and the County of Fresno), the Fresno County Transportation Authority (FCTA), and Caltrans.

The local agencies are also responsible for preparing general plans to guide land use development and are responsible for approving proposed land use developments consistent with their general plans or amending their general plans to accommodate proposed developments. Each of these local agencies, FCTA, and Caltrans actions requires subsequent environmental review.

Fresno COG, as the regional transportation planning agency, is only responsible for preparing the RTP and SCS, working with federal, state, other regional (including the FCTA), and local funding agencies to identify and program funding for transportation improvement projects nominated by Caltrans, the FCTA (consistent with the Measure C Expenditure and Implementation Plans), other regional agencies such as the Fresno County Rural Transit Agency (FCRTA), and local agencies. Fresno COG has no authority to prepare final design services, environmentally review, acquire right-of-way, or construct any transportation improvements listed in the RTP and SCS other than those it administers under contract with the FCTA (Vanpools, Rideshare Programs, etc.).

As a result of the responsibilities noted above, Fresno COG can only identify appropriate mitigation measures that should be carried out by the local agencies, other regional agencies, and Caltrans and further reference the need for subsequent environmental analysis. Where Fresno COG has responsibility to address an impact, it has identified mitigation measures that it has the authority to carry out or implement.

Regarding the “model ‘Natural Working Lands Conservation Policy”, no additional statements or agriculture resource-related mitigation measures will be added to the Draft PEIR. As the following existing Draft PEIR mitigation measure reflects (Mitigation Measure associated with Impacts 3.3.1 through 3.3.3 found beginning on Page 3-34 of the Draft PEIR), Fresno COG is continuing to work with several organizations, including the American Farmland Trust, as well as its member agencies (15 cities and the County of Fresno), to develop appropriate policies that will protect agricultural resources potentially impacted by transportation projects throughout Fresno County.

Impact and Mitigation Measures 3.3.1 through 3.3.3: “As part of the RTP and SCS formulation process; and at the request of a collection of community-based organizations, following the selection of the preferred scenario, the Fresno COG Policy Board directed the Fresno COG Policy Advisory Committee (PAC) (which is comprised of the city managers and county administrator) to form a sub-committee to analyze, discuss and provide recommendation on possible policies aimed at preservation of agricultural, natural and working lands; sustainable planning and infrastructure programs; and needs assessment activities, for inclusion into

the transportation planning process at Fresno COG. Working collaboratively with the community-based organizations, interested stakeholders and professional staff, this committee is currently on-going, and discussing the formulation of policy and program language to:

- Develop a methodology to help implementing agencies quantify the conversion of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance associated with their proposed projects.
- Develop a methodology for implementing agencies to consider preservation ratios to minimize loss of prime, unique, and statewide importance farmland; and coordinate efforts to provide a mechanism for preservation activities.”

In addition, on May 29, 2014 the Policy Board directed staff to establish a well-balanced ad hoc committee to assist member agencies in identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities. It is expected that such policies will be developed by the COG during Fiscal Years 2013/14 and 2014/15.

Item 14B2: Reference Responses 14A and 14B1, above.

Item 14B3: Reference Response 14B1, above. In addition, information and strategies provided by the American Farmland Trust, examples of which are referenced in the response, will continue to be valuable to the formulation of potential policy options and actions by the Fresno COG Policy Advisory Committee (PAC) and subsequent ad hoc committee established by the COG Policy Board for this purpose.

Item 14B4: Reference Response 14B1 and additional commentary as noted under 14B3 immediately above.

Item 14C: Reference Response 14B1 and additional commentary as noted under 14B3, above.

Best Regards,

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

Tony Boren
Executive Director
Fresno Council of Governments

Attachment: American Farmland Trust Letter dated May 15, 2014 – Notated



California Office
Box 73856 Davis, CA 95617
530-231-5259

May 15, 2014

Barbara J. Steck, Deputy Director
Fresno County Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

**RE: Draft Environmental Impact Report for 2014 Regional Transportation Plan /
Sustainable Communities Strategy**

Dear Ms. Steck,

The San Joaquin Valley of California is the most productive agricultural region in the world. Six of our nation's top agricultural producing counties are located in the region, and among these, Fresno County ranks #1 in producing more than \$6 billion worth of agricultural goods annually. In addition to this production output, the processing, distribution and marketing of these goods has been estimated at an additional three and a half times as much economic revenue.

Given the Valley's unique economic productivity, natural resource wealth and agricultural capacity, American Farmland Trust (AFT) is vested in the long-term viability of the region's producers and conservation of its farmland and resources. In 2013, we released our most recent research and policy analysis with *Saving Farmland, Growing Cities: A Framework for Implementing Effective Farmland Conservation Policies in the San Joaquin Valley*. In the report, we proposed six key objectives linked together within a framework to realize farmland conservation in the region:

- Avoid development of high quality farmland
- Minimize farmland loss with more efficient development
- Ensure stability of the urban edge
- Minimize rural residential development
- Mitigate the loss of farmland with conservation easements
- Encourage a favorable agricultural business climate

For each of these objectives, AFT went on to identify specific, measureable outcomes by which to evaluate success.

In a rural agricultural region like the San Joaquin Valley, farmland conservation will be an important component in realizing SB 375's land use and transportation objectives as most of the land around the county's cities are high quality farmland. Foremost among policies to achieve greenhouse gas emission reductions is to develop more efficiently by using less land to accommodate higher residential densities on a per acre basis. American Farmland Trust recognizes the SB 375's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) process as a current and ongoing opportunity to improve public transportation investments to achieve long term economic development, improved community health outcomes and better land use policies to conserve prime farmland and natural resources. During this inaugural RTP/SCS, AFT has been actively engaged in the Fresno process since its inception and recognizes the exemplary inclusiveness exhibited by Fresno COG in its public engagement, stakeholder outreach and accommodation of public recommendations.

Related to the EIR, AFT is commenting on and/or requesting improvements in three specific areas: (1) land conversion, (2) the implementation of a farmland mitigation programs, and (3) the creation of Fresno COG ad hoc committee focused on the preservation of agricultural, natural and working lands.

14A I. Land Conversion

Fresno County is the most productive food producing county in the United States. Yet, a long-term threat to this productivity is the conversion of farmland to residential and commercial development.

American Farmland Trust's recent report, *Saving Farmland, Growing Cities*, found that between 1990 and 2008, more than 161,000 acres of land were converted to urban uses in the San Joaquin Valley. Of that, nearly 100,000 acres were highly productive farmland. Of the total acreage converted, 78% was agricultural land and 61% was high quality farmland. Put another way, three quarters of all the land urbanized in the Valley was agricultural land and of that, nearly four out of five acres were the most fertile soils with the most secure water supplies. In Fresno County, where 53% of the total area is high quality farmland, 63% of all land developed was on prime farmland.

While SB 375 requires Metropolitan Planning Organizations like Fresno COG to address the conversion of farmland outside of spheres of influence, AFT appreciates that a broader accounting for all farmland conversion was done under the county's RTP/SCS. In the Draft RTP/SCS EIR, Fresno County is poised to realize project impacts to 5,857 acres of farmland designated as prime, of statewide importance or unique, with most of this loss occurring within existing spheres of influence. An important distinction of this loss, and related to mitigation for the conversion of this farmland, is between conversion due directly to transportation projects versus the growth inducing impacts from these infrastructure projects.

II. Farmland Mitigation

14B1

Mitigation for the conversion of farmland is an integral component of a conservation policy platform that will need to be developed and implemented to achieve the goals of SB 375 in a primarily rural region like the San Joaquin Valley. While statewide MPO's with significantly urbanized centers can incentivize greenhouse gas reductions through emphasizing infrastructure investments like light rail systems, in a rural region without densities to make such investments fiscally feasible public policy that firms land use policy around the conservation of agricultural and natural resource is the next logical approach to realizing emission reductions.

14B2

Both the Bay Area and SACOG quantified the land conversion impacts from transportation projects, and Fresno COG should make similar assessments for both direct conversion of agricultural and natural resources and the growth-inducing impacts due to transportation projects. Once assessments are made, transportation projects identified and funded in the RTP/SCS, as well as projects that benefit from streamlined CEQA requirements due to consistency with the SCS, must be required to provide full mitigation, as mandated by CEQA and NEPA. While recognizing that Fresno COG does not have land use planning authority, it has the authority and responsibility to determine which regional transportation projects it will include in the RTP/SCS, which projects it will fund, and (by virtue of preparing an SCS), which projects will be eligible for CEQA exemptions and other streamlined permitting requirements. Fresno COG can and should exercise this authority by explicitly stating in the SCS that projects consistent with the SCS will adhere to the mitigation hierarchy (avoid, minimize, then compensate), and that where impacts cannot be minimized, offsets – such as conservation easements acquisitions - will address the conservation values that are impacted.

14B3

As previously submitted, there are examples of how the Fresno COG could prioritize this policy approach. Recently, in Tulare County, a large-scale CalTrans project has been projected to consume farmland and mitigation for this conversion is being discussed. The project—known as Tulare Expressway—would realign and widen 9.3 miles of State Route 65 between Lindsay and Exeter resulting in the loss of approximately 320 acres of farmland. The cost for the project—without mitigating the farmland impact—is estimated at \$94.5 million to \$97 million. Based on previous litigation agreements in Kern County as well as one farm appraisal near the project site, an estimate for acquiring conservation easement on 320 acres of local farmland was between \$1.28 million and \$2.56 million, or 1.5%-3% added to the estimated cost of the project. Each Caltrans District has funds specifically set aside for the mitigation of farmland loss, and these funds can be matched by the Department of Conservation.

14B4

In addition, the necessary infrastructures are in place to realize farmland and natural resources conservation practices in Fresno County. Regional land trusts, like Sequoia Riverlands Trust and the Central Valley Farmland Trust, actively partner with funders, government agencies, scientists, farmers and developers to provide mitigation services for the conversion of farmland. The funds generated by mitigation programs – like those created for RTP/SCS transportation projects - can be utilized by land trusts and related organizations to purchase development rights and place conservation easements on prime farmland and other impacted resources.

III. Resource Preservation Ad Hoc Committee

A comprehensive land use policy for Fresno County – one that ensures successful SB 375 outcomes - needs to be the product of a broad stakeholder dialogue and agreement.

For this reason, American Farmland Trust is supportive of the Fresno COGs Policy Board's recent vote to form an ad hoc committee to deliberate and find agreement how preservation of agricultural, natural and working lands will be realized in public policy. The Draft EIR of the Fresno RTP/SCS also acknowledges the formation of "sub-committee to analyze, discuss and provide recommendations on possible policies aimed at preservation of agricultural, natural and working lands." Specifically, this committee is charged with "formulation of policy and program language to:

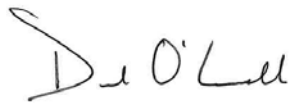
- Develop a methodology to help implementing agencies quantify the conversion of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance associated with their proposed projects.
- Develop a methodology for implementing agencies to consider preservation ratios to minimize loss of prime, unique, and statewide importance farmland; and coordinate efforts to provide a mechanism for preservation activities."

These steps, particularly taken with the Fresno COG's member agencies and other stakeholder groups, offer promising opportunities for progress toward achieving land use policies to protect farmland and other resources.

In conclusion, recent research prepared for the California Energy Commission by UC Davis has found that farmland conservation practice has even greater outcomes for greenhouse gas emissions than previously recognized. In *Vulnerability and Adaptation to Climate Change in California Agriculture* (2012), Dr. Jackson and other scientists found, "that greenhouse gas emissions from urban land can be more than 70 times greater per unit area than cropland, and that policies that preserve agricultural land will also help achieve the mitigation targets set by California's recent suite of climate policies, namely AB 32 and SB 375." Farmland conservation policy, in a rural region, is a pathway to implement and achieve SB 375's goals.

American Farmland Trust urges you to seize this opportunity not only to comply with SB 375, but to improve the quality of life, conserve the natural and agricultural resources, and enhance the economy in Fresno County by improved conservation practice and land use policies for the RTP/SCS.

Sincerely,



Daniel O'Connell
San Joaquin Valley Program Manager
American Farmland Trust

June 2, 2014

Vincent P. Mammano
Division Administrator
U. S. Department of Transportation
Federal Highway Administration
650 Capitol Mall, Suite 4-100
Sacramento, CA 95814

Dear Mr. Mammano:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), as indicated in your letter dated May 19, 2014. A copy of your submitted letter is attached, for reference. Fresno COG appreciates your time and will be sure to keep you updated throughout the Regional Transportation Planning Process. We look forward to your continued involvement and detailed comments to come.

Best Regards,



Tony Boren

Executive Director
Fresno Council of Governments

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

Attachment: Federal Highway Administration Letter dated May 19, 2014 - notated

Cc: Ray Sukys, FTA
Eric Eidlin, FTA
Karina O'Connor, EPA
Jacqueline Hodaly, Caltrans
Jennifer Bryan-Sanchez, Caltrans
Jack Lord, FHWA
Joseph Vaughn, FHWA
Scott Carson, FHWA



U.S. Department
of Transportation
**Federal Highway
Administration**

California Division

May 19, 2014

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001

In Reply Refer To:
HDA-CA

Mr. Tony Boren
Executive Director
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

SUBJECT: FCOG Draft 2015 FTIP 2014 RTP SCS Comments

Dear Mr. Boren:

Thank you for submitting the Fresno Council of Governments (FCOG) Draft 2014-2040 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) and Draft FY 2015-2018 Federal Transportation Improvement Program (FTIP) to the Federal Highway Administration (FHWA) for comment.

Overall, we find that FCOG has done a good job in developing Draft 2014-2040 RTP/SCS and Draft FY 2015-2018 FTIP documents that substantially meets the requirements of 23 CFR 450 and the *Final Rule on Statewide and Metropolitan Transportation Planning* as published in the Federal Register on February 14, 2007.

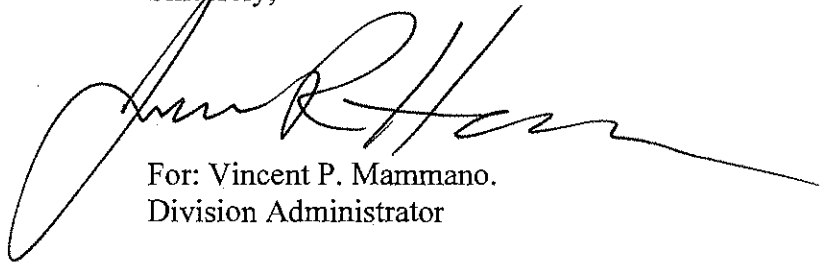
At this time, we have no detailed comments on the content of the draft documents. We do encourage FCOG to closely evaluate all comments that may be received from the public and other federal and state agencies on the documents as you move forward towards adoption of the Final FY 2015-2018 FTIP and 2014-2040 RTP/SCS. In order to assure timely approval of the Air Quality Conformity Determination when the California Department of Transportation (Caltrans) submits the new Federal Statewide Transportation Improvement Plan (FSTIP) later this year, we strongly encourage FCOG to perform final quality checks of the RTP/SCS, FTIP and the Conformity Analysis documents well in advance of adoption by your Metropolitan Planning Organization (MPO) board.

FHWA will continue to monitor FCOG's FTIP and RTP/SCS development process as FCOG proceeds towards adoption of the Final documents. We may provide additional comments on your Draft and Final submitted FY 2015-2018 FTIP and 2014-2040 RTP/SCS as well as informally via email, phone consultations and our participation in various FCOG transportation planning activities.

In Fall 2014, FHWA would like to meet with FCOG staff in your Fresno office to discuss this cycle of RTP/SCS development and any technical assistance you might require from FHWA to improve the update process for the next RTP/SCS cycle. This meeting will be arranged and coordinated by FCOG's FHWA MPO liaison Scott Carson.

Again, thank you for submitting the Draft 2014-2040 RTP/SCS and FY 2015-18 FTIP in a timely fashion and in concurrence and cooperation with Caltrans and the other San Joaquin Valley MPOs in developing new RTP/SCS and FTIP documents to meet federal and state update requirements. If you have any questions, please do not hesitate to contact Scott Carson at 916-498-5029 or scott.carson@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent P. Mammano", with a long horizontal flourish extending to the right.

For: Vincent P. Mammano.
Division Administrator

cc: (email)

Ray Sukys, FTA

Eric Eidlin, FTA

Karina O'Connor, EPA

Jacqueline Hodaly, Caltrans

Jennifer Bryan-Sanchez, Caltrans

Tony Boren, FCOG

Barbara Steck, FCOG

Jack Lord, FHWA

Joseph Vaughn, FHWA

Scott Carson, FHWA

cc: (other)

FCOG RTP/FTIP Binders

scarson/

June 1, 2014

Mr. Scott Morgan
Director
State Clearinghouse
1400 Tenth Street
P. O. Box 3044
Sacramento, CA 95812-3044

Dear Mr. Morgan:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), as indicated in your letter dated May 16, 2014. A copy of your submitted letter is attached, for reference. Fresno COG appreciates your time and will be sure to keep you updated throughout the Regional Transportation Planning Process. We look forward to your continued involvement and any comments to come.

Best Regards,



Tony Boren

Executive Director
Fresno Council of Governments

Attachment: State Clearinghouse Letter dated May 16, 2014 - notated

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



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

May 16, 2014

Barbara Steck
Fresno County Council of Governments
2035 Tulare St., Suite 201
Fresno, CA 93721

Subject: 2014 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
SCH#: 2012081070

Dear Barbara Steck:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 15, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

RECEIVED

MAY 19 2014

BY
FRESNO COG

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012081070
Project Title 2014 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
Lead Agency Fresno County Council of Governments

Type EIR Draft EIR
Description Note: Review per lead

The 2014 RTP/SCS identifies the Fresno region's transportation needs and issues, sets forth an action plan of projects and programs to address the needs consistent with a set of goals and policies, and documents the financial resources to implement the plan. The 2014 RTP/SCS also includes a Sustainable Communities Strategy (SCS) prepared to address requirements set forth in CA Senate Bill 375, which requires that Fresno COG prepare an SCS that provides an integrated land use and transportation plan for meeting greenhouse gas emission reduction targets set forth by the CARB.

Lead Agency Contact

Name Barbara Steck
Agency Fresno County Council of Governments
Phone (209) 233-4148 **Fax**
email
Address 2035 Tulare St., Suite 201
City Fresno **State** CA **Zip** 93721

Project Location

County Tulare
City
Region
Lat / Long
Cross Streets
Parcel No. Countywide
Township **Range** **Section** **Base**

Proximity to:

Highways SR 99 & others
Airports FYI & Others
Railways UP, BNSF, Others
Waterways San Joaquin & Others
Schools Various
Land Use

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Recreation/Parks; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Fiscal Impacts; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Schools/Universities; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Central Valley Flood Protection Board; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 6; Caltrans, Division of Transportation Planning; Air Resources Board; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Fresno); Native American Heritage Commission; Public Utilities Commission; San Joaquin River Conservancy

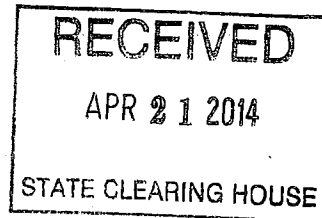
Date Received 03/21/2014 **Start of Review** 03/21/2014 **End of Review** 05/15/2014

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
 SACRAMENTO, CA 95821
 (916) 574-0609 FAX: (916) 574-0682
 PERMITS: (916) 574-2380 FAX: (916) 574-0682



clear
 05/15/14
 R



April 18, 2014

Ms. Barbara Steck
 Fresno County Council of Governments
 2035 Tulare St., Suite 201
 Fresno, California 93721

Subject: CEQA Comments: 2014 Regional Transportation Plan/Sustainable Communities Strategy, Draft EIR, SCH No. 2012081070

Location: Fresno County

Dear Ms. Steck:

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed transportation plan may result in projects located adjacent to or within the following regulated streams under Board jurisdiction pursuant to Title 23, California Code of Regulations (23 CCR), Section 112:

<u>Stream</u>	<u>County - Limits</u>
Alta Main Canal	Fresno
Byrd Slough	Fresno
Cameron Slough	Fresno - within the Kings River designated floodway
Cole Slough	Fresno
Crescent Bypass	Kings and Fresno - North Fork Kings River
Dog Creek	Fresno
Dry Creek	Fresno
Five Mile Slough	Fresno
Fresno Slough	Kings and Fresno
Globe Slough	Fresno
James Bypass	Kings and Fresno
Lower San Joaquin River Flood Control Project	Fresno, Madera, and Merced
Sand Creek	Tulare and Fresno
San Joaquin River	Friant Dam to West End of Sherman Island

The Board enforces its regulations for the construction, maintenance, and protection of adopted plans of flood control that protect public lands from floods. Adopted plans of flood control include federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

The geographic extent of Board jurisdiction includes the Central Valley, and all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins (23 CCR, Section 2).

A Board permit is required prior to working in the Board's jurisdiction for the following:

- Placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction,

Ms. Barbara Steck

April 18, 2014

Page 2 of 2

encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (23 CCR Section 6);

- Existing structures that predate permitting, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (23 CCR Section 6);
- Vegetation plantings require submission of detailed design drawings; identification of vegetation type; plant and tree names (both common and scientific); quantities of each type of plant and tree; spacing and irrigation method; a vegetative management plan for maintenance to prevent the interference with flood control operations, levee maintenance, inspection, and flood fight procedures (23 CCR Section 131).

Other local, federal and State agency permits may be required and are the responsibility of the applicant to obtain.

Board permit application forms and our complete 23 CCR regulations can be found on our website at <http://www.cvpfb.ca.gov/>. Maps of the Board's jurisdiction including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and Board designated floodways are also available on a Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

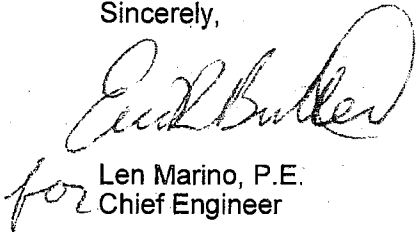
Additional Considerations Related to Potential Impacts of Vegetation and Hydraulics

Accumulation and establishment of woody vegetation that is not managed may have negative impacts on channel capacity and may increase the potential for levee over-topping or other failure. When vegetation develops and becomes habitat for wildlife, maintenance to initial baseline conditions typically becomes more difficult as the removal of vegetative growth may be subject to federal and State resource agency requirements for on-site mitigation. The proposed project should include mitigation measures to avoid decreasing floodway channel capacity.

Adverse hydraulic impacts of proposed encroachments could impede flood flows, reroute flood flows, and/or increase sediment accumulation. The proposed project should include mitigation measures for channel and levee improvements and maintenance to prevent and/or reduce hydraulic impacts. If possible off-site mitigation outside of the Board's jurisdiction should be used when mitigating for vegetation removed at the project location.

If you have any questions please contact James Herota at (916) 574-0651, or via email at james.herota@water.ca.gov.

Sincerely,



for Len Marino, P.E.
Chief Engineer

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

PUBLIC HEARING COMMENTS - COG BOARD MEETING 04-24-14 AND SELMA PUBLIC HEARING 05-07-14

#17

	COMMENTS	RESPONSE
	COMMENTS	RESPONSE
	COG BOARD MEETING 04-24-14	
17A	Heather Dumais, American Lung Association	The Plan can do more.
17B		Need a support plan that will go forward starting now.
17C		Need a clear statement of grant programs early.
17D	Jaime Moncayo, Leadership Counsel for Justice and Accountability	COG Board needs to adopt the three policies recommended by the Community Based Coalition:
		1. Grants program
		2. Needs assessment
		3. Conservation policy
17E		We need a commitment from the Board that isn't there now.
	Stephenie Frederick, League of Women Voters	These are draft comments only. There will be formal written comments to come.
		The LWV feel that the RTP could be more useful if:
17F		The components of the RTP are integrated with each other, e.g. how policy is related to the project list.
17G		The 10 performance factors should be calculated every few years and then a report prepared.
17H		Need a more open and clarified scoring criteria for the 2014 project list.

PUBLIC HEARING COMMENTS - COG BOARD MEETING 04-24-14 AND SELMA PUBLIC HEARING 05-07-14

#17

	COMMENTS	RESPONSE
	COMMENTS	RESPONSE
17I	Need a policy element foundation with two sets of tools: (1) all the performance indicators be evaluated and (2) the three policy principles of the Community Based Organizations used.	for (1), please refer to cell D 18; for (2) all three policy proposal will be reflected in the policy element in a way that's consistent with the Board action and will not be considered significant changes to the RTP/SCS document
17J	LWV have nothing but kudos for the work COG has done.	Thank you.
17K	Craig Breon, representing himself	The process abandons the authority of the COG Board.
17L	Cesar Campos, Central California Environmental Justice Network	Need grants for action.
17M		EIR discusses the growing depletion of groundwater, but need metric of how much it is dividing communities.
17N		Need a discussion of regional projects that hurt low income communities.
17O		Urge COG Board members to hold public meetings in their jurisdiction and CCEJN would love to co-host.
17P	Mike Wells, Coalition for Clean Air	Need programs for disadvantaged communities.
17Q	Sarah Sharpe, Fresno Metro Ministry	Need to get people more informed and aware.
17R		The targets were too easy to hit.
17S		The Community Based Organization policies should be integrated into the SCS, but they are not.
17T	Christine Barker, representing herself	EIR states that roadway expansion will not impact low income and minority families, but it will.
	Gavin Feiger, Sierra Nevada Alliance	Sierra Nevada Alliance will submit more detailed comments on the SCS and EIR later.

PUBLIC HEARING COMMENTS - COG BOARD MEETING 04-24-14 AND SELMA PUBLIC HEARING 05-07-14			
			#17
	COMMENTS	COMMENT	RESPONSE
17U		The vast amount of comments from public meetings are not incorporated into the SCS.	All of the comments from public workshops and online surveys were given to each committee who voted on the SCS Scenarios during open, public meetings which included local agency planners, city managers and elected officials. These three groups of committee members are responsible for incorporating land use principals into their General Plans which are reflected in Scenario B. Much of the SCS process was influenced by comments made throughout the process. Scenarios A, C and D were all essentially build by the public or community organizations in response to public comment. The comments themselves are included in Appendix J of the RTP Appendices.
	<u>SELMA PUBLIC HEARING 05-07-14</u>		
17V	Veronica Garibay, Leadship Counsel for Justice and Accountability	The three policies should be incorporated into the SCS.	References to programs will be included in Policy element and RTP.
17W		The SCS needs to be stronger.	This is an ambitious and achievable plan for Fresno County.
17X		Cap and trade funding should be used in transit priority areas, although there aren't many in the valley.	Transit Priority Area(TPAs) is defined in SB743. Transit Priority Project(TPP) is defined by SB375, which covers the work of 2014 RTP/SCS. Although as stated in the SCS, there are corridors in Fresno County that meet the location criteria of TPP, the strict land use and environmental criteria for TPP makes it extremely hard for projects in the Fresno area to qualify.
17Y	Jeff Roberts, Granville Homes	I support Scenario B.	Comment noted.

June 2, 2014

Diana Gomez
Central Valley Regional Director
California High-Speed Rail Authority
2550 Mariposa Mall, Suite 3015
Fresno, CA 93721

Mark A. McLoughlin
Director of Environmental Services
California High-Speed Rail Authority
2550 Mariposa Mall, Suite 3015
Fresno, CA 93721

Dear Ms. Gomez and Mr. McLoughlin:

Re: Comments on the 2014 Draft RTP/SCS, DEIR, FTIP and Conformity

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), as indicated in your letter dated May 29, 2014, and received by Fresno COG on June 6, 2014. A copy of your submitted letter is attached, for reference.

Proposed clarifications statements presented in the comment letter include notations of construction timing within the RTP and notation of Final EIR/EIS certification dates for the Fresno to Bakersfield section of the High-Speed Rail Project within the Fresno COG Final PEIR. Given the timing of the Authority's certification action, as compared to Fresno COG's Draft RTP/SCS and PEIR public review and response period, such clarifying details were not available for inclusion in the Draft RTP/SCS or PEIR documents before release, but are believed to add a greater level of clarification and consistency to the analysis found in both documents, without compromising the integrity or overall content of either document. As such, the proposed clarifications statements presented in the comment letter will be presented to the Fresno COG Policy Board for inclusion into both documents at their June 26, 2014 PEIR certification and RTP/SCS adoption hearing.

Thank you for your interest in the Fresno COG RTP/SCS and PEIR.

Best Regards,



Tony Boren

Executive Director
Fresno Council of Governments

Attachment: High-Speed Rail Authority Letter dated May 29, 2014 - notated

Cc: Terry Ogle, Fresno Office, California High-Speed Rail Authority
Barbara Gilliland, Director of Planning, Parsons Brinckerhoff
Caltrans District 6 Regional Planning

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

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JUN 06 2014

BY: 
FRESNO CO'S

May 29, 2014

BOARD MEMBERS

Dan Richard

CHAIR

Thomas Richards

VICE CHAIR

Jim Hartnett

VICE CHAIR

Richard Frank

**Patrick
W. Henning, Sr.**

**Katherine
Perez-Estolano**

Michael Rossi

Lynn Schenk

Thea Selby

Jeff Morales

CHIEF EXECUTIVE OFFICER

Ms. Barbara Steck, Deputy Director
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

Subject: 2014 Draft Regional Transportation Plan (Draft RTP)/Sustainable Communities Strategy for Fresno County, Draft Program Environmental Impact Report (EIR), and Draft 2015 Federal Transportation Improvement Program

Dear Ms. Steck:

Thank you for the opportunity to comment on the documents cited above. The California high-speed rail program will contribute to economic development and a cleaner environment, preserve and reduce the urbanization of agricultural lands, promote efficient mobility and increased livability within the Central Valley. These same principles are consistent with the Fresno Council of Government's Draft 2014 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

The California High-Speed Rail Authority (Authority) in collaboration with many partner agencies is implementing a statewide rail modernization plan that will result in near and long term regional and statewide benefits. The Authority recognizes that the RTP/SCS identifies a plan whereby Fresno County will benefit from the arrival of high-speed rail. Also of note is the extensive multimodal discussion of transit connectivity to and from high-speed rail in the draft RTP. Projects such as the proposed Bus Rapid Transit system, which will provide access to the proposed high-speed rail station, located at H and Mariposa Streets. The success of a truly intermodal transit system relies significantly on its ability to allow passengers to easily and efficiently transfer from one mode to another.

The Draft RTP and EIR contain multiple references to high-speed rail funds and timelines. For consistency with the Authority's latest adopted plans, we request your consideration of the following comments for inclusion in the RTP/SCS:

- The Authority's 2014 Business Plan and the 2013 California State Rail Plan state that high-speed rail passenger service from Merced to the San Fernando Valley will begin in 2022. Therefore, construction of high-speed rail through Fresno County is scheduled to finish before the end of 2022.

EDMUND G. BROWN JR.
GOVERNOR




- The Final Environmental Impact Report/Environmental Impact Statement for the Fresno to Bakersfield project section was made available on April 18, 2014 and certified under CEQA by the Authority's Board of Directors on May 7, 2014. Your agency should have received a copy of this document or you can access it through the Authority's website http://www.hsr.ca.gov/Programs/Environmental_Planning/final_fresno_bakersfield.html. The high-speed rail language in the Final RTP/SCS should include a reference to the Final EIR/EIS.
 - The Final EIR/EIS for the Fresno to Bakersfield project section provides estimates of the statewide and regional reductions of GHG from high-speed rail for 2035. These can be found in Table 3.3-13 and Table 3.3-15 respectively of Chapter 3.3 Air Quality and Global Climate Change. Chapter 3.3 can be accessed directly through the Authority's website http://www.hsr.ca.gov/docs/programs/fresno-baker-eir/final_ERIS_FresBaker_Vol_I_CH3_3_Air_Quality_Global_Climate_Change.pdf

Thank you for considering these comments. The intent of these comments are to ensure consistency between the Fresno Council of Government's 2014 RTP/SCS and Draft PEIR and the Authority's contribution to regional rail modernization and the current status of work on the high-speed rail project.


The Authority looks forward to ongoing collaboration with Fresno Council of Governments on issues of shared interest, including passenger rail modernization, expansion of complementary transit services, and station area planning that will leverage the state's, Fresno City's and County's investments in multi-modal transit infrastructure.

We invite you to visit our website at www.hsr.ca.gov for additional project information. Please contact Mr. Terry Ogle, Central Valley Regional Project Manager, at (559) 445-5113 or terry.ogle@hsr.ca.gov if you have any questions.

Sincerely,



Diana Gomez
Central Valley Regional Director
diana.gomez@hsr.ca.gov
(559) 445-5172



Mark A. McLoughlin
Director of Environmental Services
mark.mcloughlin@hsr.ca.gov
(916) 403-6934

Ms. Barbara Steck
page 3

cc: Terry Ogle, Fresno Office, California High-Speed Rail Authority
Barbara Gilliland, Director of Planning, Parsons Brinckerhoff
Caltrans District 6 Regional Planning

Appendix E Item 2: Public Notices

Account: 2334148COU Class: 894 Last user: AKASPARIAN

Ad Start: 3/21/14 Ad Stop: 3/21/14 Total Cost: \$1488.86 Run Days:

Page 1 Black

PUBLIC NOTICE

#15266

NOTICE OF PUBLIC HEARING and NOTICE OF AVAILABILITY on the
DRAFT 2015 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM,
THE DRAFT 2014 REGIONAL TRANSPORTATION PLAN/
SUSTAINABLE COMMUNITIES STRATEGY,
CORRESPONDING DRAFT CONFORMITY ANALYSIS, AND
DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT

NOTICE IS HEREBY GIVEN that the Fresno Council of Governments (Fresno COG) will hold a public hearing on April 24, 2014 at 5:30 pm during the Fresno COG Policy Board Meeting at the Fresno COG office building at 2035 Tulare Street, Suite 201, Fresno, CA 93721. The purpose of the public hearing is to receive public comments on the following documents:

- The Draft 2015 Federal Transportation Improvement Program (2015 FTIP) is a near-term listing of capital improvement and operational expenditures utilizing federal and state monies for transportation projects in Fresno County during the next four years.
- The Draft 2014 Regional Transportation Plan/Sustainable Communities Strategy (2014 RTP/SCS) is a long-term coordinated transportation/land use strategy to meet Fresno County transportation needs out to the year 2040.
- The Draft Program Environmental Impact Report (EIR) document provides an analysis of potential environmental impacts related to the implementation of the RTP/SCS as required by the California Environmental Quality Act (additional EIR description below).
- The corresponding Draft Air Quality Conformity Analysis for the 2015 FTIP and 2014 RTP/SCS contains the documentation to support a finding that the 2015 FTIP and 2014 RTP/SCS meet the air quality conformity requirements for carbon monoxide, ozone and particulate matter.

Informational Meeting: An informational meeting regarding the Draft 2014 Regional Transportation Plan/Sustainable Communities Strategy (2014 RTP/SCS) will also be held during the Fresno COG Policy Board Meeting at the Fresno COG office on April 24, 2014 at 5:30 p.m.

Additional Public Hearing: Fresno COG will hold a second public hearing to receive public comments on the Draft 2014 Sustainable Communities Strategy (SCS) on May 7, 2014 at 6:00 p.m. at Selma City Hall, 1710 Tucker St, Selma, CA 93662.

Public Review and Comment: A concurrent 55-day public review and comment period will commence on March 21, 2014 and conclude on May 15, 2014. The draft documents are available for review on the Fresno COG website at www.fresno-cog.org. Or they may be viewed at the following locations:

- Fresno COG office, 2035 Tulare Street, Suite 201, Fresno, CA 93721
- Fresno County Main Library: 2420 Mariposa Street, Fresno, CA 93721

Public comments are welcomed at the hearing, or may be submitted in writing by 5:00 pm on May 15, 2014 to Barbara Steck at the address, email or fax number below.

Contact Person: Barbara Steck, Deputy Director
2035 Tulare Street Suite 201 Fresno, CA 93721
559-233-4148 (office)
559-233-9645 (fax)
bjsteck@fresnocog.org

Adoption of the plans: After considering the comments, the documents will be considered for adoption, by resolution, by the Fresno COG at a regularly scheduled meeting to be held on June 26, 2014. The documents will then be submitted to state and federal agencies for approval.

Additional Information: Individuals with disabilities may call Fresno COG (with 3-working-day advance notice) to request auxiliary aids necessary to participate in the public hearing. Translation services are also available (with 3-working-day advance notice) to participants speaking any language, by available professional translation services.

EIR Description: Fresno COG has prepared a Draft Program Environmental Impact Report (Program EIR), in accordance with the California Environmental Quality Act (CEQA) for the 2014 Regional Transportation Plan and Sustainable Communities Strategy (2014 RTP/SCS). The 2014 RTP identifies the region's transportation needs and issues, sets forth an action plan of projects and programs to address the needs consistent with the adopted policies, and documents the financial resources needed to implement the plan. Additional areas of emphasis in the 2014 RTP include an Environmental Justice Report and Sustainable Communities Strategy. In addition, the 2014 RTP includes updated project lists and performance measures. Projects are identified at a conceptual level for purposes of the RTP, and this Draft Program EIR is programmatic in nature - meaning it does not specifically analyze individual projects.

The Program EIR finds that implementation of the 2014 RTP/SCS could result in significant and unavoidable impacts to the following issues areas: Aesthetics; Agricul-

tural Resources; Air Quality; Biotic Resources; Climate Change; Cultural Resources; Energy and Energy Consumption; Geology and Soils; Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Utilities, Other Utilities and Service Systems; and Transportation/Traffic.

En español: Individuos con discapacidades pueden llamar a Fresno COG (con el previo aviso de 3 días laborables) para solicitar recursos auxiliares necesarios para participar en la audiencia pública. Los servicios de traducción también están disponibles (con el previo aviso de 3 días laborables) a participantes que hablan cualquier idioma a través de servicios de traducción profesionales.

Favor de llamar a Fresno COG al 559-233-4148, para más información.

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt # E201410000077

Lead Agency: FRESNO COUNCIL OF GOVERNMENTS Date: 03/21/2014
County Agency of Filing: FRESNO COUNTY CLERK Document No: E201410000077
Project Title: DRAFT 2014 REGIONAL TRANSPORTAION PLAN/SUSTAINABLE COMMUNITIES STRATEG
Project Applicant Name: FRESNO COUNCIL OF GROVERNMENTS Phone Number: (559) 233-4148
Project Applicant Address: 2035 TULARE ST. STE. #201, FRESNO, CA 93721
Project Applicant: LOCAL PUBLIC AGENCY


NOTICE OF AVAILABILITY

\$ 0.00

Total Received \$ 0.00

Signature and title of person receiving payment:

Blanca H. Avalos

RECEIVED
MAR 28 2014
BY: 
FRESNO COB



Fresno Council of Governments

E201410000077

2035 Tulare St., Ste. 201 tel 559-233-4148
Fresno, California 93721 fax 559-233-9645

www.fresnocog.org

Notice of Availability of Draft PEIR

Date: March 21, 2014

To: Referenced List of Recipients

From: Tony Boren, Executive Director
Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

FILED

MAR 21 2014

FRESNO COUNTY CLERK
By *Blanca H. Amador*
DEPUTY

Subject: Notice of Availability of a Draft Program Environmental Impact Report (Draft PEIR) for the Draft 2014 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

The Fresno Council of Governments (Fresno COG) is the Lead Agency and has prepared a Draft Program Environmental Impact Report (Draft PEIR) for the project identified above. Fresno COG is requesting comment regarding the Draft PEIR.

The 2014 RTP/SCS identifies the Fresno region's transportation needs and issues, sets forth an action plan of projects and programs to address the needs consistent with a set of goals and policies, and documents the financial resources to implement the plan. The 2014 RTP/SCS also includes a Sustainable Communities Strategy (SCS) prepared to address requirements set forth in California Senate Bill (SB) 375, which requires that Fresno COG prepare an SCS that provides an integrated land use and transportation plan for meeting greenhouse gas emission reduction targets set forth by the California Air Resources Board (CARB).

The Draft PEIR and the Draft RTP/SCS are available for review online at the Fresno COG website: <http://www.fresnocog.org/rtp> and are also available at the following locations:

Fresno COG Offices
2035 Tulare Street, Ste. 201
Fresno, CA 93721

Fresno County Main Library
2420 Mariposa Street
Fresno, CA 93721

The Program EIR finds that implementation of the 2014 RTP and SCS could result in significant and unavoidable impacts to the following issues areas: Aesthetics; Agricultural Resources; Air Quality; Biotic Resources; Climate Change; Cultural Resources; Energy and Energy Consumption; Geology and Soils; Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Utilities, Other Utilities, and Service Systems; and Transportation/Traffic.

The public review period for this Draft PEIR begins on **March 21, 2014** and ends on **May 15, 2014**. Written comments must be received at Fresno COG by **5:00 p.m. on Monday, May, 15 2014** in order to be addressed as part of the formal EIR review process. The Fresno COG Policy Board will consider certification of the Final PEIR on June 26, 2014.

Please send your response to Barbara Steck, Deputy Director at the Fresno COG address shown above. Please identify the name and phone number of a contact person at your agency.

E201410000077

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

Appendix E Item 3: Draft RTP Change Log

Location*(Page # or Appendix
Details)***Change Made**

Page 5-95	Figure 5-16 (Bikeway System - Rural Areas) was updated to replace incorrect map (High Truck Volumes) in that location
Page 7-19	Removed Blank Page (in InDesign spread; not in printed version), and removed reference to Figure 7-3 in text, as the graphic had been removed by staff before release
Page 5-78	Corrected labels on Figure 5-14 (Airport Locations in Fresno County); updating Selma Aerodome to correct notation of GA, Privately Owned
Page 1-5	Figure 1-2 Add "Since 1970" to end of name on chart
Page 1-11	Land Use Planning section first paragraph, add s to Sphere of Influence
Page 1-15	Improved Analytical Tools--add s to Organization and (MPO)
Page 4-5	First paragraph top right side delete s from Area before (FCMA), add one more space between first and second paragraphs, last paragraph bottom right side, last sentence, delete word "below". Move table down a little.
Pages 4-11 & 4-12	Take "" off letter on Scenario names
Page 4-29	Transits were made available for those who needed transportation was changed to Transit was provided free of charge to those who needed transportation to the workshops.
Page 4-6	Under growth forecast. On the fifth line under Growth Forecast, change the total population to 1,300,597, instead of 1,300,569.
Page 4-23	Figure 4-21: add "(in thousand dollars)" at the end of the title; replace the graph with the following:
Page 4-23	Replace Figure 4-22 with new chart:
Page 4-25	Under Bike and Pedestrian Facilities add the following sentences at the end of the first paragraph under this section: "It is estimated that more than 500 (lane) miles of bike lanes and 120 miles of sidewalks will be added by the end of the 2040, the horizon year of the 2014 RTP. "
Page 4-26	Replace Figure 4-24 with BRT map
Page 4-27	Replace Figure 4-25 with new map, updated list of figures with new name
Page 4-30	In the left column, in the 2 nd bullet point, right after "(3) be located within one-half mile of a major transit stop or high quality transit corridor included in an RTP", add the following: "A major transit stop refers to an existing rail transit station, a ferry terminal, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during peak commute periods. There are currently no bus routes in Fresno County with 15 minutes service during peak commute periods. A high quality transit corridor means a corridor with fixed route service with service interval of 15 minutes or less during peak commute hours. The proposed BRT routes in the 2014 RTP/SCS meet the definition of high quality transit corridor. Figure 4-26 shows the ½ mile corridors of high capacity transit in Fresno County.

Page 4-30	Added new map to chapter & list of figures
4-31	Added new page for overflow from new map and discovered content that had not been part of the draft document. Section 4.17: What is next? Updated Table of Contents.
Various	Removed quotation marks from all Measure "C" notations throughout the document
Various	Adjusted typos throughout the document, including punctuation, spelling and grammar.
Front Cover	Adjusted title size and location; added notation of 2014 to the title; and changed coverage years of 2014-2040 to 2012-2040 in order to properly show the baseline year
Appendix H	Updated 3 workshop results pages & resaved with the following statement: The clicker technology polling conducted at the workshops and online were in no way scientific in nature, and did not cover the exact demographics of the county, though representation from a variety of demographic groups was inclusive. The data and comments collected reflect the opinions of those who participated in the workshops based upon the data and information presented to them.
Page 6-2	Changed the language in the second paragraph to reflect connections amongst the current chapter names and descriptions, as old chapters were referenced in the draft document.
Page 3-6	Consumer Satisfaction should be moved to the top of the next page.
Page 3-9	Add new paragraph from Peggy after the first paragraph on the left side of the page. Consumer Satisfaction should be moved to the top of the next page. "A disparity in Accessibility and Mobility Tables can be seen in the Remainder of the County – Drive Alone data. The Non-EJ travel times are much longer (some as much as twice as long) compared to the EJ travel times. This is probably due to the fact that many of the Non-EJ Remainder of the County TAZs are in mountainous areas where the roads are windy and must be driven at slower speeds. Therefore these trips will take quite a bit longer. "
Page 5-47	Move the first sentence of the left column up one space
5-62 & 5-63	See if can move the orphan lines of type on these pages to incorporate into the paragraph before it.
Appendices ALL	Removed Quote/Statement here text box on all cover pages
Appendices M & N	Removed Subtitle M as this is a duplicate of Appendix C
Appendix M & C	Renamed PDF's from M to C to reflect the merge of those documents. Word Documents should overright the newly renamed Appendix C PDFs.
Page 7-4	First sentence after the subtitle "The following federal programs expired..." moved down to join the appropriate paragraph below the table listing the MAP-21 programs and equivalents.
Chapter 7 Cover	replaced Quote/Statement text with: "The Financial Element of the RTP provides over \$4.4 billion in transportation project funding"

<p>Page 7-8</p>	<p>Added the following language to incorporate reference of the the ATP into the document: Active Transportation Plan (ATP) The Active Transportation Plan (ATP) was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. The ATP consolidates various federal and state transportation programs, including the Transportation Alternatives Program, Bicycle Transportation Account, and State Safe Routes to School, into a single program with a focus to make California a national leader in active transportation.</p> <p>The goals of ATP are to: Increase the proportion of trips accomplished by biking and walking. Increase safety and mobility of non-motorized users. Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals. Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding. Ensure that disadvantaged communities fully share in the benefits of the program. Provide a broad spectrum of projects to benefit many types of active transportation users.</p> <p>State and federal law segregate program funding into three components and is distributed as follows:</p> <p>50% to the state for a statewide competitive program 10% to small urban and rural regions with populations of 200,000 or less for the small urban and rural area competitive program, and 40% to Metropolitan Planning Organizations in urban areas with populations greater than 200,000 for the large urbanized area competitive program.</p>
<p>Page 5-98</p>	<p>Added the following language to incorporate reference of the the ATP into the document: Bikeways and pedestrian facilities, including trails, have become increasingly important to the Fresno County region over the past several years largely because of air quality, economic development and quality of life (health) considerations. Consequently, Fresno COG has become more involved in integrating active transportation into the regional transportation planning processes. Recognizing walking and bicycling as healthy, accessible and sustainable forms of transportation, Fresno COG will embark on a new effort to develop a Regional Active Transportation Plan (ATP), which will integrate member agency complete Bicycle Master Plans combined with targeted pedestrian and safe routes to school planning efforts. The Regional Active Transportation Plan will guide efforts to improve bicycling and walking conditions at the local level throughout the Fresno County region and will serve as a blueprint for the future of walking and bicycling in the region. The Plan will provide a countywide understanding of existing conditions and countywide priority bicycle and pedestrian networks as well as existing conditions analysis and recommended network for the unincorporated areas in Fresno County and each of the Fresno COG member agencies. Developing an ATP will require coordination and collaboration with a variety of active transportation stakeholders and elected officials that will essentially form an Active Transportation Subcommittee. The Regional ATP will be the roadmap for developing pedestrian and bicycle infrastructure in the region, with an emphasis on promoting walking and bicycling as viable transportation options and fostering a practical, safe, and enjoyable environment that will encourage walking and bicycling for recreational and commuter trips with the goal to establish specific policies and programs.</p>

Chapter 7 ALL	Every reference to Appendix M changed to Appendix C.
Page 7-10	Changed the revenue projection amount in the paragraph entitled: Local Programs Fresno County Local Sales Tax--(Measure C Funds) from \$1.7 to \$1.4 billion.
Page 7-12	Removed obsolete sub-heading: A comparison of each revenue projection by transportation mode is shown below in Table 7-1. Updated Figure 7-1 chart data.
Page 7-12 & 13	Added following language: These projects were scored using the Project Evaluation Criteria that was developed by the Financial Element Technical Working Group through a series of meetings and approved by the Fresno COG Policy Board on January 31, 2013 (see Appendix C). The Financial Element Technical Working Group felt that it was important to have separate criteria per mode of transportation so that only like projects were being compared against each other. A set of criteria was developed for each of the four modes; bike and pedestrian, capacity increasing road projects, operations and maintenance road projects and transit. Another goal of the criteria was to be very objective; with the large number of projects submitted scoring criteria questions had to be clear and easy to answer. The scoring criteria were used to score all of the projects submitted during the call for projects and the projects were then placed in order by score. Once the project list was in order by mode and score it was compared with the revenue projections that were discussed above.
Page 7-13	Changed referenced total projects amount of financially constrained list and added language referencing Table 7-2 as well as adding the table.
Page 6-8	Inserted language to clarify policy in Table 6-1C: <u>"Seek to ensure the fair distribution of the benefits and burdens of transportation projects, and seek to address the transportation needs of the disadvantaged communities through SCS implementation programs."</u>
Page 6-9	Inserted language to clarify policy in Table 6-1E: <u>"Under the direction of the Policy Board, identify and coordinate a strategy and methodology to assist member agencies in avoiding or fully mitigating all significant impacts of new transportation facilities on environmentally sensitive areas and natural resources by identifying potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities."</u>
Page 4-17	Adjusted in-text notation of acres of important farmland converted to 91.8, to correct incorrect amount of 97.8 placed in draft, and to match combined total as notated on the same page.
Page 6-14	Added policy to tie-in ATP formulation: "Encourage member agencies to work with COG Staff on the development and implementation of a Regional Active Transportation Plan".
Page 6-15	Removed duplicate policy of "Provide information to the public on the regional bikeway system and its supporting facilities".

	<p>Added the following language to incorporate additional expansion efforts for FCRTA: "Fresno COG is striving to meet the goals of SB 375 by engaging the Fresno County Rural Transit Agency (FCRTA) to work with community representatives especially those from the communities of Lanare, Laton, Riverdale, Huron and West Fresno County. As a result of these collaborative efforts there is one new service (Lanare Transit) planned and programed for the Lanare, Riverdale communities which will be a transit shuttle service connecting those communities along this southern corridor of Fresno County with intra community and Inter-City transportation needs to those residents.</p> <p>This service will connect passengers to the Coalinga Transit into Fresno daily and Kings Area Rural Transit (KART) into Hanford as well as scheduled stops within Lanare and Riverdale. The service has been in the works since first meeting with the residents of the Lanare community in September of 2012 with multiple meetings through February of 2014 and surveys taking place in cooperation with the Leadership Council staff and former CRLA staff. The service is set to commence after July of 2014 once all the scheduling, days and hours of service is confirmed. Another change in rural service is the expansion of the Huron Transit Inter-City into Coalinga which currently operates from 9am to 3pm for 5 hours per day. As of July 1, 2014 the Huron transit Inter-City will operate from 9am to 5pm for 7 hours per day so Huron residents will be able to attend college classes and extended business in Coalinga".</p>
Page 5-56	
Page 4-23	Adjusted text just above Figure 4-21 to read correct percentages, in accordance with Figure 4-22 - Percent changes between 2011 and 2014 RTP's.
Page 5-118	Adjusted text in introduction to correctly reference Appendix B, as opposed to Chapter 1, for Valleywide information.
Table of Contents, List of Tables and List of Figures	Corrected formatting and labeling errors for various items; adjusted page numbers for Sections 5.8, 5.9, 5.10 and 5.11; added Section 7.5; adjusted section and page numbers to items after Section 7.5 to reflect inserted section; added "grant" notation into the title of Section 7.8; added Table's 7-2 and 7-3 to the list; corrected names on figures 1-10, 3-7, 3-8 and 3-9; adjusted page numbers for Figure's 5-17 and 5-18; removed Figure 7-1, which was replaced by Table's 7-2 and 7-3; renamed Draft PEIR line to Final PEIR; renamed Appendix C (moved from Appendix M); and removed Appendices M and N.
Appendix	Removed Appendix L, as there are no Policy appendice items needed for the document.

Appendix E Item 4: Resolution of Adoption

**BEFORE THE
FRESNO COUNCIL OF GOVERNMENTS
RESOLUTION NO. 2014-10**

In the Matter of:)
)
2014 RTP/SCS Strategy,
2015 FTIP, and
Corresponding Transportation
Conformity Analysis

RESOLUTION ADOPTING
2014 RTP/SCS Strategy
2015 FTIP, and
Corresponding Transportation
Conformity Analysis

**RESOLUTION
FRESNO COUNCIL OF GOVERNMENTS**

2014-10

**RESOLUTION ADOPTING THE FRESNO COUNCIL OF GOVERNMENTS
2015 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM, THE 2014
REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITY STRATEGY,
AND THE CORRESPONDING CONFORMITY ANALYSIS**

WHEREAS, the Fresno Council of Governments is a Regional Transportation Planning Agency and a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, federal planning regulations require Metropolitan Planning Organizations to prepare and adopt a long range Regional Transportation Plan (RTP) for their region; and

WHEREAS, Senate Bill (SB) 375 (Steinberg, 2008) requires that Metropolitan Planning Organizations prepare a Sustainable Communities Strategy (SCS) as part of the 2014 RTP that demonstrates how the region will reduce the greenhouse gas emissions (GHG) from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission reduction targets approved by the California Air Resources Board (ARB), and

WHEREAS, pursuant to SB 375, ARB set the per capita GHG emission reduction targets for the San Joaquin Valley region at 5% below 2005 per capita emissions levels by 2020 and 10% below 2005 per capita emissions levels by 2035; and

WHEREAS, the state law requires that the 2014 RTP/SCS land-use development pattern is consistent with the Regional Housing Needs Assessment (RHNA); and

WHEREAS, the 2014 RTP/SCS has been prepared in accordance with state guidelines adopted by the California Transportation Commission; and

WHEREAS, a 2014 RTP/SCS has been prepared in full compliance with federal guidance; and

WHEREAS, federal planning regulations require that Metropolitan Planning Organizations prepare and adopt a short range Federal Transportation Improvement Program (FTIP) for their region; and

WHEREAS, projects submitted in the 2015 FTIP must be financially constrained and the financial plan affirms that funding is available; and

WHEREAS, the 2015 FTIP has been prepared to comply with Federal and State requirements for local projects and through a cooperative process between the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the State Department of Transportation (Caltrans), principal elected officials of general purpose local governments and their staffs, and public owner operators of mass transportation services acting through the Fresno Council of Governments forum and general public involvement; and

WHEREAS, the 2015 FTIP program listing is consistent with: 1) the 2014 RTP/SCS; 2) the 2014 State Transportation Improvement Program; and 3) the Corresponding Conformity Analysis; and

WHEREAS, the 2015 FTIP contains the MPO's certification of the transportation planning process assuring that all federal requirements have been fulfilled; and

WHEREAS, the 2015 FTIP meets all applicable transportation planning requirements per 23 CFR Part 450; and

WHEREAS, the MPO must demonstrate conformity per 40 CFR Part 93 for the 2014 RTP/SCS and 2015 FTIP; and

WHEREAS, the 2014 RTP/SCS and 2015 FTIP includes a new Conformity Analysis; and

WHEREAS, the 2014 RTP/SCS and 2015 FTIP conforms to the applicable SIPs; and

WHEREAS, the 2014 RTP/SCS and 2015 FTIP do not interfere with the timely implementation of the Transportation Control Measures; and

WHEREAS, the documents have been widely circulated and reviewed by the Fresno Council of Governments advisory committees representing the technical and management staffs of the member agencies; representatives of other governmental agencies, including State and Federal; representatives of special interest groups; representatives of the private business sector; and residents of Fresno County consistent with the public participation process adopted by the Fresno Council of Governments; and

WHEREAS, a public hearing was conducted on April 24, 2014 to hear and consider comments on the 2014 RTP/SCS, 2015 FTIP, and Corresponding Conformity Analysis and on May 7, 2014 to hear and consider comments on the 2014 RTP/SCS.

NOW, THEREFORE, BE IT RESOLVED, that the Fresno Council of Governments adopts the 2014 RTP/SCS, 2015 FTIP, and Corresponding Conformity Analysis.

BE IT FURTHER RESOLVED that the Fresno Council of Governments finds that the 2014 RTP/SCS and 2015 FTIP are in conformity with the requirements of the Federal Clean Air Act Amendments and applicable State Implementation Plans for air quality.

BE IT FURTHER RESOLVED, that the Fresno Council of Governments also finds that the 2014 RTP/SCS meets the SB 375 GHG reduction targets of 5% below 2005 per capita emissions levels by 2020 and 10% below 2005 per capita emissions levels by 2035.

THE FOREGOING RESOLUTION was passed and adopted by the Fresno Council of Governments this 26 day of June 2014.

AYES:

NOES:

ABSENT:

Amarpreet Dhaliwal, Chair
Chair

I hereby certify that the foregoing is a true copy of a resolution of the Fresno Council of Governments duly adopted at a regular meeting thereof held on the 26 day of June 2014.

Signed: _____
Tony Boren
Executive Director