



# *2014* **Regional Transportation Plan** *and* **Sustainable Communities Strategy**

*Final*  
**Program Environmental  
Impact Report**



Fresno Council  
of Governments

*Through* **2040**

*Final Program Environmental Impact Report*  
*for the*  
**Fresno COG Regional Transportation Plan  
and Sustainable Communities Strategy**

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## SECTION 1.0 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Final Program Environmental Impact Report (Final PEIR) must be prepared, certified, and considered by decision-makers prior to taking action on a project. The Final PEIR provides the Fresno Council of Governments (Fresno COG) with an opportunity to respond to comments received on the Draft PEIR and to incorporate any changes or additions necessary to clarify and/or supplement the information contained in that document. This Final PEIR, therefore, represents the culmination of all environmental related issues raised during the comment period on the Draft PEIR for the Fresno COG 2014 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS). In addition, this Final PEIR contains the Statement of Overriding Considerations (Exhibit A), which identifies the significant, adverse, and unavoidable impacts in the Draft PEIR. Finalize a Mitigation Monitoring and Reporting Program (Exhibit B) is included that identifies the necessary processes that are required to ensure that the mitigation measures recommended in the Draft PEIR are implemented. The Fresno COG Board of Directors is required to balance the benefits of the proposed Project (2014 RTP and SCS) against its unavoidable environmental risks in determining whether to approve the project.

### 1.1 FORMAT AND SCOPE

This document has been prepared by VRPA Technologies, Inc. (VRPA) to address the required components described above. The fifty-five day Draft PEIR review and comment period began on March 21, 2014 and ended on May 15, 2014. Comments received and staff response to those comments are contained in Section 2 of this Final PEIR. Section 3 provides a listing of changes, additions, and corrections to the Draft PEIR recommended by VRPA. Such changes, additions, and corrections are necessary to address revisions resulting from written comments on the Draft PEIR. In addition, this document also includes a Statement of Overriding Considerations (Exhibit A), and the Mitigation Monitoring and Reporting Program (reference Exhibit B).

The Final PEIR is composed of the following documents, which are incorporated here by reference:

- ✓ Fresno COG 2014 Regional Transportation Plan and Sustainable Communities Strategy, Draft Program Environmental Impact Report, March 21, 2014
- ✓ Fresno COG 2014 Regional Transportation Plan and Sustainable Communities Strategy, March 21, 2014
- ✓ Fresno County Conformity Analysis, March 21, 2014
- ✓ Fresno COG Regional Transportation Plan and Sustainable Communities Strategy, Final Program Environmental Impact Report, May 30, 2014



## 1.2 PROJECT DESCRIPTION

The Project, as defined by CEQA Statutes, Section 21065, is the preparation of the 2014 RTP and SCS. Fresno COG has prepared the RTP and SCS as required by Section 65080 et seq., of Chapter 2.5 of the California Government Code as well as federal guidelines pursuant to the requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The RTP and SCS must also meet Transportation Conformity for the Air Quality Attainment Plan per 40 CFR Part 51 and 40 CFR Part 93. In addition, the RTP and SCS must address requirements set forth in Assembly Bill 32, The California Global Warming Solutions Act of 2006. Finally, the California Transportation Commission has prepared guidelines (most recently revised in April 2010 including an Addendum addressing Climate Change and Greenhouse Gas Emissions adopted by the Commission on May 29, 2008) to assist in the preparation of the RTPs pursuant to Section 14522 of the Government Code.

As the designated Regional Transportation Planning Agency (RTPA), Fresno COG is mandated by state and federal law to update the RTP every four years. The last comprehensive EIR on the RTP was completed in July 2010, which addressed transportation improvement projects, programs, and funding from federal, State, and local sources including additional funding from the ½ Cent Sales Tax measure (Measure “C” Extension). Measure “C” did receive the 2/3<sup>rd</sup>s voter approval required in order to pass in the November 2006 election. The 2014 revision to the RTP has been prepared to address possible environmental impacts resulting from its implementation and sources of funding that are available for programming and to incorporate for the first time, the Sustainable Communities Strategy (SCS).

The RTP is used to guide the development of the Regional Transportation Improvement Program (RTIP). The RTIP is the programming document used to plan the construction of regional transportation projects and requires State Department of Transportation (Caltrans) approval. No project-level assessments of environmental impacts are addressed by this PEIR. The RTP is also used as a transportation planning document by each of the sixteen member jurisdictions of Fresno COG. Member jurisdictions include the County of Fresno and the cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, and Selma.

The RTP and SCS 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 and policy initiatives in the 2014 RTP and SCS includes the SCS. In addition, the 2014 RTP and SCS includes updated project lists and updated performance measures.

The 2014 RTP and SCS consists of required elements referenced in the enabling legislation and is organized into various sections noted below.

- ✓ **Chapter 1.** Building the RTP: Putting the Pieces Together
- ✓ **Chapter 2.** Public Participation: Working Together for a Better Plan
- ✓ **Chapter 3.** Environmental Justice Report: Ensuring Meaningful Involvement for All People
- ✓ **Chapter 4.** Sustainable Communities Strategy: People. Choices. Community.
- ✓ **Chapter 5.** Actions: Assessing Our Transportation Investment Needs
- ✓ **Chapter 6.** Policies: Foundation of the Plan
- ✓ **Chapter 7.** Financing Mobility: Funding Our Transportation Future
- ✓ **Appendices.**

## SECTION 2.0 WRITTEN COMMENTS AND FINAL RESPONSES TO COMMENTS

*(Comment letters received are provided beginning on Page 2-69)*

### Comment Letter #1

**FROM:** Salvador Gonzales, Chief Operating Officer, Lance Kashian & Company and John Kashian, The Kashian Group

**DATED:** April 15, 2014

**RESPONSE #1** *This comment letter and the following response applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

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.



**Reference:**

**SR 99/Shaw Ave. Interchange as programmed in the 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<br>2014 REGIONAL TRANSPORTATION PLAN<br>FINANCIALLY CONSTRAINED PROJECT LISTING (in \$000) |            |   |  |                                     |                           |                                 |
|--|------------|---|--|-------------------------------------|---------------------------|---------------------------------|
| AGENCY   | PROJECT ID | PROJECT TITLE   | PROJECT DESCRIPTION                        | PROJECT TYPE                        | ESTIMATED OPEN TO TRAFFIC | 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                      | \$7,000                         |
| Caltrans   | FRE500521  | SR 99 Interchange at Shaw: Improvements                       | Improve interchange                        | Streets & Roads-Capacity Increasing | 2035                      | \$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                      | \$13,000                        |
| Caltrans   | FRE500490  | Ashlan-Grade separation @ UPRR & SR 99 Interchange            | Grade separation                           | Streets & Roads-Capacity Increasing | 2035                      | \$7,600                         |

**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   | CTIPs Project ID | 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 Ave and 4-lane freeway from Fowler Ave to Temperance Ave.   | 180                 | N/A to N/A                                     | \$96,530,170   | 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/15 & SR 198          | \$16,236,000   |  |      |      |      |      |      | 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                                  | \$11,792,000   |  | X    | 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/SR 180                   | \$223,000,000  |  |      |      |      |      |      |      | X    | X |  |
| Caltrans            | FRE500570 |                  | Add 1 NB Auxiliary Lane  | SR 41               | Ashlan to Shaw                                 | \$7,000,000    |  |      |      |      |      |      |      | X    | X |  |

**Comment Letter #2**

**FROM:** Len Marino, P.E., Chief Engineer, State of California, California Natural Resources Agency, Central Valley Flood Protection Board

**DATED:** April 18, 2014



**RESPONSE #2:** 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 this Final PEIR.

### Comment Letter #3

**FROM:** Stephanie Frederick, Transportation Director, League of Women Voters of Fresno

**DATED:** April 24, 2014

**RESPONSE #3A-G** *This comment letter and the following responses apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

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

**RESPONSE #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.

**RESPONSE #3C:** This is a very good recommendation. As a requirement of MAP-21, a performance measure 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 measure and performance targets is taking place at the national level. The key for such performance measures is the availability of data. Performance measure 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 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 requirement of the MAP 21, there will be changes in the performance measures in the 2018 RTP/SCS.

**RESPONSE #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.

**RESPONSE #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.

**RESPONSE #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.

**RESPONSE #3G:** Thank you for your commentary on the 2014 RTP.

#### Comment Letter #4

**FROM:** Gavin Feiger, Senior Associate, Sierra Nevada Alliance

**DATED:** May 9, 2014

**RESPONSE #4A** *The following response for this comment letter applies only to the 2014 RTP/SCS*

*and is not related to the Draft or Final PEIR.*

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.”

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.

**RESPONSE #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.

**RESPONSE #4C:**

The Program EIR 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, other regional agencies, 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



agencies (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.

**RESPONSE #4D:** *The following responses for this comment letter applies only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

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

**Response:** 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 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 2013**—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 2014-14 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.

**RESPONSE #4E:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

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

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

**RESPONSE #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 (JPA) 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.

**RESPONSE #4G, Q5, Q6, & Q7:**

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.



#### RESPONSE #4H – Q8

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.

**RESPONSE #4I:** *The following response for this comment letter applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

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.

**RESPONSE #4J – Q10** 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.

#### Comment Letter #5

**FROM:** Gavin Feiger, Senior Associate, Sierra Nevada Alliance

**DATED:** May 9, 2014

**RESPONSE #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, 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, 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 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).

**RESPONSE #5A2:** Agree that “Sierra Nevada” is singular. This change is reflected in Chapter 3 of this Final EIR.

**RESPONSE #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 this Final PEIR.

**RESPONSE #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 this Final PEIR.

**RESPONSE #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 this Final PEIR.

**RESPONSE #5E-I:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 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.

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.

**RESPONSE 5F:** 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.

**RESPONSE 5G:** 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. 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.

**RESPONSE 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.

**RESPONSE 5I:** 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 5F.

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.

#### Comment Letter #6

**FROM:** Nick Paladino

**DATED:** April 10, 2014

**RESPONSE #6A-F:** *This comment letter and the following responses apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

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

**RESPONSE 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.

**RESPONSE 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.

**RESPONSE 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.

**RESPONSE 6B-4:** 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.

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

**RESPONSE 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.

**RESPONSE 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.

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

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

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

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

#### Comment Letter #7

**FROM:** Jennifer Bryan-Sanchez, Transportation Planning North Branch, District 6, Caltrans

**DATED:** May 14, 2014

**RESPONSE #7A-B:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 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 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.”*

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.

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

**RESPONSE #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.

**RESPONSE #7D-K:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

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

**RESPONSE 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 California Department of Transportation and Rideshare program coordinators attended public meetings and sat on advisory committees
- ✓ At many points during the development of the Sustainable Communities Strategy staff spoke with the California Air Resources Board
- ✓ California Department of Conservation review 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.

**RESPONSE 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.

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

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

**RESPONSE 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.

**RESPONSE 7J:** Fresno COG has made the assumption that the Measure C will be extended based on the previous success that it has had throughout its existence. It has passed twice by the 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.

**RESPONSE 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.

#### Comment Letter #8

**FROM:** Steven Frisch and Kerri Timmer, Sierra Business Council  
**DATED:** May 15, 2014  
**RESPONSE #8A:** *The following response for this comment letter applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

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 ..."

**RESPONSE #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:

- ✓ 39 total projects in Huron, including bicycle and pedestrian, street and road capacity increasing and operations and maintenance
- ✓ 7 total projects in Parlier, including bicycle and pedestrian, street and road operations and maintenance
- ✓ 5 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, 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.

**RESPONSE #8C-D:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 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.

**RESPONSE 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.

#### Comment Letter #9

**FROM:** Dennis Jacobs, FTIP Coordinator, California Department of Transportation (Caltrans)  
**DATED:** May 15, 2014  
**RESPONSE #9A-L:** *This comment letter and the following responses apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 9A:** Comment noted; we will make the change.

**RESPONSE 9B:** Comment noted; we will make the change.

**RESPONSE 9C:** We will make the change in all of the FTIP documents.

**RESPONSE 9D:** 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.

**RESPONSE 9E:** 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.

**RESPONSE 9F:** 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.

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

**RESPONSE 9H:** 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.

**RESPONSE 9I:** 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.

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

**RESPONSE 9K:** Thank you, we will.

**RESPONSE 9L:** Thank you, we will.

#### Comment Letter #10

**FROM:** Adam Livingston, Coordinator, Southern Sierra Partnership and Daniel O'Connell, PhD, San Joaquin Valley Program Manager, American Farmland Trust

**DATED:** May 15, 2014

**RESPONSE #10A-D:** *This comment letter and the following responses apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*



**RESPONSE 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.

**RESPONSE 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.

**RESPONSE 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.”

**RESPONSE 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.

**Comment Letter #11**

**FROM:**

Tim Gibbs, Director of Campaign Initiatives, American Cancer Society Cancer Action Network  
Bonnie Holmes-Gen, Senior Director, Policy and Advocacy, American Lung Association  
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, MC, President, Sacramento Chapter, Physicians for Social Responsibility  
Jeremy Cantor, MPH, Program Manager, and 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

**DATED:** May 15, 2014

**RESPONSE #11A-C:** *This comment letter and the following responses apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 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 2014-14 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."*

**RESPONSE 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 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.”*

**RESPONSE 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.

## Comment Letter #12

**FROM:** Janaki Jagannath, Community Worker, California Rural Legal Assistance, Inc. – Community Equity Initiative

**DATED:** May 15, 2014

**RESPONSE #12A-D:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 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.

**RESPONSE 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 15<sup>th</sup> 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.

**RESPONSE 12C:** 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 programmed 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.

**RESPONSE 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.

**RESPONSE #12E:**

The Program EIR 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.

**RESPONSE #12F-1:** 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.

**RESPONSE #12F-2:** CEQA does not require, nor does it identify a requirement to analyze 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.

### Comment Letter #13

**FROM:**

Dan O'Connell, American Farmland Trust  
Heather Dumais, San Joaquin Valley Advocacy Coordinator, American Lung Association in California  
Wendy L. Alfsen, Executive Director, California Walks  
Cesar Campos, CCEJN Coordinator, Central California Environmental Justice Network (CCEJN)  
Carey Knecht, Associate Director, Climate Plan  
Sabina Gonzales, Regional Director, Communities for a New California (CNC)  
Rev. Sophia DeWitt, Interim Co-Director, Fresno Interdenominational Refugee Ministries (FIRM)  
Sarah Sharpe, Director of Programs, Fresno Metro Ministry  
Veronica Garibay, Co-Director, Leadership Counsel for Justice and Accountability  
Gavin Feiger, Senior Associate, Sierra Nevada Alliance  
Rey León, Executive Director, Valley LEAP

**DATED:**

May 15, 2014

**RESPONSE #13A-B:**

*The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 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.

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.”

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.”

**RESPONSE 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.

**RESPONSE 13C:** Please Reference Response 13N.

**RESPONSE #13D-P:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 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.

**RESPONSE 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.

**RESPONSE 13F:** Please reference response 13A.

**RESPONSE 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 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.

**RESPONSE 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 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.

**RESPONSE 13I:** 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. 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.

**RESPONSE 13J:** Fresno COG 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.

**RESPONSE 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) 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

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.

**RESPONSE 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. Fresno COG will continue to evaluate and monitor environmental justice impacts at a regional scale.

**RESPONSE 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. 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 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.

**RESPONSE 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 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 infrastructure items such as water, 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.

**RESPONSE 13O:** Fresno COG, along with its member agencies and stakeholder groups, have actively discussed 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 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.

**RESPONSE 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, and was not the major factor contributing to the GHG reduction. The fuel forecast applied in Fresno COG's SCS modeling was consistent with 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 City of Fresno 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 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 shows the per capita GHG emission:

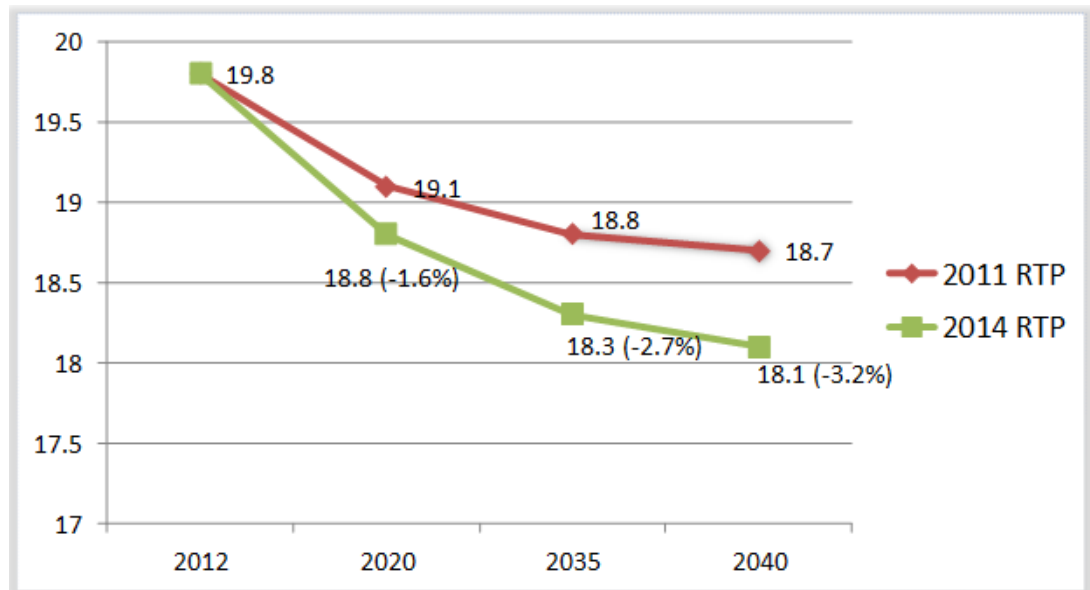
|                                    | <u>2011 RTP(Status Quo)</u> | <u>2014 RTP/SCS</u> |
|------------------------------------|-----------------------------|---------------------|
| <u>Base Year (2005)</u>            | <u>15.8</u>                 | <u>15.8</u>         |
| <u>EIR Base Year (2012)</u>        | <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. That means 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 searches are published on the website at: [www.arb.ca.gov](http://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, including low-income and minority groups, will not be burdened disproportionately by high and adverse effect. 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 moving into the area, 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.

**RESPONSE #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 EIR 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.

**RESPONSE #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 in Response to Comment 4C 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.

**RESPONSE #13S-T:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 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.

**RESPONSE 13T:** Comment noted

#### Comment Letter #14

**FROM:** Daniel O'Connell, San Joaquin Valley Program Manager, American Farmland Trust

**DATED:** May 15, 2014

**RESPONSE #14A-B1:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

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.

**RESPONSE 14B-1:** The Program EIR 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 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.”

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

**RESPONSE #14B-2:** Reference Response to Comment 14A and 14B-1 above.

**RESPONSE #14B-3 - C:** *The following responses for this comment letter apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

**RESPONSE 14B-3:** Reference Response 14B-1, 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.

**RESPONSE 14B-4:** Reference Response 14B-1 and additional commentary as noted under 14B-3 immediately above.

**RESPONSE 14-C:** Reference Response 14B-1 and additional commentary as noted under 14B-3, above.

#### Comment Letter #15

**FROM:** Vincent P. Mammano, Division Administrator, U.S. Department of Transportation, Federal Highway Administration  
**DATED:** May 19, 2014  
**RESPONSE #15** *This comment letter and the following response apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). 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.

#### Comment Letter #16

**FROM:** Scott Morgan, Director, State Clearinghouse  
**DATED:** May 16, 2014  
**RESPONSE #16** *This comment letter and the following response apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

Thank you for your interest in the Fresno Council of Government's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). 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.

### Public Hearing Comments #17

**FROM:** Heather Dumais, American Lung Association - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17A:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

There is always room to improve. There are lessons learned during the 2014 RTP/SCS process, and they could become valuable experience for the 2018 RTP/SCS.

**FROM:** Heather Dumais, American Lung Association - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17B-C:** *The following responses for this public hearing comment apply only to the 2014 RTP/SCS and are not related to the Draft or Final PEIR.*

References to programs will be included in Policy element and RTP.

**FROM:** Jamie Moncayo, Leadership Counsel for Justice and Accountability - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17D:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

References to programs will be included in Policy element and RTP.

**FROM:** Jamie Moncayo, Leadership Counsel for Justice and Accountability - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17E:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

Scheduled for Policy Board consideration on May 22, 2014

**FROM:** Stephanie Frederick, League of Women Voters - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17F:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

This was received in the "Final Commentary on the 2014 RTP" letter dated 4/24/14 from the League and has been responded to as part of that letter.

**FROM:** Stephanie Frederick, League of Women Voters - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17G:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

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 measure 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 modeled number, and currently we do not know sources that collect such data over time. Due to the requirement of the MAP 21, there will be changes in the performance measures in the 2018 RTP/SCS.

**FROM:** Stephanie Frederick, League of Women Voters - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17H:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

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.

**FROM:** Stephanie Frederick, League of Women Voters - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17I-1:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

Reference Response in 17H above.

**FROM:** Stephanie Frederick, League of Women Voters - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17I-2:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

All three policy proposals 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.



**FROM:** Stephanie Frederick, League of Women Voters - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17J:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

Thank you.

**FROM:** Craig Breon, Private Citizen - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17K:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

Comment noted.

**FROM:** Cesar Compos, Central California Environmental Justice Network - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17L:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

We are working on SCS implementation program that would include such grants.

**FROM:** Cesar Compos, Central California Environmental Justice Network - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17M** Reference Response to Comment #12F-2. In addition, the comment is not completely understood and to develop such a metric would be outside of the scope of this PEIR. As noted in Response to Comment #12F-2, CEQA does not require an analysis of social and economic effects, and any such analysis would have to be "project specific."

**FROM:** Cesar Compos, Central California Environmental Justice Network - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17N** Reference Response to Comment #12F-2. In addition, Chapter 3, Section 3.16, provides an overview of the impacts and benefits of regional projects. Chapter 3 and RTP Appendix I also provide further details and analysis.

**FROM:** Cesar Compos, Central California Environmental Justice Network - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17O:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

Comment noted.

**FROM:** Mike Wells, Coalition for Clean Air - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17P:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

References to programs will be included in Policy element and RTP.

**FROM:** Sarah Sharpe, Fresno Metro Ministry - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17Q:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

This comment was made in reference to the upcoming SCS Workshop Fresno Metro Ministries hosted on May 5, 2014. Fresno COG presented the RTP/SCS information at the workshop. FMM has made it a goal to help engage more members of the community in understanding and giving feedback on transportation issues such as the SCS.

**FROM:** Sarah Sharpe, Fresno Metro Ministry - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17R:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

The targets are not easy to hit. Without City of Fresno and other jurisdiction's latest general updates and much more investment in transit and active transportation, Fresno COG would not have been able to reach the targets. City of Fresno went through hundreds of workshop for the general plan update; hundreds of people testified at the City Council meeting to support the general plan update. There are still forces who doubt the feasibility of the plan and try to go back to status quo. Implementation will be the key.

**FROM:** Sarah Sharpe, Fresno Metro Ministry - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17S:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

Needs assessment appears in 2014-15 OWP; Program appears in Chapter 7 of RTP.

**FROM:** Christine Barker, Citizen - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17T** Opinion noted and reference Response to Comment #12F-2.

**FROM:** Gavin Feiger, Sierra Nevada Alliance - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, April 24, 2014

**RESPONSE #17U:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

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.

**FROM:** Veronica Garibay, Leadership Counsel for Justice and Accountability - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, May 7, 2014

**RESPONSE #17V:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

References to programs will be included in Policy element and RTP.

**FROM:** Veronica Garibay, Leadership Counsel for Justice and Accountability - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, May 7, 2014

**RESPONSE #17W:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

This is an ambitious and achievable plan for Fresno County.

**FROM:** Veronica Garibay, Leadership Counsel for Justice and Accountability - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, May 7, 2014

**RESPONSE #17X:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

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.

**FROM:** Jeff Roberts, Granville Homes - Statement at Fresno COG 2014 RTP/SCS and Draft PEIR Public Hearing, May 7, 2014

**RESPONSE #17Y:** *The following response for this public hearing comment applies only to the 2014 RTP/SCS and is not related to the Draft or Final PEIR.*

Comment noted.

## 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.

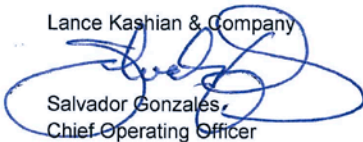
First, and as you may know, Lance-Kashian & Company is celebrating our 50<sup>th</sup> year of doing business having started on April 30, 1964. We have developed the built environment here in Fresno and across California. With that in mind, we believe that the Fresno County Council of Governments has 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.

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. 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.

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

#2

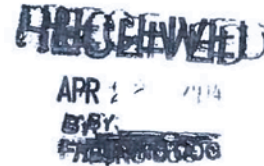
STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY  
**CENTRAL VALLEY FLOOD PROTECTION BOARD**  
3310 El Camino Ave., Rm. 151  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-2380 FAX: (916) 574-0682

EDMUND G. BROWN JR., GOVERNOR



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,

2



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).

2  
(cont.)

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/>.

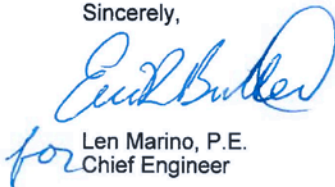
#### Additional Considerations Related to Potential Impacts of Vegetation and Hydraulics

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](mailto: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

## 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

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.

3-A

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

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

3-B



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.

3-B  
(cont.)

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

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.

3-C

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

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.

3-D

### 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.

- 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. 3-E

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."

- 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. 3-F

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

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.

3-G

Respectfully submitted,

Stephenie Frederick  
Transportation Director  
League of Women Voters of Fresno

May 9, 2014

Barbara J. Steck  
Deputy Director  
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**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.**

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.

4-A

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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.**

4-A  
(cont.)

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.<sup>1</sup> 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.<sup>2</sup> 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.

4-B

**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.**

4-C

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.

<sup>1</sup> 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.

<sup>2</sup> 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, *A 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

##### 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 results<sup>3</sup>:

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 comments<sup>4</sup> 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) survey<sup>5</sup> 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."*

4-D

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

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.

4-E

<sup>3</sup> [http://www.fresnocog.org/sites/default/files/publications/SCS/Final\\_SCS\\_Workshop\\_Results\\_Summary.pdf](http://www.fresnocog.org/sites/default/files/publications/SCS/Final_SCS_Workshop_Results_Summary.pdf)

<sup>4</sup> [http://www.fresnocog.org/sites/default/files/publications/SCS/SCS\\_Workshop\\_comments\\_pulled\\_from\\_spreadsheets.pdf](http://www.fresnocog.org/sites/default/files/publications/SCS/SCS_Workshop_comments_pulled_from_spreadsheets.pdf)

<sup>5</sup> [http://www.fresnocog.org/sites/default/files/publications/RTP/FCOG\\_RTP\\_and\\_SCS\\_2012\\_Survey\\_Revised\\_PP2\\_Nov14.pdf](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

We recognize that Fresno COG does not have land use planning authority<sup>6</sup>, 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.<sup>7</sup> 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?**

<sup>6</sup> Cal. Government Code § 65080.

<sup>7</sup> 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.

4-F  
(cont.)

#### Model Natural and Working Lands Conservation Policy

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.”

4-G

**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.

**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**

4-H

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(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.

**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*.

**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,



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Senior Associate

ENCL: Model Natural and Working Lands Conservation Policy

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## Model “Natural and Working Lands Conservation Policy”

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*For the Fresno RTP/SCS and Accompanying EIR*

We recognize that Fresno COG does not have land use planning authority<sup>1</sup>, 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.<sup>2</sup> 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).<sup>3</sup>
- 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:

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<sup>1</sup> Cal. Government Code § 65080.

<sup>2</sup> 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).

<sup>3</sup> <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)<sup>1</sup> 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 – CFCP<sup>1</sup>). Most likely, an estimate for conservation easement over ranchlands or most natural lands would be considerably less than for productive farmlands.

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

<sup>1</sup> 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.

#5

May 9, 2014

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**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.

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.

5-A1



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."

5-A1  
(cont.)

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

5-A2

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)

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.

5-B

##### Groundwater (Pg. 3-268)

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.

5-C

#### Impacts (underlining added to DEIR language for emphasis)

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

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.

5-D

##### 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.

5-D  
(cont.)

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?

5-E

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."

5-F

#### 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)

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

5-G

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 there environmental review of transportation projects must include increased water demand from land use (development growth) induced by transportation project?**

5-G  
(cont.)

**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)**

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.

5-H

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)**

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.

5-I

**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

#6

**Rob Terry**

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**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.

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."

Nicholas Don Paladino  
Advocacy Director, Fresno Cycling Club

6-A



**Rob Terry**

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**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:

- 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?

- 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.

- 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.

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

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

6-B

**Rob Terry**

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**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

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. 6-C

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

Chapter 6

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

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

Chapter 7

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.

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. 6-F

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

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**

**DISTRICT 6**  
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#7



Serious drought.  
Help save water!

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:

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May 14, 2014  
Page 2

- 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.

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- 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.

7-A

#### **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.

7-B

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:

- 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.

7-C

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Page 4

- 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:

- 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. 7-D
- Clarify where in the RTP FCOG involved federal land management agencies during the preparation of the RTP. 7-E
- 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. 7-F
- 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). 7-G
- 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. 7-H
- 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. 7-I
- 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? 7-J

**Division of Aeronautics**

7-K 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,

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May 14, 2014  
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7-K  
(cont.)

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.

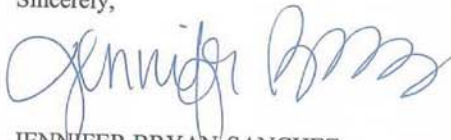
*Section 5.6 Aviation Overview:*

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

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#8

May 15, 2014

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

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|--|---|--------------------|
| <b>Sierra Business Council</b>   | PHYSICAL ADDRESS 10183 Truckee Airport Rd Truckee, CA 96161 | PHONE 530.582.4800 |
| WEBSITE <a href="http://www.sierrabusiness.org">www.sierrabusiness.org</a> | MAILING ADDRESS P.O. Box 2428 Truckee, CA 96160             | FAX 530.582.1230   |

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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.

#### **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-A

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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.

8-A  
(cont.)

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.

#### 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.

8-B

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.

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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.

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8-B  
(cont.)





#### 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.**

8-C

#### 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.

8-D

##### 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.

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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).**

8-D  
(cont.)

#### 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.

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Sincerely,

Steven R. Frisch  
President

Kerri L. Timmer  
Government Affairs Director

Encl: Appendix

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## 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.

# # #

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#9

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 FTIP 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.

#10



May 15, 2014

Barbara J. Steck, Deputy Director  
Fresno County Council of Governments  
2035 Tulare Street, Suite 201  
Fresno, CA 93721  
[bjsteck@fresnocog.org](mailto: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,<sup>1</sup> as well as farmland that contributes nearly \$38 billion to the economy every year.<sup>2</sup> It is also home to a diverse and

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<sup>1</sup> 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>.

<sup>2</sup> 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,<sup>3</sup> worsening widespread poverty<sup>4</sup> and exacerbating some of the worst air quality in the nation.<sup>5</sup> The SCS process, which was intended to reduce per capita greenhouse gas (GHG) emissions through “changed land use patterns and improved transportation,”<sup>6</sup> 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.

**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

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<sup>3</sup> 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).

<sup>4</sup> 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.

<sup>5</sup> 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>.

<sup>6</sup> SB 375, § 1(c). California Statutes, 2008.

10-A

benefits by these populations.<sup>7</sup> 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.

10-A  
(cont.)

**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”<sup>8</sup> and “incorporat[ing] environmental justice principles into transportation planning,”<sup>9</sup> are recognized and prioritized for funding.

10-B

**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.

10-C

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<sup>7</sup> PEIR, p. 3-379.

<sup>8</sup> Draft RTP/SCS p. 4-17.

<sup>9</sup> Draft RTP/SCS p. 4-28.

**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.**

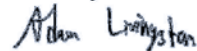
Finally, we support the creation of an ad hoc committee to adopt and implement policies to protect important farmland, rangeland and natural resource lands in the County, including but not limited to 1) full mitigation for farmland, habitat and other natural resources, 2) a mitigation hierarchy policy (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.

10-D

We recognize that Fresno COG does not have land use planning authority,<sup>10</sup> 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.<sup>11</sup> 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.<sup>12</sup>

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

Sincerely,



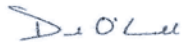
Adam Livingston  
Coordinator  
Southern Sierra Partnership

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<sup>10</sup> Cal. Government Code § 65080.

<sup>11</sup> 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).

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



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



#11



May 15, 2014

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

Submitted via email: [bsteck@fresnocog.org](mailto:bsteck@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***<sup>1</sup> report released on April 30<sup>th</sup> 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

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<sup>1</sup> American Lung Association. *State of the Air 2014*. April 2014. [www.stateoftheair.org](http://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.<sup>2</sup>

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.<sup>3</sup>
3. **The United States Global Change Research Program's *National Climate Assessment*<sup>4</sup>, 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.

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.

11-A

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<sup>2</sup> American Lung Association in California. *Public Health Crossroads: Fresno County*. March 2014. [www.lung.org/california](http://www.lung.org/california)

<sup>3</sup> California Department of Public Health. *County Health Status Profiles*. April 7, 2014. <http://www.cdph.ca.gov/programs/ohir/Documents/OHIRProfiles2014.pdf>

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



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.<sup>5</sup> 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.

11-B

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.

11-C

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.

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<sup>5</sup> 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**



## CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

#12

May 15, 2014

Barbara Steck  
Deputy Director, Fresno Council of Governments  
2035 Tulare Street Suite 201  
Fresno, CA 93721  
[bjsteck@fresnocog.org](mailto: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 economy<sup>1</sup>, 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

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<sup>1</sup> 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)



**CALIFORNIA RURAL LEGAL ASSISTANCE, INC.**  
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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**

The Draft RTP recognizes that maintaining investment consistent with population and service area growth leaves many needs unmet,<sup>2</sup> 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.

12-A

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

<sup>2</sup> Draft 2014 Regional Transportation Plan 5-40





## CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

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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.

12-A  
(cont.)

### Addressing key health needs through fair allocation of funds

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.

12-B

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.<sup>3</sup>

<sup>3</sup> 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.



## CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

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### Jurisdictions Receiving the Least Proportionate Share of Funding

|          | % of<br>region's<br>budget | % of<br>region's<br>population | % of "fair<br>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

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.<sup>4</sup> 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.<sup>5</sup> 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.

12-C

#### Effective use of unbudgeted funds to improve transportation options

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

12-D

<sup>4</sup> Health Impact Assessment, 34

<sup>5</sup> Draft 2014 Regional Transportation Plan, 5-26

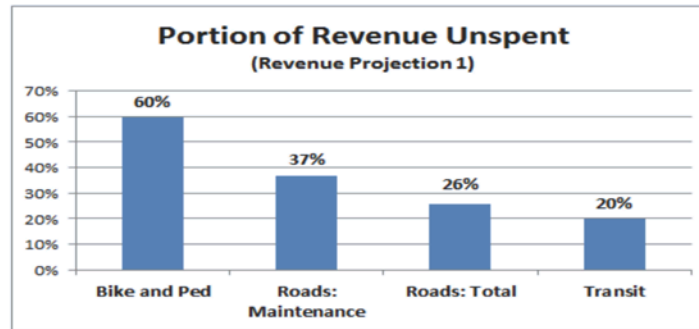




## CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

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



12-D  
(cont.)

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

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.

12-E



## CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

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### Deficiencies in the Draft EIR

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

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.

12-F1

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

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.

12-F2

### 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.



## CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

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  
Community Worker  
California Rural Legal Assistance, Inc. - Community Equity Initiative  
2115 Kern Street, Suite 370  
Fresno, CA 93721  
(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



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.



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May 15, 2014  
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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:

- Incorporate a policy allocating RTP investments to existing cities and communities first 13-A
- 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 13-B
- Analyze how investments in active transportation and transit compare to the 2011 plan, ensuring that this plan represents a significant improvement 13-B
- Undertake a needs assessment to develop and implement a plan to address unmet transportation and related infrastructure needs throughout the County 13-C
- Develop a robust grants program to ensure adequate funding to address unmet transportation and related infrastructure needs throughout the County 13-D
- Ensure land use and transportation policy changes drive short- and long-term GHG declines
- Develop and implement anti-displacement measures
- 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 13-E
- Strengthen the RTP as a planning tool by increasing its internal consistency and adding a plan to track its progress
- Address deficiencies in the PEIR analysis and mitigations



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Page 3

**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,<sup>1</sup> 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.

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.

13-F

**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.

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.<sup>2</sup> 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

13-G

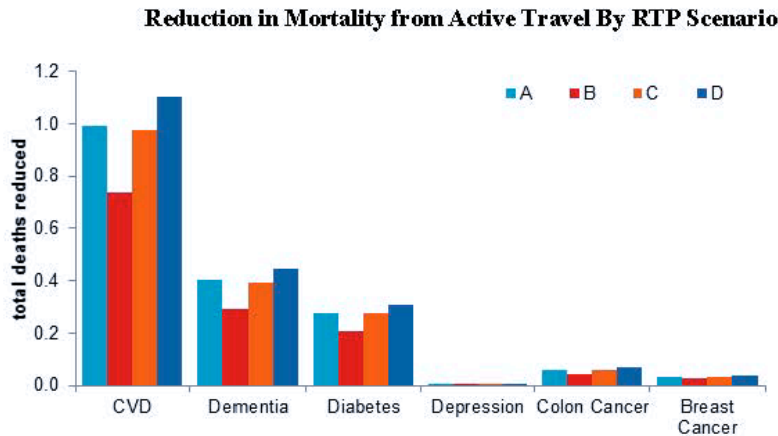
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<sup>1</sup> Draft 2014 Regional Transportation Plan 5-40

<sup>2</sup> 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.

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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.



13-G  
 (cont.)

#### **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.<sup>3</sup>

<sup>3</sup> 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.

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| 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%               |

13-H

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

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.<sup>4</sup> 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.<sup>5</sup> 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.

13-I

#### **Prevent Disproportionate Impacts on Disadvantaged Communities**

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."<sup>6</sup> However, the RTP and SCS fall short of setting measures to achieve environmental justice within our

13-J

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

<sup>5</sup> Draft 2014 Regional Transportation Plan 5-26

<sup>6</sup> Appendix I, p 1



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May 15, 2014  
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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

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.

13-K

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.

13-L

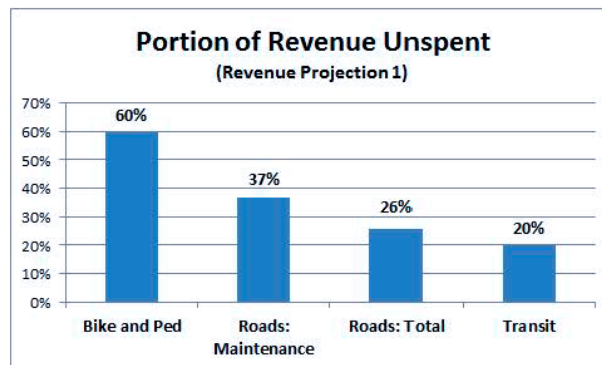
**Leverage Available Funding for Needed Transit and Active Transportation Improvements**

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.

13-M

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.

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May 15, 2014  
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**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.

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.

13-N

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

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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.

## **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*

13-P

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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.

13-P  
(cont.)

### **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.<sup>7</sup> 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.<sup>8</sup>

13-Q

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<sup>7</sup> Draft EIR p. 3-35

<sup>8</sup> 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

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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.<sup>9</sup> 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.

13-Q  
(cont.)

#### **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.

##### **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.

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<http://www.co.fresno.ca.us/WorkArea/linkit.aspx?LinkIdIdentifier=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



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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)).

**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.

13-R

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.

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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.

13-R  
(cont.)

**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,  
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Respectfully submitted,

/s/  
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AMERICAN FARMLAND TRUST

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CCEJN Coordinator

/s/  
Marty Martinez  
Northern California Policy  
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SAFE ROUTES TO SCHOOL  
NATIONAL PARTNERSHIP

  
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SIERRA NEVADA ALLIANCE



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/s/  
Sabina Gonzales  
Regional Director  
Communities for a New California (CNC)

/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.<sup>10</sup> 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.

13-S

#### **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.

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<sup>10</sup> 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

Policies 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.

13-S  
(cont.)

**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.

13-S  
(cont.)



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.

13-5  
(cont.)



#14



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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.

#### **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.

14-A

## II. Farmland Mitigation

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.

14-B1

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.

14-B2

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.

14-B3

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.

14-B4



### 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:

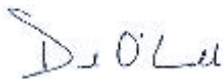
- Develop a methodology to help implementing agencies quantify the conversion of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance associated with their proposed projects.
- Develop a methodology for implementing agencies to consider preservation ratios 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

14-C



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**California Division**

May 19, 2014

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In Reply Refer To:  
HDA-CA

Mr. Tony Boren  
Executive Director  
Fresno Council of Governments  
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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.

15

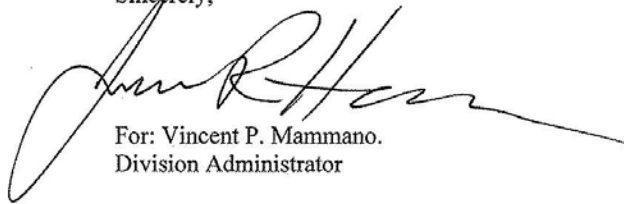
FHWA will continue to monitor FCOG's FTIP and RTP/SCS development process as FCOG proceeds towards adoption of the Final documents. We may provide additional comments on your Draft and Final submitted FY 2015-2018 FTIP and 2014-2040 RTP/SCS as well as informally via email, phone consultations and our 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](mailto:scott.carson@dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Vin 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/



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."

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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

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

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

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., GOVERNOR

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

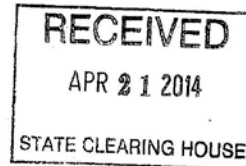
3310 El Camino Ave., Rm. 151  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-2380 FAX: (916) 574-0682



April 18, 2014

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

Clear  
6/5/15/14  
P



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/>.

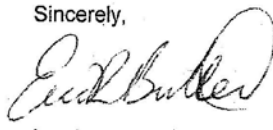
Additional Considerations Related to Potential Impacts of Vegetation and Hydraulics

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](mailto: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   | COMMENT   | RESPONSE  |      |
| COG BOARD MEETING 04-24-14   |   |   |      |
| Heather Dumais, American Lung Association  | The Plan can do more.   | There is always room to improve. There are lessons learned during the 2014 RTP/SCS process, and they could become valuable experience for the 2018 RTP/SCS.   | 17-A |
|  | Need a support plan that will go forward starting now.  | References to programs will be included in Policy element and RTP.  | 17-B |
|  | Need a clear statement of grant programs early.   | References to programs will be included in Policy element and RTP.  | 17-C |
| Jaime Moncayo, Leadership Counsel for Justice and Accountability                       | COG Board needs to adopt the three policies recommended by the Community Based Coalition:   | References to programs will be included in Policy element and RTP.  | 17-D |
|  | 1. Grants program   |   |      |
|  | 2. Needs assessment   |   |      |
|  | 3. Conservation policy  |   |      |
|  | We need a commitment from the Board that isn't there now.   | Scheduled for Policy Board consideration on May 22, 2014  | 17-E |
| 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:  |   |      |
|  | The components of the RTP are integrated with each other, e.g. how policy is related to the project list.   | This was received in the "Final Commentary on the 2014 RTP" letter dated 4/24/14 from the League and has been responded to as part of that letter.  | 17-F |
|  | The 10 performance factors should be calculated every few years and then a report prepared.   | 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 measure 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 modeled number, and currently we do not know sources that collect such data over time. Due to the requirement of the MAP 21, there will be changes in the performance measures in the 2018 RTP/SCS. | 17-G |
|  | Need a more open and clarified scoring criteria for the 2014 project list.  | 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.  | 17-H |
|  | 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   | 17-I |
|  | LWV have nothing but kudos for the work COG has done.   | Thank you.  | 17-J |
| Craig Breon, representing himself  | The process abandons the authority of the COG Board.  | Comment noted.  | 17-K |
| Cesar Campos, Central California Environmental Justice Network                         | Need grants for action.   | We are working on SCS implementation program that would include such grants.  | 17-L |
|  | EIR discusses the growing depletion of groundwater, but need metrics of how much it is dividing communities.  | Reference Response 5E.  | 17-M |
|  | Need a discussion of regional projects that hurt low income communities.  | Included in Environmental Justice chapter of RTP.   | 17-N |

| PUBLIC HEARING COMMENTS - COG BOARD MEETING 04-24-14 AND SELMA PUBLIC HEARING 05-07-14 |   |  | #17  |
|--|---|--|------|
| COMMENTS   | COMMENT   | RESPONSE   |      |
|  | Urge COG Board members to hold public meetings in their jurisdiction and CCEJN would love to co-host.     | Comment noted.   | 17-O |
| Mike Wells, Coalition for Clean Air  | Need programs for disadvantaged communities.  | References to programs will be included in Policy element and RTP.   | 17-P |
| Sarah Sharpe, Fresno Metro Ministry  | Need to get people more informed and aware.   | This comment was made in reference to the upcoming SCS Workshop Fresno Metro Ministries hosted on May 5, 2014. Fresno COG presented the RTP/SCS information at the workshop. FMM has made it a goal to help engage more members of the community in understanding and giving feedback on transportation issues such as the SCS.  | 17-Q |
|  | The targets were too easy to hit.   | The targets are not easy to hit. Without City of Fresno and other jurisdiction's latest general updates and much more investment in transit and active transportation, Fresno COG would not have been able to reach the targets. City of Fresno went through hundreds of workshop for the general plan update; hundred of people testified at the City Council meeting to support the general plan update. There are still forces who doubt the feasibility of the plan and try to go back to status quo. Implementation will be the key.  | 17-R |
|  | The Community Based Organization policies should be integrated into the SCS, but they are not.            | Needs assessment appears in 2014-15 OWP; Program appears in Chapter 7 of RTP.  | 17-S |
| Christine Barker, representing herself   | EIR states that roadway expansion will not impact low income and minority families, but it will.          | Comment noted.   | 17-T |
| Gavin Feiger, Sierra Nevada Alliance   | Sierra Nevada Alliance will submit more detailed comments on the SCS and EIR later.                       |  |      |
|  | 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. | 17-U |
| SELMA PUBLIC HEARING 05-07-14  |   |  |      |
| 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.   | 17-V |
|  | The SCS needs to be stronger.   | This is an ambitious and achievable plan for Fresno County.  | 17-W |
|  | 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.  | 17-X |
| Jeff Roberts, Granville Homes  | I support Scenario B.   | Comment noted.   | 17-Y |

## SECTION 3.0 CHANGES, ADDITIONS, AND CORRECTIONS TO THE DRAFT PEIR

The following changes, additions, and corrections to the Draft PEIR are recommended. Such changes, additions, and corrections have identified to address written or staff comments received on the Draft PEIR.

- ✓ **Executive Summary, Page 1-42, Table 1-1, Impact 3.15.3, Delete the following mitigation measure:**

- Recently, the Governor declared an emergency drought declaration for the State. Long-term water supply documents anticipate that drought (including severe single-year drought) are regular occurrences within the State. Because the 2014 RTP and SCS do not propose or approve any development of any water demand projects, the Governor's drought declaration does not indicate that there is a significant water supply impact associated with the RTP and SCS.

- ✓ **Chapter 2, Page 2-13, add the following text to the end of the 1<sup>st</sup> bullet as a new paragraph:**

*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.*

*Finally, 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.*

- ✓ **Chapter 2, Page 2-18, 6<sup>th</sup> bullet, replace text with the following:**

- *Seek to ensure 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.*

✓ **Chapter 2, Page 2-18, 9<sup>th</sup> bullet, replace text with the following:**

- *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.*

✓ **Chapter 2, Page 2-74, Replace Figure 2-11, Regional Airports with an updated figure updating label on Selma Aerodrome to correct notation of General Aviation, Privately Owned.**

✓ **Chapter 3, Section 3.3, Agricultural Resources, Page 3-37, place the following paragraphs at the end of the page:**

*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.*

- ✓ **Chapter 3, Section 3.4, Air Quality, Page 3-92**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “implementing”.
- ✓ **Chapter 3, Section 3.4, Air Quality, Page 3-112**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “implementing”.
- ✓ **Chapter 3, Section 3.6, Climate Change, Page 3-177**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “implementing”.
- ✓ **Chapter 3, Section 3.6, Climate Change, Page 3-177**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “implementing”.
- ✓ **Chapter 3, Section 3.11, Hydrology, Page 3-263**, Environmental Setting, Hydrology, 2<sup>nd</sup> bullet titled “Surface Waters”, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> sentence, change the words “Sierra Nevada’s” to “Sierra Nevada.”
- ✓ **Chapter 3, Section 3.11, Hydrology, Page 3-266**, Environmental Setting, Hydrology, 1<sup>st</sup> bullet titled “Groundwater Resources”, add the following sentence following the 4<sup>th</sup> sentence: *However, only the flow-through volume is renewable.*
- ✓ **Chapter 3, Section 3.11, Hydrology, Page 3-268**, Environmental Setting, Hydrology, 1<sup>st</sup> paragraph, add the following words in the 1<sup>st</sup> sentence following the words “has produced”: *“serious overdraft.”* In addition, add the following sentence following the 1<sup>st</sup> sentence: *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.*

- ✓ **Chapter 3, Section 3.11, Hydrology, Page 3-269**, Environmental Impacts, Mitigation Measures, and Significance After Mitigation, 1<sup>st</sup> paragraph, revise the 4<sup>th</sup> sentence to read: *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.*
- ✓ **Chapter 3, Section 3.11, Hydrology, Page 3-276**, Impact 3.11.4, add the following narrative after the 2<sup>nd</sup> paragraph:

*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  |
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| Lower San Joaquin River Flood Control Project | Fresno, Madera, and Merced                          |
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| 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.*

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*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 complete 23 CCR regulations can be found on the following website at <http://www/cvfpb.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.wate.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 measure to avoid decreasing floodway channel capacity.*

*Adverse hydraulic impacts of proposed encroachment 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 Boards' jurisdiction should be used when mitigating for vegetation removed at the project location.*

- ✓ **Chapter 3, Section 3.12, Land Use and Planning, Page 3-305**, under the subsection titled "Mitigation Measures", 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word "implantation" to "implementing".
- ✓ **Chapter 3, Section 3.12, Land Use and Planning, Page 3-307**, under the subsection titled "Mitigation Measures", 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word "implantation" to "implementing".

- ✓ **Chapter 3, Section 3.12, Land Use and Planning, Page 3-308**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 3, Section 3.12, Land Use and Planning, Page 3-309**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 3, Section 3.13, Noise, Page 3-327**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 3, Section 3.13, Noise, Page 3-327**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 3, Section 3.13, Noise, Page 3-332**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 3, Section 3.13, Noise, Page 3-334**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 3, Section 3.13, Noise, Page 3-336**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 3, Section 3.15, Public Utilities, Other Utilities & Services Systems, Page 3-368**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 3, Section 3.15, Public Utilities, Other Utilities & Services Systems, Page 3-371**, Table 1-1, Impact 3.15.3, Delete the following mitigation measure:
  - Recently, the Governor declared an emergency drought declaration for the State. Long-term water supply documents anticipate that drought (including severe single-year drought) are regular occurrences within the State. Because the 2014 RTP and SCS do not propose or approve any development of any water demand projects, the Governor’s drought declaration does not indicate that there is a significant water supply impact associated with the RTP and SCS.
- ✓ **Chapter 3, Section 3.15, Public Utilities, Other Utilities & Services Systems, Page 3-372**, under the subsection titled “Mitigation Measures”, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, change the word “implantation” to “*implementing*”.
- ✓ **Chapter 4, Section 4.2, Table 4-1**, remove the column reflecting Scenario D.
- ✓ **Chapter 4, Section 4.3, Project Alternatives, Page 4-11**, place the following paragraph after the 1<sup>st</sup> paragraph under the heading Agricultural Resources:

*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. 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.*



## EXHIBIT A - STATEMENT OF OVERRIDING CONSIDERATIONS

### SUMMARY OF SIGNIFICANT, ADVERSE, UNAVOIDABLE IMPACTS

Fresno COG has prepared a mitigation monitoring program for the Fresno COG 2014 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) Draft and Final Program Environmental Impact Report (PEIR) as required by the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq. Fresno COG identified several significant, adverse, and unavoidable impacts in the Draft and Final PEIRs. As such, CEQA requires the Fresno COG Board of Directors to balance the benefits of the Proposed Plan Option against its unavoidable environmental risks in determining whether to approve the RTP and SCS. The PEIRs identify the following significant, adverse, and unavoidable environmental impacts:

- ✓ **Impact 3.2.1:** Construction and implementation of individual projects could potentially impede or block views of scenic resources as seen from the transportation facility or from the surrounding area.
- ✓ **Impact 3.2.2:** Construction and implementation of the projects could alter the appearance of scenic resources along or near designated scenic highways and vista points.
- ✓ **Impact 3.2.3:** Construction and implementation of the projects could create significant contrasts with the overall visual character of the existing landscape setting.
- ✓ **Impact 3.2.4:** Construction and implementation of individual projects could potentially create a new source of substantial light or glare that would affect day or nighttime views of scenic resources as seen from the transportation facility or from the surrounding area.
- ✓ **Impact 3.3.1:** Strategies aimed at addressing the transportation needs of future growth patterns were considered during development of the proposed RTP and SCS. The document promotes a preferred land use scenario and alternative transportation system to the automobile through enhanced funding for transit and other alternative modes of transportation such as bicycle facilities, trails, airport improvements, and others. Implementation of strategies proposed in the RTP and SCS could result in positive changes to land uses and reduced impacts on important farmland or Forest/Timber Lands. Reducing the footprint of new development as reflected in the 2014 RTP and SCS protects farmland, Williamson Act contract land, forest/timber land, and other open space lands in the Fresno region.

Implementation of transportation improvements included in the RTP could influence land use patterns throughout the region as shown in the SCS and result in the conversion of important agricultural lands. Land use and transportation policies are emphasized in the RTP in order to address automobile traffic and air quality concerns. Growth patterns that promote alternatives to the automobile by creating mixed-use developments, which would include residences, shops, parks, and

civic institutions, linked to pedestrian-and-bicycle friendly public transportation centers, are also discussed in the RTP and in the SCS. Implementation of enhanced alternative modes as provided by the RTP could result in more balanced land use conditions throughout the region, as the mixed-use developments would result in a concentration of jobs and residences in close proximity to one another. Reducing the footprint of new development as reflected in the 2014 RTP and SCS protects farmland, Williamson Act contract land, forest/timber land, and other open space lands in the Fresno region.

While the RTP is likely to result in a positive outcome related to supportive land use conditions for alternative forms of transportation such as transit, other projects in the Plan could have significant impacts on land use patterns, potentially causing land use growth and development to occur in areas not previously envisioned for growth and development. This impact could be especially significant on agricultural land uses within the County.

- ✓ **Impact 3.3.2:** Implementation of the proposed Project could potentially conflict with existing zoning for agriculture use, Williamson Act Contract or forest/timber lands resulting in the disturbance or loss of some of these designated areas.
- ✓ **Impact 3.3.3:** Impacts on farmland related to transportation improvements from implementation of the proposed Project are considered potentially significant.
- ✓ **Impact 3.4.2:** The RTP and SCS includes projects that may violate air quality standards or contribute substantially to an existing or projected air quality violation.
- ✓ **Impact 3.4.4:** The RTP and SCS includes projects that may expose sensitive receptors to substantial pollutant concentrations.
- ✓ **Impact 3.4.5:** Proposed projects identified in the RTP and SCS may create objectionable odors affection a substantial number of people.
- ✓ **Impact 3.5.1:** The RTP and SCS includes projects that may result in direct removal or degradation of riparian habitat or other sensitive natural communities during construction activities such as grading and grubbing.
- ✓ **Impact 3.5.2:** The RTP and SCS includes projects that may result in direct impacts to plant and wildlife species including rare, threatened and/or endangered species during construction and operation of the proposed transportation facilities through the removal of native habitat.
- ✓ **Impact 3.5.3:** The Project may result in indirect impacts to plant and wildlife species including rare, threatened and/or endangered species during the construction and operation through edge effects such as noise, lighting and visual deterrents.

- ✓ **Impact 3.5.4:** The Project would result in temporary and permanent impacts to terrestrial and aquatic wildlife movement. The linear nature of transportation projects increases the potential extent and significance of impacts to wildlife movement. Transportation facilities pose barriers to wildlife crossings that may result in injury or death of wildlife attempting to traverse the facility. These barriers also result in fragmentation of natural habitat and increased impacts associated with edge effects from lighting, noise, human disturbance, exotic plant infestations, urban runoff, etc. Smaller fragments of habitat result in greater intensity of the edge effects. It is also important to maintain connections between populations of wildlife so that interbreeding, and/or that young have no ability to disperse to suitable habitats, does not occur. Impacts to wildlife movement would be greater along entirely new transportation facilities than with improvements to existing facilities, because the existing facility has already formed a barrier, and the addition of new lanes for example, may only slightly increase the barrier effect.

- ✓ **Impact 3.5.5:** The 2014 RTP and SCS would potentially increase siltation of streams and other water resources from exposures of erodible soils during construction activities. Excessive siltation can significantly degrade habitat for fish and other aquatic organisms. Heavy sediment deposition can bury slow-moving or sessile bottom-dwelling organisms, fish eggs and larval forms of many aquatic organisms. These losses are not only of direct concern, but also represent a loss of food sources for larger fishes and other organisms, such as birds and mammals, that are not directly affected by sediments.

Increased sediment can also decrease light penetration for aquatic plant production and increase water temperature from greater insulation. Higher water temperatures can affect aquatic organisms through direct stress of temperature-sensitive organisms (e.g., steelhead require cold water streams), and by increasing nitrate productivity which can exacerbate eutrophication if the sediments contain or are accompanied by excessive nutrients (i.e., algal blooms). The degree of this impact would depend on several factors including the following:

- *Length of occurrence.* The longer the period of sedimentation, the greater the potential for significance.
  - *Timing of occurrence.* The effect would be of greater significance during particularly sensitive times of year, such as during fish spawning seasons when the eggs and larvae which are particularly sensitive to siltation would be present; and,
  - *Significance of Resource.* The effect would be of greater significance where a special status species might be affected, such as near a steelhead spawning stream.
- ✓ **Impact 3.5.6:** Transportation and future land use impacts related to conflicts with local policies or ordinances protecting biological resources are considered potentially significant.
  - ✓ **Impact 3.6.1:** Increased Transportation GHG Emissions may contribute to Climate Change.

- ✓ **Impact 3.7.1:** Development of highway, arterial, bridge crossing, transit, and future land use development projects may have a significant impact on historical resources.
- ✓ **Impact 3.7.2:** Construction activities involving excavation and earthmoving may encounter archaeological resources.
- ✓ **Impact 3.7.3:** Construction activities involving excavation and earthmoving may encounter paleontological materials.
- ✓ **Impact 3.7.4:** Construction activities involving excavation and earthmoving may encounter human remains.
- ✓ **Impact 3.8.1:** Construction activities proposed in the 2014 RTP and SCS would lead to a substantial increase in energy consumption associated with construction equipment and vehicles primarily powered by nonrenewable fuels.
- ✓ **Impact 3.9.1:** Seismic events can damage transportation infrastructure and land use development through ground shaking, liquefaction, surface rupture, and land sliding. Property damage and public safety from seismic activity would be considered a significant impact in some cases.
- ✓ **Impact 3.9.2:** Some improvement projects require significant earthwork, increasing potential slope failure and long-term erosion. Earthwork can also alter unique geologic features.
- ✓ **Impact 3.9.3:** Proposed transportation infrastructure designs and future land use development could potentially have significant impacts to property and public safety due to subsidence and the presence of expansive soils.
- ✓ **Impact 3.9.4:** Implementation of proposed individual Projects could result in the loss of availability of a designated mineral resource that would be of value to the region and the residents of the State.
- ✓ **Impact 3.9.5:** Implementation of proposed individual Projects could result in the loss of availability of locally-important mineral resource recover sites delineated on a local general plan, specific plan, or other land use plan.
- ✓ **Impact 3.10.1:** Proposed 2014 RTP and SCS projects could create a significant hazard to the public or the environment through the routing transport, use, or disposal of hazardous materials.
- ✓ **Impact 3.10.2:** The implementation of the 2014 RTP and SCS could create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during transportation. Implementation of the 2014 RTP

and SCS would facilitate the movement of goods, including hazardous materials, through the region. Transportation of goods, in general, and hazardous materials in particular, can thus be expected to increase substantially with implementation of the 2014 RTP and SCS.

- ✓ **Impact 3.10.3:** Due to the large number of contaminated sites, construction of new transportation facilities or future land use developments could disturb contaminated property.
  - ✓ **Impact 3.10.5:** Transportation improvements and future land use development associated with the implementation of the proposed RTP and SCS could result in a safety hazard within an airport plan area.
  - ✓ **Impact 3.10.6:** Transportation improvements and future land use development associated with implementation of the 2014 RTP and SCS could result in a safety hazard within the vicinity of a private airstrips, creating hazards from tall structures, glare producing objects, bird and wildlife attractants, radio waves from communication centers, or other features that have the potential to interfere with take-off or landing procedures.
  - ✓ **Impact 3.10.7:** Implementation of the proposed Project could impair implementation of our physically interfere with an adopted emergency response plan or emergency evacuation plan.
  - ✓ **Impact 3.10.8:** Implementation of the proposed Project could expose people or structures to a significant risk of loss, injury, or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.
  - ✓ **Impact 3.11.1:** Construction activities related to the implementation of the RTP and SCS could violate Regional Water Quality Control Board water quality standards or waste discharge requirements.
  - ✓ **Impact 3.11.2:** Individual projects and future land use developments could 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.
  - ✓ **Impact 3.11.3:** Construction activities could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
  - ✓ **Impact 3.11.4:** The proposed Project could increase flooding, alter the existing drainage patterns, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding or exceeding the capacity of existing or planned storm water drainage systems.
  - ✓ **Impact 3.11.5:** Projects identified in the 2014 RTP and SCS could create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
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- ✓ **Impact 3.11.6:** Construction activities related to transportation projects could substantially degrade water quality.
- ✓ **Impact 3.11.7:** Construction of new land use developments could place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, a Flood Insurance Rate Map, or other flood hazard delineation map.
- ✓ **Impact 3.11.8:** The 2014 RTP and SCS could alter existing drainage patterns or substantially increase the rate or amount of surface runoff in a manner that would result in flooding or produce or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems.
- ✓ **Impact 3.11.9:** Construction activities including the placement of structures within a 100-year flood hazard area can impede flood waters, altering the flood risks both upstream and downstream.
- ✓ **Impact 3.12.2:** Construction and implementation of projects would result in the loss of open space and community recreation areas. This would be considered a potentially significant impact. Pockets of open space vary in size and location throughout the County and within the cities. Open space land uses include agricultural areas, public parks, recreational facilities, and areas planned for such uses.
- ✓ **Impact 3.12.3:** Development of RTP and SCS-related projects and programs could result in the disturbance or loss of open spaces and recreational resources.
- ✓ **Impact 3.12.4:** The proposed Project will likely increase populations in areas without ample park space, thus resulting in creased use and deterioration of existing neighborhood and regional parks.
- ✓ **Impact 3.13.1:** Noise-sensitive land uses could be exposed to noise in excess of normally acceptable noise levels and/or could experience substantial increases in noise as a result of the operation of expanded or new transportation facilities (i.e., increased traffic resulting from new highways, addition of highway lanes, roadways, ramps, and new transit facilities as well as increased use of existing transit facilities, etc.) and future noise generating land use developments.
- ✓ **Impact 3.13.3:** Ambient noise levels could increase in the region to exceed normally acceptable noise levels or have substantial increases in noise as a result of the operation of expanded or new transportation facilities (i.e., increased traffic resulting from new highways, addition of highway lanes, roadways, ramps, and new use of new transit facilities as well as increased use of existing transit facilities, etc.).
- ✓ **Impact 3.13.4:** Construction activities related to the 2014 RTP and SCS could cause substantial temporary or periodic increases in ambient noise levels in the immediate vicinity of the construction sites, sometimes for extended durations.

- ✓ **Impact 13.13.5:** Construction of new highway and transit facilities or the modification of an existing system near one of the public airports located in Fresno County could expose workers to excessive noise levels.
- ✓ **Impact 13.13.6:** Construction of new highway and transit facilities or the modification of an existing system near one of the private airstrips located in Fresno County could expose workers to excessive noise levels.
- ✓ **Impact 3.14.1:** The Project could potentially displace or relocate residences and businesses through acquisition of land and buildings necessary for highway, arterial, and transit improvement.
- ✓ **Impact 3.14.2:** The Project has the potential to displace or cause the relocation of residences and businesses through acquisition of land and buildings necessary for highway, arterial, and transit improvements, as well as future land use development.
- ✓ **Impact 3.14.3:** The Project has the potential to disrupt or divide a community by separating community facilities, restricting community access and eliminating community amenities.
- ✓ **Impact 3.14.5:** Depending upon the timing, location, and duration of construction activities, proposed transportation improvement projects and land use development projects could delay emergency response times or otherwise disrupt delivery of emergency services. Emergency routes would be impaired if one or more lanes of a roadway in Fresno County were closed off due to transportation or land use development construction activities. Traffic delays and prevention of access to calls for service could potentially result.
- ✓ **Impact 3.15.4:** Growth and development and transportation improvements expected to occur as part of the 2014 RTP and SCS would be primarily focused in previously developed urban areas. A limited number of new developments in urban areas would convert undeveloped land to impermeable surfaces, resulting in an increase in storm water runoff, which could potentially exceed the capacity of existing storm water drainage facilities.
- ✓ **Impact 3.17.1:** The proposed RTP and SCS are based on regional employment and population forecasts, and accommodate this growth through land use and transportation projects. Although the project focuses on relieving vehicle congestion to the extent possible, it does cause an increase in VMT and that leads to an increase in traffic congestion. This is a significant impact of the project.

The RTP and SCS will tend to make changes to the distribution of trips in adjacent counties and therefore does have the potential to cause significant traffic impacts in adjacent counties. This is considered to be a significant and unavoidable impact of the Project.

- ✓ **Impact 3.17.2:** While improved mobility will result from implementation of the projects contained in the RTP, some significant unavoidable impacts, considering the regional minimum LOS policy of “D” will occur. LOS deficiencies will result along a number of regional street and highway segments and associated intersections because of the inability to widen such facilities due to funding and other constraints even with RTP projects. It is anticipated that even with implementation of the Project significant LOS deficiencies will continue therefore.
- ✓ **Impact 3.17.4:** Development of RTP and SCS-related projects and programs could result in a substantial increase in hazards due to a design feature or incompatible uses by increasing the opportunities for walking and biking, thereby making it necessary that multi-modal facilities be designed to enhance the safety of these users.
- ✓ **Impact 3.17.5:** Congestion is expected to worsen between now and 2040 which could adversely impact emergency access. While the 2014 RTP and SCS would generally enhance mobility and access to destinations (including access for emergency vehicles) as compared to the No Project Alternative, measures should be implemented to maintain adequate emergency access in the design of RTP projects.
- ✓ **Impact 3.17.6:** While the 2014 RTP and SCS will not directly result in inadequate parking capacity, measures should be implemented to ensure that negative parking impacts are minimized in the design of the individual transportation projects included in the RTP. Expected population increases as well as land use development in Fresno County will increase the traffic volumes and parking demand.
- ✓ **Impact 3.17.7:** The 2014 RTP and SCS includes a list of improvement projects and programs (including public transit, bicycle and trail, and pedestrian projects) to enhance Fresno County’s multi-modal transportation system. These RTP projects are consistent with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. At the time of project implementation, additional environmental analyses will be required which the implementing agency will use to ensure adequate access for transit and active mode users in the design of RTP projects.

While the RTP and SCS would generally enhance and improve mobility for transit and active modes, it also contains roadway projects that have the potential to create conflicts between motorists and transit riders, pedestrians and cyclists.

## OVERRIDING CONSIDERATIONS

Fresno COG is required to prepare this Statement of Overriding Considerations to explain the reasons for approving the 2014 RTP and SCS, despite the unavoidable impacts identified in the PEIR and Findings of Fact (as per Section 15093 of the State CEQA Guidelines). In preparing this Statement, Fresno COG has balanced the benefits of the Proposed Plan Option against its unavoidable environmental risks. Fresno COG finds that the unavoidable significant adverse effects of the individual improvement projects are overridden by the benefits of those projects and the considerations described below. Fresno COG, therefore, makes and adopts the following Overriding Considerations:

- ✓ The requirement for updates to the RTP every four (4) years, which provides for the identification of transportation modes to address population and employment growth, is required by State Law and sound local planning practice, and is an overriding concern.
- ✓ The specific need to provide necessary, feasible and sustainable transportation system improvements within the region is an overriding concern.
- ✓ The need to provide choice in the availability of transportation modes for County residents as a means to avoid significant delay and congestion, which may indirectly harm businesses and residents that depend upon a viable transportation system, is an overriding concern.
- ✓ Because there is no alternative other than the “No Build”, “No Project” (2011 Regional Transportation Plan), and VMT Reduction Alternatives to converting some prime farmland for expansion of the circulation system, the need for such conversion is an overriding concern.
- ✓ While the individual improvement projects will not result in emissions beyond those allowed through the conformity process, and construction and hot spot emission impacts can be mitigated or are not found to be significant, the fact that the Valley continues to be nonattainment for volatile organic compounds, nitrogen oxides, and PM emissions, is an overriding concern.
- ✓ Because there is no alternative other than “No Build”, “No Project”, and VMT Reduction Alternatives to the loss of some biological resources for expansion of the circulation system, the loss of such resources is an overriding concern.
- ✓ The 2014 RTP and SCS balances the need to preserve valuable agricultural and biological resources with the region’s need to provide a viable transportation system to accommodate anticipated population and employment growth and the related increased need for employment opportunities and municipal revenue. This planning balance is an overriding concern.

- ✓ Regional benefits associated with implementation of the 2014 RTP and SCS (reduced vehicular emissions, reduced congestion, reduced travel time, reduced vehicle miles traveled and improved mobility), will result from the implementation of planned improvement projects, which outweigh the potentially unavoidable localized impacts to land use development that may result from the individual improvement projects.
- ✓ Implementation of the 2014 RTP and SCS will result in increased unavoidable noise levels as a result of expansion of the planned transportation system, but the specific need to provide necessary, feasible and sustainable transportation system improvements within the region that supports planned growth and development, is an overriding concern.
- ✓ Implementation of the 2014 RTP and SCS would result in positive impacts on public services; however, long-term maintenance of various transportation modes including streets and highways is an overriding concern.
- ✓ Regional and localized benefits associated with implementation of the 2014 RTP and SCS (reduced vehicular emissions, reduced congestion, reduced travel time, reduced vehicle miles traveled and improved mobility), that will result from the implementation of planned improvement projects, outweigh the potentially unavoidable impacts associated with individual or localized improvement projects and other projects identified in the Project alternatives. These other alternatives will result in a greater number of Level of Service (LOS) deficiencies and infeasible transportation projects that will not result in further benefits beyond implementation of the 2014 RTP and SCS.

Based on substantial evidence in the public record, Fresno COG finds that, for the reasons set forth above, the economic, social and other consideration of the individual improvement projects outweigh the unavoidable agricultural, biological, land use/planning, noise, and transportation/circulation impacts identified in the PEIRs. First, the individual improvement projects identified in the 2014 RTP and SCS are required to meet travel demand of residents and businesses through to the year 2040. Second, the planned transportation improvements will enhance continued economic growth in the region. Third, the planned improvements will reduce levels of vehicular emissions and LOS deficiencies compared to the other project alternatives. Fourth, appropriate and achievable mitigation measures have been proposed, which are within Fresno COG's and its member agencies' jurisdiction to mitigate or avoid the significant environmental effects identified in the PEIRs.

## **OVERRIDING REASONS**

Therefore, in accordance with Section 15093 of the State CEQA Guidelines, Fresno COG is required to prepare this Statement of Overriding Considerations to explain the reasons for approving the 2014 RTP and SCS, despite the unavoidable impacts identified in the PEIR and Findings of Fact. In preparing this



Statement, Fresno COG has balanced the benefits of the Project against its unavoidable environmental risks. For the reasons specified below, Fresno COG finds that the benefits of the Project outweigh the unavoidable environmental risks. In addition, the Findings of Fact identify a number of recommended mitigation measures that are found to be within the jurisdiction of other public agencies and not Fresno COG, and that these measures have been or should be adopted by such other agencies. Fresno COG finds that, for the reasons specified below, the Project should be adopted as the 2014 RTP and SCS notwithstanding the fact that responsibility for mitigating the potential adverse impacts rests with agencies other than Fresno COG.

The following reasons are consistent with the intent and purpose of the 2014 RTP and SCS:

### **Quality of Life**

- ✓ The Project is intended to contribute to the quality of life that is experienced and will be experienced by the residents of Fresno County.
- ✓ The Project is designed to meet the needs of everyday travel for all types of purposes as well as for large regional movements over the long-term. Transportation is closely connected with many other issues, such as air quality, the environment, and land use, health, safety, and economic vitality and the Project contains goals and actions to address these issues.

### **Access and Mobility**

- ✓ The Project includes many strategies to address both access and mobility and acknowledges that certain major corridors will need major investments in all modes of transportation to maintain and improve both access and mobility for the growth in travel that is occurring.
  - Access: Significant increases are planned for the street and highway, transit, and bicycle, trails, and pedestrian systems in the County. The projects must undergo extensive planning and analysis processes with community involvement.
  - Mobility: The Project includes a slate of projects aimed at reducing the most critical areas of congestion from a regionwide viewpoint. In addition to expanded transit service, which will reduce congestion in particular corridors, mobility projects additional lanes along streets and highways, interchange improvements, maintenance and rehabilitation of the existing system of streets and highways, and other capacity enhancements throughout the region.
- ✓ The Project also includes funding for rail consolidation, car and van pools, and local road improvements, including lane additions, intersection improvements, and rehabilitation and maintenance of the existing street and highways system.

### **Air Quality**

- ✓ The Project includes funding for significant increases in alternative modes of transportation -- public transit, bicycle, pedestrian projects and community design projects -- that will make alternative modes of transportation more attractive.
- ✓ While the individual improvement projects will not result in emissions beyond those allowed through the conformity process, and construction and hot spot emission impacts can be mitigated or are not found to be significant, the fact that the Valley continues to be nonattainment for ozone, PM<sub>10</sub> and PM<sub>2.5</sub> emissions is an overriding concern.

### **Travel Choices**

- ✓ The Project invests significant funding into offering choices of travel mode to future residents. Major increases in, bus, bicycle, and pedestrian modes are envisioned, along with promotion of sharing rides.
- ✓ Regional and localized benefits associated with implementation of the 2014 RTP and SCS (reduced vehicular emissions, reduced congestion, reduced travel time, reduced vehicle miles traveled and improved mobility), that will result from the implementation of planned improvement projects, outweigh the potentially unavoidable impacts associated with individual or localized improvement projects and other projects identified in the Project alternatives. These other alternatives will result in a greater number of Level of Service (LOS) deficiencies and infeasible transportation projects that will not result in further benefits beyond implementation of the 2014 RTP and SCS.

### **Economic Vitality**

- ✓ The Project includes major corridor improvements that connect areas around the periphery of the urban core, providing better access to the region's major job center – the Fresno-Clovis Metropolitan Area (FCMA). It also includes significantly enhanced bus transit systems to help manage demand.
- ✓ Investment in road maintenance and rehabilitation is provided, particularly a problem in rural areas where farm-to-market truck travel is important.

### **Equity**

- ✓ The Project incorporates the priorities of local communities and many of these local projects are paid for from local funds. Major projects of regional concern are located throughout the region as well.

- ✓ The Project will provide alternatives -- public transit, bicycle, and pedestrian facilities -- for those who cannot or do not drive. Finally, a large increase in paratransit service (door-to-door wheelchair-equipped van service) is included for the expected increase in the elderly population over the RTP and SCS period.
- ✓ The need to provide choice in the availability of transportation modes for County residents as a means to avoid significant delay and congestion, which may indirectly harm businesses and residents that depend upon a viable transportation system, is an overriding concern.

### **Transportation and Land Use**

- ✓ Investment in the transportation system will offer opportunities to grow logically and address the interaction between land use and transportation more effectively.
- ✓ The requirement for amendments to the RTP every four years, which provides for the identification of transportation modes to address population and employment growth, is required by State Law and sound local planning practice, and is an overriding concern.
- ✓ The specific need to provide necessary, feasible and sustainable transportation system improvements within the region is an overriding concern.
- ✓ Because there is no alternative other than the “No Build”, “No Project” (2007 Regional Transportation Plan), and VMT Reduction Alternatives to converting some prime farmland for expansion of the circulation system, the need for such conversion is an overriding concern.
- ✓ Implementation of the 2014 RTP and SCS would result in positive impacts on public services; however, long-term maintenance of various transportation modes including street and highway is an overriding concern.

### **Funding and Revenue**

- ✓ The Project shows revenues available from all sources -- federal, state, and local. The 2014 RTP and SCS would provide additional funding than that included in the RTP. The region will continue to receive federal and state funding to program projects through to the Year 2040.
- ✓ Overall, the Project provides funding transit operations and improvements, highway, street and road improvements, highway, street and road maintenance and rehabilitation, and for other kinds of improvements (bicycle, pedestrian, community design, etc.).

## Health And Safety

- ✓ Pedestrian and bicycle plans and projects are specifically allocated funding in the 2014 RTP and SCS and funds have also been identified for such improvements in the RTP. Local road and state highway safety-related improvements are also included.
- ✓ Regional benefits associated with implementation of the 2014 RTP and SCS (reduced vehicular emissions, reduced congestion, reduced travel time, reduced vehicle miles traveled and improved mobility), will result from the implementation of planned improvement projects, which outweigh the potentially unavoidable localized impacts to land use development that may result from the projects.

## Environmental Sustainability

- ✓ The Project includes a number of projects and programs that mitigate environmental issues.
- ✓ Because there is no alternative other than “No Build”, “No Project”, and VMT Reduction Alternatives to the loss of some biological, cultural and agricultural resources for expansion of the circulation system, the loss of such resources is an overriding concern.
- ✓ The 2014 RTP and SCS balances the need to preserve valuable agricultural and biological resources with the region’s need to provide a viable transportation system to accommodate anticipated population and employment growth and the related increased need for employment opportunities and municipal revenue. This planning balance is an overriding concern.
- ✓ Implementation of the 2014 RTP and SCS will result in increased unavoidable noise levels as a result of expansion of the planned transportation system, but the specific need to provide necessary, feasible and sustainable transportation system improvements within the region that supports planned growth and development, is an overriding concern.

Based on substantial evidence in the public record, Fresno COG finds that, for the reasons set forth above, the economic, social and other considerations of the project outweigh the unavoidable agricultural, biological, land use/planning, noise, and transportation/circulation impacts identified in the PEIR. First, the individual improvement projects identified in the 2014 RTP and SCS are required to meet travel demand of residents and businesses through to the Year 2040. Second, the planned transportation improvements will enhance continued economic growth in the region. Third, the planned improvements will reduce levels of vehicular emissions and LOS deficiencies compared to the other project alternatives. Fourth, appropriate and achievable mitigation measures have been proposed, which are within Fresno COG’s and its member agencies’ jurisdiction to mitigate or avoid the significant environmental effects identified in the PEIR.

## EXHIBIT B - MITIGATION MONITORING PROGRAM

### STATUTORY REQUIREMENT

This Mitigation Monitoring Program for the Fresno COG 2014 Regional Transportation Plan and Sustainable Communities Strategy Program EIR has been developed in accordance with Section 21081.6 of the Public Resources Code, which requires a Lead Agency that approves or carries out a project, where a PEIR has identified significant environmental effects, to adopt a reporting or monitoring program. The purpose of this program is to identify the changes to the project, which the Lead Agency has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment. Fresno COG is the Lead Agency that must adopt the mitigation monitoring program.

Section 21069 of the CEQA statute defines Responsible Agency as a public agency, other than the Lead Agency, which has the responsibility for carrying out or approving a project. Fresno COG finds that the implementation of some mitigation measures listed on the following pages of the Final PEIR are not within its jurisdiction, and can and should be implemented and monitored by agencies responsible for implementing the projects, including but not limited to the following: cities, Counties, Caltrans, transit districts, and other responsible agencies.

CEQA statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097.d, “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any of the individual improvement projects identified in the Draft and Final EIRs.

Regular review and update of the 2014 RTP and SCS will be conducted by Fresno COG, as appropriate. These updates involve a determination of regional transportation and air quality impacts and require air quality conformity pursuant to the federal Clean Air Act.

### ADMINISTRATION OF THE MITIGATION MONITORING PROGRAM

Mitigation measures listed in this Mitigation Monitoring Program (reference Table B-1) will be implemented by one or more responsible or implementing agencies when those agencies undertake individual transportation improvement projects identified in the Regional Transportation Plan.



The Mitigation Monitoring Program consists of the following components and is reflected in Table B-1):

- ✓ Mitigation measures contained in the Draft and Final PEIR
- ✓ Identification of Responsible Party
- ✓ Description of mitigation measure timing
- ✓ Identification of monitoring agency

This Mitigation Monitoring Program shall be maintained in Fresno COG files for the Fresno COG 2014 Regional Transportation Plan and Sustainable Communities Strategy.

TABLE B-1 - Mitigation Monitoring and Reporting Program

| Impact  | Mitigation Measure (s)  | Timing of Implementation            | Responsible Agency or Party              |
|---|---|-------------------------------------|--|
| 3.2.1 Obstruction of Views  | <ul style="list-style-type: none"> <li>✓ Implement design guidelines, local policies, and programs aimed at protecting views of scenic corridors and avoiding visual intrusions.</li> <li>✓ To the extent feasible, noise barriers that will not degrade or obstruct a scenic view will be constructed. Noise barriers will be well landscaped, complement the natural landscape and be graffiti-resistant.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.2.2 Altered Appearance of Scenic Resources                            | <ul style="list-style-type: none"> <li>✓ Avoid construction of transportation facilities and new development in state and locally designated scenic highways and vista points.</li> <li>✓ If transportation facilities and new development are constructed in state and locally designated scenic highways and/or vista points, design, construction, and/or operation of the transportation facility or new development will be consistent with applicable guidelines and regulations for the preservation of scenic resources along the designated scenic highway.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.2.3 Development of Previously Undeveloped Sites with Visual Qualities | <ul style="list-style-type: none"> <li>✓ Where appropriate, encourage the development of design guidelines for each type of transportation facility and land use that make elements of proposed projects visually compatible with surrounding areas. Visual guidelines will, at a minimum, include setback buffers, landscaping, color, texture, signage, and lighting criteria. The following methods will be employed whenever possible: <ul style="list-style-type: none"> <li>➤ Transportation systems and new development will be designed in a manner where the surrounding landscape dominates.</li> <li>➤ Transportation systems and new development will be developed to be compatible with the surrounding environment (i.e., colors and materials of construction material).</li> <li>➤ If exotic vegetation is used, it will be used as screening and landscaping that blends in and complements the natural landscape.</li> <li>➤ Trees bordering highways will remain or be replaced so that clear cutting is not evident.</li> <li>➤ Grading will blend with the adjacent landforms and topography.</li> </ul> </li> <li>✓ Project implementation agencies should design transportation and new development projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. Project implementation agencies should design projects to minimize their intrusion into important view sheds and use contour grading to better match surrounding terrain. To the maximum extent feasible, landscaping along highway corridors should be designed to add significant natural elements and visual interest to soften the hard-edged, linear travel experience that would otherwise occur.</li> <li>✓ Project implementation agencies should use natural landscaping to minimize contrasts between the Project (RTP and SCS) and surrounding areas. Wherever possible, interchanges and transit lines should be designed at the grade of the surrounding land to limit view blockage. Edges of major cut and- fill slopes should be contoured to provide a more natural looking finished profile. Project implementation agencies should replace and renew landscaping to the greatest extent possible along corridors with road widenings, interchange projects, and related improvements. New corridor landscaping should be designed to respect existing natural and man-made features and to complement the dominant landscaping of surrounding areas.</li> <li>✓ Project implementation agencies should construct sound walls of materials whose color and texture complements the surrounding landscape and development and to the maximum extent feasible, use color, texture, and alternating facades to “break up” large facades and provide visual interest. Where there is room, project sponsors should landscape the sound walls with plants that screen the sound wall, preferably with either native vegetation or landscaping that complements the dominant landscaping of surrounding areas.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

| Impact  | Mitigation Measure (s)   | Timing of Implementation  | Responsible Agency or Party  |
|---|--|---|--|
| 3.2.4 New Sources of Light and Glare  | <ul style="list-style-type: none"> <li>✓ Where appropriate, encourage the development of design guidelines for each type of transportation facility and land use development that make light elements of proposed facilities visually compatible with surrounding areas. The following methods will be employed whenever possible: <ul style="list-style-type: none"> <li>➤ Transportation systems and new development areas will be designed in a manner where the surrounding landscape dominates.</li> <li>➤ Transportation systems and new development areas will be developed to be compatible with the surrounding environment.</li> <li>➤ Lighting devices will be employed such as downward facing light, light shields, and amber lumens.</li> </ul> </li> </ul>  | ✓ Ongoing over the life of the Plan   | ✓ Implementing agency or project sponsor   |
| 3.3.1 Conversion of Important Farmland or Forest/Timber Lands                         | <ul style="list-style-type: none"> <li>✓ 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: <ul style="list-style-type: none"> <li>➤ 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.</li> </ul> </li> <li>✓ Implementing agencies should encourage in-fill development, in place of development in rural and environmentally sensitive areas. Agencies should seek funding to prepare specific plans and related environmental documents to facilitate mixed-use development, and to allow these areas to serve as receiver sites for transfer of development rights away from environmentally sensitive lands and rural areas outside established urban growth boundaries.</li> <li>✓ Implementing agencies should consider resource lands when considering project designs. Prior to the design approval of RTP and SCS projects, the implementing agency should assess the project area for agricultural resources and constraints. For federally funded projects, implementing and local agencies are required to follow the rules and regulations of Farmland Protection Policy Act including determining the impact by completing the Farmland Conversion Impact Rating form (AD- 1006). For non-federally funded projects, implementing and local agencies should assess projects for the presence of important farmlands (prime farmland, unique farmland, farmland of statewide importance), and if present, perform a Land Assessment and Site Evaluation (LESA).</li> <li>✓ Implementing agencies should consider agricultural resources in all projects, and seek to avoid or minimize the encroachment and/or impact on these areas. Agencies should consider measures such as, but not limited to, relocation or redesign of site features, reduction of the project footprint, or compensation and/or preservation activities to lessen the overall impact on resource lands. Prior to final approval of each individual transportation improvement project, the implementing agency should establish inclusion into a conservation easement program, or arrange for the enrollment of agricultural lands into the Williamson Act program.</li> </ul> | <ul style="list-style-type: none"> <li>✓ May 2014 through _____, 201_</li> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Fresno COG</li> <li>✓ Implementing agency or project sponsor</li> </ul> |
| 3.3.2 Conflict with Existing Zoning for Agriculture Use, or a Williamson Act Contract | <ul style="list-style-type: none"> <li>✓ 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:</li> </ul>  | ✓ May 2014 through _____, 201_  | ✓ Fresno COG   |

| Impact  | Mitigation Measure (s)   | Timing of Implementation  | Responsible Agency or Party  |
|---|--|---|--|
|   | <ul style="list-style-type: none"><li>➤ 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.</li><li>➤ 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.</li></ul> <ul style="list-style-type: none"><li>✓ Implementing agencies should encourage in-fill development, in place of development in rural and environmentally sensitive areas. Agencies should seek funding to prepare specific plans and related environmental documents to facilitate mixed-use development, and to allow these areas to serve as receiver sites for transfer of development rights away from environmentally sensitive lands and rural areas outside established urban growth boundaries.</li><li>✓ Implementing agencies should consider agricultural resource lands when considering project designs. Prior to the design approval of RTP and SCS projects, the implementing agency should assess the project area for agricultural resources and constraints. For federally funded projects, implementing and local agencies are required to follow the rules and regulations of Farmland Protection Policy Act including determining the impact by completing the Farmland Conversion Impact Rating form (AD- 1006). For non-federally funded projects, implementing and local agencies should assess projects for the presence of important farmlands (prime farmland, unique farmland, farmland of statewide importance), and if present, perform a Land Assessment and Site Evaluation (LESA).</li><li>✓ Implementing agencies should consider agricultural resources in all projects, and seek to avoid or minimize the encroachment and/or impact on these areas. Agencies should consider measures such as, but not limited to, relocation or redesign of site features, reduction of the project footprint, or compensation and/or preservation activities to lessen the overall impact on resource lands. Prior to final approval of each individual transportation improvement project, the implementing agency should establish inclusion into a conservation easement program, or arrange for the enrollment of agricultural lands into the Williamson Act program.</li><li>✓ Individual projects will be consistent with federal, state, and local policies that preserve agricultural lands and support the economic viability of agricultural activities, as well as policies that provide compensation for property owners if preservation is not feasible.</li><li>✓ For projects in agricultural areas, project implementation agencies should contact the California Department of Conservation and the Agricultural Commissioner's office to identify the location of prime farmlands and lands that support crops considered valuable to the local or regional economy.</li><li>✓ Prior to final approval of each individual improvement project, the implementing agency should avoid impacts to prime farmlands or farmlands that support crops considered valuable to the local or regional economy.</li></ul> | <ul style="list-style-type: none"><li>✓ Ongoing over the life of the Plan</li></ul> | <ul style="list-style-type: none"><li>✓ Implementing agency or project sponsor</li></ul> |
| 3.3.3 Other Changes in the Existing Environment | <ul style="list-style-type: none"><li>✓ 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:<ul style="list-style-type: none"><li>➤ 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.</li><li>➤ 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.</li></ul></li></ul>  | <ul style="list-style-type: none"><li>✓ May 2014 through _____, 201_</li></ul>      | <ul style="list-style-type: none"><li>✓ Fresno COG</li></ul>                             |

| Impact   | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party              |
|--|--|-------------------------------------|--|
|  | <ul style="list-style-type: none"> <li>✓ Implementing agencies should encourage in-fill development, in place of development in rural and environmentally sensitive areas. Agencies should seek funding to prepare specific plans and related environmental documents to facilitate mixed-use development, and to allow these areas to serve as receiver sites for transfer of development rights away from environmentally sensitive lands and rural areas outside established urban growth boundaries.</li> <li>✓ Implementing agencies should consider agricultural resource lands when considering project designs. Prior to the design approval of RTP and SCS projects, the implementing agency should assess the project area for agricultural resources and constraints. For federally funded projects, implementing and local agencies are required to follow the rules and regulations of Farmland Protection Policy Act including determining the impact by completing the Farmland Conversion Impact Rating form (AD- 1006). For non-federally funded projects, implementing and local agencies should assess projects for the presence of important farmlands (prime farmland, unique farmland, farmland of statewide importance), and if present, perform a Land Assessment and Site Evaluation (LESA).</li> <li>✓ Implementing agencies should consider agricultural resources in all projects, and seek to avoid or minimize the encroachment and/or impact on these areas. Agencies should consider measures such as, but not limited to, relocation or redesign of site features, reduction of the project footprint, or compensation and/or preservation activities to lessen the overall impact on resource lands. Prior to final approval of each individual transportation improvement project, the implementing agency should establish inclusion into a conservation easement program, or arrange for the enrollment of agricultural lands into the Williamson Act program.</li> <li>✓ Individual projects will be consistent with federal, state, and local policies that preserve agricultural lands and support the economic viability of agricultural activities, as well as policies that provide compensation for property owners if preservation is not feasible.</li> <li>✓ For projects in agricultural areas, project implementation agencies should contact the California Department of Conservation and the Agricultural Commissioner's office to identify the location of prime farmlands and lands that support crops considered valuable to the local or regional economy.</li> <li>✓ Prior to final approval of each individual improvement project, the implementing agency should avoid impacts to prime farmlands or farmlands that support crops considered valuable to the local or regional economy.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.4.2 Violate any air quality standard or contribute substantially to an existing or projected air quality violation | <ul style="list-style-type: none"> <li>✓ Project implementation agencies will ensure implementation of mitigation measures to reduce PM and NOx emissions from construction sites, including: <ul style="list-style-type: none"> <li>➤ Maintain on-site truck loading zones. <ul style="list-style-type: none"> <li>➤ Configure on-site construction parking to minimize traffic interference and to ensure emergency vehicle access.</li> <li>➤ Provide temporary traffic control during all phases of construction activities to improve traffic flow.</li> </ul> </li> <li>➤ Use best efforts to minimize truck idling to not more than two minutes during construction.</li> <li>➤ Apply non-toxic soil stabilizers (according to manufacturers' specifications) to all inactive construction areas.</li> <li>➤ During construction, replace ground cover in disturbed areas as quickly as possible.</li> <li>➤ During construction, enclose, cover, water twice daily or apply non-toxic soil binders (according to manufacturers' specifications) to exposed piles with 5 percent or greater silt content and to all unpaved parking or staging areas or unpaved road surfaces.</li> <li>➤ During the period of construction, install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.</li> <li>➤ During the period of construction, assure that traffic speeds on all unpaved roads be reduced to 15 mph or less.</li> <li>➤ Pave all construction access roads at least 100 feet on to the site from permanent roadways.</li> <li>➤ Cover all haul trucks.</li> </ul> </li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |



| Impact   | Mitigation Measure (s)  | Timing of Implementation  | Responsible Agency or Party  |
|--|---|---|--|
|  | <ul style="list-style-type: none"> <li>✓ Project implementation agencies will require that construction sites employ a balanced cut/fill ratio to the extent possible, thus reducing haul-truck trip emissions.</li> </ul>  |   |  |
| 3.4.4 Expose sensitive receptors to substantial pollutant concentrations.        | <ul style="list-style-type: none"> <li>✓ As air toxics research continues, implementing agencies should utilize the tools and techniques that are developed for assessing health outcomes as a result of lifetime MSAT exposure. The potential health risks posed by MSAT exposure should continue to be factored into project-level decision making in the context of environmental review. Specifically, at the project level, implementing agencies shall require or perform air toxic risk assessments to determine mobile source air toxic impacts.</li> </ul>   | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>                   |
| 3.4.5 Create Objectionable Odors Affecting a Substantial Number of People        | <ul style="list-style-type: none"> <li>✓ Implementing agencies should require assessment of new and existing odor sources for transportation improvement projects and future land use development projects to determine whether sensitive receptors would be exposed to objectionable odors and apply recommended applicable mitigation measures as defined by the applicable local air district and best practices.</li> </ul>   | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>                   |
| 3.5.1 Removal or Degradation of Sensitive Natural Communities                    | <ul style="list-style-type: none"> <li>✓ When applicable to federally-funded projects, responsible and implementing agencies should commit to improved interagency coordination and integration of the National Environmental Policy Act (NEPA) and the Clean Water Act Section 404 procedures during three stages: transportation planning, project programming, and project implementation. Affected State and local agencies should commit to ensuring the earliest possible consideration of environmental concerns pertaining to U.S. water bodies, including wetlands, at each of the three stages identified above. In addition, the agencies should place a high priority on the avoidance of adverse impacts to waters of the U.S. and associated sensitive species, including threatened and endangered species. Implementation of NEPA-404 requirements will expedite construction of necessary transportation projects, with benefits to mobility and the economy at large. The process will also enable more street and highway projects to proceed on budget and on schedule. Finally, the process will improve cooperation and efficiency of governmental operations at all levels, thereby better serving the public.</li> <li>✓ Construction and operational Best Management Practices (BMPs) will be identified, installed and maintained by implementing agencies in order to prevent silt and other pollutants from entering jurisdictional waters and wetlands thereby degrading or destroying wildlife and/or natural habitat. BMPs may include straw bales and/or mats, temporary sedimentation basins, silt fence, sand bag check dams, dry season construction, etc.</li> <li>✓ Native soils in construction areas will be removed, stockpiled separately, and replaced by implementing agencies in those areas where onsite revegetation of the native habitat is planned.</li> <li>✓ Any disturbed natural areas will be replanted by implementing agencies with appropriate native vegetation following the completion of construction activities.</li> <li>✓ During the individual improvement or future land use development project design phase, impacts to jurisdictional waters and wetlands will be minimized by implementing agencies to the greatest extent feasible.</li> <li>✓ Implementing agencies will obtain and comply with appropriate regulatory requirements prior to construction.</li> </ul> | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Responsible and Implementing agencies or project sponsor</li> </ul> |
| 3.5.2 Direct Impacts on Rare, Threatened, or Endangered Plant & Wildlife Species | <ul style="list-style-type: none"> <li>✓ Each proposed individual transportation improvement project and future land use development will consider the displacement of sensitive habitat, sensitive species, and non-native habitat.</li> <li>✓ When avoidance of native vegetation removal is not possible, each transportation improvement project and future land use development shall replant disturbed areas with commensurate native vegetation of high habitat value adjacent to the project (i.e., as opposed to ornamental vegetation with relatively less habitat value).</li> </ul>   | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>                   |

| Impact | Mitigation Measure (s)  | Timing of Implementation | Responsible Agency or Party |
|--------|---|--------------------------|-----------------------------|
|        | <ul style="list-style-type: none"><li>✓ Focused sensitive plant and wildlife species and non-native habitat surveys will be conducted within suitable habitat to determine the distribution of sensitive species within the biological impact area of each transportation improvement project and future land use development. Sensitive plant and nonnative habitat surveys will be conducted during the appropriate flowering season for sensitive plant species with the potential to occur within the individual transportation improvement project or future land use development area. In all cases, impacts on special-status species and/or their habitat shall be avoided during construction to the extent feasible.</li><li>✓ If sensitive plant or wildlife species and non-native habitat are identified within the biological impact area, a Biological Resource Management Plan (BRMP) will be developed to address appropriate avoidance and minimization measures. These measures may include seed collection and salvage measures for sensitive plant species and non-native habitat, silt fencing, exclusion fencing and/or appropriate compensation where impacts cannot be fully avoided.</li><li>✓ Individual transportation improvement projects and future land use developments shall include offsite habitat enhancement or restoration to compensate for unavoidable habitat losses from the project site.</li><li>✓ Locations of sensitive species, sensitive habitat, and non-native habitat will be mapped and shown on construction drawings and identified as Environmentally Sensitive Areas (ESAs). Prior to construction, these areas will be flagged and/or fenced to prevent unnecessary impacts from machinery and foot traffic.</li><li>✓ Temporary access roads and staging areas will not be located within areas containing sensitive plant, sensitive wildlife species or non-native habitat wherever feasible, so as to avoid or minimize impacts to these species.</li><li>✓ Construction activities will be scheduled, as appropriate and feasible, to avoid sensitive times that have a greater likelihood to affect significant resources such as spawning periods for fish, nesting season for birds and/or the rainy season for riparian habitat and sediment/erosion control.</li><li>✓ All vegetation (including tall grasses) will be removed between August 16th and February 14th, if possible, to avoid potential conflicts with nesting birds. If it is not possible to remove vegetation during that time frame, a nest clearance survey will be completed prior to vegetation clearing. Any detected nests will be mapped and provided with an appropriate buffer as recommended by a qualified biologist. Construction activities within the buffer area will not be allowed until after September 15 or until fledglings have abandoned the nest.</li><li>✓ A Worker Awareness Program (environmental education) shall be developed and implemented to inform project workers of their responsibilities in regards to avoiding and minimizing impacts on sensitive biological resources.</li><li>✓ An Environmental Inspector shall be appointed to serve as a contact for issues that may arise concerning implementation of mitigation measures, and to document and report on adherence to these measures.</li><li>✓ A qualified wetland scientist shall review construction drawings as part of each project-specific environmental analysis to determine whether wetlands will be impacted, and if necessary perform a formal wetland delineation. Appropriate State and federal permits shall be obtained, but each project EIR will contain language clearly stating the provisions of such permits, including avoidance measures, restoration procedures, and in the case of permanent impacts compensatory creation or enhancement measures to ensure a no net loss of wetland extent or function and values.</li><li>✓ Sensitive habitats (native vegetative communities identified as rare and/or sensitive by the CDFW) and special-status plant species (including vernal pools) impacted by projects shall be restored and augmented, if impacts are temporary, at a 1.1:1 ratio (compensation</li></ul> |                          |                             |

| Impact   | Mitigation Measure (s)  | Timing of Implementation            | Responsible Agency or Party              |
|--|---|-------------------------------------|--|
|  | <p>acres to impacted acres). Permanent impacts shall be compensated for by creating or restoring habitats at a 3:1 ratio as close as possible to the site of the impact.</p> <ul style="list-style-type: none"> <li>✓ When work is conducted in identified sensitive habitat areas and/or areas of intact native vegetation, construction protocols shall require the salvage of perennial plants and the salvage and stockpile of topsoil (the surface material from 6 to 12 inches deep) and shall be used in restoring native vegetation to all areas of temporary disturbance within the project area.</li> <li>✓ If specific project area trees are designated as “Landmark Trees” or “Heritage Trees”, then approval for removals shall be obtained through the appropriate entity, and appropriate mitigation measures shall be developed at that time, to ensure that the trees are replaced. Due to the close proximity of these areas to sensitive wildlife habitats, all mitigation trees will use only locally-collected native species.</li> </ul>   |                                     |  |
| 3.5.3 Impacts on Rare, Threatened, or Endangered Species from Project Noise, Lighting and Deterrents                                   | <ul style="list-style-type: none"> <li>✓ The height, spacing, number and type of light fixtures will be selected and installed to minimize intrusive light escaping from the physical boundaries of the site.</li> <li>✓ Road noise minimization methods, such as native brush and tree planting adjacent to heavy noise producing transportation facilities, will be incorporated where feasible.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.5.4 Temporary and Permanent Impacts to Terrestrial and Aquatic Wildlife Movement   | <ul style="list-style-type: none"> <li>✓ During final design, implementing agencies will design, construct, and maintain terrestrial wildlife crossings in order to minimize barrier effects and habitat fragmentation created by individual transportation projects and future land use developments.</li> <li>✓ During final design, implementing agencies will design, construct, and maintain any structure/culvert placed within a stream where endangered or threatened fish occur/may occur. The structure/culvert will not constitute a barrier to upstream or downstream movement of aquatic life, or cause an avoidance reaction by fish that impedes their upstream or downstream movement. This includes, but is not limited to, the supply of water at an appropriate depth for fish migration.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.5.5 Siltation Impacts  | <ul style="list-style-type: none"> <li>✓ For Individual transportation and future land use development projects near water resources implementing agencies should implement Best Management Practices (BMPs) at construction sites to minimize erosion and sediment transport from the area. BMPs include encouraging growth of vegetation in disturbed areas, using straw bales or other silt-catching devices, and using settling basins to minimize soil transport.</li> <li>✓ For individual transportation and future land use development projects, implementing agencies should schedule construction activities to avoid sensitive times for biological resources (e.g., steelhead spawning periods during the winter and spring) and to avoid the rainy season when erosion and sediment transport is increased.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.5.6 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. | <ul style="list-style-type: none"> <li>✓ Implementing agencies should require project applicants to prepare biological resources assessments for specific projects proposed in areas containing, or likely to contain, protected trees or other locally protected biological resources. The assessment should be conducted by appropriately trained professionals pursuant to adopted protocols, and standards in the industry. Mitigation should be implemented when significance thresholds are exceeded. Mitigation should be consistent with the requirements of CEQA and/or follow applicable plans promulgated to protect species/habitat.</li> <li>✓ Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to protected trees and other locally protected resources where feasible, defined in section 15364 of the CEQA Guidelines.</li> <li>✓ As part of project-level environmental review, implementing agencies will ensure that projects comply with the most recent general plans, policies, and ordinances, and conservation plans. Review of these documents and compliance with their requirements will be</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

| Impact  | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party           |
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|   | demonstrated in project-level environmental documentation. Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation.   |                                     |                                       |
| 3.6.1 Increased Transportation GHG Emissions May Contribute to Climate Change | <div>✓ Through Implementation of the Regional Blueprint and the RTP SCS, and in coordination with implementation agencies, the following mitigation measures will result in reduced GHG emissions:<ul style="list-style-type: none"><li>➤ Develop land use patterns, consistent with the 2024 RTP SCS, which encourage people to walk, bicycle, or use public transit for a significant number of their daily trips.<ul style="list-style-type: none"><li>▪ Use comprehensive community plans and specific plans to ensure development is consistent and well connected by alternative transportation modes.</li><li>▪ Adopt transit-oriented or pedestrian-oriented design strategies and select areas appropriate for these designs in the general plan.</li><li>▪ Support higher density development in proximity to commonly used services and transportation facilities.</li></ul></li><li>➤ Develop in a compact, efficient form to reduce vehicle miles traveled and to improve the efficiency of alternatives to the automobile consistent with the 2014 RTP and SCS.<ul style="list-style-type: none"><li>▪ Use the control of public services to direct development to the most appropriate locations.</li><li>▪ Promote infill of vacant land and redevelopment sites.</li></ul></li><li>➤ Encourage project site designs and subdivision street and lot designs that support walking, bicycling, and transit use.<ul style="list-style-type: none"><li>▪ Adopt design guidelines and standards promoting plans that encourage alternative transportation modes.</li><li>▪ Require certain sites to be created to allow convenient access by transit, bicycle, and walking.</li></ul></li></ul></div> | ✓ Ongoing over the life of the Plan | ✓ Responsible agencies                |
|   | <div>✓ Intelligent Transportation<ul style="list-style-type: none"><li>➤ Develop an Intelligent Transportation Systems strategy, consistent with the updated ITS Strategic Plan, to implement the Integrated Performance Management System Network that will:<ul style="list-style-type: none"><li>▪ Interconnect the region’s local transportation management centers, including the use of cameras, and computer hardware and software to detect and clear accidents</li><li>▪ Use technology to improve traffic signal timing in order to optimize traffic flow and transit service</li><li>▪ Involve new equipment to improve on-time transit performance and provide real-time transit information at stops and stations.</li></ul></li></ul></div>   | ✓ 2015                              | ✓ Fresno COG and Responsible Agencies |
|   | <div>✓ Continue Development of a GHG Reduction Funding Program<p>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.</p></div>  | ✓ 2015                              | ✓ Fresno COG                          |
|   | <div>✓ Continue the Public Education Program on Individual Transportation Behavior and Climate Change<p>Through the Valley Planners’ Network and in conjunction with key partners such as local air districts, public utility providers, area chambers of commerce and others, Fresno COG will continue the public information program to educate the public about the connection between individual transportation behavior and global climate change, including transportation behavior modifications the public can make to reduce their GHG emissions over time. Fresno COG shall continue to include information on its website that is focused on global climate change. The website shall continue to identify actions the public can take to reduce their carbon footprint, and provide web links to sources of information designed to promote alternative mode use (carpools, vanpools, public transit, bicycling, walking, and telecommuting) and other travel demand management strategies.</p></div>  | ✓ On-Going                          | ✓ Fresno COG                          |
|   | <div>✓ Provide Funding for Workshop on Global Climate Change for Local Government Officials and Include in the Blueprint Toolkit</div>   | ✓ FY 2015/16                        | ✓ Fresno COG                          |

| Impact                              | Mitigation Measure (s)  | Timing of Implementation   | Responsible Agency or Party   |
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|                                     | <p>Fresno COG will provide funding for a workshop on global climate change for local government officials that will focus on practical techniques that local governments can implement to reduce greenhouse gas emissions at the city and county level. Workshop topics shall include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>➤ The basic science behind climate change and its effects on the Fresno County Region</li> <li>➤ Addressing the California Environmental Quality Act (CEQA) and the effects of AB 32</li> <li>➤ What cities and counties are doing to address climate change and CEQA</li> <li>➤ Cost effective actions cities can take to reduce greenhouse emissions</li> <li>➤ Actions being taken in the Fresno County area to advance and support innovative ‘green’ business</li> </ul> <p>Fresno COG shall work closely with its member agencies to help them participate in the statewide Active Transportation Program (ATP) as well as develop a MPO-Level Active Transportation Program at Fresno COG.</p> <p>✓ Continue to Work with the SCS Implementation Committee</p> <p>Fresno COG will continue to work with the SCS implementation committee or a Policy Advisory Committee (PAC) subcommittee as directed by the Fresno COG Policy Board to develop SCS implementation policies and strategies, and identify appropriate funding mechanisms. Stakeholders will be invited to attend the meetings; however, only committee members (member agencies) will have voting authority.</p> <p>✓ Project level environmental documents shall analyze construction and maintenance and land use development project Greenhouse Gas (GHG) emissions.</p>  | <p>✓ FY 2015/16</p> <p>✓ On-Going</p> <p>✓ Ongoing over the life of the Plan</p> | <p>✓ Fresno COG</p> <p>✓ Fresno COG</p> <p>✓ Implementing agency or project sponsor</p> |
| 3.7.1 Impacts on Historic Resources | <p>✓ As part of the appropriate environmental review of individual projects, the project implementation agencies will identify potential impacts to historic resources. A record search at the appropriate Information Center will be conducted to determine whether the individual transportation improvement project or future land use development area has been previously surveyed and whether resources were identified.</p> <p>✓ As necessary, prior to construction activities, the implementing agencies will obtain a qualified architectural historian to conduct historic architectural surveys as recommended by the Archaeological Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the individual transportation improvement project or future land use development area for cultural resources.</p> <p>✓ Implementing agencies will comply with Section 106 of the National Historic Preservation Act if federal funding or approval is required. This law requires federal agencies to evaluate the impact of their actions on resources included in or eligible for listing in the National Register of Historic Places. Federal agencies must coordinate with the State Historic Preservation Officer in evaluating impacts and developing mitigation. These mitigation measures may include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>➤ Carry out the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, relocation, or reconstruction of any impacted historic resource, which will be conducted in a manner consistent with the Secretary of the Interior’s Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.</li> </ul> <p>✓ In some instances, the following mitigation measure may be appropriate in lieu of the previous mitigation measure:</p> | <p>✓ Ongoing over the life of the Plan</p>                                       | <p>✓ Implementing agency or project sponsor</p>   |



| Impact  | Mitigation Measure (s)   | Timing of Implementation  | Responsible Agency or Party  |
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|   | <ul style="list-style-type: none"> <li>➤ Secure a qualified environmental agency and/or architectural historian, or other such qualified person to document any significant historical resource(s), by way of historic narrative, photographs, or architectural drawings, as mitigation for the effects of demolition of a resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.</li> </ul>  |   |  |
| 3.7.2 Construction Impacts on Archaeological Resources  | <ul style="list-style-type: none"> <li>✓ As part of the appropriate environmental review of individual projects, the implementation agencies will consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area, and identify the Native American(s) to contact to obtain information about the project site.</li> <li>✓ Prior to construction activities, the implementation agencies will obtain a qualified archaeologist to conduct a record search at the appropriate Information Center of the California Archaeological Inventory to determine whether the project area has been previously surveyed and whether resources were identified.</li> <li>✓ As necessary prior to construction activities, the implementation agencies will obtain a qualified archaeologist or architectural historian (depending on applicability) to conduct archaeological and/or historic architectural surveys as recommended by the Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for cultural resources.</li> <li>✓ If the record search indicates that the project is located in an area rich with cultural materials, the implementing agencies will retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.</li> <li>✓ Construction activities and excavation will be conducted to avoid cultural resources (if found). If avoidance is not feasible, further work may need to be done to determine the importance of a resource. The implementation agencies will obtain a qualified archaeologist familiar with the local archaeology, and/or an architectural historian should make recommendations regarding the work necessary to determine importance. If the cultural resource is determined to be important under State or federal guidelines, impacts on the cultural resource will be mitigated.</li> <li>✓ The project implementation agencies will stop construction activities and excavation in the area where cultural resources are found until a qualified archaeologist can determine the importance of these resources.</li> </ul> | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul> |
| 3.7.3 Construction Impacts on Paleontological Resources | <ul style="list-style-type: none"> <li>✓ As part of the appropriate environmental review of individual projects, the project implementation agencies will obtain a qualified paleontologist to identify and evaluate paleontological resources where potential impacts are considered high; the paleontologist will also conduct a field survey in these areas.</li> <li>✓ Construction activities will avoid known paleontological resources, especially if the resources in a particular lithic unit formation have been determined through detailed investigation to be unique. If avoidance is not feasible, paleontological resources will be excavated by the qualified paleontologist and given to a local agency, State University, or other applicable institution, where they can be displayed.</li> </ul>   | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul> |
| 3.7.4 Impacts on Human Remains                          | <ul style="list-style-type: none"> <li>✓ If the remains are of Native American origin, the coroner will contact the Native American Heritage Commission in order to ascertain the proper descendants from the deceased individual. The coroner will make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</li> <li>✓ If the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission, in which case:</li> </ul>   | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul> |

| Impact  | Mitigation Measure (s)  | Timing of Implementation            | Responsible Agency or Party              |
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|   | <ul style="list-style-type: none"><li>➤ The landowner or his authorized representative will obtain a Native American monitor - and an archaeologist, if recommended by the Native American monitor - and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance where the following conditions occur:<ul style="list-style-type: none"><li>▪ The Native American Heritage Commission is unable to identify a descendent.</li><li>▪ The descendant identified fails to make a recommendation.</li><li>▪ The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</li></ul></li></ul>   |                                     |  |
| 3.8.1 Energy Consumption and Conservation Impacts | <ul style="list-style-type: none"><li>✓ Implementing agencies shall review energy impacts as part of any CEQA-required project-level environmental analysis and specify appropriate mitigation measures for any identified energy impacts.</li><li>✓ During the design and approval of transportation improvements and future land use development projects, the following energy efficiency measures shall be incorporated when applicable:<ul style="list-style-type: none"><li>➤ The design or purchase of any lighting fixtures shall achieve energy reductions beyond an estimated baseline energy use for such lighting.</li><li>➤ LED technology shall be used for all new or replaced traffic lights, rail signals, and other new development lighting features compatible with LED technology.</li></ul></li><li>✓ Implementing agencies should consider various best practices and technological improvements that can reduce the consumption of fossil fuels such as:<ul style="list-style-type: none"><li>➤ Expanding light-duty vehicle retirement programs</li><li>➤ Increasing commercial vehicle fleet modernization</li><li>➤ Implementing driver training modules on fuel consumption</li><li>➤ Replacing gasoline powered mowers with electric mowers</li><li>➤ Reducing idling from construction equipment</li><li>➤ Incentivizing alternative fuel vehicles and equipment</li><li>➤ Developing infrastructure for alternative fueled vehicles</li><li>➤ Implementing truck idling rules, devices, and truck-stop electrification</li><li>➤ Requiring electric truck refrigerator units</li><li>➤ Reducing locomotives fuel use</li><li>➤ Modernizing older off-road engines and equipment</li><li>➤ Encouraging freight mode shift</li><li>➤ Limit use and develop fleet rules for construction equipment</li><li>➤ Requiring zero-emission forklifts</li></ul></li><li>✓ Implementing agencies should include energy analyses in environmental documentation and general plans with the goal of conserving energy through the wise and efficient use of energy. For any identified energy impacts, appropriate mitigation measures should be developed and monitored. Fresno COG recommends the use of Appendix F, Energy Conservation, of the <i>CEQA Guidelines</i>.</li><li>✓ Project and land use development implementing agencies should streamline permitting and provide public information to facilitate accelerated construction of solar and wind power.</li><li>✓ Project and land use development implementing agencies should adopt a “Green Building Program” to promote green building standards. Green buildings can reduce local environmental impacts, regional air pollutant emissions and global greenhouse gas emissions. Green</li></ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

| Impact  | Mitigation Measure (s)  | Timing of Implementation                   | Responsible Agency or Party                     |
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|   | <p>building standards involve everything from energy efficiency, usage of renewable resources and reduced waste generation and water usage. For example, water-related energy use consumes 19 percent of the state’s electricity. The residential sector accounts for 48 percent of both the electricity and natural gas consumption associated with urban water use. While interest in green buildings has been growing for some time, cost has been a main consideration as it may cost more up front to provide energy efficient building components and systems. Initial costs can be a hurdle even when the installed systems will save money over the life of the building. Energy efficiency measures can reduce initial costs, for example, by reducing the need for over-sized air conditioners to keep buildings comfortable. Undertaking a more comprehensive design approach to building sustainability can also save initial costs through reuse of building materials and other means. A comprehensive study of the value of green building savings is the 2003 report to California’s Sustainable Building Task Force. In the words of the report: “While the environmental and human health benefits of green building have been widely recognized, this comprehensive report confirms that minimal increases in upfront costs of about 2% to support green design would, on average, result in life cycle savings of 20% of total construction costs -- more than ten times the initial investment. For example, an initial upfront investment of up to \$100,000 to incorporate green building features into a \$5 million project would result in a savings of \$1 million in today’s dollars over the life of the building.”</p> <p>✓ Where identified, local governments should alter zoning to improve jobs/housing balance, create communities where people live closer to work, and bike, walk, and take transit as a substitute for personal auto travel consistent and in support of the SCS. Creating walkable, transit oriented modes would generally reduce energy use and greenhouse gas emissions. Residential energy use (electricity and natural gas) accounts for 7 percent of California’s greenhouse gas emissions. It is estimated that households in transit-oriented developments drive 45 percent less than residents in auto-dependent neighborhoods. In addition, mixed land uses (i.e., residential developments near work places, restaurants, and shopping centers) with access to public transportation have been shown to save consumers up to 512 gallons of gasoline per year. Furthermore, studies have shown that the type of housing (such as multi-family) and the size of a house have strong relationships to residential energy use. Residents of single-family detached housing consume over 20 percent more primary energy than those of multifamily housing and 9 percent more than those of single-family attached housing.</p> <p>✓ Project and land use development implementing agencies should increase the number of AFVs (i.e., vehicles not powered strictly by gasoline or diesel fuel) both in publically owned vehicles, as well as those owned by franchisees of these agencies, such as trash haulers, green waste haulers, street sweepers, and curbside recyclable haulers.</p> <p>✓ Bid solicitations for construction of projects should preference the use of alternative formulations of cement and asphalt with reduced GHG emissions to the extent that such cement and asphalt formulations are available at a reasonable cost in the marketplace. Solicitations should also preference the recycling of construction waste and debris if market conditions permit.</p> <p>✓ Fresno COG shall continue to develop, in coordination with the California Air Resources Board, a data and information collection and analysis system that provides an understanding of the energy demand and greenhouse gas emissions in the Fresno region.</p> <p>✓ All mitigation measures listed in Chapter 3, Section 3.6 (Climate Change) of this EIR, are incorporated by reference and shall be implemented by implementing agencies to address energy conservation impacts.</p> | <p>✓ On-Going</p>                          | <p>✓ Fresno COG</p>                             |
| 3.9.1 Damaged Transportation Infrastructure and other Land Use Development Structures from Seismic Activity | <p>✓ Implementing agencies will be responsible for ensuring that transportation improvement projects and future land use development projects are built to the seismic standards contained in the most recent edition of the Uniform Building Code (UBC).</p>   | <p>✓ Ongoing over the life of the Plan</p> | <p>✓ Implementing agency or project sponsor</p> |

| Impact   | Mitigation Measure (s)  | Timing of Implementation            | Responsible Agency or Party              |
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|  | <ul style="list-style-type: none"> <li>✓ Implementing agencies will ensure that transportation improvement projects and future land use development projects located within or across active fault zones comply with design requirements, published by the CGS, as well as local, regional, state, and federal design criteria for construction of projects in seismic areas.</li> <li>✓ Implementing agencies will guarantee that geotechnical analysis is conducted within construction areas to establish soil types and local faulting prior to the construction of transportation improvements and future land use developments is subject to geotechnical analysis.</li> </ul>  |                                     |  |
| 3.9.2 Slope Failure and Erosion Due to Project Construction  | <ul style="list-style-type: none"> <li>✓ Implementing agencies will ensure that individual transportation improvement projects and future land use developments provide adequate slope drainage and appropriate landscaping to minimize the occurrence of slope instability and erosion.</li> <li>✓ Transportation improvement project and future land use development design features will include measures to reduce erosion from storm water.</li> <li>✓ Road cuts will be designed to maximize the potential for revegetation.</li> <li>✓ Implementing agencies will ensure that transportation improvement projects and future land use developments avoid landslide areas and potentially unstable slopes wherever feasible.</li> <li>✓ Where practicable, transportation improvement project and future land use development designs that would permanently alter unique geologic features will be avoided.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.9.3 Subsidence and Presence of Expansive Soils   | <ul style="list-style-type: none"> <li>✓ Implementing agencies will ensure that geotechnical investigations are conducted by a qualified geologist to identify the potential for subsidence and expansive soils.</li> <li>✓ Implementing agencies should take corrective measures, such as structural reinforcement and replacing soil with engineered fill, will be implemented in individual transportation improvement project and future land use development site designs, where applicable.</li> <li>✓ Implementing agencies will ensure that, prior to preparing individual transportation improvement project and future land use development site designs, new and abandoned wells are identified within construction areas to ensure the stability of nearby soils.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.9.4 Loss of Availability of a Designated Mineral Resource that would be of Value to the Region and the Residents of the State                            | <ul style="list-style-type: none"> <li>✓ The implementing agency should protect against the loss of availability of a designated mineral resource through identification of locations with designated mineral resources and adoption and implementation of policies to conserve land that is most suitable for mineral resource extraction from development of incompatible uses.</li> <li>✓ Where possible, transportation improvement project and future land use development sites will be designed by responsible agencies to limit potential impacts on mineral resource lands.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.9.5 Loss of Availability of a Locally-Important Mineral Resource Recovery Site Delineated on a Local General Plan, Specific Plan, or Other Land Use Plan | <ul style="list-style-type: none"> <li>✓ The implementing agency should protect against the loss of availability of a locally-important mineral resource recovery site through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection of mineral resource production and extraction activities.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.10.1 Significant Hazard to the Public or the Environment Through the Routine Transport, Use, or Disposal of Hazardous Materials                          | <ul style="list-style-type: none"> <li>✓ The implementation agency and project sponsors shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

| Impact   | Mitigation Measure (s)  | Timing of Implementation            | Responsible Agency or Party              |
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| 3.10.2 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.  | <ul style="list-style-type: none"> <li>✓ Implementing agencies shall encourage the USDOT, the Office of Emergency Services, and Caltrans to continue to conduct driver safety training programs and encourage the private sector to continue conducting driver safety training.</li> <li>✓ Implementing agencies shall encourage the USDOT and the CHP to continue to enforce speed limits and existing regulations governing goods movement and hazardous materials transportation.</li> <li>✓ The implementing agencies and project sponsors shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.10.3 Disturb contaminated property during the construction of new transportation or future land use developments or the expansion of existing transportation facilities or land use developments.  | <ul style="list-style-type: none"> <li>✓ Prior to approval of any improvement project or future land use development project, the project implementation agency shall consult all known databases of contaminated sites and undertake a standard Phase 1 Environmental Site Assessment in the process of planning, environmental clearance, and construction for projects included in the 2014 RTP and SCS. If contamination is found the implementing agency shall coordinate clean up and/or maintenance activities.</li> <li>✓ Where contaminated sites are identified, the project implementation agency shall develop appropriate mitigation measures to assure that worker and public exposure is minimized to an acceptable level and to prevent any further environmental contamination as a result of construction.</li> <li>✓ Local agencies should contact the Chevron Environmental Management Company (CEMC) to determine whether an improvement or future land use development project may be in the vicinity of the Tidewater Oil Company or Standard Oil Company historical pipeline alignments.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.10.4 Emit Hazardous Materials within One-Quarter Mile of a School  | <ul style="list-style-type: none"> <li>✓ The implementing agencies shall comply with all applicable laws, regulations, and health and safety standards set forth by federal, state, and local authorities that regulate the proper handling of such materials and their containers to the routine transport, use, and disposal of hazardous materials does not create a significant hazard to the public or the environment.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.10.5 For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area. | <ul style="list-style-type: none"> <li>✓ Implementing agencies should comply with ALUC plans as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.10.6 For a project located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.  | <ul style="list-style-type: none"> <li>✓ Implementing agencies should analyze and adhere to all safety and compatibility issues as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.10.7 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.  | <ul style="list-style-type: none"> <li>✓ Implementing agencies should adhere to all emergency plans as a part of their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |



| Impact  | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party              |
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| 3.10.8 Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.           | <ul style="list-style-type: none"> <li>✓ Implementing agencies should analyze and adhere to all safety and compatibility issues as a part of their design and construction of transportation facilities and their land use approval authority through policies incorporated into general plans, specific plans, and other land use plans. Such policies would provide protection for a project located within wild land areas.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.11.1 Violate Regional Water Quality Control Board water quality standards or waste discharge requirements   | <ul style="list-style-type: none"> <li>✓ 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.</li> <li>✓ 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.</li> <li>✓ 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.</li> <li>✓ 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.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 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                    | <ul style="list-style-type: none"> <li>✓ 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.</li> <li>✓ 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.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.11.3 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site | <ul style="list-style-type: none"> <li>✓ Prior to construction within the vicinity of a watercourse, the project sponsor can and should obtain all necessary regulatory permits and authorizations from the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), California Department of Fish and Game, California Coastal Commission, and local jurisdictions, and should comply with all conditions issued by applicable agencies. Required permit approvals and certifications may include, but not be limited to the following: <ul style="list-style-type: none"> <li>➤ U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps should be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act.</li> <li>➤ Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above.</li> <li>➤ California Department of Fish and Game (CDFG): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFG.</li> </ul> </li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

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|        | <p>A qualified environmental consultant can and should be retained and paid for by the project sponsor to make site visits as necessary; and as a follow-up, submit to the Lead Agency a letter certifying that all required conditions have been instituted during the grading activities.</p> <ul style="list-style-type: none"><li>✓ Project sponsors can and should comply with the State-wide construction storm water discharge permit requirements including preparation of Storm Water Pollution Prevention Plans for transportation improvement construction projects. Roadway construction projects can and should comply with the Caltrans storm water discharge permit. BMPs can and should be identified and implemented to manage site erosion, wash water runoff, and spill control.</li><li>✓ Project sponsors can and should implement BMPs to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. Plans demonstrating BMPs should be submitted for review and approval by the lead agency. At a minimum, the project sponsor can and should provide filter materials deemed acceptable to the lead agency at nearby catch basins to prevent any debris and dirt from flowing into the local storm drain system and creeks.</li><li>✓ Project sponsors can and should submit an erosion and sedimentation control plan for review and approval by the appropriate government agency. All work should incorporate all applicable BMPs for the construction industry, including BMPs for dust, erosion and water quality. The measures should include, but are not limited to, the following:<ul style="list-style-type: none"><li>➤ On sloped properties, the downhill end of the construction area must be protected with silt fencing (such as sandbags, filter fabric, silt curtains, etc.) and hay bales oriented parallel to the contours of the slope (at a constant elevation) to prevent erosion into the street, gutters, storm drains.</li><li>➤ In accordance with an approved erosion control plan, the project sponsor should implement mechanical and vegetative measures to reduce erosion and sedimentation, including appropriate seasonal maintenance. One hundred (100) percent degradable erosion control fabric should be installed on all graded slopes to protect and stabilize the slopes during construction and before permanent vegetation gets established. All graded areas should be temporarily protected from erosion by seeding with fast growing annual species. All bare slopes must be covered with staked tarps when rain is occurring or is expected.</li><li>➤ Minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. Maximize the replanting of the area with native vegetation as soon as possible.</li><li>➤ Install filter materials acceptable to the appropriate agency at the storm drain inlets nearest to the project site prior to the start of the wet weather season; site dewatering activities; street washing activities; saw cutting asphalt or concrete; and in order to retain any debris flowing into the storm drain system. Filter materials should be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding.</li><li>➤ Ensure that concrete/granite supply trucks or concrete/plaster finishing operations do not discharge wash water into water courses, street gutters, or storm drains.</li><li>➤ Direct and locate tool and equipment cleaning so that wash water does not discharge into the street, gutters, or storm drains.</li><li>➤ Create a contained and covered area on the site for storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by the wind or in the event of a material spill. No hazardous waste material should be stored on-site.</li><li>➤ Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly (or other interval approved by the lead agency) basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.</li><li>➤ Remove all dirt, gravel, refuse, and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.</li></ul></li></ul> |                          |                             |

| Impact   | Mitigation Measure (s)  | Timing of Implementation  | Responsible Agency or Party  |
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|  | <ul style="list-style-type: none"> <li>➤ As appropriate, broom sweep the street pavement adjoining the project site on a daily basis. Caked-on mud or dirt should be scraped from these areas before sweeping. At the end of each workday, the entire site must be cleaned and secured against potential erosion, dumping, or discharge to the street, gutter, and/or storm drains.</li> <li>➤ All erosion and sedimentation control measures implemented during construction activities, as well as construction site and materials management should be in strict accordance with the control standards listed in the latest edition of the Erosion and Sediment Control Field Manual published by the RWQB.</li> <li>➤ All erosion and sedimentation control measures should be monitored regularly by the project sponsor. If measures are insufficient to control sedimentation and erosion then the project sponsor should develop and implement additional and more effective measures immediately.</li> </ul>   |   |  |
| 3.11.4 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site | <ul style="list-style-type: none"> <li>✓ Prior to construction, and when a potential drainage issue is known, a drainage study should be conducted by responsible agencies for new capacity-increasing projects and new land use developments, where applicable. Drainage systems should be designed to maximize the use of detention basins, vegetated areas, and velocity dissipaters to reduce peak flows where possible. Transportation and new development improvements will comply with federal, state and local regulations regarding storm water management. State-owned freeways must comply with Storm Water Discharge NPDES permit for Caltrans facilities.</li> <li>✓ 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.</li> <li>✓ <i>A Board permit is required prior to working in the Central Valley Flood Protection Board's jurisdiction for the following:</i> <ul style="list-style-type: none"> <li>➤ <i>Placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (23 CCR Section 6);</i></li> <li>➤ <i>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);</i></li> <li>➤ <i>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).</i></li> </ul> </li> </ul> <p><i>Other local, federal and State agency permits may be required and are the responsibility of the applicant to obtain.</i></p> <p><i>Board permit application forms and complete 23 CCR regulations can be found on the following website at <a href="http://www/cvfpb.ca.gov/">http://www/cvfpb.ca.gov/</a>. Maps of the Central Valley Flood Protection 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 <a href="http://gis.bam.wate.ca.gov/bam/">http://gis.bam.wate.ca.gov/bam/</a>.</i></p> | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul> |

| Impact  | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party              |
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| 3.11.5 Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff | <ul style="list-style-type: none"> <li>✓ Project sponsors can and should ensure that new facilities include structural water quality control features such as drainage channels, detention basins, oil and grease traps, filter systems, and vegetated buffers to prevent pollution of adjacent water resources by polluted runoff where required by applicable urban storm water runoff discharge permits.</li> <li>✓ Drainage of roadway runoff can and should comply with Caltrans' storm water discharge permit. Wherever possible, roadways can and should be designed to convey storm water through vegetated median strips that provide detention capacity and allow for infiltration before reaching culverts.</li> <li>✓ Project sponsors can and should assure projects mitigate for changes to the volume of runoff, where any downstream receiving water body has not been designed and maintained to accommodate the increase in flow velocity, rate, and volume without impacting the water's beneficial uses. Pre-project flow velocities, rates, and volumes must not be exceeded. This applies not only to increases in storm water runoff from the project site, but also to hydrologic changes induced by flood plain encroachment. Projects should not cause or contribute to conditions that degrade the physical integrity or ecological function of any downstream receiving waters.</li> <li>✓ Impacts can and should be reduced to the extent possible by providing culverts and facilities that do not increase the flow velocity, rate, or volume and/or acquiring sufficient storm drain easements that accommodate an appropriately vegetated earthen drainage channel.</li> <li>✓ Project sponsors of improvement projects on existing facilities can and should include upgrades to stormwater drainage facilities to accommodate any increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce flow velocities, including expansion and restoration of wetlands and riparian buffer areas. System designs can and should be completed to eliminate increases in peak flow rates from current levels.</li> <li>✓ Local jurisdictions can and should encourage Low Impact Development and incorporation of natural spaces that reduce, treat, infiltrate and manage storm water runoff flows in all new developments, where practical and feasible.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.11.6 Otherwise substantially degrade water quality  | <ul style="list-style-type: none"> <li>✓ Improvement projects along existing facilities and future land use developments 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.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 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                   | <ul style="list-style-type: none"> <li>✓ Prior to construction, and when a potential drainage issue is known, a drainage study should be conducted by responsible agencies for new capacity-increasing projects and new land use developments, where applicable. Drainage systems should be designed to maximize the use of detention basins, vegetated areas, and velocity dissipaters to reduce peak flows where possible. Transportation and new development improvements will comply with federal, state and local regulations regarding storm water management. State-owned freeways must comply with Storm Water Discharge NPDES permit for Caltrans facilities.</li> <li>✓ 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.</li> <li>✓ Letters of Map Revision (LOMR) will be prepared and submitted to FEMA (when applicable) by responsible agencies where construction would occur within 100-year floodplains. The LOMR will include revised local base flood elevations for projects constructed within flood-prone areas.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.11.8 Expose people or structures to a significant risk of loss, injury or death involving flooding, including   | <ul style="list-style-type: none"> <li>✓ Fresno COG will encourage implementing and local agencies to conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Fresno COG and Implementing            |

| Impact  | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party                             |
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| flooding as a result of the failure of a levee or dam   | <p>These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows such that the project is consistent with federal, state, and local regulations and laws related to development in the floodplain.</p> <p>✓ Fresno COG will encourage implementing and local agencies to, the extent feasible and appropriate, prevent development in flood hazard areas that do not have appropriate protections.</p>   |                                     | agency or project sponsor                               |
| 3.11.9 Place within a 100-year flood hazard area structures which would impede or redirect flood flows  | <p>✓ Fresno COG will encourage implementing and local agencies to conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows such that the project is consistent with federal, state, and local regulations and laws related to development in the floodplain.</p> <p>✓ Fresno COG will encourage implementing and local agencies to, the extent feasible and appropriate, prevent development in flood hazard areas that do not have appropriate protections.</p>   | ✓ Ongoing over the life of the Plan | ✓ Fresno COG and Implementing agency or project sponsor |
| 3.12.1 Physically Divide a Community  | <p>✓ Individual transportation and future land use development projects will be consistent with local transportation system and land use plans and policies that designate areas for urban land use and transportation improvements, as identified by the agency with jurisdiction over said land(s).</p> <p>✓ Prior to final approval of each individual transportation improvement project and future land use development project, the implementing agency will conduct the appropriate transportation improvement project-specific and future land use development-specific environmental review, to address impacts from land use and transportation system projects that may physically divide a community.</p>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor                |
| 3.12.2 Land Use Impacts   | <p>✓ Individual transportation and future land use development projects will be consistent with local land use plans and policies that designate areas for urban and rural land use and preserve recreational, open space, and other lands.</p> <p>✓ Prior to final approval of each individual improvement project and future land use development project, the implementing agency will conduct the appropriate transportation improvement project specific and future land use development-specific environmental review, including consideration of potential land use impacts.</p>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor                |
| 3.12.3 Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated | <p>✓ Project and future land use development implementation agencies will ensure that projects and future land use developments are consistent with federal, state, and local plans that preserve open space and recreation.</p> <p>✓ 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.</p> <p>✓ Prior to final approval of each individual improvement and future land use development project, the implementing agency will conduct the appropriate improvement project- and land use development-specific environmental review, including consideration of loss of open space and recreation.</p> <p>✓ For projects that require approval or funding by the U.S. Department of Transportation, project implementation agencies will comply with Section 4(f) of the U.S. Department of Transportation Act.</p> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor                |
| 3.12.4 Does the project include recreational facilities or require the construction or expansion of recreational facilities which might   | <p>✓ Project and future land use development implementation agencies will ensure that projects and future land use developments are consistent with federal, state, and local plans that preserve open space and recreation.</p>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor                |



| Impact   | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party              |
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| have an adverse physical effect on the environment   | <ul style="list-style-type: none"> <li>✓ 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.</li> <li>✓ Prior to final approval of each individual improvement and future land use development project, the implementing agency will conduct the appropriate improvement project- and land use development-specific environmental review, including consideration of loss of open space and recreation.</li> <li>✓ Project and future land use development implementation agencies should 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.</li> <li>✓ For projects that require approval or funding by the U.S. Department of Transportation, project implementation agencies will comply with Section 4(f) of the U.S. Department of Transportation Act.</li> </ul>  |                                     |  |
| 3.13.1 Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies | <ul style="list-style-type: none"> <li>✓ As part of the implementing agency's appropriate environmental review of each project, a project specific noise evaluation shall be conducted and appropriate mitigation identified and implemented.</li> <li>✓ Implementing agencies should employ, where their jurisdictional authority permits, land use planning measures, such as zoning, restrictions on development, site design, and use of buffers to ensure that future development is compatible with adjacent transportation facilities and other noise generating land uses.</li> <li>✓ Implementing agencies shall, to the extent feasible and practicable, maximize the distance between noise-sensitive land uses and new roadway lanes, roadways, rail lines, transit centers, park-and-ride lots, and other future noise generating facilities.</li> <li>✓ Implementing agencies should construct sound reducing barriers between noise sources and noise sensitive land uses. Sound barriers can be in the form of earth-berms or soundwalls. Constructing roadways so as appropriate and feasible that they are depressed below-grade of the existing sensitive land uses also creates an effective barrier between the roadway and sensitive receptors.</li> <li>✓ Implementing agencies shall, to the extent feasible and practicable, improve the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise.</li> <li>✓ Implementing agencies shall implement, to the extent feasible and practicable, speed limits and limits on hours of operation of rail and transit systems, where such limits may reduce noise impacts.</li> <li>✓ Passenger stations, central maintenance facilities, decentralized maintenance facilities, and electric substations should be located away from sensitive receptors.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.13.2 Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels.  | <ul style="list-style-type: none"> <li>✓ As part of the implementing agency's appropriate environmental review of each project, a project specific noise evaluation shall be conducted and appropriate mitigation identified and implemented.</li> <li>✓ Implementing agencies should employ, where their jurisdictional authority permits, land use planning measures, such as zoning, restrictions on development, site design, and use of buffers to ensure that future development is compatible with adjacent transportation facilities and other noise generating land uses.</li> <li>✓ Implementing agencies shall, to the extent feasible and practicable, maximize the distance between noise-sensitive land uses and new roadway lanes, roadways, rail lines, transit centers, park-and-ride lots, and other future noise generating facilities.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

| Impact  | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party              |
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|   | <ul style="list-style-type: none"> <li>✓ Implementing agencies should construct sound reducing barriers between noise sources and noise sensitive land uses. Sound barriers can be in the form of earth-berms or soundwalls. Constructing roadways so as appropriate and feasible that they are depressed below-grade of the existing sensitive land uses also creates an effective barrier between the roadway and sensitive receptors.</li> <li>✓ Implementing agencies shall, to the extent feasible and practicable, improve the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise.</li> <li>✓ Implementing agencies shall implement, to the extent feasible and practicable, speed limits and limits on hours of operation of rail and transit systems, where such limits may reduce noise impacts.</li> <li>✓ Passenger stations, central maintenance facilities, decentralized maintenance facilities, and electric substations should be located away from sensitive receptors.</li> </ul>  |                                     |  |
| 3.13.3 A substantial permanent increase in ambient noise levels             | <ul style="list-style-type: none"> <li>✓ As part of the implementing agency's appropriate environmental review of each transportation or land use development project, a project specific noise evaluation shall be conducted and appropriate mitigation identified and implemented.</li> <li>✓ Implementing agencies shall employ, where their jurisdictional authority permits, land use planning measures, such as zoning, restrictions on development, site design, and use of buffers to ensure that future development is compatible with adjacent transportation facilities and other noise generating uses.</li> <li>✓ Implementing agencies shall, to the extent feasible and practicable, maximize the distance between noise-sensitive land uses and new roadway lanes, roadways, rail lines, transit centers, park-and-ride lots, and future noise generating land uses.</li> <li>✓ Implementing agencies should construct sound reducing barriers between noise sources and noise sensitive land uses. Sound barriers can be in the form of earth-berms or soundwalls. Constructing roadways so as appropriate and feasible that they are depressed below-grade of the existing sensitive land uses also creates an effective barrier between the roadway and sensitive receptors.</li> <li>✓ Implementing agencies shall, to the extent feasible and practicable, improve the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise.</li> <li>✓ Implementing agencies shall implement, to the extent feasible and practicable, speed limits and limits on hours of operation of rail and transit systems, where such limits may reduce noise impacts.</li> <li>✓ Passenger stations, central maintenance facilities, decentralized maintenance facilities, and electric substations should be located away from sensitive receptors.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.13.4 A substantial temporary or periodic increase in ambient noise levels | <ul style="list-style-type: none"> <li>✓ Implementing agencies will comply with all local sound control and noise level rules, regulations, and ordinances.</li> <li>✓ Implementing agencies will limit the hours of construction to between 6:00 a.m. and 8:00 p.m. on Monday through Friday and between 7:00 a.m. and 8:00 p.m. on weekends.</li> <li>✓ Equipment and trucks used for construction will utilize the best available noise control techniques (including mufflers, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds) in order to minimize construction noise impacts.</li> <li>✓ Impact equipment (e.g., jackhammers, pavement breakers, and rock drills) used for individual improvement project or land use development construction will be hydraulically or electrical powered wherever feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

| Impact  | Mitigation Measure (s)  | Timing of Implementation            | Responsible Agency or Party              |
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|   | <p>tools themselves will be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures will be used such as drilling rather than impact equipment whenever feasible.</p> <ul style="list-style-type: none"><li>✓ Implementing agencies will ensure that stationary noise sources will be located as far from sensitive receptors as possible. If they must be located near existing receptors, they will be adequately muffled.</li><li>✓ Implementing agencies will designate a complaint coordinator responsible for responding to noise complaints received during the construction phase. The name and phone number of the complaint coordinator will be conspicuously posted at construction areas and on all advanced notifications. This person will be responsible for taking steps required to resolve complaints, including periodic noise monitoring, if necessary.</li><li>✓ Noise generated from any rock-crushing or screening operations performed within 3,000 feet of any occupied residence will be mitigated by the individual improvement project proponent by strategic placement of material stockpiles between the operation and the affected dwelling or by other means approved by the local jurisdiction.</li><li>✓ Implementing agencies will direct contractors to implement appropriate additional noise mitigation measures including, but not limited to, changing the location of stationary construction equipment, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing acoustic barriers around stationary construction noise sources to comply with local noise control requirements.</li><li>✓ Implementing agencies will implement use of portable barriers during construction of subsurface barriers, debris basins, and storm water drainage facilities.</li><li>✓ No pile-driving or blasting operations will be performed within 3,000 feet of an occupied residence on Sundays, legal holidays, or between the hours of 8:00 p.m. and 8:00 a.m. on other days. Any variance from this condition will be obtained from the individual improvement project or new land use development proponent and must be approved by the local jurisdiction.</li><li>✓ Wherever possible, sonic or vibratory pile drivers will be used instead of impact pile drivers, (sonic pile drivers are only effective in some soils). If sonic or vibratory pile drivers are not feasible, acoustical enclosures will be provided as necessary to ensure that pile-driving noise does not exceed speech interference criterion at the closest sensitive receptor.</li><li>✓ In residential areas, pile driving will be limited to daytime working hours.</li><li>✓ Engine and pneumatic exhaust controls on pile drivers will be required as necessary to ensure that exhaust noise from pile driver engines are minimized to the extent feasible.</li><li>✓ Where feasible, pile holes will be pre-drilled to reduce potential noise and vibration impacts.</li></ul> |                                     |  |
| 3.13.5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels. | <ul style="list-style-type: none"><li>✓ Compliance with Occupational Safety and Health Administration's (OSHA) hearing conservation amendment. The Permissible Exposure Level (PEL) is defined as an 8-hour time-weighted average sound level of 90 dBA integrating all sound levels from at least 90 dBA to at least 140 dBA. Project implementing agencies will comply with all local sound control and noise level rules, regulations, and ordinances.</li></ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

| Impact  | Mitigation Measure (s)  | Timing of Implementation   | Responsible Agency or Party   |
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| 3.13.6 For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.                        | ✓ Compliance with Occupational Safety and Health Administration's (OSHA) hearing conservation amendment. The Permissible Exposure Level (PEL) is defined as an 8-hour time-weighted average sound level of 90 dBA integrating all sound levels from at least 90 dBA to at least 140 dBA. Project implementing agencies will comply with all local sound control and noise level rules, regulations, and ordinances.   | ✓ Ongoing over the life of the Plan  | ✓ Implementing agency or project sponsor  |
| 3.14.1 Impacts on Regional Growth and Dispersion  | ✓ Local agencies will be encouraged to update general, area, community and specific plans to reflect projects included in the 2014 RTP and future land use allocations reflected in the SCS.  | ✓ Ongoing over the life of the Plan  | ✓ Fresno COG and Implementing agency or project sponsor   |
| 3.14.2 Impacts on Community Displacement  | <ul style="list-style-type: none"> <li>✓ Local agencies will be encouraged to update general, area, community and specific plans to reflect projects included in the 2014 RTP and future land use allocations reflected in the SCS.</li> <li>✓ For projects with the potential to displace homes or businesses, project and future development implementation agencies will evaluate alternate route alignments and transportation facilities that minimize the displacement of homes and businesses. An iterative design and impact analysis would help where impacts to persons or businesses are involved. Potential impacts will be minimized to the extent feasible.</li> <li>✓ Project implementation agencies should identify businesses and residences to be displaced. As required by law, relocation and assistance will be provided to displaced residents and businesses, in accordance with the federal Uniform Relocation and Real Property Acquisition Policies Act of 1970 and the State of California Relocation Assistance Act, as well as any applicable City and County policies.</li> <li>✓ Project implementation agencies will develop a construction schedule that minimizes potential neighborhood deterioration from protracted waiting periods.</li> </ul> | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> <li>✓ Over the life of the Plan</li> <li>✓ Over the life of the Plan</li> <li>✓ Over the life of the Plan</li> </ul> | <ul style="list-style-type: none"> <li>✓ Fresno COG and Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> <li>✓ Implementing agency or project sponsor</li> </ul> |
| 3.14.3 Disrupt or Divide Communities  | <ul style="list-style-type: none"> <li>✓ Project implementation agencies will design new transportation facilities that protect access to existing community facilities. During the design phase of the individual improvement project, community amenities and facilities should be identified and access to them considered in the design of the individual improvement project.</li> <li>✓ Project implementation agencies will design roadway improvements, in a manner that minimizes barriers to pedestrians and bicyclists. During the design phase, pedestrian and bicycle routes will be determined that permit easy connections to community facilities nearby in order not to divide the communities.</li> </ul>   | <ul style="list-style-type: none"> <li>✓ Ongoing over the life of the Plan</li> </ul>  | <ul style="list-style-type: none"> <li>✓ Implementing agency or project sponsor</li> </ul>  |
| 3.15.1 Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental | ✓ Prior to construction, the project implementation agency will ensure that all necessary local and state permits are obtained. The project implementation agency also will comply with all applicable conditions of approval. As deemed necessary by the governing jurisdiction, road encroachment permits may require the contractor to prepare a traffic control plan in accordance with professional engineering standards prior to construction. Traffic control plans should include the following requirements:  | ✓ Ongoing over the life of the Plan  | ✓ Implementing agency or project sponsor  |

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| facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, and other public facilities | <ul style="list-style-type: none"> <li>➤ Identify all roadway locations where special construction techniques (e.g., directional drilling or night construction) would be used to minimize impacts to traffic flow.</li> <li>➤ Develop circulation and detour plans to minimize impacts to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.</li> <li>➤ Schedule truck trips outside of peak morning and evening commute hours.</li> <li>➤ Limit lane closures during peak hours to the extent possible.</li> <li>➤ Use haul routes, minimizing truck traffic on local roadways, to the extent possible.</li> <li>➤ Include detours for bicycles and pedestrians in all areas potentially affected by individual improvement project construction.</li> <li>➤ Install traffic control devices as specified in the Caltrans Manual of Traffic Controls for Construction and Maintenance Work Zones.</li> <li>➤ Develop and implement access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals, and schools. Access plans will be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions will be asked to identify detours for emergency vehicles, which will then be posted by the contractor. The facility owner or operator will be notified in advance of the timing, location, and duration of construction activities and the locations of detours and lane closures.</li> <li>➤ Store construction materials only in designated areas.</li> <li>➤ Coordinate with local transit agencies for temporary relocation of routes or bus stops in work zones, as necessary.</li> </ul> <p>✓ Transportation and future land use development projects requiring police protection, fire service, and emergency medical service will coordinate with the local fire department and police department to ensure that the existing public services and utilities would be able to handle the increase in demand for their services. If the current levels of service at the individual improvement project or future land use development site are found to be inadequate, infrastructure improvements and personnel requirements for the appropriate public service will be identified in each individual improvement project's CEQA documentation.</p> <p>✓ The growth inducing potential of individual transportation and future land use development projects will be carefully evaluated so that the full implications of the 2014 RTP and SCS are understood. Individual environmental documents will quantify indirect impacts (growth that could be facilitated or induced) on public services and utilities. Lead and responsible agencies should then make any necessary adjustments to the applicable general plan.</p> <p>✓ As part of transportation project-specific or future land use development project-specific environmental review, implementing agencies will evaluate the impacts resulting from the potential for severing underground utility lines during construction activities. Appropriate mitigation measures will be identified for all impacts. The implementing agencies will be responsible for ensuring adherence to mitigation measures. Fresno COG will be provided with documentation indicating compliance with mitigation measures.</p> <p>✓ Prior to construction, the implementing agency or contractor will identify the locations of existing utility lines. All known utility lines will be avoided during construction.</p> |                                     |  |
| 3.15.2 Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board  | <p>✓ During the CEQA review process for individual facilities, implementing agencies should apply necessary mitigation measures to reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities.</p>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |



| Impact  | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party              |
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| 3.15.3 Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects | <ul style="list-style-type: none"> <li>✓ Projects requiring wastewater service, solid waste collection, or potable water service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.</li> <li>✓ Reclaimed water will be used for landscaping purposes instead of potable water wherever feasible.</li> <li>✓ Recently, the Governor declared an emergency drought declaration for the State. Long-term water supply documents anticipate that drought (including severe single-year drought) are regular occurrences within the State. Because the 2014 RTP and SCS do not propose or approve development of any water demand projects, the Governor's drought declaration does not indicate that there is a significant water supply impact associated with the RTP and SCS.</li> <li>✓ Each of the proposed transportation improvement projects or future land use developments will comply with applicable regulations related to solid waste disposal.</li> <li>✓ The construction contractor will work with Recycling Coordinators to ensure that source reduction techniques and recycling measures are incorporated into individual transportation improvement or future land use development project construction.</li> <li>✓ The amount of solid waste generated during construction will be estimated prior to construction, and appropriate disposal sites will be identified and utilized.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.15.4 Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects          | <ul style="list-style-type: none"> <li>✓ During the CEQA review process for individual RTP and SCS projects, implementing agencies with responsibility for the construction of new storm water drainage facilities or the expansion of existing facilities to adequately meet projected capacity needs should apply necessary mitigation measures, including actions set forth in regional watershed management plans, to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities.</li> <li>✓ As part of transportation project-specific and future land use development project-specific environmental review, implementing agencies will evaluate the impacts resulting from soil accumulation during construction of the transportation projects and future land use developments. Appropriate mitigation measures will be identified for all impacts. The implementing agencies will be responsible for ensuring adherence to the mitigation measures. Fresno COG will be provided with documentation indicating compliance with mitigation measures.</li> <li>✓ Implementing agencies should implement appropriate measures, such as the washing of construction vehicles undercarriages before leaving the construction site or increasing the use of street cleaning machines, to reduce the amount of soil on local roadways as a result of construction.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |
| 3.15.5 Have sufficient water supplies available to serve the project from existing entitlements and resources, or the need for new or expanded entitlements   | <ul style="list-style-type: none"> <li>✓ Projects requiring potable water service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.</li> <li>✓ Reclaimed water will be used for landscaping purposes instead of potable water wherever feasible.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

| Impact   | Mitigation Measure (s)  | Timing of Implementation            | Responsible Agency or Party                             |
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| 3.15.6 Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments | <ul style="list-style-type: none"> <li>✓ Projects requiring wastewater service will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor                |
| 3.15.7 Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs  | <ul style="list-style-type: none"> <li>✓ Projects requiring solid waste collection will coordinate with the local agencies to ensure that the existing public services and utilities would be able to handle the increase. If the current infrastructure servicing the individual transportation improvement or future land use development project sites is found to be inadequate, infrastructure improvements for the appropriate public service utility will be identified in each individual transportation improvement or future land use development project's CEQA documentation.</li> <li>✓ Each of the proposed transportation improvement projects or future land use developments will comply with applicable regulations related to solid waste disposal.</li> <li>✓ The construction contractor will work with Recycling Coordinators to ensure that source reduction techniques and recycling measures are incorporated into individual transportation improvement or future land use development project construction.</li> <li>✓ The amount of solid waste generated during construction will be estimated prior to construction, and appropriate disposal sites will be identified and utilized.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor                |
| 3.15.8 Comply with federal, state, and local statutes and regulations related to solid waste   | <ul style="list-style-type: none"> <li>✓ During the CEQA review process for individual facilities, implementing agencies should apply necessary mitigation measures to reduce significant environmental impacts associated with the construction or expansion of such facilities. The environmental impacts associated with such construction or expansion should be avoided or reduced through the imposition of conditions required to be followed by those directly involved in the construction or expansion activities.</li> </ul>   | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor                |
| 3.17.1 Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system  | <ul style="list-style-type: none"> <li>✓ Measures intended to reduce vehicle miles traveled (VMT) and reduce vehicle hours of delay (VHT) or congestion levels are part of the RTP and SCS. These include: increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use/transportation connection through increased densities, other Travel Demand Management measures described in the RTP and in local agency General Plans, and key transportation investments targeted to reduce congestion levels and improve LOS.</li> <li>✓ Fresno COG will continue to score funding programs considering a projects ability to enhance complete streets objectives.</li> <li>✓ Beyond the currently financially and institutionally feasible measures included in the 2014 RTP and SCS, Fresno COG will identify further reductions in VMT, and fuel consumption that could be obtained through land-use strategies, additional car-sharing programs, additional vanpools, and additional bicycle programs.</li> <li>✓ Transportation Planning: Fresno COG will assist local jurisdictions to encourage new developments incorporate both local and regional transit measures into the project design that promote the use of alternative modes of transportation.</li> <li>✓ Local jurisdictions can and should promote ride sharing programs e.g., by designating a certain percentage of parking spaces for high-occupancy vehicles, providing larger parking spaces to accommodate vans used for ride-sharing, and designating adequate passenger loading and unloading and waiting areas.</li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Fresno COG and Implementing agency or project sponsor |

| Impact | Mitigation Measure (s)  | Timing of Implementation | Responsible Agency or Party |
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|        | <div><div>✓</div><div>The Plan includes measures intended to reduce vehicle hours of delay. These include: system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce delay. Fresno COG shall encourage local agencies to fully implement these policies and projects.</div></div> <div><div>✓</div><div>The Plan includes measures intended to reduce daily heavy-duty truck vehicle hours of delay. These include: goods movement capacity enhancements, system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce heavy-duty truck delay. Fresno COG shall encourage local agencies to fully implement these policies and projects.</div></div> <div><div>✓</div><div>Local jurisdictions can and should encourage the use of public transit systems by enhancing safety and cleanliness on vehicles and in and around stations, providing shuttle service to public transit, offering public transit incentives and providing public education and publicity about public transportation services.</div></div> <div><div>✓</div><div>Local jurisdictions can and should encourage bicycling and walking by incorporating bicycle lanes into street systems in regional transportation plans, new subdivisions, and large developments, creating bicycle lanes and walking paths directed to the location of schools and other logical points of destination and provide adequate bicycle parking, and encouraging commercial projects to include facilities on-site to encourage employees to bicycle or walk to work.</div></div> <div><div>✓</div><div>Transit agencies can and should encourage bicycling to transit facilities by providing additional bicycle parking, locker facilities, and bike lane access to transit facilities when feasible.</div></div> <div><div>✓</div><div>Project sponsors can and should build or fund a major transit stop within or near the development.</div></div> <div><div>✓</div><div>Local jurisdictions and transit agencies can and should provide public transit incentives such as free or low-cost monthly transit passes to employees, or free ride areas to residents and customers.</div></div> <div><div>✓</div><div>Local jurisdictions and project sponsors can and should incorporate bicycle lanes, routes and facilities into street systems, new subdivisions, and large developments.</div></div> <div><div>✓</div><div>Local jurisdictions can and should require amenities for non-motorized transportation, such as secure and convenient bicycle parking.</div></div> <div><div>✓</div><div>Local jurisdictions can and should ensure that the project enhances, and does not disrupt or create barriers to, non-motorized transportation.</div></div> <div><div>✓</div><div>Local jurisdictions can and should connect parks and open space through shared pedestrian/bike paths and trails to encourage walking and bicycling.</div></div> <div><div>✓</div><div>Local jurisdictions can and should create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.</div></div> <div><div>✓</div><div>Local jurisdictions can and should work with the school districts to improve pedestrian and bike access to schools and to restore or expand school bus service using lower-emitting vehicles.</div></div> |                          |                             |

| Impact | Mitigation Measure (s)   | Timing of Implementation | Responsible Agency or Party |
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|        | <div><div>✓</div><div>Local jurisdictions and transit agencies can and should provide information on alternative transportation options for consumers, residents, tenants and employees to reduce transportation related emissions.</div></div> <div><div>✓</div><div>Local jurisdictions can and should educate consumers, residents, tenants and the public about options for reducing motor vehicle-related greenhouse gas emissions. Include information on trip reduction; trip linking; vehicle performance and efficiency (e.g., keeping tires inflated); and low or zero-emission vehicles.</div></div> <div><div>✓</div><div>Project Selection: Local jurisdictions can and should give priority to transportation projects that would contribute to a reduction in vehicle miles traveled per capita, while maintaining economic vitality and sustainability.</div></div> <div><div>✓</div><div>System Interconnectivity: Local jurisdictions can and should create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking, by incorporating the following:<div><div>➤</div><div>Ensure transportation centers are multi-modal to allow transportation modes to intersect;</div></div><div><div>➤</div><div>Provide adequate and affordable public transportation choices, including expanded bus routes and service, as well as other transit choices such as shuttles, light rail, and rail;</div></div><div><div>➤</div><div>To the extent feasible, extend service and hours of operation to underserved arterials and population centers or destinations such as colleges;</div></div><div><div>➤</div><div>Focus transit resources on high-volume corridors and high-boarding destinations such as colleges, employment centers and regional destinations;</div></div><div><div>➤</div><div>Coordinate schedules and routes across service lines with neighboring transit authorities;</div></div><div><div>➤</div><div>Support programs to provide “station cars” for short trips to and from transit nodes (e.g., neighborhood electric vehicles);</div></div><div><div>➤</div><div>Study the feasibility of providing free transit to areas with residential densities of 15 dwelling units per acre or more;</div></div><div><div>➤</div><div>Employ transit-preferential measures, such as signal priority and bypass lanes. Where compatible with adjacent land use designations, right-of-way acquisition or parking removal may occur to accommodate transit-preferential measures or improve access to transit. The use of access management should be considered where needed to reduce conflicts between transit vehicles and other vehicles;</div></div><div><div>➤</div><div>Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets;</div></div><div><div>➤</div><div>Use park-and-ride facilities to access transit stations only at ends of regional transit ways or where adequate feeder bus service is not feasible.</div></div></div></div> <div><div>✓</div><div>Transit System Infrastructure: Local jurisdictions can and should upgrade and maintain transit system infrastructure to enhance public use, including:<div><div>➤</div><div>Ensure transit stops and bus lanes are safe, convenient, clean and efficient;</div></div><div><div>➤</div><div>Ensure transit stops have clearly marked street-level designation, and are accessible;</div></div><div><div>➤</div><div>Ensure transit stops are safe, sheltered, benches are clean, and lighting is adequate;</div></div><div><div>➤</div><div>Place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals of three to four blocks, or no less than one-half mile.</div></div></div></div> <div><div>✓</div><div>Customer Service: Transit agencies can and should enhance customer service and system ease-of-use, including:<div><div>➤</div><div>Develop a Regional Pass system to reduce the number of different passes and tickets required of system users;</div></div><div><div>➤</div><div>Implement “Smart Bus” technology, using GPS and electronic displays at transit stops to provide customers with “real-time” arrival and departure time information (and to allow the system operator to respond more quickly and effectively to disruptions in service);</div></div></div></div> |                          |                             |

| Impact | Mitigation Measure (s)   | Timing of Implementation | Responsible Agency or Party |
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|        | <ul style="list-style-type: none"><li>➤ Investigate the feasibility of an on-line trip-planning program.</li><li>✓ Transit Funding: Local jurisdictions can and should prioritize transportation funding to support a shift from private passenger vehicles to transit and other modes of transportation, including:<ul style="list-style-type: none"><li>➤ Give funding preference to improvements in public transit over other new infrastructure for private automobile traffic;</li><li>➤ Before funding transportation improvements that increase roadway capacity and VMT, evaluate the feasibility and effectiveness of funding projects that support alternative modes of transportation and reduce VMT, including transit, and bicycle and pedestrian access.</li></ul></li><li>✓ Transit and Multimodal Impact Fees: Local jurisdictions can and should assess transit and multimodal impact fees on new developments to fund public transportation infrastructure, bicycle infrastructure, pedestrian infrastructure and other multimodal accommodations.</li><li>✓ System Monitoring: Local jurisdictions can and should monitor traffic and congestion to determine when and where new transportation facilities are needed in order to increase access and efficiency.</li><li>✓ Arterial Traffic Management: Local jurisdictions can and should modify arterial roadways to allow more efficient bus operation, including bus lanes and signal priority/preemption where necessary.</li><li>✓ HOV Lanes: Local jurisdictions can and should encourage the construction of high-occupancy vehicle (HOV) lanes or similar mechanisms whenever necessary to relieve congestion and reduce emissions.</li><li>✓ Ride-Share Programs: Fresno COG and local jurisdictions can and should promote ride sharing programs, including:<ul style="list-style-type: none"><li>➤ Designate a certain percentage of parking spaces for ride-sharing vehicles;</li><li>➤ Designate adequate passenger loading, unloading, and waiting areas for ride-sharing vehicles;</li><li>➤ Provide a web site or message board for coordinating shared rides;</li><li>➤ Encourage private, for-profit community car-sharing, including parking spaces for car share vehicles at convenient locations accessible by public transit;</li><li>➤ Hire or designate a rideshare coordinator to develop and implement ridesharing programs.</li></ul></li><li>✓ Employer-based Trip Reduction: Local jurisdictions can and should support voluntary, employer-based trip reduction programs, including:<ul style="list-style-type: none"><li>➤ Provide assistance to regional and local ridesharing organizations;</li><li>➤ Advocate for legislation to maintain and expand incentives for employer ridesharing programs;</li><li>➤ Require the development of Transportation Management Associations for large employers and commercial/ industrial complexes;</li><li>➤ Provide public recognition of effective programs through awards, top ten lists, and other mechanisms.</li></ul></li><li>✓ Ride Home Programs: Local jurisdictions can and should implement a “guaranteed ride home” program for those who commute by public transit, ride-sharing, or other modes of transportation, and encourage employers to subscribe to or support the program.</li><li>✓ Local Area Shuttles: Transit agencies can and should encourage and utilize shuttles to serve neighborhoods, employment centers and major destinations.</li><li>✓ Local jurisdictions and transit agencies can and should create a free or low-cost local area shuttle system that includes a fixed route to popular tourist destinations or shopping and business centers.</li><li>✓ Local jurisdictions can and should work with existing shuttle service providers to coordinate their services.</li></ul> |                          |                             |



| Impact | Mitigation Measure (s)  | Timing of Implementation | Responsible Agency or Party |
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|        | <div><div>✓</div><div>Low- and No-Travel Employment Opportunities: Local jurisdictions can and should facilitate employment opportunities that minimize the need for private vehicle trips, including:<div><div>➤</div><div>Amend zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations;</div><div>➤</div><div>Encourage telecommuting options with new and existing employers, through project review and incentives, as appropriate.</div></div></div><div><div>✓</div><div>Local jurisdictions can and should support bicycle use as a mode of transportation by enhancing infrastructure to accommodate bicycles and riders, and providing incentives.</div></div><div><div>✓</div><div>Development Standards for Bicycles: Local jurisdictions can and should establish standards for new development and redevelopment projects to support bicycle use, including:<div><div>➤</div><div>Amending the Development Code to include standards for safe pedestrian and bicyclist accommodations, by incorporating the following:<div><div>▪</div><div>“Complete Streets” policies that foster equal access by all users in the roadway design;</div><div>▪</div><div>Bicycle and pedestrian access internally and in connection to other areas through easements;</div><div>▪</div><div>Safe access to public transportation and other non-motorized uses through construction of dedicated paths;</div><div>▪</div><div>Safe road crossings at major intersections, especially for school children and seniors;</div><div>▪</div><div>Adequate, convenient and secure bike parking at public and private facilities and destinations in all urban areas;</div><div>▪</div><div>Street standards will include provisions for bicycle parking within the public right of way.</div></div></div></div></div><div><div>✓</div><div>Local jurisdictions can and should require new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including:<div><div>➤</div><div>Construction of weatherproof bicycle facilities where feasible, and at a minimum, bicycle racks or covered, secure parking near the building entrances;</div><div>➤</div><div>Provision and maintenance of changing rooms, lockers, and showers at large employers or employment centers.</div><div>➤</div><div>Prohibit projects that impede bicycle and pedestrian access, such as large parking areas that cannot be safely crossed by non-motorized vehicles, and developments that block through access on existing or potential bicycle and pedestrian routes;</div><div>➤</div><div>Encourage the development of bicycle stations at intermodal hubs, with attended or “valet” bicycle parking, and other amenities such as bicycle rental and repair, and changing areas with lockers and showers;</div><div>➤</div><div>Conduct a connectivity analysis of the existing bikeway network to identify gaps, and prioritize bikeway development where gaps exist.</div></div></div></div><div><div>✓</div><div>Bicycle and Pedestrian Trails: Local jurisdictions can and should establish a network of multi-use trails to facilitate safe and direct off-street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations.</div></div><div><div>✓</div><div>Bicycle Safety Program: Local jurisdictions can and should develop and implement a bicycle safety educational program to teach drivers and riders the laws, riding protocols, routes, safety tips, and emergency maneuvers.</div></div><div><div>✓</div><div>Bicycle and Pedestrian Project Funding: Local jurisdictions can and should pursue and provide enhanced funding for bicycle and pedestrian facilities and access projects, including, as appropriate:<div><div>➤</div><div>Apply for regional, State, and federal grants for bicycle and pedestrian infrastructure projects;</div><div>➤</div><div>Establish development exactions and impact fees to fund bicycle and pedestrian facilities;</div></div></div></div></div></div> |                          |                             |

| Impact  | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party                             |
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|   | <ul style="list-style-type: none"> <li>➤ Use existing revenues, such as State gas tax subventions, sales tax funds, and general fund monies for projects to enhance bicycle use and walking for transportation.</li> <li>✓ Bicycle Parking: Local jurisdictions can and should adopt bicycle parking standards that ensure bicycle parking sufficient to accommodate 5 to 10 percent of projected use at all public and commercial facilities, and at a rate of at least one per residential unit in multiple-family developments.</li> <li>✓ Local jurisdictions can and should implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel.</li> <li>✓ Pedestrian and Bicycle Promotion: Local jurisdictions can and should work with local community groups and downtown business associations to organize and publicize walking tours and bicycle events, and to encourage pedestrian and bicycle modes of transportation.</li> <li>✓ Trip Reduction Program: Local jurisdictions can and should implement a program to reduce vehicle trips by employees, including: <ul style="list-style-type: none"> <li>➤ Providing incentives and infrastructure for vanpooling and carpooling, such as pool vehicles, preferred parking, and a website or bulletin board to facilitate ride-sharing;</li> <li>➤ Providing subsidized passes for mass transit;</li> <li>➤ Offering compressed work hours, off-peak work hours, and telecommuting, where appropriate;</li> <li>➤ Offer a guaranteed ride home for employees who use alternative modes of transportation to commute.</li> </ul> </li> <li>✓ Bicycle Transportation Support: Local jurisdictions can and should promote and support the use of bicycles as transportation, including: <ul style="list-style-type: none"> <li>➤ Providing bicycle stations with secure, covered parking, changing areas with storage lockers and showers, as well as a central facility where minor repairs can be made;</li> <li>➤ Providing bicycles, including electric bikes, for employees to use for short trips during business hours;</li> <li>➤ Implementing a police-on-bicycles program;</li> <li>➤ Providing a bicycle safety program, and information about safe routes to work.</li> </ul> </li> <li>✓ Transit Access to Municipal Facilities: Local jurisdiction and agency facilities can and should be located on major transit corridors, unless their use is plainly incompatible with other uses located along major transit corridors.</li> </ul> |                                     |   |
| 3.17.2 Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways | <ul style="list-style-type: none"> <li>✓ A number of local street and road and State Route segments along the regional street and highway will experience deficient LOS conditions by 2040. Mitigation measures for these segments have not been identified or programmed in the RTP. Intersection improvements and lane additions would improve deficient levels of service to acceptable levels consistent with minimum LOS policies identified in the RTP; however, funding to address the improvements is not available or the costs to mitigate the deficiencies are prohibitive. Fresno COG should coordinate efforts to identify appropriate strategies that would improve deficient levels of service along the affected streets and highways. Fresno COG should work continue to with local agencies and Caltrans, District 6 to identify alternative improvements, associated cost estimates, and an implementation plan and schedule as part of various Caltrans studies and during update of local general plans and other planning efforts. Various funding sources should be analyzed as part of implementation plans and findings should be incorporated into future RTPs.</li> <li>✓ Project sponsors of a commercial use can and should submit to the Lead Agency (or other appropriate government agency) a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The sponsor should implement the approved TDM plan. The TDM should include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use. All four modes of travel should be considered. Strategies to consider include the following:</li> </ul>  | ✓ Ongoing over the life of the Plan | ✓ Fresno COG and Implementing agency or project sponsor |

| Impact | Mitigation Measure (s)  | Timing of Implementation | Responsible Agency or Party |
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|        | <div><div><div>➤</div><div>Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement</div></div><div><div>➤</div><div>Construction of bike lanes per the prevailing Bicycle Master Plan (or other similar document)</div></div><div><div>➤</div><div>Signage and striping onsite to encourage bike safety</div></div><div><div>➤</div><div>Installation of pedestrian safety elements (such as cross walk striping, curb ramps, countdown signals, bulb outs, etc.) to encourage convenient crossing at arterials</div></div><div><div>➤</div><div>Installation of amenities such as lighting, street trees, trash and any applicable streetscape plan.</div></div><div><div>➤</div><div>Direct transit sales or subsidized transit passes</div></div><div><div>➤</div><div>Guaranteed ride home program</div></div><div><div>➤</div><div>Pre-tax commuter benefits (checks)</div></div><div><div>➤</div><div>On-site car-sharing program</div></div><div><div>➤</div><div>On-site carpooling program</div></div><div><div>➤</div><div>Distribution of information concerning alternative transportation options</div></div><div><div>➤</div><div>Parking spaces sold/leased separately</div></div><div><div>➤</div><div>Parking management strategies; including attendant/valet parking and shared parking spaces</div></div></div> <div><div>✓</div><div><p>Project sponsors and construction contractors can and should meet with the appropriate Lead Agency (or other government agency) to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project sponsor should develop a construction management plan for review and approval by the Lead Agency (or other government agency as appropriate). The plan should include at least the following items and requirements:</p><div><div>➤</div><div>A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.</div></div><div><div>➤</div><div>Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.</div></div><div><div>➤</div><div>Location of construction staging areas for materials, equipment, and vehicles at an approved location.</div></div><div><div>➤</div><div>A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager should determine the cause of the complaints and should take prompt action to correct the problem. The Lead Agency should be informed who the Manager is prior to the issuance of the first permit.</div></div><div><div>➤</div><div>Provision for accommodation of pedestrian flow.</div></div><div><div>➤</div><div>As necessary, provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on street spaces.</div></div><div><div>➤</div><div>Any damage to the street caused by heavy equipment, or as a result of this construction, should be repaired, at the project sponsor's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair should occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety should be repaired immediately. The street should be restored to its condition prior to the new construction as established by the Lead Agency (or other appropriate government agency) and/or photo documentation, at the sponsor's expense, before the issuance of a Certificate of Occupancy.</div></div><div><div>➤</div><div>Any heavy equipment brought to the construction site should be transported by truck, where feasible.</div></div><div><div>➤</div><div>No materials or equipment should be stored on the traveled roadway at any time.</div></div><div><div>➤</div><div>Prior to construction, a portable toilet facility and a debris box should be installed on the site, and properly maintained through project completion.</div></div></div></div> |                          |                             |

| Impact   | Mitigation Measure (s)   | Timing of Implementation   | Responsible Agency or Party   |
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|  | <ul style="list-style-type: none"><li>➤ All equipment should be equipped with mufflers.</li><li>➤ Prior to the end of each work-day during construction, the contractor or contractor should pick up and properly dispose of all litter resulting from or related to the project whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.</li><li>✓ Project sponsors can and should ensure that prior to construction all necessary local and State road and railroad encroachment permits are obtained. As deemed necessary by the governing jurisdiction, the road encroachment permits may require the contractor to prepare a traffic control plan in accordance with professional engineering standards prior to construction. Traffic control plans should include the following requirements:<ul style="list-style-type: none"><li>➤ Identification of all roadway locations where special construction techniques (e.g., directional drilling or night construction) would be used to minimize impacts to traffic flow.</li><li>➤ Development of circulation and detour plans to minimize impacts to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.</li><li>➤ Scheduling of truck trips outside of peak morning and evening commute hours.</li><li>➤ Limiting of lane closures during peak hours to the extent possible.</li><li>➤ Usage of haul routes minimizing truck traffic on local roadways to the extent possible.</li><li>➤ Inclusion of detours for bicycles and pedestrians in all areas potentially affected by project construction.</li><li>➤ Installation of traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones.</li><li>➤ Development and implementation of access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals, and schools. The access plans would be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions should be asked to identify detours for emergency vehicles, which will then be posted by the contractor. Notify in advance the facility owner or operator of the timing, location, and duration of construction activities and the locations of detours and lane closures.</li><li>➤ Storage of construction materials only in designated areas</li><li>➤ Coordination with local transit agencies for temporary relocation of routes or bus stops in work zones, as necessary.</li></ul></li><li>✓ Local jurisdictions can and should implement traffic and roadway management strategies to improve mobility and efficiency, and reduce associated emissions.</li><li>✓ Signal Synchronization: Local jurisdictions can and should expand signal timing programs where emissions reduction benefits can be demonstrated, including maintenance of the synchronization system, and will coordinate with adjoining jurisdictions as needed to optimize transit operation while maintaining a free flow of traffic.</li><li>✓ Delivery Schedules: Local jurisdictions can and should establish ordinances or land use permit conditions limiting the hours when deliveries can be made to off-peak hours in high traffic areas.</li></ul> |  |   |
| 3.17.4 Substantially increase hazards due to a design feature or incompatible uses | <ul style="list-style-type: none"><li>✓ Implementing agencies should consider safety an objective in the design of RTP projects, and should plan to avoid, improve, or mitigate safety impacts in the course of project-level environmental review.</li><li>✓ Fresno COG shall conduct a forum where policy-makers can be educated and can develop consensus on regional transportation safety and security policies.</li></ul>  | <ul style="list-style-type: none"><li>✓ Ongoing over the life of the Plan</li><li>✓ FY 2015/16</li></ul> | <ul style="list-style-type: none"><li>✓ Implementing agency or project sponsor</li><li>✓ Fresno COG</li></ul> |

| Impact                                       | Mitigation Measure (s)  | Timing of Implementation            | Responsible Agency or Party                             |
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|  | ✓ Fresno COG shall work with local officials to assist with implementation of regional transportation safety and security policies.   | ✓ Ongoing over the life of the Plan | ✓ Fresno COG and Implementing agency or project sponsor |
| 3.17.5 Result in inadequate emergency access | ✓ Fresno COG shall support local agencies with the rapid repair of transportation infrastructure in the event of an emergency. This will be accomplished by Fresno COG, in cooperation with local and State agencies, identifying critical infrastructure needs necessary for: a) emergency responders to enter the, region, b) evacuation of affected facilities, and c) restoration of utilities. In addition, Fresno COG shall establish transportation infrastructure practices that promote and enhance security.  | ✓ Ongoing over the life of the Plan | ✓ Fresno COG and Implementing agency or project sponsor |
| 3.17.6 Result in inadequate parking capacity | <ul style="list-style-type: none"> <li>✓ Local jurisdictions can and should establish parking policies and requirements that capture the true cost of private vehicle use and support alternative modes of transportation.</li> <li>✓ Parking Policy: Local jurisdictions can and should adopt a comprehensive parking policy to discourage private vehicle use and encourage the use of alternative transportation by incorporating the following: <ul style="list-style-type: none"> <li>➤ Reduce the available parking spaces for private vehicles while increasing parking spaces for shared vehicles, bicycles, and other alternative modes of transportation;</li> <li>➤ Eliminate or reduce minimum parking requirements for new buildings;</li> <li>➤ “Unbundle” parking (require that parking is paid for separately and is not included in the base rent for residential and commercial space);</li> <li>➤ Use parking pricing to discourage private vehicle use, especially at peak times;</li> <li>➤ Create parking benefit districts, which invest meter revenues in pedestrian infrastructure and other public amenities;</li> <li>➤ Establish performance pricing of street parking, so that it is expensive enough to promote frequent turnover and keep 15 percent of spaces empty at all times;</li> <li>➤ Encourage shared parking programs in mixed-use and transit-oriented development areas.</li> </ul> </li> <li>✓ Event Parking Policies: Local jurisdictions can and should establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events, including: <ul style="list-style-type: none"> <li>➤ Promote the use of peripheral parking by increasing on-site parking rates and offering reduced rates for peripheral parking;</li> <li>➤ Encourage special event center operators to advertise and offer discounted transit passes with event tickets;</li> <li>➤ Encourage special event center operators to advertise and offer discount parking incentives to carpooling patrons, with four or more persons per vehicle for on-site parking;</li> <li>➤ Promote the use of bicycles by providing space for the operation of valet bicycle parking service.</li> </ul> </li> <li>✓ Parking “Cash-out” Program: Local jurisdictions can and should require new office developments with more than 50 employees to offer a Parking “Cash-out” Program to discourage private vehicle use.</li> <li>✓ Electric/Alternative Fuel Vehicle Parking: Local jurisdictions can and should require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels.</li> <li>✓ Municipal Parking Management: Local jurisdictions can and should implement a Parking Management Program to discourage private vehicle use, including: <ul style="list-style-type: none"> <li>➤ Encouraging carpools and vanpools with preferential parking and a reduced parking fee;</li> </ul> </li> </ul> | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor                |



| Impact  | Mitigation Measure (s)   | Timing of Implementation            | Responsible Agency or Party              |
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|   | <ul style="list-style-type: none"><li>➤ Institute a parking cash-out program;</li><li>➤ Renegotiate employee contracts, where possible, to eliminate parking subsidies;</li><li>➤ Install on-street parking meters with fee structures designed to discourage private vehicle use; establish a parking fee for all single-occupant vehicles.</li></ul> <p>✓ Local jurisdictions can and should adopt a comprehensive parking policy that discourages private vehicle use and encourages the use of alternative transportation.</p> |                                     |  |
| 3.17.7 Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks) | <p>✓ Local agencies will be encouraged to update general, area, community and specific plans to reflect the current status of future 2014 RTP street and highway improvements and future land use allocations reflected in the SCS.</p>  | ✓ Ongoing over the life of the Plan | ✓ Implementing agency or project sponsor |

## EXHIBIT C

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