



June 30, 2018

Lorena Mendibles  
Department of Transportation  
DISTRICT 6  
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P.O. BOX 12616  
FRESNO, CA 93778-2616

Re: Comments for the Draft 2018 RTP/SCS Documents

Dear Ms. Mendibles,

Fresno COG has received and thanks Caltrans for the June 4<sup>th</sup> letter addressing the draft 2018 RTP/SCS. Respectfully, Fresno COG offers the following responses to the comments raised in the letter.

**Comment:**

**TRANSPORTATION PLANNING-DISTRICT 6**

FCOG has demonstrated a strong commitment to support their 20-year planning horizon with focus on the region's transportation options, sustainable growth, economy, improving air quality and building healthier communities. With the distribution of their Public Outreach Strategy helped provide a detailed approach to enlist public participation during each step of the RTP process.

FCOG addresses the four main required elements: Policy Element, Sustainable Communities Strategy (SCS), Action Element and Financial Element which conforms to the RTP Guidelines adopted by the California Transportation Commission (CTC) pursuant to Government Code 65080(d). This plan assesses all forms of transportation available in the County of Fresno as well as travel and goods movement needs through 2042.

FCOG is commended for their efforts in adopting their proposed scenarios and outcomes for their SCS. The Fresno COG Policy Board adopted Scenario D as the Preferred SCS scenario in November 2017. This scenario meets the 2035 GHG reduction target, high investment in road maintenance, assumes balanced growth patterns, land use strategies, and improvements in farmland conservation. Caltrans encourages FCOG to continue to apply for funding resources to further study climate resilience issues in the Fresno region.

FCOG has established an on-going partnership with federal, state, local partners, and stakeholders to consult and cooperate with the public to assist in understanding issues, options, and solutions. FCOG's Public Participation Plan was adopted on July 28, 2016, and has

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

provided direction, participation requirements, strategies and techniques to improve public contribution in this RTP process. The creation of an Environmental Justice Subcommittee provided a full, diverse and equitable representation of Disadvantaged Communities and Environmental Justice groups working together to discuss options and solutions to shape the development of the RTP.

The RTP is consistent in demonstrating programming and operations in the development of Intelligent Transportation Systems, identifying methods for measuring its transportation performance and listing constrained and un-constrained projects. Through the Financial element, funding of revenue sources is outlined for the regions planned transportation investments. Ongoing operations and maintenance through resources from MAP-21, FAST Act, Measure C, CMAQ and the new Senate Bill I (SBI) (The Road Repair and Accountability Act of 20 17) have provided additional funding for transportation projects.

FCOG is commended for their efforts in applying for SB 1 - Caltrans Sustainable Transportation Planning Grants and being successful in receiving several awards in Sustainable Transportation Planning, Strategic Partnership and Adaptation grants.

FCOG in partnership with Fresno County Rural Transit Agency (FCRTA) are commended for their continued transit efforts for the County of Fresno. FCRTA continues to be in the forefront of establishing public transit service to rural communities throughout the County of Fresno. FCRTA has enhanced mobility for many of whom lack transportation and need access to jobs, education, and medical services outside their primary area of residence. In continuing their support for sustainable transportation FCRTA, California Energy Commission, CALSTART, Valley Air District and Caltrans celebrated the completion of 13 electric vehicle charging stations that are now open to the public to charge their electric vehicles. It also includes back up energy storage for emergency services. FCRTA selected Envision Solar's EVARC product, which provides EV charging that is solar powered. Furthermore, these stations are located in all 13 of Fresno County's rural, and often disadvantaged communities. FCRTA continues to find ways to help the transit rider where the agency also installed solar-powered bus shelters to existing benches that lack shade and are also located in rural and disadvantaged areas.

**Response:** Comment noted. Thank you for your support. As the comments do not raise any adverse environmental issues, no further response is required pursuant to State CEQA Guidelines § 15088(a).

**Comment:**

## **ENVIRONMENTAL ANALYSIS BRANCH-DISTRICT 6**

All instances of "can" and "should" where the avoidance, mitigation, or minimization measures are required should be replaced with "shall." For example: HW 3.11.3 - The language in the mitigation section stating the project sponsor "can and should obtain all necessary regulatory permits" should be changed to "the project sponsor shall obtain all necessary regulatory permits ... "

**Response:** Fresno COG does not have the legal authority to force implementing agencies to adopt and implement mitigation measures listed in Chapters 3 and 5 of the Draft PEIR. Fresno COG has specific responsibilities as stated in the Fresno COG Joint Powers Agreement approved originally on March 25, 1976 and limits Fresno COG's authority. The JPA specifically states that "planning concerns in the County of Fresno, and the solution to such concerns often transcend municipal

boundaries, making it desirable to regularly bring together representatives of the various governments to discuss common problems, develop consensus of policy questions of mutual interest in order to pursue a coordinated course of action without infringing on the political traditions and powers of the individual governments.” It is because Fresno COG lacks legal authority to guarantee enforcement of mitigation measures by the separate public agencies that may implement future projects, that Fresno COG took the conservative approach in its Program EIR and concluded that the implementation of the RTP *may* result in potentially significant impacts to a variety of resource areas.

Although, Fresno COG cannot guarantee that local agencies will comply with the mitigation measures, Fresno COG has proposed a suite of mitigation measures that encourage local agencies and Caltrans or other affected and responsible agencies to design and construct transportation improvement projects and future land use developments included in the RTP/SCS in a manner that minimizes potential environmental impacts to the fullest extent feasible.

**Comment:**

**Draft Program Environmental Impact Report, Page 3-121:**

Clarify where in the Migratory Bird Treaty Act does it states that it requires project-related activities be reduced or eliminated at active nesting territories. Also, define what is considered an "active nesting territory."

Additional guidance was provided by the Department of the Interior regarding the Migratory Bird Treaty Act in December 2017. The subject of the memorandum is "The Migratory Bird Treaty Act Does Not Prohibit Incidental Take" in which you will find very specific detail regarding what the Migratory Bird Treaty Act covers.

**Response:** Fresno COG acknowledges that the description on Page 3-121 can be amended to better reflect requirements of the Migratory Bird Treaty Act (MBTA) of 2017 and considering the December 2017 Guidance referenced in your comment letter. The Draft EIR contains mitigation measures that will ensure biological resources are protected including preconstruction surveys conducted by qualified biologists.

The following paragraph will replace the current description:

*The MBTA (16 U.S. Code, § 703 et seq.) enacts the provisions of treaties between the United States, Great Britain, Mexico, Japan, and the Soviet Union (now Russia) and authorizes the U.S. Secretary of the Interior to protect and regulate the taking of migratory birds. It establishes seasons and bag limits for hunted species and protects migratory birds, their occupied nests, and their eggs (50 Code, Fed. Regs., § 10 & § 21). Most actions that result in taking or in permanent or temporary possession of a protected species constitute violations of the MBTA. Examples of permitted actions that do not violate the MBTA are the possession of a hunting license to pursue specific game birds, legitimate research activities, display in zoological gardens, bird-banding, and other similar activities. The USFWS is responsible for overseeing compliance with the MBTA, and the U.S. Department of Agriculture’s Animal Damage Control Officer makes recommendations on related animal protection issues.*

According to the CDFW, a nest is a structure or site under construction or preparation, constructed or prepared, or being used by a bird for the purpose of incubating eggs or rearing young. Perching sites and screening vegetation are not part of the nest. An Active Nest is a nest, as defined in 681.2(a), once birds begin constructing, preparing or using a nest for egg-laying. A nest is no longer an “active nest” if abandoned by the adult birds or once nestlings or fledglings are no longer dependent on the nest.

**Comment:**

**Draft Program Environmental Impact Report, Page 3-145:**

The Valley elderberry longhorn beetle does not occur in Fresno county.

**Response:** Comment acknowledged. The Valley Elderberry Longhorn Beatle will be removed from Table 3-53.

**Comment:**

**Draft Program Environmental Impact Report, Page 3-148:**

BR 3.5.1-3 - Biological study areas should not be limited in scope to the project impact area but should be broad enough to survey for all species that have the potential to traverse the project limits.

**Response:** Comment acknowledged. For clarification, the following Mitigation Measure BR 3.5.1-3 will be revised to address the concern about off-site species crossing over into project areas.

- ✓ ***BR 3.5.1-3** Focused sensitive plant and wildlife species and non-native habitat surveys will be conducted within suitable habitat to determine the distribution of sensitive species in an area broad enough to survey for all species that have the potential to traverse the project limits of each transportation improvement project and future land use development. Sensitive plant and non-native habitat surveys will be conducted during the appropriate flowering season for sensitive plant species. In all cases, impacts on special-status species and/or their habitat shall be avoided during construction to the extent feasible.*

**Comment:**

BR 3.5 .1-5 - Should be clarified to include sensitive habitat.

**Response:** Comment acknowledged. Mitigation Measure BR 3.5.1-5 will be revised as follows:

- ✓ ***BR 3.5.1-5** Individual transportation improvement projects and future land use developments shall include offsite sensitive habitat enhancement or restoration to compensate for unavoidable sensitive habitat losses from the project site.*

**Comment:**

**Draft Program Environmental Impact Report, Page 3-149:**

BR 3.5.1-9 - This measure should be revised to account for the possibility that nesting or attempted nesting can be reasonably anticipated to occur between February 1<sup>st</sup> and September 30<sup>th</sup>

**Response:** Comment acknowledged. Mitigation Measure BR 3.5.1-9 will be revised as follows:

- ✓ **BR 3.5.1-9** *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. Nesting or attempted nesting can be reasonably anticipated to occur between February 1<sup>st</sup> and September 30<sup>th</sup> of each year.*

*Project implementation is encouraged to occur during the bird non-nesting season. However, if ground-disturbing activities must occur during the breeding season (February through mid-September), the project applicant is responsible for ensuring that implementation of the project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.*

*To evaluate project-related impacts on nesting birds, a qualified wildlife biologist should conduct pre-activity surveys for active nests no more than ten (10) days prior to the start of ground disturbance to maximize the probability that nests that could potentially be impacted are detected. Surveys should cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by a project.*

*In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, a qualified biologist should conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, the qualified biologist should continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, the work causing that change shall cease and CDFW consulted for additional avoidance and minimization measures.*

*If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250-foot around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors should be established. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. A qualified wildlife biologist should advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.*

**Comment:**

BR 3.5.1-13 - Mitigation should be determined in consultation with the regulatory agencies.

**Response:** Comment acknowledged. Mitigation Measure BR 3.5.1-13 will be revised as follows:

- ✓ **BR 3.5.1-13** *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 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, or as determined through consultation with the applicable regulatory agencies.*

**Comment:**

**Draft Program Environmental Impact Report, Page 3-150:**

BR 3.5 .1-17 - Additional clarification is requested to explain how road noise minimization with brush and tree planting can effectively mitigate habitat modifications. Furthermore, there are many studies that indicate that vegetative barriers do not significantly reduce road noise. A study supported by the Federal Highway Administration concluded that highway traffic noise was effectively reduced between 3 to 5 dBA by typical belt forests 10 to 30 meters in width. Given the current drought conditions in California, the limited right of way and the minor reduction in noise levels is the planting of up to 30 meters of vegetation a reasonable and effective mitigation measure for noise impacts to threatened and endangered species.

**Response:** Comment acknowledged. Mitigation Measure BR 3.5.1-17 will be revised as follows:

**BR 3.5.1-17** *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. In addition, road noise minimization using appropriate and effective noise reduction strategies or noise abatement applications shall be applied by implementing agencies as required to minimize highway noise.*

**Response:** Mitigation Measure BR 3.5.1-17 noted above will be revised to address the comment.

**Comment:**

**Draft Program Environmental Impact Report, Page 3-229:**

CTR 3.7.2-5 - The statement does not appear to accurately reflect the Cultural Resources Management process under CEQA.

**Response:** Comment acknowledged. The following revised mitigation measure has been revised to reflect the Cultural Resources Management process. Mitigation Measure CTR 3.7.2-5 will be revised as follows:

- ✓ **CTR 3.7.2-5** *In the event that evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earthmoving activities (e.g., ceramic shard, trash scatters, lithic scatters), all ground-disturbing activity in the area of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. If the find is a prehistoric archaeological site, the appropriate Native American group shall be notified. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, a testing plan shall be prepared and implemented. If the find is determined to be significant by the qualified archaeologist (i.e.,*

*because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the project sponsor to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics, and other factors, shall recommend additional measures such as the preparation and implementation of a data recovery plan. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area.*

**Comment:**

**Draft Program Environmental Impact Report, Page 3-230:**

CTR 3.7.2-6 - The statement does not appear to accurately reflect the Cultural Resources Management process under CEQA.

**Response:** Comment acknowledged. The following revised mitigation measure has been revised to reflect the Cultural Resources Management process. Mitigation Measure CTR 3.7.2-6 will be revised as follows:

- ✓ **CTR 3.7.2-6** *If, during the course of construction cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered work should be halted immediately within 50 meters (165 feet) of the discovery, implementing and local agencies should be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology should be retained to determine the significance of the discovery.*

**Comment:**

CTR 3.7.3 - Does not address mitigation for paleontological resources or unique geological features, nor does it address the significance of those impacts.

**Response:** Comment acknowledged. The following revised mitigation measures reflect paleo or unique features and the significance of those impacts. Impact CTR 3.7.3 on Page 3-230 addresses paleo and unique feature impacts and is revised as noted below to provide for further clarification and Mitigation Measures will be replaced as follows:

**Impact CTR 3.7.3** *Land use or transportation improvement operations from implementation of the proposed RTP/SCS would not cause any ground-disturbing activities or destruction of paleontological resources. Direct permanent impacts to paleontological resources from land use and transportation changes as a result of the proposed RTP/SCS may result from ground disturbance associated with construction. Ground-disturbing activities such as excavation for building foundations and bridges, trenching for utility lines, tunneling, and grading, could damage or destroy sensitive paleontological resources on or near the surface or at depth. Construction in previously undisturbed areas and deep excavation activities would have the greatest probability to impact intact buried paleo resources. The potential for direct impacts to paleo resources may be comparatively less for improvements to existing facilities and modifications to existing rights-of-way since these areas have been previously disturbed. However, any construction in geologic units sensitive for*

*paleontological resources could result in potentially significant damage to or destruction of unique paleontological resources.*

Mitigation Measures CTR 3.7.3-1 through CTR 3.7.3-3 will be replaced with the following mitigation measure:

- ✓ **CTR 3.7.3-1** *The project sponsor of a 2018 RTP/SCS project involving ground disturbing activities (including grading, trenching, foundation work, and other excavations) shall retain a qualified paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for Qualified Professional Paleontologist (SVP 2010), to conduct a Paleontological Resources Assessment (PRA). The PRA shall determine the age and paleontological sensitivity of geologic formations underlying the proposed disturbance area, consistent with SVP Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (SVP 2010) guidelines for categorizing paleontological sensitivity of geologic units within a project area. If underlying formations are found to have a high potential (sensitivity) for paleontological resources, the following measures shall apply:*
  - *Paleontological Mitigation and Monitoring Program. A qualified paleontologist shall prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity. This program shall outline the procedures for construction staff Worker Environmental Awareness Program (WEAP) training, paleontological monitoring extent and duration (i.e., in what locations and at what depths paleontological monitoring shall be required), salvage and preparation of fossils, the final mitigation and monitoring report, and paleontological staff qualifications.*
  - *Paleontological Worker Environmental Awareness Program (WEAP). Prior to the start of ground disturbance activity greater than two feet below existing grade, construction personnel shall be informed on the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.*
  - *Paleontological Monitoring. Ground disturbing activity with the potential to disturb geologic units with high paleontological sensitivity shall be monitored on a full-time basis by a qualified paleontological monitor. Should no fossils be observed during the first 50 percent of such excavations, paleontological monitoring could be reduced to weekly spot-checking under the discretion of the qualified paleontologist. Monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources.*
  - *Salvage of Fossils. If fossils are discovered, the implementing agency shall be notified immediately, and the qualified paleontologist (or paleontological monitor) shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Preparation and Curation of Recovered Fossils. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.*
  - *Final Paleontological Mitigation and Monitoring Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring. The report shall include discussion of the location, duration and methods of the*



*monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.*

**Comment:**

**Draft Program Environmental Impact Report, Page 3-322:**

HW 3.11 .3 - The California Coastal Commission is listed as a regulatory agency in this section. Fresno County does not fall within the jurisdiction of the California Coastal Commission.

**Response:** Comment acknowledged. The California Coastal Commission will be removed from Mitigation Measure HW 3.11.3-1 in the Draft PEIR.

**Comment:**

**Draft Program Environmental Impact Report, Page 3-151:**

Other birds of prey occur within Fresno County including the red tailed and red shouldered hawks . Hawks nests are not limited to the foothills, as known nests occur along State Route 99 in the large eucalyptus trees in the southern part of the county and all throughout the county for that matter.

**Response:** Comment acknowledged. Potential impact and appropriate mitigation measures are included in the Draft PEIR that address impacts to raptors beginning on page 3-147, Impact 3.5.1 and associated mitigation measures and significance finding, Page 3-151, Impact 3.5.2 and associated mitigation measures and significance finding, and Page 3-154, Impact 3.5.4 and associated mitigation measures and significance finding. As a result, the Red Tailed Hawk and the Red Shouldered Hawk will be added to Table 3-53 in the Draft PEIR.

**Comment:**

The following figures of version 2-2, 2-3, 2-7, 2-8, 2-10, 2-20, 2-21, 3-15, 4-1 2 were not legible due to figure being too small to read.

Unable to read the electronic version of Tables 4-1 and 4-3,

**Response:** Comment acknowledged. Most of the tables and figures are also provided in the 2018 RTP/SCS, which is incorporated by reference in the Draft PEIR. The tables and figures replaced are provided in the Draft PEIR as additional reference. The clarity of affected tables and figures not affect the technical outcome of the analysis. Draft PEIR figures (Figures 2-2, 2-3, 2-7, 2-8, 2-10, 2-20, 2-21, 3-15, and 4-12) and tables (Tables 4-2 and 4-3) were checked for clarity. Figures 2-2, 2-3, 2-7, 2-8, 2-10, 3-15, and 4-12 will be replaced to provide for better clarity Figures 2-20 and 2-21 are clear and readable. Tables 4-2 and 4-3 in the Draft PEIR are configured for print on 11X17 format and are clear and readable once printed.

**OFFICE OF TRAFFIC OPERATIONS-DISTRICT 6**

**Comment:**

### **Draft Policies: Policies of the Plan, Page 2-5:**

In Tables 2-IA and 2-IB, there does not appear to be any mention of private developments mitigating their impacts on the transportation network. If private developments do not mitigate their direct impacts or their cumulative impacts, then the operation of the transportation network could degrade. This, in turn, would lead to an increase of greenhouse gas emissions. Government agencies usually lack funding to mitigate such traffic impacts, so it becomes important that private development mitigate their impacts.

**Response:** Thank you for your comment. Fresno COG respects the local agencies' individual policies regarding transportation mitigation from new development, and believes the existing policy in Table 2-1F is sufficient to address this issue: "Work closely with local land use agencies to ensure that land use planning is coordinated with transportation planning to mitigate the traffic impacts of new development to the greatest degree feasible." Fresno COG also administers the Regional Transportation Mitigation Fee (RTMF) program, which is an important part of the Measure "C" Extension approved by Fresno County voters in 2006. The RTMF is intended to ensure that future development contributes to its fair share towards the cost of infrastructure to mitigate the cumulative, indirect regional transportation impacts of new growth in a manner consistent with the provisions of the State of California Mitigation Fee Act. The fees will help fund improvements needed to maintain the target level of service in the face of higher traffic volumes brought on by new developments.

Finally, it would be speculative at this time for Fresno COG to predict which developments may be proposed at future dates or what densities/uses/traffic generation those projects may involve. Therefore, any further analysis of this issue is not required. (State CEQA Guidelines § 15145.)

### **Comment:**

### **Draft Policies: Policies of the Plan, Page 2-8:**

In Tables 2-1 E and 2-1 F, under policies, there does not appear to be any mention of access management. With proper access management, the operation of a roadway segment could be optimized. Poor access management could contribute to the poor flow of traffic through a segment. This, in turn, could lead to an increase of greenhouse gas emissions.

**Response:** Fresno COG will add the following policy to Table 2-1 F: "Encourage jurisdictions to incorporate access management principles into transportation and land use planning."

### **Comment:**

### **Draft Policies: Policies of the Plan, Page 2-9:**

In Table 2-1 G, under policies, there does not appear to be a mention of encouraging companies that maintain large fleets of vehicles to convert to zero emission vehicles. This could also be expanded to include the installation of solar panels for charging the fleet vehicles.

**Response:** The existing policies in Table 2-1 G support zero emission vehicles. Specifically existing policies include "Encourage non-single occupancy and lower/zero emission vehicle as preferred alternatives," and "Support the development of infrastructure required for alternative fueled vehicles

as well as zero emission vehicles.” Regarding large fleets specifically, Fresno COG will add the following policy to Table 2-1 G: “Encourage companies that maintain large fleets of vehicles to convert to zero emission vehicles and consider installation of solar panels for charging the fleet vehicles.”

**Comment:**

**Draft Policies: Policies of the Plan, Page 2-11:**

In Tables 2-2A and 2-2B, under policies, there does not appear to be any mention of the use of new traffic stripe specifications and new traffic markers that are specifically designed to assist autonomous driving vehicles. As technology improves, autonomous driving vehicles should improve the safety and operation of the transportation network. This would thus lead to fewer accidents and less congestion.

**Response:** Fresno COG will add the following policy to Table 2-2A, under the Objective to maintain an efficient highway, street and road network that will allow for effective movement of people and goods: “Encourage jurisdictions to consider implementation of new traffic stripe specifications and markers designed to assist autonomous driving vehicles.”

**Comment:**

**Draft Policies: Policies of the Plan, Page 2-11:**

In Table 2-2D, under policies, it is recommended that there should be a specific mention of the *California Department of Transportation Highway Design Manual*. There should also be specific mention of the *California Manual on Uniform Traffic Control Devices*, *AASHTO Roadside Design Guide*, and *TRB Access Management*.

**Response:** The existing policies in Table 2-2D include “Support and encourage member agencies to implement their Best Management Practices (BPM) for maintaining local streets and roads.” Fresno COG will also add the following policy to Table 2-2D: “Encourage jurisdictions to utilize design and operation guides, such as the California Department of Transportation Highway Design Manual, the California Manual on Uniform Traffic Control Devices, the American Association of State Highway and Transportation Officials (AASHTO) Roadside Design Guide, and the Transportation Research Board (TRB) Access Management Manual.”

**OFFICE OF REGIONAL PLANNING-HEADQUARTERS**

**Comment:**

The Office of Regional Planning, Regional Coordination Branch has reviewed the FCOG's Draft 2018 Regional Transportation Plan (RTP) and Environmental Impact Document (EIR). We offer the following comments:

FCOG is commended for:

- Developing a 2018 RTP that is very clear, interesting to read, well supported with a documented public involvement process, and rich with graphics and illustrations;
- Providing an in-depth look at the *Policies: Foundations of the Plan* which clearly lays out the

Goals, Objectives and Policies of the 2018 RTP

- Executing a robust public participation plan with many nodes of access for input throughout the development of the plan.

**Response:** Comment noted. Thank you. As the comments do not raise any adverse environmental issues, no further response is required pursuant to State CEQA Guidelines § 15088(a).

### **Multimodal Discussion:**

#### **Comment:**

#### **#10, Goods Movement, Page 4-2:**

This could be expanded on to include more *Overview, Accomplishments and Needs Assessment* to better inform the public and better address future needs within the region.

**Response:** Moving People and Goods provides an introduction to the Action Element of the RTP. As stated on page 4-2, “the Action Element provides direction about the MPO’s and other agencies’ roles and responsibilities as RTP projects and policies are established. It consists of short- and long-term activities that address regional transportation issues and needs. The first section demonstrates the relationship between transportation modes.” Each mode is then addressed along with other transportation and air quality strategies, as listed below: Introduction: Moving People and Goods: Section 4.1; Multimodal: Section 4.2; Highways, Streets, and Roads: Section 4.3; Urban Mass Transportation: Section 4.4; Rural Area Public Transportation & Social Service Transportation: Section 4.5; Aviation: Section 4.6; Active Transportation: Section 4.7; Rail: Section 4.8; Specific Transportation Strategies and Management Systems: Section 4.9; Air Quality: Section 4.10; and Integrated Land Use-Transportation Planning 4.11.” Each mode or transportation strategy includes an inventory of the existing system, an assessment of needs, and proposed actions.

The comment states that this could be expanded to include more Overview, Accomplishments and Needs Assessment, however, the comment does not provide suggestions as to how the discussion of each mode could be expanded and what additional information should be included. The comment thus does not provide the factual support for the conclusion. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis” (CEQA Guidelines § 15088(c)). These responses “shall describe the disposition of the significant environmental issues raised...[and] giv[e] reasons why specific comments and suggestions were not accepted” (CEQA Guidelines § 15088(c)). To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [Where a general comment is made, a general response is sufficient]).

Specific to Goods Movement in the Multimodal discussion, the Goods Movement is addressed in more detail in various sections throughout the Action Element. The Multimodal section 4.2 addresses an overview, accomplishments and needs assessment of the Goods Movement on pages 4-3 through 4-7. The overview outlines Fresno County’s specific characteristics which may affect travel demands, as well as outlines the types of changes necessary to implement a “seamless” multimodal system. The Accomplishments section discusses the 20 year extension of Measure C, the Regional Active Transportation Plan, as well as improvements to the transit system, including airport and rail services. Goods Movement is discussed in detail on pages 4-6 and 4-7, including a citation to the

San Joaquin Valley I-5/SR 99 Goods Movement Study, which identifies shovel-ready projects and connector projects. The Goods Movement is also addressed in section 4.3 as it relates to Highways, Streets and Roads on page 4-10 and 4-17 through 4-19.

**Financial:**

**Comment:**

**#9 Specific Financial Strategies, Page 4-81:**

This section lists TCMs and technology-based measures but does not "address the specific financial strategies required to ensure the identified TCMs from the SIP can be implemented." Please insert more precise financial strategies that could be implemented.

**Response:** As stated on page 4-82, TCMs from applicable SIPs for the San Joaquin Valley region are updated during each Transportation Conformity Analysis. Since the San Joaquin Valley is a multi-pollutant, non-attainment area, a number of SIPs govern TCMs. The applicable SIPs for Carbon Monoxide, Ozone, and PM2.5 do not contain TCMs for the San Joaquin Valley. Commitments to reduce ozone-related emission are included by reference in the Amended 2003 PM10 plan and are approved as TCMs. (RTP/SCS p. 4-82.)

Financial strategies are set forth in Chapter 5 Financing Mobility of the RTP/SCS, which details funding programs considered to be the principal sources available for funding RTP projects. The financial strategy for ensuring implementation of TCMs is administered through the Congestion Mitigation & Air Quality Improvement (CMAQ) program where at least 25% of CMAQ funds must be used on projects that have PM2.5 emission reductions, and the rest of the CMAQ funding must be used on projects with other emission reductions (NOx, VOC, or CO). The federal requirements on emission reductions for CMAQ will be added to the Financial Element under the CMAQ section on page 5-3. Participation in the CMAQ program will help ensure applicable TCMs are implemented. The Financial Element also lists transportation enhancement activities and control measures as eligible projects under the Surface Transportation Block Grant Program (STBG) section on page 5-6.

**Comment:**

**Minor Edits:**

Page 4-64 - typo in the first "the" under Overview

Page 4-81 - typo in first sentence "tdesignated"

Page 4-81 - typo in (vi) "frfringe"

**Response:** These typos have been corrected.

**OFFICE OF SMART MOBILITY AND CLIMATE CHANGE-HEADQUARTERS**

**Comment:**

The Smart Mobility and Active Transportation Branch champions smart mobility, complete streets, and the state's first bicycle and pedestrian plan, Toward an Active California. We are supportive of community design that is regionally accessible, equitable, and environmentally friendly. We therefore promote active transportation, public transportation, urban-infill development, and urban

form. The comments below are made with this ethic in mind.

**Response:** Comment noted. Thank you. As the comments do not raise any adverse environmental issues, no further response is required pursuant to State CEQA Guidelines § 15088(a).

**Comment:**

**General Comments:**

FCOG should coordinate with Caltrans' Division of Rail and Mass Transportation and the CA High Speed Rail Authority regarding the buildout of the high-speed rail Phase 1, including the integration of housing, transportation, jobs, and services around high speed rail stations. We encourage the development of urban, location-efficient, mixed-use communities with high population and job density centered around all high-speed rail stations.

**Response:** Thank you for your comment. Fresno COG is working with local and State agencies regarding the buildout of the High-Speed Rail Phase 1. As outlined in Chapter 4.8, Fresno COG is part of a local coalition called Fresno Works, which is working together with the education, labor and business communities to ensure the success of the California High-Speed Rail initiative and its heavy maintenance facility in Fresno County. Fresno COG has also participated in State funded programs to help bring mixed-use development and multimodal improvements to downtown Fresno, such as the Transformative Climate Communities Program and the Affordable Housing and Sustainable Communities Program. City of Fresno has been working on the HSR station plan, which includes land use and transportation planning around the station areas. As described on page 4-31, the RTP also supports further transit investments as the High-Speed Rail project becomes operational and policy decisions are implemented to support higher-density development, housing and mixed-use projects in downtown .

**Comment:**

**Chapter 2 Comments:**

The Vision for 2042 should include the word "equitable" to address the findings in Chapter I related to the County's unemployment rate, educational attainment, and median household income.

**Response:** Thank you for the suggestion. The Vision for 2042 was a collective effort developed by the RTP Roundtable and Policy Element Subcommittee in 2017. Staff will bring this suggestion back to those committees for consideration for the 2022 RTP/SCS update, but feel that the Environmental Justice goal, objective, and policies in Table 2-1C address equity sufficiently for the 2018 RTP/SCS.

**Comment:**

Referring to Page 2-4, Active Transportation Goals: Improved bicycle and pedestrian safety through education and enforcement- the language should include the word 'engineering', as roadway design to encourage walking and bicycling will improve the safety of vulnerable road users.

**Response:** Fresno COG will add “engineering” to the policy to read “Improved bicycle and pedestrian safety through education, engineering and enforcement.”

**Comment:**

**Table 2-1B: General Transportation Multimodal System - Future Travel Demands &**

**Financial:** No direct objectives for active transportation except inferred in SB375 related Goal. Two policies call out active transportation and complete streets. In general, it appears more emphasis could be placed on active transportation and complete streets in this section; referring to Table 2-1 B: General Transportation Multimodal System - Future Travel Demands & Financial, there appears to be no direct objectives for active transportation except inferred in SB375 related goals. Two policies call out active transportation and complete streets.

**Response:** Thank you for your comment. The Policy Element addresses complete streets in the following sections:

- Table 2-1D: General Transportation Planning Outcomes includes the following policy regarding complete streets: During planning processes, seek to ensure that planning efforts are consistent and feasible with planning efforts such as: the Blueprint Planning Principles, Health in All Policies, the Senate Bill 375 (also known as the Sustainable Communities Protection Act of 2008), Caltrans' Complete Streets Program, performance-based planning initiated by MAP-21, California Transportation Plan 2040, and statewide and federal air quality goals, etc.”
- Table 2-1E: General Transportation Regional Transportation Network: “Support and encourage local jurisdictions to adopt Complete Street Policies where feasible.”
- Table 2-1E: General Transportation Regional Transportation Network: “Encourage active transportation projects and public transit that will provide other transportation options than private autos and advance public health.”
- Table 2-5B: Active Transportation Multimodal Continued: “Assist member agencies to implement the Complete Streets Act by incorporating complete street considerations in the Valley-wide Blueprint Implementation Roadmap.”

The Policy Element has several sections dedicated to active transportation goals, objectives, and policies on pages 2-13 through 2-15, with Active Transportation Multimodal found in Table 2-5B. We feel these goals, objectives, and policies are sufficient for active transportation.

**Comment:**

**Chapter 3 Comments:**

We are supportive of the **12** adopted Smart Growth principles listed and encourage FCOG to be a leader in Fresno County for the development of these sustainability solutions.

Referring to Figure 3-22, it appears FCOG's proposed investments prioritize increasing automobile capacity, as this is the highest-expenditure item. We would encourage FCOG to re-allocate more funds toward transportation modes that will integrate with the state's investment in high speed rail including active transportation (bicycle and pedestrian) and public transit projects and programs.

We are supportive of the regional Bus Rapid Transit network proposal and proposed Active Transportation investments; and as such, would encourage more spending in these categories, especially as they relate to future high-speed rail stations and transit-oriented developments.

**Response:** Active transportation projects have received over 400% greater investment in the 2018 RTP compared to the 2011 RTP (Status Quo), illustrating Fresno COG's commitment to investing in active transportation programs. The planning around the High Speed Rail station is conducted by City of Fresno. Active transportation projects in the HSR station area have been included in the City's Active Transportation Plan, and have been submitted to and included in the 2018 RTP/SCS; similarly, transit

planning around the HSR station has been conducted by City of Fresno, and such transit service is included in the constrained project list in the 2018 RTP/SCS. Together, active transportation and transit account for approximately 26 percent of the proposed investments in the revenue constrained transportation network in the SCS; as shown in the revised Figure 3-23 on page 3-20, maintenance and operation projects have the highest expenditure (39.9%); capacity increasing projects receive 34.2% of total proposed investment.

**Comment:**

The Transportation Demand Management Strategies neglect to include walking, bicycling and transit strategies. We encourage including concepts including bicycle end-of-trip facilities in office buildings; public transit subsidies for employees; walking and bicycling commuter benefits; and other strategies to improve the Transportation Demand Management strategies listed.

**Response:** Active transportation and public transit are included as separate transportation strategies in the same section of Chapter 3 as the Transportation Demand Management (TDM). They are highlighted as individual strategies and not included under the TDM because of the significance of their role in reducing GHG, and the amount of investment such projects have received.

**Comment:**

We are supportive of the development of the regional active transportation network, including the proposed 280 bike lane miles and 500 miles of sidewalk to be added by the end of 2042. We would encourage consideration of regional Class IV separated bikeways, per the Fresno and Clovis Class IV Bikeway Feasibility Study findings. We would also support prioritizing the construction of active transportation facilities sooner than 2042.

**Response:** Thank you for your comments and support. Several Class IV bikeway projects are included in the 2018 RTP/SCS. The City of Fresno has a 4 mile Class IV project along Maroa Avenue that should be completed in 2022. Many more Class IV projects are being planned by the local governments, but are not included in the 2018 RTP. Fresno COG is committed to working with our member agencies to advance active transportation projects including Class IV bikeways in our region.

**OFFICE OF STATE PLANNING (OSP)-HEADQUARTERS**

We appreciate the opportunity to review and provide comments on the 2018 FCOG's RTP. OSP would like to provide the following comments for you to take into consideration.

**Comment:**

**Chapter 1, page 1-2:**

Change 'comuter' to 'computer'.

Under computer modeling, it may be profitable to allude to where in the RTP modeling will more extensively be discussed.



**Response:** This typo has been corrected. A sentence has been added to explain that the computer modeling is discussed in more detail in the SCS.

**Comment:**

**Environmental Setting and Existing Air Quality Conditions page 128:**

This information could also be moved to the Regional Setting section.

**Response:** Comment noted. Thank you.

**Page 1-4:**

**Comment:**

The word 'nation' is found capitalized and not capitalized on this page. It is recommended to add at the end of each these comparisons. For example, the county's unemployment rate was x in contrast to y for the state and z for the nation, respectively.

**Response:** This typo has been corrected. The County's unemployment rate is compared to the State and Nation's on page 1-4 and in Figure 1-5 on page 1-5.

**Comment:**

**Figure 1-4, page 1-5:**

Reorient the pie chart or use white text on some of the darker sections so that it is easier to read.

**Response:** The font in the pie chart has been updated so that it is easier to read.

**Comment:**

**Page 1-8:**

Please explain what is the Planning center?

**Response:** The Planning Center was the consulting firm that conducted the demographic forecast for the 8 COGs in the Valley in 2012. The firm merged with DC&E and its current name is PlaceWorks.

**Comment:**

**Employment Forecast, fourth paragraph, page 1-9:**

Please add a space between 'acre' and 'Employment' was forecast. . .

The second sentence should be cited when explaining forecast by ADE. Being used by State of California Employment Development Department, Wood and Poole, and Caltrans.

**Response:** This typo has been corrected. The citation for the work referenced has been added.

**Chapter 2 page 2-5:**

Goals, objectives and policies align beautifully with CTP 2040.

**Comment:**

**Chapter 3 page 3-3:**

Top of page, 'timeline' is cut off.

Paragraphs under SCS Co-benefits are outlined beautifully, outlining ways to increase livability and how comprehensively designed and managed spaces can help achieve these objectives

**Response:** Thank you. This word “timeline” has been fixed.

**Comment:**

**Chapter 3 page 3-5:**

Providing detailed methods on how FCOG will address these GHG targets will be instrumental for urban areas throughout the state struggling to meet their GHG/VMT reduction targets.

**Response:** Sections 3.9 & 3.12 in Chapter 3 provide details on the land use and transportation strategies that Fresno region applies to achieve the GHG/VMT reduction targets.

**Comment:**

**Chapter 3 page 3-6:**

How was ADE selected? What criteria was used?

**Response:** Fresno COG went through a standard RFP process and selected ADE to perform the demographic forecast for us. A selection committee that consisted of representatives from COG and local governments scored the proposals and interviewed the consultant teams. Scoring criteria included comprehension of the project, thoroughness of the proposal, consultant qualification & experience, cost, etc.

**Comment:**

**Chapter 3 page 3-20:**

It is recommended to use a better layout for the pie graph so that it is easier to read.

**Response:** The font in the pie chart has been updated so that it is easier to read.

**Comment:**

**Chapter 3 page 3-24:**

Great call outs to local and regional partners doing innovative work. Provides best practices or 'what is in it for me' for local partners.

**Response:** Comment noted. Thank you. As the comments do not raise any adverse environmental issues, no further response is required pursuant to State CEQA Guidelines § 15088(a).

**Comment:**

**Chapter 3 page 3-25:**

Under Public Outreach, using the language like 'assist', 'inform', or 'obtain' promotes top-down planning approaches. Presenting does not entail innovative outreach. Please indicate in these paragraphs if the public had an active say on the development of the SCS?

**Response:** Thank you for your comment. The public was actively involved in the development of the SCS throughout the process. Staff reviewed the public outreach language in Chapter 3 and edited the language on pages 3-25 and 3-26 accordingly as shown in the final document. Additionally, complete details about Fresno COG's outreach are summarized in RTP Chapter 6: Public Participation, which illustrates the active role the public plays in the development of the SCS.

We thank you for your participation in the 2018 RTP/SCS development process and appreciate your on-going support. Please feel free to contact me or my staff Kristine Cai at 559-233-4148 should you have any further questions or comments regarding the 2018 RTP/SCS.

Sincerely,

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

Tony Boren

Executive Director