

ATTACHMENT 6, PART 1

Draft Kern Public Notice

Draft Kern Adoption Resolution

**NOTICE OF PUBLIC HEARING ON THE
DRAFT AMENDMENT #8 TO THE 2009 FEDERAL TRANSPORTATION
IMPROVEMENT PROGRAM, 2007 REGIONAL TRANSPORTATION PLAN
AMENDMENT #2 AND ADDENDUM ENVIRONMENTAL IMPACT REPORT AND
CORRESPONDING DRAFT CONFORMITY ANALYSIS**

NOTICE IS HEREBY GIVEN that the Kern Council of Governments will hold a public hearing 7 p.m. July 16, 2009 at Kern Council of Governments office building located at 1401 19th Street, Suite 300, Bakersfield, CA 93301 regarding the Draft Amendment #8 to the 2009 Federal Transportation Improvement Program (FTIP), 2007 Regional Transportation Plan (RTP) Amendment #2 and Addendum Environmental Impact Report (AEIR), and corresponding Draft Conformity Analysis. The purpose of the hearing is to receive public comments regarding these documents.

- The 2009 FTIP is a listing of capital improvement and operational expenditures using federal and state monies for transportation projects in Kern County during the next four years.
- The Draft Amendment #8 to the 2009 FTIP contains Thomas Roads Improvement Program updates, new “American Recovery and Reinvestment Act” projects, and other project revisions.
- The RTP is a long-term strategy to meet Kern County transportation needs out to the year 2030. The document is also referred to as the 2007 RTP.
- The 2007 RTP Amendment #2 contains project information updates from outlying areas, updates to the Metropolitan Bakersfield Impact Fee program list, the Thomas Roads Improvement Program, and incorporation of the latest planning assumptions to measure air quality.
- The Addendum Environmental Impact Report (AEIR) outlines changes to the 2007 RTP as analyzed in the 2007 EIR and evaluates whether those changes or new information or changed circumstances, would require substantial changes to the impacts identified or mitigation measures proposed.
- The Draft Conformity Analysis contains the documentation to support a finding that the Draft FTIP Amendment #8 and 2007 RTP Amendment #2 meets the air quality conformity requirements for carbon monoxide, ozone and particulate matter.

Individuals with disabilities may call Kern Council of Governments at 661/861-2191 (or TTY: 661/832-7433; or TDD: 800/874-9436) with 3-working-day advance notice to request auxiliary aids necessary to participate in the public hearing. Translation services are available (with 3-working-day advance notice) to participants speaking any language with available professional translation services.

A concurrent 45-day public review and comment period will commence on July 8, 2009 and conclude August 21, 2009 at 5 p.m. The draft documents are available for review at the Kern COG office, located at 1401 19th Street, Suite 300, Bakersfield, CA 93301 and on the Kern COG website at www.kerncog.org.

Public comments are welcomed at the hearing, or may be submitted in writing by 5 p.m. on August 21, 2009 to Ronald E. Brummett at the address below.

After considering the comments, the documents will be considered for adoption, by resolution, by Kern Council of Governments Board of Directors at a regularly scheduled meeting to be held at 7:00 p.m. September 17, 2009. The documents will then be submitted to state and federal agencies for approval.

Contact Person: Ronald E. Brummett, Executive Director
Kern Council of Governments
1401 19th Street, Bakersfield, CA 93301
661/861-2191
rbrummett@kerncog.org

PLEASE PRINT THE ABOVE ON OR BEFORE **July 8, 2009**

BEFORE KERN COUNCIL OF GOVERNMENTS
STATE OF CALIFORNIA, COUNTY OF KERN

RESOLUTION NO. XX

In the matter of:

AMENDMENT #8 TO THE KERN COG 2009 FEDERAL TRANSPORTATION
IMPROVEMENT PROGRAM, 2007 REGIONAL TRANSPORTATION PLAN
AMENDMENT #2 AND ADDENDUM ENVIRONMENTAL IMPACT REPORT, AND
CORRESPONDING CONFORMITY ANALYSIS

WHEREAS, Kern Council of Governments (Kern COG) is a Regional
Transportation Planning Agency and a Metropolitan Planning Organization, pursuant to State and
Federal designation; and

WHEREAS, federal planning regulations require Metropolitan Planning
Organizations to prepare and adopt a long range Regional Transportation Plan (RTP) for their
region; and

WHEREAS, federal planning regulations require that Metropolitan Planning
Organizations prepare and adopt a Federal Transportation Improvement Program (FTIP) for their
region; and

WHEREAS, Amendment #8 to the 2009 Federal Transportation Improvement
Program (FTIP) and 2007 RTP Amendment #2 have been prepared to comply with Federal and
State requirements for local projects and through a cooperative process between the Federal
Highway Administration (FHWA), the Federal Transit Administration (FTA), the State
Department of Transportation (Caltrans), principal elected officials of general purpose local
governments and their staffs, and public owner operators of mass transportation services acting
through the Kern COG forum and general public involvement; and

WHEREAS, Amendment #8 to the FTIP program listing is consistent with: 1) the
2007 Regional Transportation Plan, Amendment #2; 2) the 2008 State Transportation
Improvement Program; and 3) the Corresponding Conformity Analysis; and

WHEREAS, Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2
contain the MPO's certification of the transportation planning process assuring that all federal
requirements have been fulfilled; and

WHEREAS, Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2
meets all applicable transportation planning requirements per 23 CFR Part 450.

WHEREAS, projects submitted in Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2 must be financially constrained and the financial plan affirms that funding is available; and

WHEREAS, an Addendum Environmental Impact Report was prepared to assess the environmental effects of the proposed RTP Amendment #2; and

WHEREAS, Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2 includes a new Conformity Analysis; and

WHEREAS, Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2 do not interfere with the timely implementation of the Transportation Control Measures; and

WHEREAS, Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2 conforms to the applicable SIPs; and

WHEREAS, in accordance with EPA Companion Guidance for the Conformity Rule for multi-jurisdictional areas, Kern COG has developed their portion of the PM2.5 regional emissions analysis separately and provided the entire PM2.5 nonattainment area conformity demonstration; and

WHEREAS, the PM2.5 nonattainment area conformity demonstration is contingent upon adoption by all MPOs in the PM2.5 nonattainment area; and

WHEREAS, Kern COG has also developed a regional emissions analysis for Carbon Monoxide (CO), Ozone, and PM-10 for Kern County; and

WHEREAS, the documents have been widely circulated and reviewed by Kern COG advisory committees representing the technical and management staffs of the member agencies; representatives of other governmental agencies, including State and Federal; representatives of special interest groups; representatives of the private business sector; and residents of Kern County consistent with public participation process adopted by Kern COG; and

WHEREAS, a public hearing was conducted on July 16, 2009 to hear and consider comments on Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2 and Addendum Environmental Impact Report and Corresponding Conformity Analysis; and the remainder of the MPOs in the PM2.5 nonattainment area have conducted public review periods as well; and

NOW, THEREFORE, BE IT RESOLVED, that Kern COG adopts Amendment #8 to the 2009 FTIP and RTP Amendment #2 and Addendum EIR and Corresponding Conformity Analysis.

BE IT FURTHER RESOLVED, that Kern Council of Governments finds that the 2007 Regional Transportation Plan Amendment #2 and AEIR and Amendment #8 to the 2009 FTIP are in conformity with the requirements of the Federal Clean Air Act Amendments of 1990 and applicable State Implementation Plan for air quality.

AUTHORIZED AND SIGNED THIS 17th DAY OF SPETEMBER 2009.

AYES:

NOES:

ABSTAIN:

ABSENT:

Steven Morgan, Chairman
Kern Council of Governments

ATTEST:

I hereby certify that the foregoing is a true copy of a resolution of the Kern Council of Governments duly adopted at a regular meeting thereof held on the 17th day of September 2009.

Ronald E. Brummett, Executive Director
Kern Council of Governments

Date:

ATTACHMENT 6, PART 2

Draft Public Notice for Other 7 MPOs

Draft Adoption Resolution for Other 7 MPOs

**NOTICE OF PUBLIC COMMENT PERIOD ON THE
REDETERMINATION OF CONFORMITY FOR THE 2009 FEDERAL
TRANSPORTATION IMPROVEMENT PROGRAM [INSERT LAST FEDERALLY
APPROVED TYPE #5 AMENDMENT] AND 2007 RTP [INSERT LAST FEDERALLY
APPROVED TYPE #5 AMENDMENT, IF APPLICABLE]**

**For example: Fresno Insert 1 = Amendment #3; no insert 2
Kern insert 1 = Amendment #2, insert 2 = Amendment #1
Kings Insert 1 = Amendment #2; no insert 2
Madera Insert 1 = Amendment #3; no insert 2
Merced Insert 1 = Amendment #3; no insert 2
StanCOG Insert 1 = Amendment #3; no insert 2
Tulare Insert 1 = Amendment #3; insert 2 = Amendment #1**

NOTICE IS HEREBY GIVEN that the [insert MPO] is conducting a 30-day public comment period on the redetermination of conformity for the federally-approved 2009 Federal Transportation Improvement Program (FTIP) Amendment #X and 2007 RTP (amendment #Y, if applicable). [see above for applicable inserts]

- The 2009 FTIP is a listing of capital improvement and operational expenditures utilizing federal and state monies for transportation projects in [Insert County] during the next four years.
- The San Joaquin Valley is a PM2.5 multi-jurisdictional area; there are 8 MPOs within the PM2.5 nonattainment area and no PM2.5 conformity budgets are available for use at this time. Consequently, the PM2.5 conformity determination must be based on a regional emissions analysis that covers the entire nonattainment area.
- The Kern Council of Governments has revised their portion of the PM2.5 conformity analysis. Consequently, the other 7 MPOs must redetermine conformity. Since no other transportation planning changes are being made, the 7 other MPO individual conformity analyses remain unchanged. However, the new Appendix D “PM2.5 Conformity Results Summary for Each MPO in the San Joaquin Valley Nonattainment Area” is being made available for a 30-day public comment period prior to re-adoption of their conformity determination.

The 30-day public review and comment period will commence on July 8, 2009 and conclude August 6, 2009 at 5 p.m. The draft documents are available for review at the [insert MPO] office, located at [insert address] and on the [insert MPO] website at www.[insert].

Public comments may be submitted in writing by 5 p.m. on August 6, 2009 to [insert staff contact] at the address below.

After considering the comments, the documents will be considered for adoption, by resolution, by the [insert MPO] Board of Directors at a regularly scheduled meeting to be held on September [insert September Board meeting date], 2009. The documents will then be submitted to state and federal agencies for approval.

Contact Person: [Insert Staff contact, phone, e-mail]

PLEASE PRINT THE ABOVE ON OR BEFORE **July 8, 2009**

BEFORE THE
[AGENCY]
RESOLUTION NO. []

In the Matter of:

RESOLUTION ADOPTING THE

****format**

Redetermination of Conformity for the Federally Approved 2009 Federal Transportation Improvement Program Amendment #X and 2007 RTP (Amendment #Y if applicable) [see above for applicable inserts]

WHEREAS, the [AGENCY] is a Regional Transportation Planning Agency and a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, federal planning regulations require Metropolitan Planning Organizations to prepare and adopt a long range Regional Transportation Plan (RTP) for their region; and

WHEREAS, federal planning regulations require that Metropolitan Planning Organizations prepare and adopt a Federal Transportation Improvement Program (FTIP) for their region; and

WHEREAS, the Federally Approved 2009 FTIP Amendment X and 2007 RTP (Amendment Y if applicable) has been prepared to comply with Federal and State requirements for local projects and through a cooperative process between the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the State Department of Transportation (Caltrans), principal elected officials of general purpose local governments and their staffs, and public owner operators of mass transportation services acting through the [AGENCY] forum and general public involvement; and

WHEREAS, the Federally Approved 2009 FTIP Amendment X and 2007 RTP (Amendment Y if applicable) contains the MPO's certification of the transportation planning process assuring that all federal requirements have been fulfilled; and

WHEREAS, the Federally Approved 2009 FTIP Amendment X and 2007 RTP (Amendment Y if applicable) meets all applicable transportation planning requirements per 23 CFR Part 450.

WHEREAS, Kern COG Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2 includes a new Conformity Analysis; and

WHEREAS, [AGENCY] is not making any other transportation planning changes, the federally approved individual conformity analysis remain unchanged.

WHEREAS, in accordance with EPA Companion Guidance for the Conformity Rule for multi-jurisdictional areas, Kern COG has developed their portion of the PM2.5 regional emissions analysis separately and provided the entire PM2.5 nonattainment area conformity demonstration; and

WHEREAS, the PM2.5 nonattainment area conformity demonstration is contingent upon adoption by all MPOs in the PM2.5 nonattainment area; and

WHEREAS, the new Appendix D "PM2.5 Conformity Results for Each MPO in the San Joaquin Valley Nonattainment Area" (PM2.5 Demonstration) has been widely circulated and reviewed by [AGENCY] advisory committees representing the technical and management staffs of the member agencies; representatives of other governmental agencies, including State and Federal; representatives of special interest groups; representatives of the private business sector; and residents of [COUNTY] consistent with public participation process adopted by [AGENCY]; and

WHEREAS, a 30-day public review period conducted on the PM2.5 Demonstration; and the Kern COG conducted a public hearing on the revised conformity analysis, containing PM2.5 Demonstration; and

NOW, THEREFORE, BE IT RESOLVED, that [AGENCY] redetermines conformity for the Federally Approved 2009 Federal Transportation Improvement Program Amendment #X and 2007 RTP (Amendment #Y if applicable).

BE IT FURTHER RESOLVED, that the [Insert Agency] finds that the for the Federally Approved 2009 Federal Transportation Improvement Program Amendment #X and 2007 RTP (Amendment #Y if applicable) are in conformity with the requirements of the Federal Clean Air Act Amendments and applicable State Implementation Plan for air quality.

THE FOREGOING RESOLUTION was passed and adopted by [AGENCY] this [INSERT DATE] day of September, 2009.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed: _____
Chairman

I hereby certify that the foregoing is a true copy of a resolution of the [AGENCY] duly adopted at a regular meeting thereof held on the [INSERT DATE] day of [INSERT DATE], 2009.

Signed:

Executive Director

ATTACHMENT 6, PART 3

SJV MPO Summary Schedule

SJV MPO	PUBLIC COMMENT PERIOD	BOARD ADOPTION
Fresno	July 8, 2009 to August 6, 2009	September 24, 2009
Kings	July 8, 2009 to August 6, 2009	September 23, 2009
Madera	July 8, 2009 to August 6, 2009	September 23, 2009
Merced	July 8, 2009 to August 6, 2009	September 17, 2009
San Joaquin	July 8, 2009 to August 6, 2009	September 24, 2009
Stanislaus	July 8, 2009 to August 6, 2009	September 9, 2009
Tulare	July 8, 2009 to August 6, 2009	September 21, 2009