



2035 Tulare Street, Suite 201
Fresno, California 93721

Telephone: (559) 233-4148 ♦ Fax: (559) 233-9645
Website Address: www.fresnocog.org

Notice of Preparation

Date: September 8, 2009

To: Reference List of Recipients

From: Council of Fresno County Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

Subject: Notice of Preparation of an Subsequent Environmental Impact Report (SEIR) for the Proposed 2011 Revision of the Regional Transportation Plan (RTP)

The Council of Fresno County Governments (Fresno COG) will be the Lead Agency and will prepare a Subsequent Environmental Impact Report (SEIR) for the project defined below. Fresno COG is requesting input regarding the scope and content of the environmental information, which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the SEIR prepared by Fresno COG when considering your permit or other approvals for the projects to be included in the 2011 RTP.

The project description, locale and probable environmental issues to be addressed in the SEIR are described below. An Initial Study is not attached and is not required.

Your response is requested at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to Clark Thompson, Planner III at the address shown above. Please identify the name and phone number of a contact person at your agency.

Project Title

Subsequent Environmental Impact Report (SEIR) for the 2011 Revision of the Regional Transportation Plan (RTP).

Location

Corporate limits of Fresno County, California including the fifteen incorporated cities and all unincorporated areas (reference the attached map of Fresno County identifying the area to be addressed by the SEIR and the RTP).

Member Agencies: The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

Project Description

Background: Fresno COG is the Regional Transportation Planning Agency and Metropolitan Planning Organization for the Fresno County region. As such, Fresno COG must identify transportation needs in Fresno County to prepare the Regional Transportation Plan and subsequent updates of the plan. In addition, Fresno COG is also responsible for preparing a Program EIR that reflects the general environmental effects of programs and projects to be included in the RTP.

Project Overview: The project, as defined by CEQA Statutes, Section 21065, is the preparation of the 2011 revision of the RTP. Fresno COG is in the process of preparing the RTP 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, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The RTP 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 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 adopted by the Commission on September 20, 2007 plus an Addendum addressing Climate Change and Greenhouse Gas Emissions adopted by the Commission on May 29, 2008) to assist in the preparation of 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 Regional Transportation Plan every four (4) years. The last comprehensive EIR on the RTP was completed in May 2007, which addressed transportation improvement projects, programs, and funding reflected in the 2004 RTP together with additional funding from the proposed (now approved) ½ Cent Sales Tax Measure Extension (Measure "C"). Measure "C" did receive the 2/3rds voter approval required in order to pass in the November 2006 election. The 2011 revision to the RTP must be prepared to address possible environmental impacts resulting from its implementation and sources of funding that are available for programming.

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 will be addressed by this SEIR. The RTP is also used as a transportation planning document by each of the sixteen member jurisdictions of Fresno COG. The members 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 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 2011 RTP include Climate Change (including a Climate Change Element), Congestion Management Process, Environmental Justice, Goods Movement, and Blueprint Planning. In addition, the 2011 RTP will include updated project lists and updated performance measures.

The RTP will include the following sections, which may be reorganized or modified as a result of staff and consultant review:

1. San Joaquin Valley Regional Transportation Overview
2. Regional Setting, State and Federal Issues
3. Climate Change Element and Blueprint Issues
4. Policy Element

5. Needs Assessment and Action Element
6. Financial Element

Specific environmental issues to be addressed in the SEIR include:

- ◆ Aesthetics
- ◆ Agricultural Resources
- ◆ Air Quality
- ◆ Biotic Resources
- ◆ Climate Change
- ◆ Cultural Resources
- ◆ Geology/Soils
- ◆ Hazards & Hazardous Materials
- ◆ Hydrology/Water Quality
- ◆ Land Use/Planning
- ◆ Noise
- ◆ Population/Housing
- ◆ Public Utilities, Other Utilities & Services Systems
- ◆ Transportation/Traffic
- ◆ Growth Inducement and Cumulative Effects

The project boundaries are the lawfully adopted borders of Fresno County, including the fifteen (15) incorporated cities, and the County (all unincorporated areas).

Requirement to Prepare a Subsequent EIR

According to CEQA, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- ◆ Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- ◆ Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- ◆ New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - The project will have one or more significant effects not discussed in the previous EIR or negative declaration
 - Significant effects previously examined will be substantially more severe than shown in the previous EIR
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

In this case, Fresno COG understands that 2011 RTP improvement projects have changed or the timing of those projects has changed since certification of the previous RTP EIR in May 2007. As a result of these changes, rather than prepare a complete new EIR, Fresno COG desires to use the previous EIR and

update/change sections to address RTP project changes, as well as greenhouse gas/global warming (Climate Change) issues.

Environmental Issues to be Addressed in the EIR

The programs and projects to be included in the RTP will be analyzed through development of a Program EIR. This will allow Fresno COG to analyze the regional or general impacts of the programs and projects. A more detailed or project level environmental assessment of the various projects included in the Plan will be conducted by the various responsible agencies including Caltrans, Fresno County, and the cities within the County before the projects are constructed or implemented.

The key environmental issues to be addressed in the Program EIR for the 2007 Revision of the RTP include:

➤ **Aesthetics**

- Have a substantial adverse effect on a scenic vista
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state or county designated scenic highway or county designated scenic road
- Substantially degrade the existing visual character or quality of the site and its surroundings, which are open to public view
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area

➤ **Agriculture**

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use or if the area is not designated on the Important Farmland Series Maps, the conversion of prime agricultural land as defined in Section 51201(C) of the Govt. Code to non-agricultural use
- Conflict with existing zoning for agriculture use, a Williamson Act contract, or provisions of the Model Farmland Conservation Program

➤ **Air Quality**

- Conflict with or obstruct implementation of the applicable air quality plan
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)
- Expose sensitive receptors to substantial pollutant concentrations

➤ **Biological Resources**

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Dept. of Fish and Game or U.S. Fish and Wildlife Service
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Dept. of Fish and Game or U.S. Fish and Wildlife Service
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to: marsh, vernal pool, coastal, etc.) through direct filling, hydrological interruption, or other means
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

➤ **Climate Change**

- The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project

- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project
- **Cultural Resources**
 - Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5
 - Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5
 - Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature of paleontological or culture value
 - Disturb any human remains, including those interred outside of formal cemeteries
 - Disturb unique architectural features or the character of surrounding buildings
- **Geology, Soils, and Seismicity**
 - Result in substantial soil erosion, situation, changes in topography, the loss of topsoil or unstable soil conditions from excavation, grading or fill
 - Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse
- **Hazards and Hazardous Materials**
 - Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
 - 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 or risk of explosion
 - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment
 - 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 result in a safety hazard for people residing or working the project area
 - For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area
- **Hydrology and Water Quality**
 - Violate any water quality standards or waste discharge requirements
 - 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
 - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course or 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
 - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff
- **Land Use and Planning**
 - Physically divide an established community
 - Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect
- **Noise and Vibration**
 - 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
 - Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels
 - A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project
 - A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project

- 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
 - 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
- **Population and Housing**
- Substantially change the demographics in the area
 - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)
 - Substantially alter the location, distribution, or density of the area's population
 - Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere
 - Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere
- **Public or Utility Services**
- Electrical power or natural gas
 - Communication
 - Other public or utility services
- **Utilities and Services Systems**
- Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction which could cause significant environmental effects
- **Transportation/Traffic**
- Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)
 - Exceed, either individually or cumulatively, a level of service standard established by the County RTP
 - Result in a change in air, rail or water-borne traffic patterns, including either a significant increase in traffic levels or a change in location that results in substantial safety risks
 - Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, hazards or barriers for vehicles, pedestrians, or bicyclists
 - Substantially accelerate physical deterioration of public and/or private roads
- **Mandatory Findings of Significance**
- The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened plant or animal species, or eliminate important examples of the major periods of California history or prehistory
 - The project has environmental impacts that are individually limited, but cumulatively considerable
 - The project has environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Prepared by: Georgiena M. Vivian, VRPA Technologies, Inc. – August 27, 2009

Date: 9/9/09

Signature: 
Tony Boren

Title: Executive Director

Phone: 559 233-4148