

July 14, 2021

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Ms. Martinez:

Fresno COG has received and thanks Leadership Counsel for Justice and Accountability for its June 18, 2021 letter addressing the draft 2022 RTP/SCS Action Element Outline. Respectfully, Fresno COG offers the following responses to the comments raised in the letter.

Comment:

Per California Government Code Section 65080(b)3, the Action Element must describe programs and actions necessary to implement the Regional Transportation Plan (RTP), include short and long-term timelines to implement those actions, and identify the entity responsible for implementation. The Action Element must provide clear direction for how the RTP goals will be achieved. Moreover, as stated in the Caltrans Guidelines for Metropolitan Planning Organizations (Guidelines), “the Action Element should also identify investment strategies, alternatives and project priorities”. The draft Action Element falls short of complying with the requirements described above. The activities currently drafted by the Fresno Council of Governments (COG) have no short-term or mid-term actions, annual progress reports, or general reviews for the next 22 years. We look forward to seeing meaningful timelines and benchmarks in future drafts along with annual reporting on progress.

City of Clovis

Response:

City of Coalinga

Fresno COG is developing the draft Policy and Action Element chapter for the draft 2022 RTP and believe the chapter, once fleshed out beyond the current draft outline, will address the concerns regarding the timelines and benchmarks. We are exploring ways to incorporate tracking methodologies that include key dates and timelines for short and long-term progress. The draft Policy and Action Element chapter will be consistent with the Financial Element to identify investment strategies, alternatives, and project priorities and will meet the requirements of the RTP Guidelines.

City of Firebaugh

City of Fowler

City of Fresno

City of Huron

City of Kerman

Comment:

City of Kingsburg

Moreover, the actions listed for each goal fail to address the disparate impacts black, indigenous, and people of color (BIPOC) have experienced through transportation (and lack of investment), and ensuring no further disparate impacts are created, through direct displacement and lack of investment. Federal Transportation Administration Circular 4703.1 (Environmental Justice Policy Guidance for FTA Recipients) (49 C.F.R. Sec. 21.5 (prohibiting discrimination in federally assisted programs, including programs funded by the Department of Transportation, on the grounds of race, color or national origin.); U.S. Dept. of Transportation, Order on Environmental Justice (Order 5610.2(a) (calling on transportation planning agencies to integrate environmental justice goals into transportation planning, including the prevention

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

of disproportionate health and environmental impacts on minority and low-income populations and prevention of denial or reduction in benefits to those populations))¹ Furthermore, cities and counties who participate in implementation of the Action Element are subject to a duty to Affirmatively Further Fair Housing, which includes taking meaningful actions to address patterns of segregation and unequal living conditions to create truly integrated and balanced living patterns and transform areas of racially ethnically concentrated poverty into areas of opportunity, and must take no action inconsistent with this duty. Gov. Code Sec. 8899.50. We have provided “redlined” edits with specific language recommendations below to support these general comments and facilitate compliance by FCOG, Fresno County, and cities within Fresno with these mandates.

Response:

Goal #1 and its supporting policies and actions are all aimed at serving the needs of disadvantaged communities and ensuring equitable distribution of the benefits and burdens of transportation projects. The actions listed throughout the document address multiple goals and policies and we are exploring ways to clearly identify all of the goals/policies an action can support in the draft Action/Policy Element chapter. Action #4 under Goal #2 addresses the Sixth Cycle Regional Housing Needs Allocation (RHNA) Plan, which has a statutory objective to ensure that the RHNA methodology affirmatively furthers fair housing (AFFH). The methodology is currently in development, with LCJA’s participation on the RHNA Subcommittee, and must be reviewed and approved by the California Department of Housing and Community Development (HCD) prior to Fresno COG’s adoption of the Final Sixth Cycle RHNA Plan in 2022. While Fresno COG provides certain technical assistance and resources to local jurisdictions to implement their housing elements, AFFH programs are implemented at the local level.

Comment:

GOAL #1) Improved mobility and accessibility for all.

Policy #1: Encourage and prioritize full, fair, and equitable participation by all affected communities in the transportation decision-making and planning processes.

Policy #2: Actively work to ensure equitable distribution of the benefits and burdens of transportation projects.

Policy #3: Promote the improvement and expansion of accessible transportation options to serve the needs of all residents, especially those who have historically faced disproportionate transportation burdens.

Action Strategy
#1 Apply for and direct discretionary funding to community identified priorities that Seek funding to address multimodal transportation needs in the region and incentivize transportation investments that benefit disadvantaged communities. Applicants will partner with residents and community-based organizations (CBOs) for competitive applications. This includes competitive and formulaic programs including but not limited to ATP, CMAQ, STBG, TOD, SB 1 programs, REAP, and Measure C.
Pursue #2 Secure funding to improve and expand wheelchair accessible, paratransit, and non-emergency transportation services for elderly and individuals with disabilities
#3 Annually coordinate with regional transit providers to seek operational and administrative efficiencies.

Annually conduct outreach through the unmet transit needs process, to identify transit needs that are reasonable to meet throughout the region with an emphasis on disadvantaged communities. #4 In partnership with communities and CBOs, develop a best practices community outreach and engagement model to regularly engage residents and build relationships. This will help identify transit needs throughout the region especially in disadvantaged communities.

#5 During public processes, such as updates of federal, state, and regional local plans and reports (ex. RTP/SCS, Title VI, Unmet Transit Needs, Measure C), partner with community-based organizations serving low-income and minority communities for targeted outreach to limited English proficiencies and hard to reach populations. Examples include mini grant program, social media posts and advertisement targeted to disadvantaged communities, and translated documents and web content.

#6 Ensure all competitive and formulaic transportation dollars support resident-identified priorities and are invested in a manner that addresses and reverses historic and existing inequitable investment strategies, decisions, and policies. Projects may include bike and pedestrian safety infrastructure, road maintenance, complete streets, transit access, ride share programs, etc.

#7 Support development of Implementation Committees in County and Cities districts to recommend final transportation projects to decision-making bodies. Committees will be made up of residents reflective of the area's demographics. Responsibilities will include reviewing and providing recommendations on transportation related projects to their Supervisor or City Councilmember. Meetings will take place as needed to identify projects for upcoming grants and funding sources, but will happen no less than twice per year.

Response:

The highlighted sections above were incorporated in the updated draft Action Element Outline. The following comments are in response to the proposed changes not highlighted.

- #1 - Most funding programs have specific program guidelines in which projects awarded must follow. The funds are not always discretionary; however, Fresno COG is committed to seeking additional funding to address transportation needs in the region and incentivize transportation investments that benefit disadvantaged communities.
- #4 – The original language is specific to the unmet transit needs assessment pursuant to the Transportation Development Act (TDA) requirements. Fresno COG's Public Participation Plan includes best practices on various strategies and methods to regularly engage community and build relationships. Additionally, there are requirements for community engagement and outreach for transit related federal and state grant funding awards, and every effort is made to assure compliance with the funding scope of the projects.
- #6 – Fresno COG acknowledges the importance of resident-identified priorities and investing in disadvantaged communities, which Goal #1 and subsequent policies and actions are aimed at addressing. Fresno COG incentivizes such projects through discretionary criteria when feasible. However, each funding program has its own goals and guidelines, which Fresno COG does not always have discretion over. Additionally, each local jurisdiction has their own process for identifying needs and are responsible to submit projects for funding.
- #7 – This is based on the discretion of the local jurisdictions and while Fresno COG is very supportive of local residents' involvement in the transportation planning process, we do not have the staff capacity or jurisdiction to support these implementation committees for each of the local jurisdictions.

Comment:

GOAL #2) Vibrant communities that are accessible by sustainable transportation options.

Action Strategy

#1 Provide technical assistance, resources, and incentives to support SCS implementation, infill & mixed use development, equitable revitalization of local communities, and conserve natural resources. Examples include SB 743 Guidelines and VMT modeling, TOD Program, Circuit Planner Program, AHSC Technical Assistance, Blueprint, Greenprint, and GIS support.

#2 **Incentivize and** encourage alternatives to single occupancy vehicles to reduce vehicle miles travelled, such as through continued administration **and advertisement** of the Measure C Carpool Program, funding to support vanpool programs, telework, expansion of shared TNC rides, ~~informational promotion materials for transit, biking, and walking in the region~~ **expansion of transit and expansion of bike and pedestrian facilities. Assist and partner with employers and community groups seeking to establish programs mentioned above.**

#3 Support member agencies, **especially those with less staff capacity and resources, in applying and planning for active transportation, and investing in bicycle and pedestrian infrastructure to encourage healthy and convenient active transportation travel to ensure accessto jobs, services, and recreation for populations with fewer transportation choices. Such support should include assisting member agencies without dedicated planning and fundraising staff to apply for relevant funding, plan for and implement active transportation projects. Other** examples include ~~seeking explore~~ funding to update regional and citywide ATP plans and bicycle and pedestrian count data **and hiring an ATP director/coordinator to facilitate implementation of projects.**

#4: Develop a Regional Housing Needs Allocation Plan and continue to support efforts to increase housing choices. Examples include the REAP program, **policies and programs to comply with duties to affirmatively further fair housing**, technical assistance with grant applications, serving as a regional forum for discussing housing issues.

#5: Support coordinated transportation planning efforts and interregional projects between and among the eight San Joaquin Valley Metropolitan Planning Organizations (MPOs).

#6: ~~Pursue~~ **Secure** funding to implement projects that are consistent with the Sustainable Communities Strategy **and further state climate, equity, and environmental justice goals. Prioritize community-identified projects that benefit communities who have seen the least amounts of historic investment.** ~~Example: Prioritize projects through the RTP project evaluation criteria that support these goals and policies.~~

#7: Promote compatible airport and land use planning throughout the region. Examples include the Airport Land Use Commission, participating in regional events, and coordination among local agencies and stakeholders.

#8 **Coordinate with CARB, SJVAPCD, and local government agencies to reduce pollutants from transportation and implement community-identified projects designed to reduce emissions. Example: Implement projects identified in AB 617 implementation plan. Support California Air Resources Board and San Joaquin Valley Air Pollution Control District's efforts to reduce pollutants from transportation.**

Response:

The highlighted sections above were incorporated in the updated draft Action Element Outline. The following comments are in response to the proposed changes not highlighted.

- #2 – Expansion of transit, bike, and pedestrian infrastructure is addressed in Policy #3.

- #3 – Fresno COG’s Circuit Planner and Engineer Program provides support services to Fresno COG’s member agencies and is included under Goal #2, Action #1.
- #4 – Per our previous response above, Fresno COG supports local jurisdiction’s implementation of their housing elements, but AFFH programs are implemented at the local level.
- #6 – While the approved RTP scoring criteria included categories to award points for regional priorities such as accessibility, air quality, GHG reduction, health burden, and transit populations, to provide a few examples, the approved RTP scoring criteria did not include a category for community-identified projects. Community-identified projects are typically vetted and prioritized at the local level and incorporated into local plans and policies. Consistency with local plans and policies is the first category listed in the approved RTP scoring criteria.
- #8 – Fresno COG supports all efforts to reduce pollutants from transportation. Fresno COG integrates GHG emission reductions into the project selection criteria for many relevant programs to incentivize projects that help meet our GHG emission reduction goals and targets.

Comment:

GOAL #3) A safe, well-maintained, efficient, and climate-resilient multimodal transportation network.

Action Strategy
#1. Support local jurisdictions’ capacity to implement projects and measures that improve the resiliency of the transportation network regarding potential impacts of climate change. Examples include studies, incentives, and resources to support grid reliability for clean energy transportation options in rural areas, greening to reduce urban heat island effect, and increased funding/incentives for clean energy transportation including and walking and biking.
#2. Pursue Secure funding to address safety issues in the region and implement transportation projects consistent with the identified issues prioritized by disadvantaged communities . Examples include implementing strategies from the Regional Safety Plan, developing a successful safety education program to reduce traffic injuries and fatalities caused by human behavior, grade separation and railroad crossing projects, and investing in pedestrian safety measures such as traffic lights, suitable crosswalks, and sidewalks.
#3. Incentivize and seek secure funding for projects that reduce VMT. Additionally, provide support to agencies and groups with limited capacity / personnel to apply for competitive funding opportunities . Examples of projects include: ITS, signal synchronization, shared mobility options, carpool/vanpool programs, active transportation, and improved transit access.
#4. Encourage employers to utilize Transportation Demand Management strategies to reduce VMT. Examples include encouraging alternatives to single occupancy vehicles, ride sharing, alternative work schedules, subsidizing transit passes, providing safe bicycle parking, and telework.
#5. Collaborate with the state agencies, metropolitan planning organizations, and other organizations on efforts to study and advocate for a sustainable and more equitable replacement to fuel taxes.
#6. In coordination with local and state governing agencies, complete a grid analysis study to support electrification and zero-emission transportation systems.
#7. Maintain the Congestion Management Process (CMP) and implement CMP measures that do not induce demand or create negative local traffic or air impacts.
#8. Seek Ensure funding revenues for state-of-good repair improvements including road maintenance preservation, rehabilitation, and reconstruction. State of good repair improvements should be prioritized in existing communities that have had a long history of divestment and deferred maintenance.

#9. Collaborate with the state agencies, metropolitan planning organizations, and other organizations on efforts to study and advocate for a sustainable **and more equitable** replacement to fuel taxes.

Response: The highlighted sections above were incorporated in the updated draft Action Element Outline. The following comments are in response to the proposed changes not highlighted.

- #3 – This action was updated based on other comments and an error in the original draft Action Element Outline. VMT was changed to congestion. Fresno COG provides support to our small cities through the Circuit Planner and Engineer Program.
- #6 – This is addressed in Goal #5, Action #2.
- #8 - State of good repair improvements are analyzed and prioritized at the local level and utilizing each local jurisdiction's Pavement Management System.

Comment:

GOAL #4) A transportation network that supports a sustainable and vibrant economy.

Action Strategy

#1 Work cooperatively with the private sector **and impacted neighborhoods** to ensure that the mobility needs of the business community within Fresno County are addressed, **that safety, mobility, and public health needs of Fresno County residents are addressed, and that climate and environmental goals. are furthered.**

~~#2 Support efforts to improve efficiency and sustainability and preserve and expand options for goods movement through the region. Examples include the California Inland Port, I-5 Zero Emission Freight Pilot Study, farm to market activities.~~

#3 Support efforts to implement High Speed Rail and station area planning in the region. **For example, ensure community priorities are included in these planning and implementation efforts, and ensure the public is engaged in these processes.**

#4 Support education and job training programs that address transportation needs **and create job and career opportunities for BIPOC residents and residents of disadvantaged neighborhoods.** Examples include: **targeted training and hiring for individuals from protected classes and lower income neighborhoods,** New Vision Aviation program, Sustainable Aviation Project.

Response: The following comments are in response to the suggested edits above.

- #1 – It's unclear what LCJA means by "impacted communities," but at the regional level, it is more efficient to coordinate mobility needs with large employers than by specific neighborhoods. Safety, public health, and climate goals are addressed in other actions.
- #2 – LCJA recommended removing this action; however, it has been identified at the state, regional, and local level to be a priority for the region to reduce greenhouse gas emissions, reduce VMT, and support the economy.
- #3 – While Fresno COG supports HSR planning efforts, we do not have authority over the land use and public participation process.
- #4 – Fresno COG supports efforts to train the workforce and create new career opportunities but does not have discretion over hiring the positions that this action is intended to support. Perhaps we misunderstood the suggested edit and would be happy to discuss any clarifications.

Comment:

GOAL #5) A region embracing clean transportation, technology, and innovation.

Action Strategy

1. Encourage and support employers who implement telecommute strategies.

2. Support **equitable** electric vehicle (EV) infrastructure deployment and EV general education throughout the region and seek funding to implement projects that support Electric Vehicle Readiness Plan targeting disadvantaged communities. Examples include supporting pursuit of funding for EV replacement vehicles, electrification of school bus fleets, ~~compressed natural gas buses~~, solar, and EV planes. Pursue power purchase agreements for microgrid projects in rural Fresno County. Construction of a new technology maintenance and operations facility maintenance with charging infrastructure, solar and battery storage to enhance rural transit operations and increase resiliency.

3. Support efforts to research, plan, and implement pilot projects for microtransit and micromobility (such as bike and scooter share) and deployment of other new and innovative technologies to support research, development, demonstration projects, and deployment of new and innovative technologies. **Prioritize pilot projects that support and/or derive from community-driven processes.**

4. Follow the development of autonomous vehicles and connected vehicles and plan for the readiness of our region for AV/CV. **This includes ensuring equitable access and distribution to this technology so disadvantaged communities are not left behind as the technology mainstreams.**

5. Explore potential to conduct regional broadband planning to support future mobility options and transportation networks **prioritizing communities who currently do not have access to this infrastructure.**

6. Support funding for travel surveys and procurement of Big Data to help better understand the origin and destination travel patterns in the region.

[While capturing data is important and useful, there should be clearer direction on the use of Big Data. What will travel patterns be used for? Will it help determine public transportation systems by using travel patterns? Big Data has frequently been used for freight movements and routing and good movements. How will collection of Big Data fall in line with the goal and policies?]

7. Create inclusive, accessible opportunities explore opportunities to develop a regional vision of transit accessibility that integrates existing service options with new mobility options.

8. In coordination with local and state governing agencies, complete a grid analysis study to support electrification and zero-emission transportation systems.

Response: The highlighted sections were incorporated in the updated draft Action Element Outline. The following comments are in response to the proposed changes not highlighted.

- #3 – Yes, Fresno COG is supportive of community-identified pilot microtransit and micromobility projects, as demonstrating the need for these modes is essential to ensure their success.
- #4 – Fresno COG does not distribute AV technology.

- #6 – Origin and destination travel patterns are utilized by Fresno COG’s travel demand model. The model is a critical tool for planning activities at local, regional, state, and federal levels, such as RTP/SCS development, conformity, corridor studies, environmental justice analysis, SB 743 VMT analysis, impact fee nexus studies, and transit planning.
- #8 – Fresno County Rural Transit Agency (FCRTA) is currently conducting a grid analysis.

Thank you for your comments on the draft Action Element Outline and we look forward to continuing to work with you throughout the development process of the 2022 RTP/SCS. Please feel free to contact me should you have any further questions or comments.

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