



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

October 18<sup>th</sup>, 2017

**Re: Fresno COG's 2018 RTP Draft Action Element**

Dear Madam or Sir,

Thank you for the opportunity to provide comments on the Draft Action Element. Through our comments, we, the undersigned organizations, seek to ensure that the commitments to plans and actions contained in the 2018 RTP Draft Action Element are aimed at creating sustainable, equitable and effective transportation options that benefit all of Fresno County's residents, regardless of race, socioeconomic status, language, or place.

We commend the RTP Roundtable, Policy Board and Fresno Council of Governments (Fresno COG) staff for the advances that have been made in incorporating language and criteria furthering public health, environmental, environmental justice, and civil rights into the Performance Indicators, Project Evaluation Criteria, Public Participation Plan, and Policy Element. In this way, Fresno COG has made significant strides towards prioritizing environmental concerns and the needs of low-income communities of color.

Fresno COG's Draft Action Element contains important commitments to rural transportation and air quality measures. Below, we outline ways that Fresno COG can include additional

commitments to actions towards achievement of civil rights, social justice and environmental concerns, particularly in light of the advances made in other elements of the RTP. We look forward to collaborating with COG staff, fellow Roundtable members, and local agencies to ensure that Fresno County's transportation planning prioritize the needs of its most vulnerable populations and the natural resources that sustain its agricultural industry and give its families healthy places to live.

## **RECOMMENDATIONS:**

### **Include commitments to further all SCS priorities.**

We commend FCOG for including an extensive section on air quality. We encourage Fresno COG to also include commitments to acting to further the other priorities identified by the RTP Roundtable, the public and Fresno COG's own performance measures, including protecting public health, investing in disadvantaged communities, and protection of resource areas and farmland.

For example, since the Sustainable Infrastructure Grants program will be using SB 1 Sustainable Communities Planning Grant funding to contribute to sustainable development in disadvantaged areas, this plan should be highlighted as an increase in investment in disadvantaged communities. Also, since many local agencies we recommend that Fresno COG commit to giving technical assistance to local agencies seeking grant funding for disadvantaged communities, and explain how Fresno COG will publicize the availability of its circuit planners to help with local agency applications.

Additionally, as part of Fresno COG's efforts to address public health and air quality concerns, we encourage Fresno COG to include plans to develop active transportation infrastructure alongside its expansion of transit in the county, citing its key functions in helping residents access transit, healthy foods, and other necessary services and resources.

### **Commit to conserving resource areas and farmland.**

As the Draft Action Element acknowledges, agriculture is central to the region's economy, with 2016 crop receipts in Fresno County alone amounting to nearly \$6.2 billion.<sup>1</sup> We agree that providing mobility for agricultural workers and moving crops to market are important functions of the region's transportation system, and we support Fresno COG's efforts to ensure that road and rail networks are up the task.

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<sup>1</sup> Draft Action Element, 12.



But low-density, greenfield development, and transportation projects designed to serve it, harm the region's agricultural economy by converting irreplaceable farmland and rangeland to other uses -- a danger acknowledged in the performance measures adopted earlier this year, which include important farmland conversion. Poorly planned development threatens other resource areas as well, including watersheds and habitat corridors that connect the Valley floor with higher altitudes, and aquifer recharge areas critical to achieving groundwater sustainability.

To avert these harms, and ensure the best possible result on the farmland conversion performance measure adopted by Fresno COG, we would respectfully recommend that the Action Element incorporate the following:

- A description of how Fresno COG intends to take resource areas and farmland into account in developing land use scenarios, selecting projects and implementing the 2018 RTP/SCS;<sup>2</sup>
- A commitment to ensure that transportation projects 1) avoid harm to resource areas and farmland wherever possible, 2) minimize any harm that cannot be avoided, and 3) fully mitigate any resulting impacts.
- A description of how Fresno COG intends to mitigate any impacts.

As discussed at recent Roundtable meetings, and in the presentation immediately after the September 27th meeting, other MPOs have found straightforward and inexpensive ways to achieve many of these goals.<sup>3</sup> We are confident that Fresno COG, which has shown leadership in many other areas, can do the same.

**Include commitments to federal civil rights obligations and environmental justice obligations.**

As voiced in previous comment letters submitted by Leadership Counsel and others, Fresno COG's Title VI and environmental justice obligations require it to engage the public and ensure equitable distribution of benefits in all of its activities. Steps towards fulfilling these obligations have been taken in the Policy Element and Public Participation pieces of the RTP process. In the Action Element, Fresno COG must also set out concrete plans to (1) evaluate inequities in existing transportation investments and resources, (2) assess the needs of disadvantaged

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<sup>2</sup> See Cal. Gov. Code § 65080(b)(2)(B) (requiring that SCSs incorporate "the best practically available scientific information regarding resource areas and farmland in the region").

<sup>3</sup> See, e.g., TCAG, 2014 (Tulare County RTP/SCS using San Joaquin Valley Greenprint layers as "constraints to development" in preferred land use scenario); KCAG, 2014 (Kings County RTP explicitly incorporating impacts to special status species and viewsheds into scoring system to select highway projects).

communities and environmental justice communities, and (3) ensure that the needs of the County's most vulnerable communities are addressed and their communities are not negatively impacted by investments. As part of these steps, Fresno COG must include a commitment to engage disadvantaged communities in determining their own needs and viable solutions to addressing those needs.

We strongly recommend that Fresno COG include language committing to undertake such community engagement and consideration of disadvantaged communities' and EJ populations' needs particularly when it receives augmented or new funding. For example, we hope to see a plan stating how Fresno COG will conduct stakeholder and community engagement to determine allocation of SB 1 funding.

A section on civil rights obligations, environmental justice and would also be a good place to include the Sustainable Infrastructure Grants program, which will contribute to these goals if implemented in a way that guarantees that the funding is received by disadvantaged communities.

### **Include commitments to furthering affordable housing in the region.**

Fresno COG must seek to affirmatively further fair housing through equitable land use policies and transportation investments in its Sustainable Communities Strategy. SB 375 addresses transportation planning and planning for affordable housing as two interconnected elements of addressing systemic discrimination and disparate impacts, by requiring that "housing planning be coordinated and integrated with the regional transportation plan" by "allocat[ing] housing units within the region consistent with the development pattern included in the sustainable communities strategy."<sup>4</sup> Furthermore, fair housing and equitable access to transportation are pieces of the same Title VI obligation to combat segregation and discrimination. Therefore we recommend that Fresno COG include affordable housing goals in its Action Element as well. ABAG, for example, offers data on housing locations and market information for local agencies, and facilitates dialogue and information sharing between local governments, stakeholders and state and federal policymakers about housing planning, production, and market trends.<sup>5</sup>

### **Include plans to evaluate the impact of transportation plans on water resources, and ways to ensure that development does not harm water resources.**

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<sup>4</sup> SB 375 section 10, CA Gov Code section 65584.04 (i)(1).

<sup>5</sup> <https://abag.ca.gov/planning/housing/>



With the passage of the Human Right to Water and the Sustainable Groundwater Management Act (SGMA), California’s legislature has expressed its strong commitment to ensuring that our state’s water resources are sustainably managed so that all households can have a stable, affordable source of clean drinking water. Under SGMA, all planning processes must abide by the groundwater management plans of Groundwater Sustainability Agencies. While our region’s Groundwater Sustainability Plans will not be adopted until 2020, it is not too early for Fresno COG to take groundwater resources into consideration in implementing its RTP. As noted above and discussed on September 27th, an excellent way to do so would be to treat groundwater recharge areas as constraints to development in the preferred land use scenario.<sup>6</sup>

More broadly, Fresno COG should include in its Action Element a commitment to evaluating how the regional transportation investments will impact water resources. Since project-by-project evaluations would be too narrow to see how projects are cumulatively affecting water resources, Fresno COG is in the best position to effectively analyze how the suite of RTP investments will impact water resources on a regional level.

#### **Commit to Additional Short-Range Air Quality Improvement Measures.**

In addition to the already pronounced plans, Fresno COG, in cooperation with the SJVUAPCD, the cities of Fresno and Clovis and Fresno County, should prioritize the paving of all unpaved roads and shoulders in Fresno County. Additionally, agencies should commit to regular street cleaning of paved roads. Paved roads contribute approximately 5 tons of direct PM2.5 a year, and unpaved roads contribute an additional 4 tons.<sup>7</sup>

#### **Commit to assessing needs of underserved areas and investing in existing communities that lack sufficient transportation services and infrastructure before expanding service and infrastructure to new growth areas.**

The Draft Action Element states an intent to extend transit service to “new growth areas”<sup>8</sup> in its Multimodal section. This desire to ensure that all areas are linked to an effective transportation network is understandable. However, before looking to new growth areas, Fresno COG must ensure that existing areas that do not have adequate public transit are prioritized and connected to the transportation network before service is expanded to new areas. We recommend that Action

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<sup>6</sup> Cf. TCAG, 2014 (incorporating San Joaquin Valley Greenprint layers as constraints to development in preferred land use scenario); SBCAG, 2013 (using natural resource layers, assembled by SBCAG into a regional greenprint, as constraints to development in land use scenarios).

<sup>7</sup> SJV PM2.5 Emissions (annual) <http://www.valleyair.org/pmplans/documents/2017/01-11-2017/SJV-PM25-Emissions.pdf>

<sup>8</sup> Draft Action Element, p. 6.

Element include a commitment to evaluating the needs of underserved communities and extending services to those communities before extending services to new growth areas. This analysis should be done for all types of transportation infrastructure that would benefit disadvantaged communities: multimodal, highways and roads, transit, and active transportation.

We understand that traditional transit models are not well suited to some situations where disadvantaged communities live, such as very rural communities. However, with technological innovation and creative solutions like *Van y Vienen*, a community rideshare program in West Fresno County, we are confident that solutions exist to suit the needs of these communities while also being cost-effective. We ask that Fresno COG include commitments to exploring these types of community-based solutions in the multimodal, urban transit, and rural transit sections of the Action Element. We recommend that Fresno COG dedicate a portion of their transportation expenditures to fund community-based transportation solutions.

**For all project categories, commit to investing in solutions for rural needs in addition to metropolitan and highly-populated areas.**

Many of the actions planned in the Action Element focus attention on major corridors and the Fresno-Clovis metropolitan area. While this is logical from a most-bang-for-the-buck perspective, Fresno COG has a duty not only to large, populated areas, but also to the families and communities living in its rural areas. The Action Element must make clear commitments to pursuing effective transportation and land use planning for its rural areas, as well as highly populated areas and major corridors.

**Emphasize the commitment to developing an activity-based model by 2020.**

We are happy to see Fresno COG's plans to create an activity-based model (ABM) by 2018 in its Draft Action Element.<sup>9</sup> We know that this will vastly improve Fresno COG's ability to evaluate the impact of its transportation investments across a wide variety of factors including race and income. We would like to see this commitment be emphasized with its own bold heading with a description below explaining why this is so important.

**Include links to studies and information, and timelines for planned actions.**

In the interest of transparency, we suggest Fresno COG add a public-release date or a start-up date to the text for every legislative act, study, plan, survey, guide, program and service mentioned therein.

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<sup>9</sup> Draft Action Element, p. 17.



We recommend that there also be a link to each legislative act, study, plan, survey, guide, program or service referenced in the Action Element, so that members of the public have an opportunity to verify the summary information in the Action Element or better their understanding if they so choose. COG would need to agree to keep the links active for as long as the Action Element was in effect. As an example, on page 8 we would like to see a link to the San Joaquin Good Movement Action Plan from 2007 so that readers may easily refer to that text.

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Thank you for your consideration of these recommendations. We look forward to working with Fresno COG staff, local agencies and other stakeholders on addressing these points in the Action Element for the 2018 Fresno COG RTP.

Sincerely,

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