



2024

Public Participation Plan

Released for public review and comment

May 17 - June 30, 2024

Scheduled for adoption July 25, 2024



The Fresno Council of Governments (Fresno COG) is a consensus builder, developing acceptable programs and solutions to issues that do not respect political boundaries. Fresno COG is a voluntary association of local governments, one of California's 38 regional planning agencies, and one of 500+ nationwide. In 1967 elected officials of Fresno County and its incorporated cities informally created the agency, formalizing Fresno COG in 1969 through a Joint Powers Agreement. Fresno COG undertakes comprehensive regional planning with an emphasis on transportation, provides citizens an opportunity to be involved in the planning process, and supplies technical services to its members.

Fresno COG's Member Agencies:

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

Fresno Council of Governments

2024 PUBLIC PARTICIPATION PLAN

TABLE OF CONTENTS

CHAPTER/SECTION	PAGE NUMBER	
Chapter 1 - Introduction		
About Fresno Council of Governments.....	1	
Fresno COG's Public Participation Plan.....	2	
Guiding Principles for Fresno COG's Outreach.....	2	
Laws That Guide Fresno COG's Public Participation Process	3	
Chapter 2 - Project or Plan-Specific Public Participation Requirements		
Regional Transportation Plan	5	
Federal Transportation Improvement Program	9	
Federal Transit Administration Program of Projects	14	
Annual Listing of Obligated Projects.....	14	
Air Quality Conformity Public and Interagency Consultation	14	
Intergovernmental Review Via Regional and State Information Clearinghouses.....	15	
Overall Work Program	15	
Unmet Transit Needs Assessment	15	
Chapter 3 - Additional Fresno COG Public Participation Policies		17
Chapter 4 - Consultation and Coordination		
Bottom-up Planning and Interagency Consultation	19	
RTP and FTIP Consultation	19	
Native American Tribal Government Consultation	20	

Chapter 5 - Opportunities for Project Public Engagement	
Get Involved: Sign Up for Fresno COG's Contact Database.....	23
Get Involved: Websites.....	23
Get Involved: Community Engagement Hub	23
Get Involved: Social Media	23
Get Involved: Accessible Meetings.....	23
Fresno COG’s Boards, Committees and Commissions.....	24
Valleywide Committees	29
Chapter 6 – Who We Engage	
Partner listing.....	29
Community-Based Organizations	30
Chapter 7 - Public Participation Strategies.....	30
Chapter 8 - Public Participation Plan Evaluation and Updates.....	37

Appendices

Appendix A: 2024 Fresno COG Regional Transportation Plan and Sustainable Communities Strategy Public Participation Plan

Appendix B: Fresno COG's Tribal Government Outreach Plan

Appendix C: Federal & State Public Participation Requirements

Appendix D: Public Notice Documentation

(will be included in final draft document)

Appendix E: Public Comment (will be included in final draft document)



2024 PUBLIC PARTICIPATION PLAN

Chapter 1 – Introduction

The plans, projects and policies created by the Fresno Council of Governments (Fresno COG) influence the lives of all people who live and work in the Fresno County region every day. Fresno COG wants residents to be involved in the regional planning process and is committed to a transparent decision-making process that is informed by meaningful public consultation and community engagement. Fresno COG believes that public participation is a dynamic activity that requires teamwork and commitment at all levels of the Fresno COG organization. They understand that one size does not fit all — input from diverse perspectives enhances the process and that effective public outreach and involvement requires relationship building with local governments, stakeholders, and advisory groups.

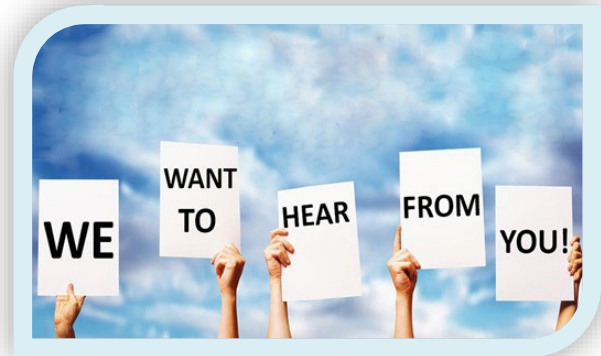
Engaging interested persons in regional transportation issues is challenging, yet possible, by making it relevant, removing barriers to participation, and communicating in clear, compelling languages and visuals. Therefore, it is Fresno COG’s goal to provide an open public participation process that empowers all residents, including low-income communities and communities of color to participate in decision-making that affects them.

ABOUT FRESNO COUNCIL OF GOVERNMENTS

As a Metropolitan Planning Organization, Fresno COG is the transportation planning, financing, and coordinating agency for the Fresno County region, addressing issues of mutual concern to the county and the cities, and satisfying Federal and State transportation planning and programming mandates. Fresno COG represents its member jurisdictions as planner, programmer, and broker in developing an efficient and effective intermodal transportation system that provides for the mobility needs of people, goods, and services while protecting the environment. It provides a forum for the study and discussion of areawide issues based on the desires of their member jurisdictions as those responsible for determining policy, adopting plans and programs, and awarding funds to implement these plans.

Fresno COG's PUBLIC PARTICIPATION PLAN

Two key planning efforts prompt the development of the Public Participation Plan: the **Regional Transportation Plan** (RTP) and the **Transportation Improvement Program** (TIP). However, the work of Fresno COG expands beyond these two planning efforts to encompass a range of plans, projects and programs that work together to improve the quality of life for all Fresno County region residents as well as our natural environment. As such, this Public Participation Plan contains the requirements, procedures, strategies, and techniques used by Fresno COG to communicate with the public and consult with affected agencies. It defines a process that outlines roles, responsibilities, and key decision points for consulting with affected public agencies, the transportation sector, transportation providers and other interested parties, providing reasonable opportunities to be involved in the metropolitan transportation planning process.



Fresno COG developed this Public Participation Plan (PPP) as a guide to meeting the Metropolitan Planning Organization requirements for early coordination, public involvement, and project development. All programs with a public input component will refer to this plan in developing individualized engagement plans. However, this procedural document is also intended to give the Fresno COG elected officials and staff guidance in providing for public involvement and interagency consultation in the regional planning process.

This plan details Fresno COG's goals, strategies, and processes for providing the public and stakeholders with opportunities to be involved in the regional planning process. When we discuss "the public," we are referring to any person who lives, works, or plays in the region. When we use the word "stakeholder," we are describing someone affiliated with an entity that has an official role in the regional transportation planning process. Fresno COG also benefits from the sustained participation of "interested parties" who may not have an official role or responsibility in the regional transportation planning process but who provide valuable input and feedback on SCAG's projects and programs. This can include representatives of the private sector such as a chamber of commerce or representatives of an environmental advocacy organization.

GUIDING PRINCIPLES FOR FRESNO COG'S PUBLIC OUTREACH

Meaningful public participation is a cornerstone of regional planning and one of Fresno COG's key priorities. In all community engagement work, the agency holds itself to high standards according to Fresno COG's core values of transparency, leading by example and creating positive impacts in the region.

Regardless of how communication technologies and specific tools for engagement continue to evolve, Fresno COG is committed to following these outreach principles:

1. Include and engage impacted communities early and often
2. Administer a transparent and clearly communicated process for public participation
3. Ensure that opportunities for public involvement are accessible to all communities
4. Provide information that is clear, concise and current, making use of visualization and other techniques to enhance understanding
5. Remove barriers to participation with a welcoming program open to people who live with disabilities, have limited English proficiency, or may experience other obstacles.
6. Respect and consider all feedback received from members of the public, interested parties and stakeholders
7. Adapt new communication strategies and technologies for public outreach
8. Provide engagement opportunities that meet and exceed statutory requirements to ensure broad participation in Fresno COG's planning activities
9. Demonstrate how public input is incorporated in Fresno COG's plans, programs and policies
10. Conduct periodic review of the procedures and strategies contained in this plan

LAWS THAT GUIDE FRESNO COG'S PUBLIC PARTICIPATION PROCESS

Fresno COG, as a public agency and MPO, is subject to federal and state requirements which emphasize providing continuous and equitable opportunities for public involvement. Below is an overview of the major requirements for Fresno COG's public outreach. A detailed description of each is available in Appendix C.

Federal Requirements

- **Federal Metropolitan Planning Law and Regulations**, 23 USC 134 et seq. and 23 CFR Part 450 et seq.
- **Federal Clean Air Act of 1970**, 42 USC 85 and 40 CFR Parts 50-99.
- **Title VI of the Civil Rights Act of 1964**, prohibits discrimination on the basis of race, color or national origin in carrying out planning and programming activities. It also encourages public participation and the soliciting of public feedback during the transportation planning process. As well as collaboration among State and local governments and Indian Tribes; and participation of interested persons.
- **Infrastructure Investment and Jobs Act (IIJA)**, Public Law as passed by Congress and signed by President Joseph R. Biden, Jr. on November 15, 2021.
- **Americans with Disabilities Act of 1990**, 42 USC 126 and 49 CFR 27.19.
- **Executive Order 12372 — Intergovernmental Review of Federal Programs**, signed July 14, 1982, by President Ronald Reagan.

- **Executive Order 12898** — Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Signed February 11, 1994, by President William J. Clinton.
- **Executive Order 13166** — Improving Access to Services for Persons with Limited English Proficiency. Signed August 11, 2000, by President William J. Clinton.
- **Executive Order 13175** — Consultation and Coordination with Indian Tribal Governments

State Requirements

- **Ralph M. Brown Act**, passed in 1953, guarantees the public’s right to attend and participate in meetings of local legislative bodies.
- **Senate Bill 375**, enacted in 2008, requires SCAG to develop a Sustainable Communities Strategy as part of the Regional Transportation Plan. [LINK](#)
- **Assembly Bill 52**, enacted in 2012, amended CEQA to create a separate category for cultural resources and established a notification and consultation process with affected Tribes.
- **California Environmental Quality Act (CEQA)**, passed in 1970, requires public agencies and local governments to evaluate and disclose the environmental impacts of projects or other major land use decisions, and to limit or avoid those impacts to the extent feasible.
- **California Public Records Act**, adopted in 1968, requires disclosure of records to the public upon request unless otherwise exempt.
- **Caltrans Current Regional Transportation Plan Guidelines for Metropolitan Planning Organizations** These guidelines offer a comprehensive framework for adhering to RTP/SCS federal and state requirements. [LINK](#)

Other Requirements

Other federal and state laws call on Fresno COG to involve, consult with and notify the public in its decisions. Fresno COG complies with all other public notification requirements set forth by state and federal laws.

Chapter 2 – Project or Plan-Specific Public Participation Requirements

There are two key transportation initiatives specially called out in Federal law as needing early and continuing opportunities for public participation. The Regional Transportation Plan (RTP) and the Federal Transportation Improvement Program (FTIP) which are linked together. The long-range RTP prioritizes and guides all Fresno County transportation development over 20-25 years, while the FTIP is the short-term programming document that identifies funding for those programs and projects in the RTP.

Because of its comprehensive, long-term vision, the RTP provides the earliest and the best opportunity for interested residents and public agencies to influence Fresno COG policy and investment priorities for Fresno County transportation. It is at this stage where investment priorities and major planning-level project design concepts are established, and broad, regional impacts of transportation on the environment are addressed.

It is critical that residents and public agencies comment and provide other input during the RTP development. It is a long-term vision for a community and there must be opportunities for influence early in the planning stages. There is comparatively less value for separate public participation for the FTIP, which is a programming document that identifies funding for only those programs and projects that are already included in the RTP.



An easy way to become involved in the development of Fresno COG’s RTP and the FTIP is to sign up to receive updates from Fresno COG. MTC also has a dedicated mailing list for RTP and FTIP communications. To receive updates, contact Fresno COG’s Public Information Officer at comment@fresnocog.org or (559) 233-4148 and request to be added to the RTP or TIP email distribution lists.

REGIONAL TRANSPORTATION PLAN (RTP)

The RTP is a comprehensive blueprint for transportation investment (transit, highway, local roads, bicycle and pedestrian projects) that establishes the financial foundation for how the region pays for its surface transportation system, setting the policy on how projected revenues are to be spent. The RTP is generally updated every four years, with a limited number of amendments as needed. Because of its comprehensive, long-term vision, the RTP provides the earliest and the best opportunity for interested residents and public agencies to influence Fresno COG’s policy and investment priorities for Fresno County

transportation. It is at this early RTP development stage where investment priorities and major planning-level project design concepts are established, and broad, regional impacts of transportation on the environment are addressed.



Under California Senate Bill (SB) 375 (Steinberg, Chapter 728, 2008 Statutes), the RTP must include a SCS to integrate planning for growth and housing with long-range transportation investments, including goals for reducing greenhouse gas emissions for cars and light trucks. SB 375 mandates that MPOs must meet certain GHG reduction standards set by the Air Resources Board. Fresno COG, along with other San Joaquin Valley MPOs, have worked diligently on meeting those targets through the use of an integrated land use, transportation, and housing plan. The goal is to have greenhouse gas

emissions reduced to 2012 levels by 2040. Air quality conformity findings are distributed for a 30-day public comment period, and a public hearing is held by the Fresno COG Policy Board to elicit public input. All applicable posting requirements are followed.

Opportunities for public participation for the RTP are different for RTP updates versus RTP amendments. RTP updates include significant revisions to the RTP document, while RTP amendments are generally specific to project scopes, schedules, or costs. Fresno COG's commitment to public outreach is highlighted in blue, following descriptions of the amendment types.

Regional Transportation Plan Update Public Participation

This is a complete update of the most current long-range RTP, which is prepared pursuant to state and federal requirements. The RTP update reflects reaffirmed or new planning priorities and changing projections of growth and travel demand based on a reasonable forecast of future revenues. As necessary, Fresno COG prepares two technical companion documents for RTP updates: a program-level Environmental Impact Report per California Environmental Quality Act (CEQA) guidelines, and transportation air quality conformity analyses (to ensure clean air mandates are met) per Federal Clean Air Act requirements. Certain revisions to the RTP may warrant a revision or update to these technical documents.

Both RTP and SB 375 updates call for separate public participation plans that specifically address outreach for the RTP and the SCS. Appendix A includes Fresno COG's RTP/SCS Public Outreach Strategy that details the extensive public consultation and participation strategies Fresno COG will use to communicate with the Fresno County region's residents, public agency officials and stakeholder groups over many months, including them in the transportation planning process from beginning to end. This program will help ensure that environmental justice issues are addressed and that interested members of the public have

ample opportunity to understand and provide meaningful input while the RTP is in its early stages and throughout the planning process.

Public Participation Process for a Fresno COG RTP Update

1. Prepare an RTP/SCS public outreach plan as an appendix to the updated agency Public Participation Plan to provide early and continuing opportunities to comment
2. Review public participation plan with the public and advisory groups during 45-day review and comment period
3. Implement public outreach and engagement program, which may include:
 - a. Numerous targeted in-person and/or virtual workshops/meetings with local governments, partner agencies, advisory groups, and the general public
 - b. Opportunities to participate online and/or by phone, such as web- and text-based surveys, webinars, statistically valid telephone poll, etc.
 - c. Posting plan-related documents to the web for public review and comment throughout the update process
 - d. Making documents available for viewing by appointment at the Fresno COG office
4. Notify the public of opportunities to participate using e-mail announcements and newsletters, mailers, press releases, web postings, Fresno COG's social media channels, etc.
5. Conduct intergovernmental consultation, as required and as appropriate
6. Conduct interagency consultation, as appropriate, based on Air Quality Conformity Protocol
7. Post draft plan to the Plan Fresno and Fresno COG websites and release for at least a 55-day public review period as required for the SCS:
 - a. Hold at least three public hearings
 - b. Respond to comments
 - c. Provide an additional review and comment opportunity of five days if the final RTP differs significantly from the draft plan and raises new material issues
8. Adoption by the Fresno COG Policy Board at a public meeting
9. Post final RTP/SCS and accompanying documents to Fresno COG's websites
10. Notify the public about the Policy Board action via electronic mailings

Regional Transportation Plan Amendment Public Participation

An amendment is a major revision to a long-range RTP, including adding or deleting a project, major changes in project costs, initiation dates, and/or design concept and scope (e.g., changing project locations, open to traffic dates, or the number of through traffic lanes).

An amendment requires public review and comment, demonstration that the project can be completed based on expected funding, and/or a finding that the change is consistent with Federal transportation conformity mandates. Amendments that require an update to the air quality conformity analysis will be subject to conformity and interagency consultation procedures. Changes to projects that are included in the financially unconstrained portion of the RTP (as information only) do not require an amendment.

Public Participation Process for a Fresno COG RTP Amendment

1. Release proposed amendment for a 30-day public review period:
 - a. Notify the public of opportunities to participate using e-mail announcements/newsletters, mailers, press releases, web postings and/or Fresno COG's social media channels
 - b. Post amendment on Fresno COG's website for public review.
 - c. Make amendment available for viewing by appointment at the Fresno COG office
2. RTP Amendment reviewed at a public meeting of the Fresno COG Policy Board
3. Approval by the Fresno COG Policy Board at public meetings
4. Post approved RTP Amendment on the websites
5. Notify the public about the Board action via electronic mailings

Regional Transportation Plan Administrative Modification Public Participation

This is a revision to the RTP for minor changes to project/project phase costs, or funding sources and/or initiation dates. An administrative modification does *not* require public review and comment, demonstration that the project can be completed based on expected funding, nor a finding that the change is consistent with federal transportation conformity requirements. Changes to projects that are included in the financially unconstrained portion of the RTP (as information only) do not require an amendment.

Public Participation Process for a Fresno COG RTP Amendment

1. No formal public review
2. Approval by Fresno COG's Executive Director
3. Fresno COG RTP Administrative Modification posted on the websites following approval

FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP)

The Federal Transportation Improvement Program (FTIP) implements the policy and investment priorities expressed by the public and adopted by Fresno COG in the Regional Transportation Plan (RTP). In this way, public comments made as part of the RTP are reflected in the FTIP as well. The FTIP covers a four-year timeframe, and all projects included in the FTIP must be consistent with the RTP. The FTIP is a comprehensive listing of Fresno County Area surface transportation projects — including transit, highway, local roadways, bicycle, and pedestrian investments that:

- Receive Federal funds, or are
- Subject to a Federally required action, or are
- Regionally significant, for Federal air quality conformity purposes.

The FTIP includes a financial plan that demonstrates there are enough revenues to ensure that the funds committed (or “programmed”) to the projects are available to implement the projects or project phases. FTIP adoption also requires a finding of conformity with Federal transportation-air quality conformity mandates. The FTIP is updated every two years, with amendments occurring as needed. For FTIP amendments, FHWA identifies six types, each with specific participation requirements.

Expedited Project Selection Procedures (EPSP) allows eligible projects to be moved between FTIP fiscal years if the project cost and scope do not change. Fresno COG staff is Federally authorized to use EPSP without additional State or Federal approval. Fresno COG does not require a formal public participation process for EPSP actions. A more detailed description of the EPSP Policy is available from Fresno COG staff upon request and is incorporated into the FTIP document.

Grouped Project Detailed Listing

Federal rules allow Metropolitan Planning Organizations (MPOs) to group or combine projects that are not considered to be of appropriate scale for individual listing. Such grouped projects are often referred to as such, also previously referred to as “Lump Sums”. Fresno COG uses this ability to program grouped projects within the FTIP. Such projects may be grouped by function (e.g., bike lanes), work type (e.g., maintenance), or geographical area. Once grouped, the MPO is required to maintain, outside of the FTIP, a detailed list of the projects contained in each group called a “Grouped Project Detailed Listing”.

Modifications to the projects or costs within the Grouped Project Detailed Listings are conducted on an as needed basis and do not require a formal public participation process. However, any changes to the overall grouped project costs or scope are done in accordance with the amendment types below. Grouped Project Detailed Listings are made available through the Fresno COG website and distributed to Caltrans and FHWA.

FTIP Technical Correction

Technical corrections may be made by Fresno COG staff as necessary. Technical corrections are not subject to an administrative modification or an amendment and may include revisions such as: changes to information and projects that are included only for illustrative purposes; changes to information outside of the FTIP period; changes to information not required to be included in the FTIP per federal regulations; or changes to correct simple errors or omissions, including data entry errors. These technical corrections cannot significantly impact the cost, scope, or schedule within the FTIP period, nor will they be subject to a public review and comment process, re-demonstration of fiscal constraint, or a conformity determination.

Public Participation Process for a Fresno COG FTIP Technical Correction

1. No public review
2. Technical corrections made by staff
3. Post on Fresno COG's websites
4. Make available for viewing by appointment at the Fresno COG Offices

FTIP Amendment Type 1 – Administrative Modifications

Administrative modifications include minor changes to project cost, schedule, or funding sources. Administrative modifications do not require published public notices, public review and comment or a public hearing, except for certain types of Federal Transit Administration projects, which must go through a formal amendment process. Administrative modifications only require approval by Fresno COG (**see below). State and Federal agencies are notified, but do not take approval action on administrative modifications. Administrative modifications do not require re-demonstration of fiscal constraint or conformity determination. These modifications are posted on Fresno COG's website at the time of action and are later posted on Caltrans website.

***Consistent with the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) letter dated June 7, 2011, Fresno COG has the discretion to delegate authority to the Executive Director to approve FTIP Administrative Modifications to the Federal State Transportation Improvement Program (FSTIP) consistent with approved FSTIP/FTIP Administrative Modification and Amendment Procedures. Such delegation of authority was granted as part of Fresno COG's Resolution No. 2011-25 which was reaffirmed on April 26, 2012 and approved by Caltrans on May 11, 2012. The following procedures apply to this delegation of authority: Fresno COG will send copies of the approved administrative modification to Caltrans, FHWA, and FTA. Once the administrative modification is approved by Fresno COG, the administrative modification will be deemed part of the Federal State Transportation Improvement Program (FSTIP). Fresno COG will demonstrate in a subsequent

amendment that the net financial change from each administrative modification has been accounted for. Caltrans will conduct periodic reviews of Fresno COG’s administrative modification process to confirm adherence to the procedures. Noncompliance with the procedures will result in revocation of the MPO’s delegation.

Public Participation Process for a Fresno COG FTIP Type 1 Amendment

1. No public review
2. Approval by Fresno COG Executive Director or designee by delegated authority (authority is delegated by the Federal Highway Administration/Federal Transit Administration), or Caltrans.
3. Post on Fresno COG’s websites
4. Make available for viewing by appointment at the Fresno COG Offices

FTIP Formal Amendment Type 2 – Funding Changes

Type 2 amendments primarily include project cost changes that are greater than minor changes identified under Administrative Modification procedures. Type 2 amendments require approval by Fresno COG, Caltrans, and FHWA. A publicly accessible notification of a Type 2 amendment is posted on Fresno COG’s website at least seven days prior to action and distributed to local agency partners through Fresno COG’s standing committees.

Public Participation Process for a Fresno COG FTIP Type 2 Amendment

1. Post on Fresno COG’s websites 7 days prior to action and make available for viewing by appointment at the Fresno COG Office
2. Respond to significant material comments pertinent to the FTIP; include Fresno COG’s response in an appendix in the final FTIP
3. Approval by Fresno COG Executive Director or designee by delegated authority (authority is delegated by the Federal Highway Administration/Federal Transit Administration), or Caltrans.
4. Approval by Caltrans, Approval by FHWA and FTA

FTIP Formal Amendment Type 3 – Exempt Projects

Type 3 amendments primarily include adding or deleting projects that are exempt from regional air quality emissions analyses. These amendments typically include transit or safety projects. Type 3 amendments require approval by Fresno COG, Caltrans, and FHWA. Public notification of a Type 3 amendment is posted on Fresno COG’s website at least seven days prior to action and distributed to local agency partners through Fresno COG’s standing committees.

Public Participation Process for a Fresno COG FTIP Type 3 Amendment

- 1 Post on Fresno COG's websites 7 days prior to action and make available for viewing by appointment at the Fresno COG Office
- 2 Respond to significant material comments pertinent to the FTIP; include Fresno COG's response in an appendix in the final FTIP
- 3 Approval by Fresno COG Executive Director or designee by delegated authority (authority is delegated by the Federal Highway Administration/Federal Transit Administration), or Caltrans.
- 4 Approval by Caltrans, Approval by FHWA and FTA

FTIP Formal Amendment Type 4 – Conformity Determination that Relies on a Previous Regional Emissions Analysis

Type 4 amendments primarily include adding or deleting non-exempt projects that have already been appropriately modeled for air quality purposes as part of the adopted RTP/SCS. In this case, the federal approving agencies can use a previous analysis of the project's impact on air quality for approval purposes. Type 4 amendments may be accompanied by an RTP/SCS amendment to maintain consistency. The FTIP amendment and RTP/SCS Amendment (if applicable) follow the same public process. Type 4 amendments require approval by Fresno COG, Caltrans, and Federal Highways (FHWA) and Federal Transit Administration (FTA).

Public Participation Process for a Fresno COG FTIP Type 4 Amendment

1. Release for 30-day public review and comment period
 - a. Legal notice and hosting of a public hearing
 - b. Post on Fresno COG's websites
 - c. Make available for viewing by appointment at the Fresno COG Office
 - d. Publish amendment information as part of publicly available Fresno COG standing committee agendas: TTC, PAC and Policy Board
2. Respond to significant material comments pertinent to the FTIP; include Fresno COG's response in an appendix in the final FTIP
3. Review by Fresno COG's TTC and PAC standing committees at a public meeting; refer to Policy Board for final adoption
4. Adoption by the Policy Board at a public meeting
5. Approval by Caltrans
6. Approval by FHWA and FTA

FTIP Formal Amendment Type 5 – Conformity Determination and New Regional Emissions Analysis

Type 5 amendments are the highest-level amendment and primarily involve adding or deleting new non-exempt projects that must be modeled for air quality purposes as part of the RTP/SCS. These amendments require an air quality conformity document that demonstrates conformity with applicable air quality requirements and a new regional emissions analysis. It is also used when a non-exempt, regionally significant project makes a change to either the design concept, scope or conformity analysis completion year that is not consistent with the existing regional emissions analysis. The FTIP amendment, air quality conformity document, and RTP amendment (if applicable) follow the same public process. Type 5 amendments require approval action by Fresno COG’s Policy Board, Caltrans, Federal Highways (FHWA) and Federal Transit Administration (FTA).

Public Participation Process for a Fresno COG FTIP Type 5 Amendment

1. Release for 30-day public review and comment period
 - a. Legal notice and hosting of a public hearing
 - b. Post on Fresno COG’s websites
 - c. Make available for viewing by appointment at the Fresno COG Office
 - d. Publish amendment information as part of publicly available Fresno COG standing committee agendas: TTC, PAC and Policy Board
2. Respond to significant material comments pertinent to the FTIP; include Fresno COG’s response in an appendix in the final FTIP
3. Review by Fresno COG’s TTC and PAC standing committees at a public meeting; refer to Policy Board for final adoption
4. Adoption by the Policy Board at a public meeting
5. Approval by Caltrans
6. Approval by FHWA and FTA

FEDERAL TRANSIT ADMINISTRATION PROGRAM OF PROJECTS PUBLIC PARTICIPATION REQUIREMENTS

As required by Federal law and guidance, a Program of Projects (POP) for Federal Transit Administration (FTA) projects must be developed by the designated recipient of FTA funds. The POP is a list of proposed FTA-funded projects that must undergo a public review process. Guidance allows the FTIP to function as the POP if the public is notified through public notice that the FTIP public review process satisfies the public participation requirements of the POP. Once the FTIP is approved, the document will function as the POP for recipients of FTA funds in the Fresno COG region. Fresno COG's public participation process for the FTIP is intended to satisfy the funding recipients' public participation process for their POP.

This Public Participation Plan follows the procedures for public involvement associated with the FTIP development, and therefore satisfies public participation requirements for the POP. All public notices of public involvement activities and times established for public review and comment on the FTIP will state that they satisfy the POP requirements of FTA programs such as Section 5307, Section 5337, and Section 5339 Programs.

ANNUAL LISTING OF OBLIGATED PROJECTS

By federal requirement, at the end of each calendar year Fresno COG publishes an annual listing of obligated projects, which is a record of project delivery for the previous year. The listing is also intended to increase awareness of government spending on transportation projects to the public. Copies of this annual listing may be obtained from Fresno COG's web site at www.fresnocog.org. Hard copies are also available upon request by contacting the Fresno COG office at (559) 233-4148 or by emailing info@fresnocog.org.

AIR QUALITY CONFORMITY PUBLIC AND INTERAGENCY CONSULTATION

Fresno COG provides opportunities for early coordination with appropriate agencies and the public in determining the type of environmental review documents an action requires, the scope of the document, the level of analysis, and related environmental requirements. This involves exchanging information from a proposal for action to preparation of the environmental review documents.

A dialogue between agencies regarding air quality transportation conformity considerations takes place in certain instances prior to Fresno COG adopting its RTP/SCS or FTIP. These consultations are conducted through the San Joaquin Valley Interagency Consultation Group, which includes representatives of the U.S. Environmental Protection Agency, FHWA, FTA, the California Air Resources Board (CARB), the San Joaquin Valley Air Pollution Control District, the eight San Joaquin Valley MPOs, and Caltrans Headquarters and District 6 office. These agencies review updates and, in certain instances, amendments to the RTP/SCS and FTIP to ensure they comply to federal transportation conformity regulations via air quality transportation conformity analysis.

INTERGOVERNMENTAL REVIEW VIA REGIONAL AND STATE INFORMATION CLEARINGHOUSES

The intent of intergovernmental review, per Executive Order 12372, is to ensure that the Fresno region's federally funded or assisted projects do not inadvertently interfere with state and local plans and priorities. Applicants in Fresno County with programs/projects for intergovernmental review should submit documentation to Fresno COG and/or the State Clearinghouse in Sacramento (as required by Executive Order 12372), which are responsible for coordinating state and local review of applications for federal grants or loans under state-selected programs. In this capacity, it is also the function of the State Clearinghouse to coordinate state and local review of federal financial assistance applications, federally required state plans, direct federal development activities, and federal environmental documents. The purpose is to afford state and local participation in federal activities occurring within California. The executive order does not replace public participation, comment, or review requirements of other federal laws — such as the NEPA— but gives the states an additional mechanism to ensure federal agency responsiveness to state and local concerns.

OVERALL WORK PROGRAM (OWP)

The OWP is a critical document that details Fresno COG's scheduling and distribution of work, especially the allocation of resources needed to address each task required of Fresno COG. In effect, the OWP constitutes a set of instructions for planning and programming work to be carried out by staff or consultants each year. Fresno COG staff works with local agencies, Caltrans, other transportation planning agencies, other public and private associations, and the public independently and through committees to develop the program. A draft of the OWP is taken through the Fresno COG committee process with a final adoption by the Policy Board. Staff and the Board usually begin to gather public input on the OWP in the Spring of each year.

UNMET TRANSIT NEEDS (UTN) ASSESSMENT

Each year, pursuant to the Transportation Development Act (TDA) requirements, Fresno COG, as the RTPA and MPO for Fresno County, is required to identify any unmet transit needs that may exist in the Fresno County region. Should any unmet transit needs be identified, a further determination must be made to establish whether those needs are reasonable to meet. In accordance with state law, TDA funds must be allocated first to unmet transit needs that are found to be reasonable to meet before any remaining funds can be distributed to local jurisdictions for non-transit purposes. At the conclusion of each UTN process, the Fresno COG Policy Board must adopt a resolution making one of the following three findings: there are no unmet transit needs; there are no unmet transit needs that are reasonable to meet; or there are unmet transit needs, including transit needs that are reasonable to meet. Under TDA regulations, the UTN assessment must include the following elements:

1. An annual assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged, including, but not limited to, the elderly, the handicapped, including individuals eligible for paratransit and other special transportation services, and persons of limited means, including, but not limited to, recipients under the CalWORKs program;
2. An analysis of the adequacy of existing public transportation services and specialized transportation services, including privately and publicly owned services; and
3. An analysis of the potential alternative public transportation services and specialized transportation services, including privately and publicly owned services.

To further implement the UTN assessment process, the Fresno COG Policy Board has adopted definitions for both “unmet transit need” and “reasonable to meet” that are reviewed every five years in compliance with the TDA requirements. All unmet transit needs received during the annual UTN Assessment process are reviewed by the Social Services Transportation Advisory Council (SSTAC).

Public participation is an important component in the UTN assessment process. The TDA requires Fresno COG to hold at least one public hearing to receive public input regarding potential unmet transit needs in the region. Although the TDA only requires Fresno COG to hold one public hearing, staff goes beyond the minimum requirements to provide public hearings throughout the region, as well as to make presentations about the unmet transit needs process to seniors at meal sites, community groups, and the legislative bodies of local jurisdictions. Public hearings are typically held during a regularly scheduled meeting of the Policy Board. Public notice of the hearing, including the date, time, location, and specific purpose is provided at least 30-days in advance of the meeting through publication in one or more newspapers of general circulation, including a Spanish language publication. Written notification is also provided to those persons and organizations (over 400) that have indicated an interest in the unmet transit needs process, including the private social service agencies and public transit operators that are represented on the SSTAC.

Public hearings are held to give the public opportunity to identify potential unmet transit needs in the region. After the conclusion of a hearing(s), a report is prepared that addresses the three required UTN assessment elements listed above, analyzes any identified unmet transit need for the “reasonable to meet” threshold, and provides a recommended finding for the Policy Board. Any comments received after the public hearing, or during the Policy Board’s hearing to adopt the UTN finding, are assessed during the subsequent year’s UTN assessment process.

Chapter 3 – Additional Fresno COG Public Participation Policies

The following requirements will apply as deemed appropriate by Fresno COG's management staff and Policy Board Chair:

1. As required, a public notice will be placed in the legal advertising sections of at least one newspaper of general circulation within the affected community, including a Spanish-language publication when possible.
2. Fresno COG shall provide appropriate assistance, auxiliary aids, a translator/interpreter for non-English speaking and hearing-impaired individuals and/or services when necessary if requested three working days in advance of a meeting. If Fresno COG is unable to accommodate a request for a public hearing, then the hearing will be continued on a specified date when accommodation is available. Fresno COG staff is available to speak with members of the public in English and Spanish and may be available in additional languages. After calling Fresno COG's main line phone number, 559-233-4148, an English or Spanish option is given to each caller. Select your preference. Then, when prompted, dial 0 for the operator who will connect you to a bilingual staff member. To request assistance via email, send your request to <mailto:info@fresnocog.org>.
3. Fresno COG's websites all maintain links to a translation service for information contained on the site.
4. Meeting agendas and minutes are available on Fresno COG's Agenda Builder website at <https://agendas.fresnocog.org/>. Agendas are also posted at meeting locations at least 72 hours before regular meetings of advisory or standing committees, or 24 hours before special meetings. Fresno COG circulates emails links to annotated agendas with supporting documents to all committee members and support staff. The Brown Act (CA Government Code 54954.1) also states that any person may request a copy of the agenda or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. That request is valid for the calendar year in which it is filed and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which shall not exceed the cost of providing the service.
5. Public hearings will be held prior to a decision point as a formal means to gather citizen comments and positions from all interested parties. Fresno COG hearings are required for the adoption of major plans, programming of money and for the annual Unmet Transit Needs analysis. Notices for public hearings will be published in a general circulation newspaper. Fresno COG will accept prepared comments from the public during the period between the notice and hearing date. These comments will be considered part of the public record. Also, during this period, Fresno COG staff will accept questions and provide clarification on issues raised by the public.

Fresno COG's media list includes the following media types:

- newspaper
 - radio
 - magazine
 - online / social media
 - television
 - appropriate community, business or government publications and contacts serving Fresno County
6. If major amendments are made to any plans or programs during the review and comment period, the plan(s) will be made available for an additional 30-45-day public review and comment period prior to final adoption. Such changes shall also be posted on the Fresno COG website as deemed necessary in the relevant project area or agenda prior to final adoption.
 7. For high-profile projects/plans, Fresno COG may form an ad-hoc advisory committee specific to that plan or project, or determine what, if any, existing committees would appropriately review the plan or project.



Chapter 4 – Consultation and Coordination

As the Metropolitan Planning Organization (MPO) for the Fresno County region, Fresno COG needs to consult with groups and agencies responsible for other types of planning activities that are affected by transportation, and other agencies such as Indian tribal governments. Title 23 CFR part 450 requires that MPOs shall consult, as appropriate, with state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (November 6, 2000), establishes regular and meaningful consultation and collaboration with tribal officials in developing federal policies with tribal implications to strengthen government-to-government relationships with Indian tribes and to reduce unfunded mandates upon local tribes.

BOTTOM-UP PLANNING AND INTERAGENCY CONSULTATION

Fresno COG's monthly standing committees (Transportation Technical Committee, Policy Advisory Committee and Policy Board) include members appointed to represent the 15 local governments in the Fresno County region. Further, the numerous subcommittees, technical advisory committees and working groups facilitate Fresno COG's ability to provide a framework for ground-up planning and more frequent and ongoing participation by interested parties at all stages of the process.

RTP AND FTIP CONSULTATION

Crucial decisions, whether to support or fund a transportation program or project in the region, are made in developing the RTP/SCS. In contrast, the FTIP defines project budgets, schedules and phasing for those programs and projects that are already part of the RTP/SCS. The FTIP does not provide any additional information regarding environmental impacts beyond those found in the program-level environmental analysis prepared for the RTP/SCS. Further environmental review occurs at the project delivery agency or jurisdiction with a project-specific environmental impacts report.

Starting at the RTP/SCS development stage, Fresno COG staff concurrently consults with appropriate agencies regarding the FTIP. Fresno COG consults extensively with many agencies in preparing the RTP/SCS. For the FTIP, this consultation includes:

- Communication of the schedule of upcoming amendments and FTIP adoption;
- Special workshops;
- Agency coordination reviewing preliminary draft documents before releasing them for public review;
- Presentations on the draft formal amendments to standing committees and the Policy Board.

NATIVE-AMERICAN TRIBAL GOVERNMENT CONSULTATION

Fresno COG is committed to consulting with the region's federally recognized Tribal governments on RTP and the FTIP as well as in projects of priority to Tribes. However, Fresno COG encourages the Tribes to request government-to-government consultation at any time and on any project, program, action, or decision. Fresno COG will participate in government-to-government consultation with Tribal governments and will conduct consultation and/or engagement activities in locations convenient for the Tribal governments.

The groundwork for engagement and consultation with our region's Tribal governments will occur early in an engagement process and will be conducted according to Tribal preference. Fresno COG commits to conducting individual meetings with each Tribe, upon request. Federal and State law require local agencies to consult with Federally recognized tribal governments prior to making transportation decisions, taking actions, or implementing programs that may impact their communities. This activity is separate from and precedes the public participation process. Therefore, Fresno COG adopted a Tribal Consultation Plan to guide these consultation efforts. The plan is included in this document as Appendix C.

Fresno COG consults with tribal governments on an ongoing basis, not only on individual projects. FCOG strives to keep open communication with tribes to facilitate better relationships and better reflect tribes' viewpoints and needs in regional planning documents and projects. The Native American tribes in Fresno County receive the following information by telephone, mail, email, or in-person visits: the Fresno County Transportation Guide, the Regional Directory, newsletters, workshop invitations, grant notices, requests to participate in program guidelines development, working groups and scoring committees.

Fresno COG will continue the outreach activities for Native American tribes as well as seek new ways to enhance the government-to-government relationship between Fresno COG and the Native American tribal governments. Fresno COG will make every effort to consult and involve the Native American tribes in developing plans and programs, including, but not limited to the short and long-range transit plans and the Federal Transportation Improvement Program. Fresno COG will consult with federal land management agencies and federally recognized Native American tribal governments when preparing planning studies and programs affecting the agency and tribe by:

- Initiating consultation from the Executive Director or his/her designee to the agency and tribal chairperson.
- Offering to meet to discuss federal agency and tribal needs and concerns regarding impacts within their jurisdictions prior to beginning the planning process. If the agency, tribal chairperson and/or their representatives elect not to meet, Fresno COG will send a copy of the draft report for their review.

- Consulting with agencies and tribal governments while developing the RTP, addressing agency and tribal concerns regarding impacts within their jurisdiction and again prior to adoption of the RTP.
- Inviting agency and tribal representatives to public meetings.

Planning Documents requiring consultation

- Federal Transportation Improvement Program (FTIP)

The FTIP is a financially constrained multimodal transportation planning program developed by the MPO through its member agencies and in cooperation with state and federal agencies.

- Federal Statewide Transportation Improvement Program (FSTIP)

The FSTIP is a statewide multimodal program of transportation projects proposed for federal funding. This includes all projects that are deemed regionally significant and contains MPOs' FTIP documents and a list of rural non-MPO projects.

- Regional Transportation Improvement Program (RTIP)

The Regional Transportation Improvement Program (*RTIP*) is a document that details the transportation projects including highways, local roads, transit and active transportation that the region will fund with state and federal revenues.

- Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

The RTP is a long-range transportation plan that is developed and updated by Fresno COG every four years. The RTP provides a vision for transportation investments throughout the region; the SCS is a required element that integrates land use and transportation strategies to achieve emissions reduction targets.

- Overall Work Program (OWP)

The OWP identifies transportation-related planning projects and studies (called work elements) undertaken by Fresno COG and describes programs, budgetary and staffing requirements for Fresno COG. The OWP is a requirement for metropolitan transportation planning activities performed with federal funds provided under 23 USC and 49 USC 53.

Unmet Transit Needs Assessment requiring consultation by Transit Operators

- Transit operators initiate consultation and invitation to the unmet transit needs hearing from the transit operator or his/her designee to tribal chairperson with copies to the CEO, Administrator, and cultural department representatives, and offer to meet to discuss the tribe's transit needs and concerns.

Federally Recognized Tribes

Big Sandy Rancheria Tribe
Tom Zizzo, Tribal Administrator
P.O. Box 337
37387 Auberry Mission Rd
Auberry, CA 93602
(559) 374-0066 ext. 237 (559) 855-4129
TZizzo@bsrnation.com

Cold Springs Rancheria
Carol Bill, Chairperson
P.O. Box 209
Tollhouse, CA 93667
(559) 855-5043

Table Mountain Rancheria
Samuel Elizondo, Tribal Administrator
P.O. Box 410
Friant, CA 93626
(559) 325-0384
selizondo@tmr.org

Non-Federally Recognized Tribes

There are several non-federally recognized tribes in California that are active in transportation issues. Federal law does not require government-to-government consultation on projects with non-federally recognized tribes; however, California law AB 52 requires consultation on tribal cultural resources under CEQA. In addition, non-federally recognized tribes are generally considered a minority group, and federal executive orders require consultation with minority or disadvantaged groups. Presidential Executive Order 12898 about Environmental Justice places special emphasis on coordination with these groups.

Chapter 5 – Opportunities for Public Engagement

GET INVOLVED: SIGN UP FOR FRESNO COG'S CONTACT DATABASE

Want to keep up with what is happening at Fresno COG? Sign up to receive Fresno COG's monthly e-newsletter entitled "Coming Up at Fresno COG" or other topic specific notifications. Contact Fresno COG's Public Information Office online at info@fresnocog.org, or call 559-233-4148, and ask to be included on one of Fresno COG's notification contact databases.

GET INVOLVED: WEBSITES

Fresno COG's main website is <https://www.fresnocog.org/>. Updated daily, the site provides information about Fresno COG's projects and programs, the agency's structure, governing body, committees, staff and upcoming public meetings, events, and workshops. It contains the names, e-mail addresses and phone numbers for staff and Policy Board members and all of Fresno COG's current planning and funding documents. It also includes important links to member government agencies as well as to other Fresno COG virtual sites, calendar, and agenda website.

Fresno COG also hosts two other websites. The <https://www.planfresno.com/> website holds all the RTP Update planning information and documentation. Fresno COG's commuter resource site, www.valleyrides.com

GET INVOLVED: COMMUNITY ENGAGEMENT HUB

Fresno COG's [Engagement Hub](#) is the online home for outreach and listening efforts that shape the future of our community. Using the PublicInput online software Fresno COG creates individual sites for plans or projects under construction. This enables COG to create custom locations for interested parties to find information, meeting links, timelines, resources, and how and where to get involved in specific planning efforts, then answer surveys and sign up to receive updates via text or email. It is accessible through Fresno COG's mail website under the "Get Involved" section.

GET INVOLVED: SOCIAL MEDIA

Another way to keep up with hot topics, events and comment opportunities is to follow Fresno COG on social media, including [Facebook](#), [YouTube](#), [LinkedIn](#) and [Instagram](#).

GET INVOLVED: ACCESSIBLE MEETINGS

All Fresno COG public meetings or events are held in locations accessible to persons with disabilities. Monthly meetings of the Policy Board and its standing committees take place at Fresno COG offices. Assistive listening devices or other auxiliary aids are available upon request. Sign-language interpreters, readers for persons with visual impairments, or language translators will be provided if requested through Fresno COG's Public Information (559-233-4148) at least three working days (72 hours) prior to

the meeting (five or more days' notice is preferred). A statement notifying the public of this policy is placed on each Fresno COG formal meeting agendas:

"The Fresno COG offices and restrooms are ADA accessible. Representatives or individuals with disabilities should contact Fresno COG at (559) 233-4148, at least three days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting / public hearing. If Fresno COG is unable to accommodate an auxiliary aid or translation request for a public hearing, after receiving proper notice, the hearing will be continued on a specified date when accommodations are available."

FRESNO COG BOARDS, COMMITTEES AND COMMISSIONS

Fresno COG provides the public with many opportunities for continuing involvement in the agency's work. Below are descriptions of each of Fresno COG's standing or advisory boards, committees, and commissions. They offer the organization an excellent opportunity for expanding public participation opportunities during the transportation planning process. This is accomplished not only by active membership but by presentations made before them and attendance at their open meetings. To find out more about each group, who staffs them and how to get involved with the work they are doing, contact the Fresno COG at 559-233-4148, email COG staff at info@fresnocog.org or read up on the committees on Fresno COG's website at www.fresnocog.org.



ACTIVE TRANSPORTATION PROGRAM MULTIDISCIPLINARY ADVISORY GROUP

The Active Transportation Program (ATP) Multidisciplinary Advisory Group (MAG) assists in developing and updating of the program guidelines and scoring criteria and participates in the evaluation of project applications. Participants have expertise in bicycling and pedestrian transportation, including Safe Routes to Schools projects, and in projects benefiting disadvantaged communities. The representatives are geographically balanced, representing tribal agencies, state agencies, Fresno COG, local jurisdictions in Fresno County, and non-governmental organizations. The MAG prioritizes and ranks the applications and ensures that 25% of available funds are dedicated to projects and programs benefiting disadvantaged communities as identified in the state guidelines and in the Fresno COG Regional Competitive ATP Guidelines. *The Committee meets on an as needed basis.*

AIRPORT LAND USE COMMISSION OF FRESNO COUNTY

The Airport Land Use Commission (ALUC) protects public health, safety and welfare by ensuring that orderly development and prevention of excessive noise and safety hazards around public use airports is followed in accordance with state and local laws. ALUCs establish the policies on land uses around the airport, ensuring they are compatible with airport operations. This is done on an advisory basis. ALUCs

also evaluate proposed local agency land use policy actions with relevant provisions outlined within the Fresno County Airport Land Use Compatibility Plan (ALUCP), reviewing land use plans and individual development projects to ensure they are within the noise and safety standards outlined in the adopted ALUCP. *The ALUC meets the first Monday of every other month at 2:00 pm.*

CONGESTION MANAGEMENT PROCESS (CMP) STEERING COMMITTEE

The CMP was developed to provide guidance to the congestion management process, which is required by the federal planning regulations. The CMP Steering Committee consists of representatives from the local cities/the County, Caltrans, transit operators, and the general public. The CMP Steering Committee has extensive technical expertise in traffic engineering, and provides advice on subjects such as traffic monitoring, traffic congestion, system performance, etc. The Committee works with Fresno COG on the CMP update, and reviews and approves important metrics such as performance measures, CMP network, etc. *The committee meets on an as needed basis.*

ENVIRONMENTAL JUSTICE SUBCOMMITTEE

The Environmental Justice Subcommittee, structured to serve as a subcommittee of Fresno COG's Transportation Technical Committee (TTC), assists Fresno COG staff in setting thresholds for environmental justice populations during the development of Fresno COG's Environmental Justice Plan. The subcommittee reports all advisory recommendations to the TTC through an environmental justice representative. Then the TTC's recommendations would be referred to the Policy Advisory Committee and Fresno COG Policy Board as needed. *They convene when Fresno COG staff, the TTC, the Policy Advisory Committee or the Fresno COG Policy Board request recommendations on items involving environmental justice populations.*

FRESNO COG POLICY BOARD

Policy decisions are made by the Fresno COG Policy Board. The board comprises the mayors of each incorporated city and the chairman of the County Board of Supervisors, or their designated elected representative. *The Policy Board meets on the last Thursday of each month at 5:30 p.m. at Fresno COG.*

MEASURE C CITIZEN OVERSIGHT COMMITTEE

The Measure C Citizen Oversight Committee was developed as an advisory body to the Fresno COG Board and the Fresno County Transportation Authority (FCTA), to inform the public and ensure that Measure C funding program revenues and expenditures are spent as promised to the public. Fresno COG and FCTA staff the Committee and provide technical and administrative assistance. *The Committee meets as deemed necessary on the second Thursday of each month at Fresno COG.*

MEASURE C TRANSIT ORIENTED DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The Measure C TOD Technical Advisory Committee (TAC) was formed to provide guidance to the development of the Measure C TOD program. The TOD program was established to encourage transit supportive land use and boost transit ridership. The TOD TAC developed the TOD program guidelines

and policies, which provides guidance for the annual award under the TOD program. The TOD TAC also makes recommendations for any revision or update related to the TOD program Guidelines and Policies. *The Committee meets annually.*

MEASURE C TOD SCORING COMMITTEE

The Measure C TOD Scoring Committee was created to provide funding recommendation for the Measure C TOD program. The Committee reviews the TOD grant applications, scores the projects, and makes funding recommendations to Fresno COG's TTC/PAC, and Policy Board. The TOD Scoring Committee consists of COG's member jurisdictions, Fresno County Transportation Authority (FCTA), transit operator, and public members. *The TOD Scoring Committee meets annually.*

POLICY ADVISORY COMMITTEE

The Policy Advisory Committee (PAC) comprises the chief administrative officer or city manager of each member agency or their designated representative. Except for urgency matters, all items must first be considered by the PAC before submission to the Policy Board. *The PAC meets on the second Friday of each month at 10 a.m. at Fresno COG.*

REGIONAL SAFETY COMMITTEE

The Regional Safety Committee was formed to provide guidance on the annual safety performance targets and the regional approach to address safety challenges in Fresno County. The Committee consists of representatives from the cities/County, Caltrans, bike/ped groups as well as transit agencies. *The Committee meets annually.*

REGIONAL TRANSPORTATION PLAN ROUNDTABLE

The Roundtable guides Fresno COG's Regional Transportation Plan while it is undergoing an update. RTPs must be updated every four years. However, it takes over two years to implement and complete the update process. The 40-member Roundtable is comprised of 16 representatives from each of Fresno COG's member agencies, 21 positions for public agencies and stakeholder groups, and three positions for those who represent the public at large. *The RTP Roundtable meets at 2:00 pm on the fourth Weds.*

RHNA SUBCOMMITTEE

The RHNA subcommittee comprises representatives from local governments and housing stakeholders in the region. The subcommittee will provide guidance and recommendation on the methodology of RHNA housing allocation as well as the development of RHNA plan. The subcommittee is an advisory body and makes recommendations to TTC/PAC and Policy Board. *The committee meets on an as needed basis.*

SB 743 TECHNICAL COMMITTEE

The SB 743 Technical Committee provides input to the Fresno County SB 743 regional guideline development process. The committee consists of representatives from local governments, Caltrans, transit agencies, development communities, traffic engineering consultants, and CEQA law firms. The local government representatives on the committee report back to their agencies on the regional recommendation and advise the local guidelines development process. *The committee meets on an as needed basis.*

SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

The Fresno COG Policy Board established its Social Service Transportation Advisory Council (SSTAC) in 1988 to review transit issues with emphasis on annually identifying transit needs within Fresno County. Transit needs include those of transit-dependent and transit-disadvantaged persons, including the elderly, disabled and persons of limited means. This Advisory Council is consistent with State law (SB 498, Chapter 673, 1987), which mandates both the purpose and minimum membership of this body. All SSTAC meetings are open to the public. Citizens can request to be placed on the mailing list to receive committee agendas. *SSTAC meets the third Tuesday of the month, January through June or as needed.*

TRANSPORTATION TECHNICAL COMMITTEE

The Transportation Technical Committee (TTC) serves as a standing committee that reviews materials and issues monthly before forwarding them to the Policy Advisory Committee. Membership includes member agency staff and representatives from a wide variety of transportation and community interest groups. *The TTC meets on the second Friday of each month at 8:30 a.m. at Fresno COG.*

VALLEYWIDE COMMITTEES

Fresno COG staff is also actively involved on Valleywide committees that include staff members from all eight San Joaquin Valley MPOs. These groups meet regularly on issues of mutual interest. In addition to the committees or groups listed below, the San Joaquin Valley MPOs are also active in the State's high-speed rail efforts, promotion of State Route 99, goods movement through the Valley, RTP/SCS development and other areas of mutual concern. Together they have developed a San Joaquin Valley Council of Government's website: <https://sjvcogs.org/>

PROGRAMMING COORDINATION GROUP

The Valley Programming Coordination Group provides a coordinated approach to Valley air quality, conformity, and transportation modeling issues. The committee's goal is to ensure Valleywide coordination, communication, and compliance with Federal and State Clean Air Act requirements. Each of the eight Valley MPOs and the San Joaquin Valley Air Pollution Control District (SJVAPCD) are represented. In addition, the FHWA, the EPA, CARB and Caltrans are all represented.

SAN JOAQUIN VALLEY REGIONAL PLANNING AGENCIES – REGIONAL POLICY COUNCIL

This 16-member Council was established to discuss and build regional consensus on issues of Valleywide importance. The Council comprises two elected officials and one alternate from each of the regional planning agencies' policy boards. The Policy Council provides guidance on common interregional policy issues and represents the San Joaquin Valley at public forums such as the California Transportation Commission, the Governor, and his administration, as well as State and Federal legislative bodies that require a common voice from the San Joaquin Valley. *Meeting agendas, minutes, and information about the SJV Directors meetings are available online at <https://sjvcogs.org/>*

SAN JOAQUIN VALLEY REGIONAL PLANNING AGENCIES – DIRECTORS' COMMITTEE

The Valley Executive Directors meet regularly to discuss issues of mutual importance to all the Valley Metropolitan Planning Organizations. *Meeting agendas, minutes and information about the SJV Directors meetings are available online at <https://sjvcogs.org/>*

Chapter 6 – Who We Engage

Fresno COG aims to encourage meaningful engagement of a broad range of people and organizations affected by its plans, policies, actions and decisions, tailoring engagement efforts to each plan or project and its respective audience.

Below is a sample list of partners Fresno COG strives to engage in its work as required by federal and state law:

- affected public agencies
- affordable housing advocates and organizations
- airport operators
- bicycle and pedestrian advocacy
- broad-based business organizations
- building trade councils
- chambers of commerce
- city managers
- community development agencies and organizations
- commercial property interests
- community-based organizations
- county transportation agencies
- economic development agencies and organizations
- educational community and institutions, including colleges and universities
- elderly and retired persons
- elected officials
- environmental advocates
- environmental protection agencies
- federal land management agencies
- freight interests
- general public
- health and wellness representatives
- home builder associations
- homeowner associations
- labor unions
- landowners
- limited English proficiency populations
- local government staff
- local planning departments
- minority and low-income populations
- natural disaster risk reduction agencies/organizations
- neighborhood and community groups
- neighborhood councils
- organizations serving rural area residents
- parent organizations
- private providers of transportation
- pedestrians
- persons with disabilities
- private providers of transportation
- private sector
- property owners
- providers of freight transportation services
- public agencies
- public health representatives
- public sector
- regional government agencies
- renter/tenant advocacy organizations
- representatives of the disabled
- representatives of public transportation employees
- representatives of users of pedestrian walkways and bicycle transportation facilities
- representatives of users of public transit
- schools and school district
- seniors and older population
- small businesses special interest non-profit agencies
- state agencies
- students and youth
- tourism interests
- subregional organizations
- transit agencies
- transportation and transit advocates
- transportation commissions
- Tribal Governments and indigenous communities

COMMUNITY-BASED ORGANIZATIONS

For over two decades, Fresno COG has partnered with the region’s community-based organizations (CBOs) to engage historically underserved communities in regional plans policies, programs, and projects. Because of the established relationships that CBOs have with the communities they serve, Fresno COG can engage communities that are difficult to reach via traditional methods.

CBOs’ that serve the Fresno County region use their social media channels, email distribution lists, existing community meetings or events to convey information and allow Fresno COG staff to engage with community members. This provides an invaluable link to the region’s diverse communities. Partnering with CBOs ensures that Fresno COG hears from these communities regularly, and that the input is incorporated into Fresno COG’s policies, programs, and projects.

Fresno COG also includes dedicated seats on advisory committees and roundtables for CBO representatives. These include Fresno COG’s Transportation Technical Committee, the RTP Roundtable, the Environmental Justice Subcommittee, the Measure C Citizen Oversight Committee (staffed by Fresno COG) and other project specific scoring committees.



Chapter 7 – Public Participation Strategies

Fresno COG Staff uses several strategies to provide interested parties with reasonable opportunities to be involved in the planning process. Staff understands that prior to involvement in Fresno COG’s planning activities, members of the public must understand what Fresno COG’s mission is, and what issues are under consideration.

A list of participation strategies follows that includes tried-and-true approaches as well as new suggestions received during the Public Participation Plan development process. Fresno COG staff will define appropriate outreach strategies for each plan/program on a case-by-case basis and select appropriate options from the following lists.



Public Meeting/Workshop/Events – Virtual or In-Person

- Encourage participation in Fresno COG standing or other committee and boards meetings (See committee listings in Chapter 6)
- Participate in or speak at meetings of existing agencies/community groups
- Host or co-host workshops/meetings/open house with community groups, business associations, member agencies, public-at-large
- Partner with community-based organizations in low-income and minority communities for targeted outreach
- Question and answer sessions with planners and interest parties
- Break-out sessions for smaller group discussions on multiple topics
- Interactive exercises
- Customized presentations
- Vary time of day for workshops (day/evening)
- Conduct meeting entirely in alternative language
- Provide videoconferencing or virtual meeting options
- Demonstration events to showcase project components
- Hold virtual workshops/open houses hosted via online meeting platforms like Zoom. Include dial-in options to ensure more people can participate
- Provide remote access to meetings by webcasting meetings online or via Facebook, YouTube, etc.
- Host telephone town halls or online webinars

- Provide asynchronous opportunities for participating (e.g., webinar recordings with online comment forms, interactive games, etc.)
- Use social media, texting platforms or apps and paid digital promotion to reach a larger audience
- Post video recordings of past public meetings/workshops
- Post written or display materials from in-person meetings online
- Encourage interaction among participants via web (e.g., online discussion boards, etc.)
- Post information online in advance of public meetings

Visualization & Interactive Engagement Techniques

- Provide access to planning data (e.g., maps, charts, background on travel models, forecasts, census data, research reports, project lists)
- Table-top displays and models
- Web content and interactive games
- Electronic polls/voting
- PowerPoint slide shows and videos
- Web-based and downloadable surveys
- Printed surveys distributed at meetings, transit hubs, on-board transit vehicles
- Online or custom surveys presented and answered at virtual meetings

Polls/Surveys

- Printed surveys distributed at meetings, transit hubs, on-board transit vehicles, door-to-door, through community organizations, member agencies or other partners
- Statistically valid polls to gauge public opinion
- Electronic surveys via web and SMS-based (text) surveys
- Intercept interviews/surveys where people congregate, such as at transit hubs
- Short surveys at in-person meetings to obtain input



Focus Groups

- Participants recruited and focus groups hosted by professional consultant
- Participants recruited by area of expertise or region they represent

Printed Materials

- Post cards, mailers, newsletters
- Maps, charts, photographs, and other visual means of displaying information

- Work with community-based organizations to hand deliver flyers to community members, businesses and schools
- Mail to targeted database lists—either COG’s an outside agency’s or purchased
- Distribute “Take-One” flyers to key community organizations
- Place notices on board transit vehicles and transit hubs
- User-friendly, easy-to-understand, accessible documents (including use of executive summaries)

Utilize Media

- Issue news/press releases
- Submit human interest stories that center around COG projects
- Invite reporters to news briefings or roundtables to educate them on complex topics
- Meet with editorial staff
- Submit Opinion pieces/commentaries
- Purchase display ads/social media, online, radio or TV advertising
- Negotiate inserts into local printed media
- Book speakers on radio/TV talk shows
- Public Service Announcements on radio and TV
- Develop content for public access/cable television programming
- Develop Civic journalism partnerships
- Purchase public notices
- Use of community and minority media outlets

Electronic Access to Information

- Dynamic websites with updated content and translation readily available
- Videos explaining plans, programs, concepts in surveys or on YouTube or Engagement Hub
- Maintain regular presence on social media outlets
- Electronic duplication of open house/workshop materials, posted to websites and social media
- Interactive online surveys, visuals and opportunities to comment
- Access to planning data such as forecasts, census data, research, reports, maps, charts, plans, project lists
- Provide information in advance of public meetings
- Post event/meeting information on online news sites, calendars, community & discussion websites
- Automated web accessibility technology

Targeted Notifications

- E-newsletters - "Fresno COG's Coming Up at Fresno COG"
- Post meeting and events announcements online, including on a regularly-updated Meeting & Events calendar
- Use paid digital promotion to promote events and meetings
- Distribute e-mail blasts to share important announcements, project updates
- Information disseminated through partnerships with community-based organizations and public agencies or chambers of commerce
- Social Media accounts on Facebook, Instagram, LinkedIn, YouTube as well as partner accounts
- Notices placed on board transit vehicles and at transit hubs
- Submit articles for publication in community/professional/corporate newsletters
- Create and distribute messaging toolkits for local government and other partners to promote MTC's programs and events

Involving Low Income Communities and Communities of Color

- Submit reports to Fresno COG's ongoing committees such as the ADA Advisory Council, SSTAC
- Make presentations to and have discussions with MTC's Policy Advisory Council
- Use paid partnerships with community-based organizations to co-host meetings and small group session to remove barriers to participation by offering assistance, such as childcare, meals, translation services
- Offer cash incentives to bolster participation of in-person discussion groups or meetings
- Distribute "take one" flyers, banners or posters on transit vehicles, at transit hubs and at housing shelters
- Conduct outreach in the community such as pop-up meetings at flea markets, libraries, health centers
- Use community and ethnic media outlets to announce participation opportunities
- Place paid informational stories in ethnic media
- Post information on websites or send via email or social media as some do not have a physical address
- For the unhoused or housing unstable, hold discussion groups or one-on-one sessions at housing shelters or centers to obtain input. Also, hold regular events targeted to those experiencing homelessness or housing instability



Persons with Disabilities

- Tailor engagement tactics to each disability community as needs differ
- For those with visual impairments, use online or telephone engagement

- For persons who are deaf or hard-of-hearing, use closed captions for all online meetings or workshops and provide ASL interpreters upon request
- When giving an online PowerPoint presentation, provide comprehensive verbal description of all content
- Ensure that all electronic documents are screen reader accessible
- Provide a dial-in option for all online meetings or workshops
- Ensure in-person events are close to transit and are easy-to-navigate for wheelchair users and persons with visual impairments
- Ensure online meetings are recorded so people can watch/listen at a later date

Involving Limited-English Proficient Populations

- Translate materials
- Have interpreters and interpretive equipment available at meetings as needed with 72-hour advance notice
- Conduct meeting entirely in alternative language (Other than English)
- Meeting and group facilitators to obtain oral comments in languages other than English
- Translated documents and web content on key initiatives or opportunities to comment
- Use of community and minority media outlets to announce participation opportunities
- Include information on meeting notices for how to request translation assistance

Low-Literacy Populations

- Use plain language in all materials and presentations.
- Use visualization techniques to communicate about complex topics, including maps and/or graphics to illustrate trends, choices being debated, etc.
- Conduct personal interviews or use audio recording to obtain oral comments.
- Use a listening line for participants to submit audio comments via phone.
- Train staff to be alert to and anticipate the needs of low-literacy participants in meetings, workshops, etc.

Engaging Tribal Governments

- Connect with Tribal governments to establish a channel of communication
- Send Tribal governments and relevant Tribal representatives, organizations, or groups timely and adequate public notices and announcements
- Actively seek Tribal government input on Fresno COG projects and programs through direct contact with Chairpersons and/or Tribal representatives, as appropriate
- Respond to all Tribal government comments and consultation requests

- Intentionally create engagement opportunities for Tribes to be involved in the regional planning process
- Fresno COG has developed a formal plan for how we engage and consult with tribal governments

Receiving/Submitting/Communicating Comments

- Summarize key themes of public comments in written or graphic form for placement in staff reports to Fresno COG standing committees and Fresno COG's Policy Board, attaching list of comments and responses as appropriate
- Report on how public input influenced the process to decision-makers and members of the public
- Notify participants via presentations, email and/or e-newsletter when reporting how public input influenced the process and/or when sharing information on what was heard
- When partnering with community-based organizations, report back to organization leaders about how public input influenced the process
- Post comments, key themes and how feedback influenced the process online
- Updated and interactive Web content
- Respond to written questions directly via email in the language received

Chapter 8 – Public Participation Plan Evaluation and Updates

Fresno COG’s Public Participation Plan is not a static document, but an ongoing strategy that will be periodically reviewed and updated every four years in accordance with federal and state regulations to reflect changing circumstances, current best practices. The updates will coincide with the start of Fresno COG’s RTP/SCS update schedule.

As part of the RTP’s community outreach program, Fresno COG sets performance measures to gauge the effectiveness of the engagement program. This evaluation serves to inform and improve future engagement programs, including future updates to this Public Participation Plan.

Additionally, Fresno COG will periodically evaluate various components of the items identified under the RTP Public Outreach Strategy Section IV “Public Participation Strategies,” which form the core of Fresno COG’s public involvement activities.

This Public Participation Plan may be subject to minor changes from time to time. When a change to Fresno COG’s policies or procedures occurs that may warrant a change to the Public Participation Plan, minor changes will be noticed and posted on the Fresno COG website. Any substantive changes will be released for a 45-day public review and comment period and will include a review by Fresno COG’s Transportation Technical Committee, Policy Advisory Committee and Policy Board. Fresno COG will extend the public comment period by an additional 45 days in instances where major revisions are proposed in response to comments heard.



Appendix



2024 Fresno COG Regional Transportation Plan and Sustainable Communities Strategy Public Participation Plan

Appendix



Fresno COG's Tribal Government Outreach Plan

Tribal Consultation Plan
Fresno Council of Governments
January 2019

Introduction

Fresno Council of Governments (Fresno COG) is the federally designated Metropolitan Planning Organization (MPO) and the state-designated Regional Transportation Planning Agency (RTPA) serving Fresno County. Fresno COG is responsible for developing all state and federal transportation plans and programming documents that are necessary to secure and program transportation funds within the region. Fresno COG routinely consults with Native American tribal governments on activities that may impact their communities.

Policy for Consultation with Federally Recognized Indian Tribal Governments

The U.S. DOT defines consultation as “when one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken.” Some areas of consultation could include: transportation, land use, employment, economic development, housing, community development and environmental issues.

For this document, consultation is the meaningful and timely process of seeking, discussing and considering carefully the views of others, in a manner that is cognizant of all parties’ cultural values, and where feasible, seeking agreement.

Requirement to Consult

Consultation with Resource Agencies

Title 23 CFR part 450 requires that MPOs shall consult, as appropriate, with state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.

Native American Tribal Government Consultation and Coordination

Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (November 6, 2000), establishes regular and meaningful consultation and collaboration with tribal officials in developing federal policies with tribal implications to strengthen government-to-government relationships with Indian tribes and to reduce unfunded mandates upon local tribes.

State and federal regulations require Fresno COG to conduct government-to-government consultation regarding its planning and programming activities with tribal governments of federally-recognized Native American tribes. Additionally, Assembly Bill 52 (Gatto, Statutes of 2014) requires that state and local agencies are to analyze the impacts to Native American cultural resources under the California Environmental Quality Act (CEQA). Lead agencies under CEQA must work with tribal governments to avoid or mitigate the impacts to cultural resources.

Federally Recognized Tribes

Federal recognition is a legal distinction that applies to a tribe’s right to a government-to-government relationship with the federal government and eligibility for federal programs. All California Native American tribes are distinct and independent governmental entities with specific cultural beliefs and traditions and unique connections to areas of California that are their ancestral homelands.

A contact list of both federally and non-federally recognized California Native American tribes is maintained by the Native American Heritage Commission. The three federally recognized tribes in Fresno County are Big Sandy Rancheria of California, Cold Springs Rancheria of Mono Indians of California, and Table Mountain Rancheria of California. Although consultation is not mandated for non-federally recognized tribes, this does not preclude the Fresno Council of Governments from consulting with local non-federally recognized tribes when plans or activities might impact cultural values or the community.

Agency Organizational Structure

Fresno COG is a consensus builder, developing acceptable programs and solutions to issues that do not respect political boundaries. In 1967, incorporated city and Fresno County elected officials established the agency, formalizing Fresno COG through a joint powers agreement, Fresno COG is a voluntary association of local governments. Fresno COG undertakes comprehensive regional planning with an emphasis on transportation, provides citizens an opportunity to be involved in the planning process and supplies technical service to its members.

Fresno COG's member agencies are represented on its Policy Board by the mayor of each incorporated city, and the chairman of the County Board of Supervisors, or designated representatives. The Policy Board is a governing body that establishes policy and guides work activities. It is assisted in making decisions by the Policy Advisory Committee (PAC), comprising the Chief Administrative Officer of each member agency, or their designated representatives. Staff from member agencies, tribal governments, interest groups and industry stakeholders comprises the Transportation Technical Committee (TTC) which also assists in the decision-making process.

Native American Indians of California and other tribal governments are also invited to participate in the monthly Transportation Technical Committee (TTC) and the Environmental Justice Subcommittee meetings. The TTC reviews staff work conducted pursuant to the Overall Work Program, advises the Policy Board and PAC on transportation issues and makes recommendations to the Policy Board on planning and programming actions. The TTC review is generally focused on the technical merits of various transportation issues coming before the Policy Board. The Environmental Justice Subcommittee under the TTC meets when necessary to review items involving Environmental Justice populations and provide recommendations to the TTC. Additionally, the subcommittee is instrumental in assisting Fresno COG staff in setting definition and thresholds for Environmental Justice Populations for the Environmental Justice Report within Regional Transportation Plan (RTP).

Consultation

Federal and state law require local agencies to consult with federally recognized tribal governments prior to making transportation decisions, taking actions, or implementing programs that may impact their communities. This activity is separate from and precedes the public participation process. Protocol should be flexible and dynamic with respect to communication and discussion formats. More than one tribe may have an affiliation with the area of consideration. Individual consultation may be necessary if a combined consultation format is not preferred by the tribal government. Determining the degree and adequacy of consultation will vary depending on a number of factors, including the scope of proposed activities, whether the activity is short-term or long-term, the cultural or political sensitivity of the issue at hand, and the number of potential stakeholders. Fresno COG intends to consult with Native American tribal governments on activities that may impact their communities.

The Executive Director or his/her designee is the designated Fresno COG official with principal responsibility for the agency's implementation of consultation requirements. At the appropriate time in the planning phase, Fresno COG shall contact the Federal Land Management Agencies and tribal chairs to inquire about established protocols, such as cultural resource contacts, procedures, time limits and restrictions affecting communication. Mutually agreed-upon protocols may result in more effective consultation efforts with federal land management agencies and individual tribes.

Consultation is a process, not a single event, and communication should continue until the project or plan is complete. Consultation requests should include a clear purpose, explaining the request and declaring the importance of participation in the planning process. The request should specify the location of the area of potential effect addressed in the proposal. All aspects of the consultation process should be documented, including how the lead agency reaches a final decision.

Agency Activities

The agency consults with tribal governments on an ongoing basis, not only on individual projects. Fresno COG strives to keep open communication with tribes to facilitate better relationships and better reflect tribes' viewpoints and needs in regional planning documents and projects.

The Native American tribes in Fresno County receive the following information by telephone, mail, email, or in-person visits: the Fresno County Transportation Guide, the Regional Directory, newsletters, workshop invitations, grant notices, requests to participate in program guidelines development, working groups and scoring committees.

A memorandum of understanding between Fresno COG and the Big Sandy Rancheria that provides for a mutually beneficial protocol for the tribe and Fresno COG to jointly identify, communicate, and coordinate actions of common concern relating to transportation plans and programs serves as one particular success story.

Fresno COG will continue the outreach activities that have been established for the Native American tribes as well as seek new ways to enhance the government-to-government relationship between Fresno COG and the Native American tribal governments. In particular, Fresno COG will make every effort to consult and involve the Native American tribes in developing future plans and programs, including, but not limited to the short and long-range transit plans and the Federal Transportation Improvement Program.

Fresno COG will consult with federal land management agencies and federally recognized Native American tribal governments when preparing planning studies and programs affecting the agency and tribe by:

- Initiating consultation from the Executive Director or his/her designee to the agency and tribal chairperson.
- Offering to meet to discuss federal agency and tribal needs and concerns regarding impacts within their jurisdictions prior to beginning the planning process. If the agency, tribal chairperson and/or their representatives elect not to meet, Fresno COG will send a copy of the draft report for their review.
- Consulting with agency and tribal governments while developing the RTP, addressing agency and tribal concerns regarding impacts within their jurisdiction and again prior to adoption of the RTP.
- Inviting agency and tribal representatives to public meetings.

Planning Documents requiring consultation

- **Federal Transportation Improvement Program (FTIP)**
The FTIP is a financially constrained multimodal transportation planning program developed by the MPO through its member agencies and in cooperation with state and federal agencies.
- **Federal Statewide Transportation Improvement Program (FSTIP)**
The FSTIP is a statewide multimodal program of transportation projects proposed for federal funding. This includes all projects that are deemed regionally significant and contains MPOs' FTIP documents and a list of rural non-MPO projects.
- **Regional Transportation Improvement Program (RTIP)**
The Regional Transportation Improvement Program (*RTIP*) is a document that details the transportation projects including highways, local roads, transit and active transportation that the region will fund with state and federal revenues.
- **Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)**
The RTP is a long-range transportation plan that is developed and updated by Fresno COG every four years. The RTP provides a vision for transportation investments throughout the region; the SCS is a required element that integrates land use and transportation strategies to achieve emissions reduction targets.
- **Overall Work Program (OWP)**

The OWP identifies transportation-related planning projects and studies (called work elements) undertaken by Fresno COG and describes programs, budgetary and staffing requirements for Fresno COG. The OWP is a requirement for metropolitan transportation planning activities performed with federal funds provided under 23 USC and 49 USC 53.

Unmet Transit Needs Assessment requiring consultation by Transit Operators

- Transit operators initiate consultation and invitation to the unmet transit needs hearing from the transit operator or his/her designee to tribal chairperson with copies to the CEO, Administrator and cultural department representatives.
- Offer to meet to discuss the tribe's transit needs and concerns.

Grant Programs and Funding

- Coordinate with the tribal governments to provide information and technical assistance on grant programs administered by the MPO, or other agencies.
- Initiate consultation from the Executive Director or his/her designee to the tribal chairperson with copies to the Tribal Administrator, and Cultural Department representatives.
- Provide notice of each grant and its application deadlines.
- Invite representatives of the tribe to training or public meetings regarding the grants.
- Coordinate between the tribe and Fresno COG member agencies.
- Consult with and consider the interests of the tribal government.

Tribal Transportation Program (TTP) – Highway Trust Fund Planning and Programming

- Coordinate among planners and engineers in local agencies and tribes.
- Offer to meet to discuss the tribe's needs and concerns when contacted by tribal representatives.
- Provide assistance in TTP planning.
- Coordinate with federal entities, as requested by the tribe.
- Collaborate on funds awarded to the tribe through the Active Transportation Program.

Native American Tribal Contact Information

Federally Recognized Tribes

Big Sandy Rancheria Tribe
Tom Zizzo, Tribal Administrator
P.O. Box 337
37387 Auberry Mission Rd
Auberry, CA 93602
(559) 374-0066 ext. 237 (559) 855-4129
TZizzo@bsrnation.com

Cold Springs Rancheria
Carol Bill, Chairperson
P.O. Box 209
Tollhouse, CA 93667
(559) 855-5043

Table Mountain Rancheria
Samuel Elizondo, Tribal Administrator
P.O. Box 410
Friant, CA 93626
(559) 325-0384
selizondo@tmr.org

Non-Federally Recognized Tribes

There are several non-federally recognized tribes in California that are active in transportation issues. Federal law does not require government-to-government consultation on projects with non-federally recognized tribes; however, California law AB 52 requires consultation on tribal cultural resources under CEQA. In addition, non-federally recognized tribes are generally considered a minority group, and federal executive orders require consultation with minority or disadvantaged groups. In particular, Presidential Executive Order 12898 about Environmental Justice places special emphasis on coordination with these groups.

The full list with contact information can be found at www.fresnocog.org.

Appendix



Federal and State Requirements

FEDERAL AND STATE REQUIREMENTS

Developing an effective public involvement/participation plan involves identifying techniques to encourage open public input. Federal statutes and regulations provide general guidelines for public involvement processes and procedures. This information is provided to help practitioners identify legal requirements for engaging the public that were created to protect and promote good practices. Phrases are provided from statute, regulation, and executive orders relating to different aspects of engaging the public. To understand the broader context of those requirements, we encourage you to refer to the complete statute, regulation, or executive order.

CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations (CFR) is an annual codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government. The CFR is divided into 50 titles representing broad areas subject to Federal regulation. Each title is divided into chapters that are assigned to agencies issuing regulations pertaining to that broad subject area. It presents the official and complete text of agency regulations in one organized publication and provides a comprehensive and convenient reference for those who may need to know the text of general and permanent Federal regulations. The MPO public participation requirements outlined in the CFR (23 CFR 45.316) are carefully considered and addressed throughout this entire PPP.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND ENVIRONMENTAL JUSTICE

Title VI of the Civil Rights Act of 1964 (Title VI) requires that transportation planning and programming does not discriminate based on race, color, or national origin. The Civil Rights Restoration Act of 1987 extended Title VI's applicability to all programs sponsored by federally aided agencies, regardless of the program's specific funding sources and clarified the scope and coverage of prohibitions against discrimination based on sex, disability, and age.

The concept of environmental justice (EJ) emerged from these two regulations, and is founded on the principles of:

1. Avoiding, minimizing, or mitigating, disproportionately high and adverse health or environmental effects on minority or low-income populations.
2. Preventing the denial, reduction, or delay of receiving benefits by minority populations and low-income communities.
3. Ensuring that all affected communities have the ability to participate fully in transportation decision making processes.

INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA)

The Infrastructure Investment and Jobs Act (IIJA) or Bipartisan Infrastructure Law (BIL) was signed into law by President Joe Biden on November 15, 2021, and supersedes the Fixing America's Surface Transportation (FAST) Act (HR 22). IIJA provides that residents, affected public agencies, representatives

of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, affordable housing organizations, and other interested parties be provided with reasonable opportunities to be involved in the metropolitan transportation planning process, with regard to the RTP/SCS. The law also requires Fresno COG to coordinate transportation plans with the regional growth forecast, travel demand model, and other related planning activities when developing and updating major planning documents such as the RTP/Sustainable Communities Strategy (RTP/SCS) and the FTIP for the region.

[AMERICANS WITH DISABILITIES ACT](#)

The Americans with Disabilities Act of 1990 (ADA) requires involving the community, particularly those with disabilities, in service developments and improvements. All events held for programs or projects with Federal aid and open to the general public must be made accessible to everyone, including the disabled. Fresno COG is in compliance with the ADA by providing accessible and usable formats, notifications and locations for workshops; meetings and public hearings; consulting with individuals from the disabled community; conducting outreach by maintaining an extensive mailing and email lists; developing contacts; and by other means of notification and accommodation to participate in the planning process.

[EXECUTIVE ORDERS](#)

An Executive Order is an order given by the President to federal agencies. As a recipient of federal revenues, Fresno COG assists federal transportation agencies in complying with these orders.

[Executive Order 12372: Intergovernmental Review of Federal Programs](#)

Executive Order 12372 calls for intergovernmental review to ensure that federally funded or assisted projects do not inadvertently interfere with state and local plans and priorities. The Executive Order does not replace public participation, comment, or review requirements of other federal laws, such as the National Environmental Policy Act (NEPA) but gives the states an additional mechanism to ensure federal agency responsiveness to state and local concerns.

[Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations](#)

This order requires that disproportionately high and adverse human health or environmental effects on minority and low-income populations be identified and addressed in order to achieve environmental justice. Minority populations are defined in the order as Black/African-American, Hispanic, Asian/Pacific Islander, American Indian and Alaskan Native. Low-income populations are defined in the order as persons whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines. The

fundamental principles of environmental justice include:

- Avoiding, minimizing or mitigating disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Ensuring full and fair participation by all potentially affected communities in the transportation decision making process; and
- Denying, reducing, or significantly delaying benefits to minority populations and low-income communities.

Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency

Executive Order 13166 states that people who speak limited English should have meaningful access to federally conducted and federally funded programs and activities. It requires that all federal agencies identify any need for services to those with limited English proficiency, and to develop and implement a system providing those services so all persons can have meaningful access.

Executive Order 13175 — Consultation and Coordination with Indian Tribal Governments Establishes regular and meaningful consultation and collaboration with tribal officials in developing of federal policies that have tribal implications, to strengthen the government-to-government relationships with Indian tribes, and to reduce unfunded mandates on Indian tribes.

[THE BROWN ACT \(STATE OF CALIFORNIA GOVERNMENT CODE SECTIONS 54950-54962\)](#)

The Ralph M. Brown Act governs the meeting and actions of governing boards of local public agencies and their created bodies. Brown Act requirements also apply to any committee or other subsidiary body of a local agency, whether permanent or temporary, decision-making, or advisory, which is created by such a governing board. The Brown Act sets minimum standards for open meetings relative to public access, location, notice posting, agenda distribution, and public input. The public agency may adopt reasonable regulations ensuring the public's right to address the agency, including regulations to limit the total amount of time allocated for public testimony. The Fresno COG Board and its standing committees all adhere to these requirements involving proper noticing, access and the ability to address the Board and committees.

Due to time constraints, unscheduled public comments may be limited to three minutes in length; however, the agency encourages interested citizens to provide written copies to the Board/Committees, particularly if the statement is too long to be presented in its entirety. Citizens unable to attend the meetings may submit their concerns and ideas in writing to staff, who will then present the comments to respective Boards/Committees orally or in writing.

SENATE BILL 375

California requires that each metropolitan planning organization adopt a public participation plan, for development of the sustainable communities strategy (SCS) and an alternative planning strategy (APS) (if one is developed), that includes all of the following:

1. Outreach efforts to encourage the active participation of a broad range of stakeholder groups in the planning process, consistent with SCAG's adopted Public Participation Plan.
2. Consultation with congestion management agencies, transportation agencies, and transportation commissions.
3. Workshops throughout the region (a minimum of three public workshops in each county with a population of 500,000 or more) to provide the public with the information and tools necessary to provide a clear understanding of the issues and policy choices.
4. Preparation and circulation of a draft SCS and APS, if one is prepared, not less than 55 days before adoption of a final RTP.
5. At least three public hearings on the draft SCS in the RTP and APS, if one is prepared, held in different parts of the region, if feasible.
6. A process for enabling members of the public to provide a single request to receive notices, information, and updates.

Further, Senate Bill 375 requires that SCAG conduct at least two informational meetings in each county within the region for members of the board of supervisors and city councils on the SCS and APS, if any. The purpose of the meeting shall be to present a draft of the SCS to the members of the board of supervisors and city council members in that county and to solicit and consider their input and recommendations.

OTHER REQUIREMENTS

Several other federal and state laws call on Fresno COG to involve, consult with and notify the public in its decisions. Fresno COG complies with all other public notification requirements of the California Public Records Act, the California Environmental Quality Act, and Assembly Bill 52, as well as other applicable state and federal laws.

Appendix



Public Notice Documentation

(will be included in final draft document)

Appendix



Public Comment
(will be included in final draft document)



Fresno Council of Governments (Fresno COG)
2035 Tulare Street, Suite 201
Fresno, CA 93721
559.233.4148 Phone
559.233.9645 Fax
info@fresnocog.org
www.fresnocog.org

