Kern Council of Governments

December 24, 2014

TO: REGIONAL PLANNING ADVISORY COMMITTEE

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

SUBJECT: MEETING CANCELLATION NOTICE

The meeting of the Regional Planning Advisory Committee scheduled for Wednesday December 31, 2014 has been cancelled. The next meeting will be held on Wednesday, February 4, 2015. Agenda material will be mailed approximately one week prior to that date.

Thank you.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG BOARD ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
February 4, 2015
1:30 P.M.

Call in Number: (312) 878-3080
Access Code: 586-617-702

I. ROLL CALL:

II. PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Committee at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.**

Disabled individuals who need special assistance to attend or participate in a meeting of the Regional Planning Advisory Committee may request assistance at 1401 19th Street, Suite 300; Bakersfield CA 93301 or by calling (661) 861-2191. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made at least three (3) working days in advance whenever possible.

III. APPROVAL OF DISCUSSION SUMMARIES

- RPAC Meeting of Wednesday November 5, 2014

IV. STATUS ON STATE AIR RESOURCES BOARD ACCEPTANCE OF THE EIGHT SAN JOAQUIN VALLEY COGS SB 375 SUSTAINABLE COMMUNITY STRATEGIES (Ball)

Comment: On January 29, 2015, the California Air Resources Board (ARB) is considering acceptance of the first of eight Sustainable Community Strategies (SCS) for the San Joaquin Valley COGs. Kern COG's SCS is scheduled for consideration in June 2015.

Action: Information

V. DECISION IN CLEVELAND NATIONAL FOREST FOUNDATION ET. AL. AND CREED-21 ET. AL. V. SAN DIEGO ASSOCIATION OF GOVERNMENTS (Napier)

Comment: The San Diego Association of Governments decision was issued in November 2014. The Court found completely in petitioners' favor with one dissent.

Action: Information

VI. KERN COUNCIL OF GOVERNMENTS (COG) DRAFT RESPONSE LETTER TO ENVIRONMENTAL DOCUMENTS (Napier)

Comment: Kern COG has a responsibility under its Environmental Review Program/Intergovernmental Review process to provide information to lead agencies on various environmental documents. Kern COG drafted a letter to provide information outlined in the 2014 Regional Transportation Plan.

Action: Information. It is proposed that the Regional Planning Advisory Committee (RPAC) will recommend Kern COG Board approval at the next RPAC meeting.

VII. ACTIVE TRANSPORTATION PROGRAM (Smith)

Comment: The Active Transportation Program's (ATP) has available $180 million to encourage increased use of active modes of transportation. ATP applications are due June 1, 2015.

Action: Information. Member agencies and stakeholders are requested to provide letters of support for a regional application using the attached sample.

VIII. NEW STATE STRATEGIC GROWTH COUNCIL GRANT (Hightower)

Comment: The Strategic Growth Council (SGC) received $130 million from the Greenhouse Gas Reduction Cap and Trade program for administering the Affordable Housing and Sustainable Communities (AHSC) Program. An SGC workshop is scheduled for February 9, at Kern COG. Concept grant proposals are due February 19, 2015, and final proposals are due April 15, 2015.

Action: Information. Member agencies and stakeholders are requested to provide letters of support for a regional application using the attached sample.

IX. TRAFFIC COUNT WEBSITE UPDATE

Comment: Enhancements to Kern Regional Traffic Count Program have been made. An upgraded website has been developed mapping out the count data and can be found at http://www.kerncog.org/data-center/regional-traffic-count-data-map.

Action: Information on Traffic Count Program enhancements.

X. DISCUSSION

XI. INFORMATION ITEMS/ANNOUNCEMENTS

XII. MEMBER ITEMS

XIII. ADJOURNMENT

The next scheduled meeting of the RPAC/TMC meeting will be March 4, 2014.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
November 5, 2014
1:30 P.M.

Chairman McNamara called the meeting to order at 1:30 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Dennis McNamara	City of McFarland
	Wayne Clausen	City of Shafter
	Robert Ruiz	City of Arvin
	Bill Card	City of Delano
	David James	City of Tehachapi
	Richard Rowe	Community Member
	Patty Poire	Community Member
	Roger Mobley	City of Wasco
	Karen King	GET
	Alec Kimmel	Caltrans
STAFF:	Ben Raymond	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Linda Urata	Kern COG
OTHERS:	Paul Zykofsky	LGC
	Shani Alford	LGC
	Mike McCabe	Public
	Dave Dmohoski	Quad Knopf
	Ted James	Consultant

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

None.

III. APPROVAL OF DISCUSSION SUMMARY: Meeting of September 3, 2014. Mr. Clausen made a motion to approve the discussion summary. Ms. King seconded the motion.

IV. SB 375 TARGET SETTING UPDATE PROCESS & REVISED 2018 RTP TIMELINE

Mr. Ball gave an update on the SB 375 Target Setting update process and Revised 2018 RTP. On October 24, 2014, the California Air Resources Board (ARB) instructed staff to write a letter relating to the update of ARB's targets.
Mr. Ball advised that the eight San Joaquin Valley COG's has hired a consultant to update the regional transporation model and address some of the issues that came up during the public review of the RTP.

Mr. Hakimi added that ARB stated that the targets will not change for 2020 but will change for 2035.

The ARB staff report and comments received are available online at http://www.arb.ca.gov/cc/sb375/sb375.htm in the "What's New" box.

This item was for information only.

V. SB 743 – CEQA GUIDELINES UPDATE FOR TRAFFIC ANALYSIS – DRAFT KERN COG COMMENTS

Mr. Ball stated that there is an opportunity for member agencies to provide comment on proposed changes to the CEQA quidelines. The guidelines pertain to how a traffic analysis is done in a CEQA document and how traffic impacts are calculated.

Mr. Ball introduced Richard Dalton from Rincon and associates. Mr. Dalton gave an update presentation on SB 743. A discussion followed among the committee.

Comments on the draft CEQA guideline changes are due to Kern COG by November 17th.

This item was for information only.

VI. FY 2015-16 OVERALL WORK PROGRAM (Phipps)

Mr. Phipps stated that Kern COG is developing its 2015-16 Overall Work Program and is soliciting eligible projects for possible inclusion.

Mr. Phipps asked committee members to submit any potential projects that they would like to be considered for the 2015-16 OWP, to Kern COG by December 12, 2014.

This item was for information only.

VII. INFORMATION ITEMS/ANNOUNCEMENTS

The Discussion summary for the Transportation Technical Advisory Committee (TTAC) Meeting of October 1, 2014 was provided for the member information.

IV. MEMBER ITEMS

- Ms. Invina stated that in September the Final Regional Housing Needs Allocation Plan (RHNA Plan) was approved by California Department of Housing and Community

Development (HCD) on September 10, 2014. The RHNA Plan can be downloaded from the following link: http://www.kerncog.org/regional-housing

- On November 4, 2014, HCD will conduct a Housing Element Workshop at Kern COG to assist local agencies in the preparation of the housing element of the general plan. Information from the workshop will be available from the following link: http://www.kerncog.org/regional-housing

- Local Government Commission, Associate Director, Paul Zykofsky gave a Complete Streets Policy Development presentation.

- Ms. Napier stated that the California Local Streets and Roads Needs Assessment 2014 Update was available online. The link was provided to the committee. http://www.savecaliforniastreets.org/

- Mr. Raymond gave a brief update on the Growth Forecast Update.

With no further business the meeting was adjourned at 3:10 p.m.

The next meeting will be Wednesday, February 4th at 1:30 p.m.

Kern Council of Governments

February 4, 2015

TO: Regional Planning Advisory Planning Committee

FROM: Ahron Hakimi,
Executive Director

By: Rob Ball,
Planning Director

SUBJECT: RPAC AGENDA ITEM: IV
STATUS ON STATE AIR RESOURCES BOARD ACCEPTANCE OF THE EIGHT SAN JOAQUIN VALLEY COGS SB 375 SUSTAINABLE COMMUNITY STRATEGIES

DESCRIPTION:

On January 29, 2015, the California Air Resources Board (ARB) is considering acceptance of the first of eight Sustainable Community Strategies (SCS) for the San Joaquin Valley COGs. Kern COG's SCS is scheduled for consideration in June 2015.

DISCUSSION:

The SCS is an element of the Kern COG Regional Transportation Plan adopted by its board in June 2014, and identifies strategies that if implemented would achieve the greenhouse gas reduction targets set by ARB for Kern in accordance with SB 375.

ARB has performed an extensive review of the Fresno COG SCS. The review is available online at http://www.arb.ca.gov/cc/sb375/fcog_technical_evaluation_final.pdf. ARB staff is recommending acceptance of the Fresno COG SCS.

Kern COG has now met twice with ARB to provide information on the technical evaluation for the Kern COG SCS. Kern COG is anticipated to follow Fresno, San Joaquin and Stanislaus for consideration of its SCS possibly in June 2015.

ACTION: Information.

Kern Council of Governments

February 4, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi
Executive Director

By: Becky Napier, Regional Planner

SUBJECT: RPAC AGENDA ITEM: V
DECISION IN CLEVELAND NATIONAL FOREST FOUNDATION ET. AL. AND CREED-21 ET. AL. V. SAN DIEGO ASSOCIATION OF GOVERNMENTS

DESCRIPTION

The San Diego Association of Governments decision was issued in November 2014. The Court found completely in petitioners' favor with one dissent.

DISCUSSION

Attached for Committee review is the decision in the lawsuit filed by Cleveland National Forest Foundation et. al. and Creed-21 et. al versus San Diego Association of Governments over their Regional Transportation Plan. The primary issue seems to be concerning deferral of mitigation measures.

ACTION

Information.

Kern Council of Governments
1401 19th Streets, Suite 300 Bakersfield CA 93301 661-861-2191 Facsimile 661-324-8215 TTY 661-832-7433 www.kerncog.org

Filed 11/24/14

CERTIFIED FOR PUBLICATION

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

CLEVELAND NATIONAL FOREST FOUNDATION et al., Plaintiffs and Appellants, v. SAN DIEGO ASSOCIATION OF GOVERNMENTS et al., Defendants and Appellants; THE PEOPLE, Intervenor and Appellant.	D063288 (Super. Ct. No. 37-2011-00101593-CU-TT-CTL)
CREED-21 et al., Plaintiffs and Appellants, v. SAN DIEGO ASSOCIATION OF GOVERNMENTS et al., Defendants and Appellants; THE PEOPLE, Intervenor and Appellant.	(Super. Ct. No. 37-2011-00101660-CU-TT-CTL)

APPEAL from a judgment of the Superior Court of San Diego County, Timothy B. Taylor, Judge. Judgment modified and affirmed.

The Sohagi Law Group, Margaret M. Sohagi, Philip A. Seymour; and Julie D. Wiley for Defendants and Appellants San Diego Association of Governments et al.

Kamala D. Harris, Attorney General, Timothy R. Patterson and Janill L. Richards, Deputy Attorneys General, for Intervenor and Appellant.

Shute, Mihaly & Weinberger, Rachel B. Hooper, Amy J. Bricker, Erin B. Chalmers; Daniel P. Selmi; Coast Law Group, Marco Gonzalez; Kevin P. Bundy; and Cory J. Briggs for Plaintiffs and Appellants Cleveland National Forest et al.

INTRODUCTION

After the San Diego Association of Governments (SANDAG) certified an environmental impact report (EIR) for its 2050 Regional Transportation Plan/Sustainable Communities Strategy (transportation plan), CREED-21 and Affordable Housing Coalition of San Diego filed a petition for writ of mandate challenging the EIR's adequacy under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).[1] Cleveland National Forest Foundation and the Center for Biological Diversity filed a similar petition, in which Sierra Club and the People later joined.

The superior court granted the petitions in part, finding the EIR failed to carry out its role as an informational document because it did not analyze the inconsistency

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1 Further statutory references are also to the Public Resources Code unless otherwise stated.

between the state's policy goals reflected in Executive Order S-3-05 (Executive Order) and the transportation plan's greenhouse gas emissions impacts after 2020. The court also found the EIR failed to adequately address mitigation measures for the transportation plan's greenhouse gas emissions impacts. Given these findings, the court declined to decide any of the other challenges raised in the petitions.

SANDAG appeals, contending the EIR complied with CEQA in both respects. Cleveland National Forest Foundation and Sierra Club (collectively, Cleveland) cross-appeal, contending the EIR further violated CEQA by failing to analyze a reasonable range of project alternatives, failing to adequately analyze and mitigate the transportation plan's air quality impacts, and understating the transportation plan's impacts on agricultural lands. The People separately cross-appeal, contending the EIR further violated CEQA by failing to adequately analyze and mitigate the transportation plan's impacts from particulate matter pollution. We conclude the EIR failed to comply with CEQA in all identified respects. We, therefore, modify the judgment to incorporate our decision on the cross-appeals and affirm. In doing so, we are upholding the right of the public and our public officials to be well informed about the potential environmental consequences of their planning decisions, which CEQA requires and the public deserves, before approving long-term plans that may have irreversible environmental impacts.

DISCUSSION

I

A

General Role of an EIR

"The Legislature has made clear that an EIR is 'an informational document' and that '[t]he purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.' " (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 391 (*Laurel Heights*); Guidelines, § 15002.)[2] "The EIR is the primary means of achieving . . . the policy of this state to 'take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.' [Citation.] The EIR is therefore 'the heart of CEQA.' [Citations.] An EIR is an 'environmental "alarm bell" whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.' [Citations.] The EIR is also intended 'to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.' [Citations.] Because the EIR must

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2 All references to Guidelines are to the CEQA Guidelines, which are located in title 14 of the California Code of Regulations beginning at section 15000. "In interpreting CEQA, we accord the Guidelines great weight except where they are clearly unauthorized or erroneous." (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 448, fn. 4 (*Smart Rail*).)

be certified or rejected by public officials, it is a document of accountability. If CEQA is scrupulously followed, the public will know the basis on which its responsible officials either approve or reject environmentally significant action, and the public, being duly informed, can respond accordingly to action with which it disagrees. [Citations.] The EIR process protects not only the environment but also informed self-government." (*Laurel Heights*, *supra*, 47 Cal.3d at p. 392.)

B

Role of a Program EIR

The EIR at issue in this case is a program EIR. A "program EIR" is "an EIR which may be prepared on a series of actions that can be characterized as one large project" and are related in specified ways. (Guidelines, § 15168, subd. (a); *Town of Atherton v. California High-Speed Rail Authority* (2014) 228 Cal.App.4th 314, 343 (*Atherton*).) The use of a program EIR can: "(1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action, [¶] (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis, [¶] (3) Avoid duplicative reconsideration of basic policy considerations, [¶] (4) Allow the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, [and] [¶] (5) Allow reduction in paperwork." (Guidelines, § 15168, subd. (b); *Atherton*, *supra*, at pp. 343-344.)

"[W]here an agency prepares a 'program EIR' for a broad policy document . . . , Guidelines section 15168, subdivision (c)(2) allows agencies to limit future environmental review for later activities that are found to be 'within the scope' of the program EIR." (*Latinos Unidos de Napa v. City of Napa* (2013) 221 Cal.App.4th 192, 196; accord, *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 801-802.) Further environmental review for such activities is required only where "(a) Substantial changes are proposed in the project which will require major revisions of the [EIR]. [¶] (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the [EIR]. [¶] (c) New information, which was not known or could not have been known at the time the [EIR] was certified as complete, becomes available." (§ 21166; *May v. City of Milpitas* (2013) 217 Cal.App.4th 1307, 1325-1326; accord, *Citizens Against Airport Pollution v. City of San Jose*, *supra*, at p. 802.)

Because of these limitations, once an EIR is finally approved, a court generally cannot compel an agency to perform further environmental review for any known or knowable information about the project's impacts omitted from the EIR. (*Citizens Against Airport Pollution v. City of San Jose*, *supra*, 227 Cal.App.4th at pp. 807-808; *Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal.App.4th 515, 531-532.) A court also generally cannot compel an agency to perform further environmental review if new regulations or guidelines for evaluating the project's impacts are adopted in the future. (*Concerned Dublin Citizens v. City of*

Dublin (2013) 214 Cal.App.4th 1301, 1320; *Fort Mojave Indian Tribe v. Department of Health Services* (1995) 38 Cal.App.4th 1574, 1605.)

Hence, "[d]esignating an EIR as a program EIR . . . does not by itself decrease the level of analysis otherwise required in the EIR. 'All EIR's must cover the same general content. [Citations.] The level of specificity of an EIR is determined by the nature of the project and the "rule of reason" [citation], rather than any semantic label accorded to the EIR.' " (*Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 533.) Consequently, in considering a challenge to a program EIR, "it is unconstructive to ask whether the EIR provided 'project-level' as opposed to 'program-level' detail and analysis. Instead, we focus on whether the EIR provided 'decision makers with sufficient analysis to intelligently consider the environmental consequences of [the] project.' " (*Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036, 1052.)

C

Standard of Review in CEQA Cases[3]

"[I]n a CEQA case, as in other mandamus cases, [our review] is the same as the trial court's: [we review] the agency's action, not the trial court's decision; in that sense [our review] is de novo. (*Vineyard*, *supra*, 40 Cal.4th at p. 427.) However, our inquiry extends " 'only to whether there was a prejudicial abuse of discretion.' ([§ 21168.5].)" (*Vineyard*, at p. 426.)

"[A]n agency may abuse its discretion under CEQA either by failing to proceed in the manner CEQA provides or by reaching factual conclusions unsupported by substantial evidence. (§ 21168.5.) Judicial review of these two types of error differs significantly: While we determine de novo whether the agency has employed the correct procedures, 'scrupulously enforc[ing] all legislatively mandated CEQA requirements' [citation], we accord greater deference to the agency's substantive factual conclusions." (*Vineyard*, *supra*, 40 Cal.4th at p. 435.) "In evaluating an EIR for CEQA compliance, then, [we] must adjust [our] scrutiny to the nature of the alleged defect, depending on whether the claim is predominantly one of improper procedure or a dispute over the facts.

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3 The California Supreme Court is currently reviewing the standard and scope of judicial review under CEQA. (*Sierra Club v. County of Fresno* (2014) 226 Cal.App.4th 704 [172 Cal.Rptr.3d 271], review granted Oct. 1, 2014, S219783.) Pending further guidance, we endeavor to apply the review dichotomy most recently articulated by the Supreme Court. (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 426-427, 435 (*Vineyard*); accord, *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 131; *In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1161-1162 (*Bay-Delta*); *Ebbetts Pass Forest Watch v. California Dept. of Forestry & Fire Protection* (2008) 43 Cal.4th 936, 944.)

For example, where an agency failed to require an applicant to provide certain information mandated by CEQA and to include that information in its environmental analysis, . . . the agency 'failed to proceed in the manner prescribed by CEQA.' [Citations.] In contrast, in a factual dispute over 'whether adverse effects have been mitigated or could be better mitigated' [citation], the agency's conclusion would be reviewed only for substantial evidence." (*Ibid.*)

II

Appeal

A

Background

1

In 2005 then Governor Arnold Schwarzenegger issued the Executive Order establishing greenhouse gas emissions reduction targets for California. Specifically, the Executive Order required reduction of greenhouse gas emissions to 2000 levels by 2010, to 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.[4]

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4 "[A]n executive order is generally regarded as 'a formal written directive of the Governor.' " (75 Ops.Cal.Atty.Gen. 263 (1992).) The Executive Order provided in relevant part: "I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power invested in me by the Constitution and statutes of the State of California, do hereby order effective immediately . . . . That the following greenhouse gas emission reduction targets are hereby established for California: by 2010, reduce [greenhouse gas] emissions to 2000 levels; by 2020, reduce [greenhouse gas] emissions to 1990 levels; by 2050, reduce [greenhouse gas] emissions to 80 percent below 1990 levels . . . ." (http://gov.ca.gov/news.php?id=1861 [as of Nov. 21, 2014].)

The Legislature subsequently enacted the California Global Warming Solutions Act of 2006 (Health & Saf. Code, § 38500 et seq.), referred to by the parties as Assembly Bill No. 32 (AB 32). Among its provisions, AB 32 tasked the California Air Resources Board (CARB) with determining the state's 1990 greenhouse gas emissions level and approving an equivalent emissions level to be achieved by 2020. (Health & Saf. Code, § 38550.)

The Legislature intended for the emissions limit to "continue in existence and be used to maintain and continue reductions in emissions of greenhouse gases beyond 2020." (Health & Saf. Code, § 38551, subd. (b).) The Legislature also intended for the emissions limit to work in concert with other environmental protection laws, expressly stating AB 32 does not "relieve any person, entity, or public agency of compliance with other applicable federal, state, or local laws or regulations, including state air and water quality requirements, and other requirements for protecting public health or the environment." (Health & Saf. Code, § 38592, subd. (b).) The Legislature further intended for "the Climate Action Team established by the Governor to coordinate the efforts set forth under [the Executive Order] continue its role in coordinating overall climate policy." (Health & Saf. Code, § 38501, subd. (i).) Thus, the Legislature, through AB 32, effectively endorsed the Executive Order and its overarching goal of ongoing greenhouse gas emissions reductions as state climate policy. (See, e.g., *Professional Engineers in California Government v. Schwarzenegger* (2010) 50 Cal.4th 989, 1000, 1043-1044, 1051 [subsequent legislative endorsement operates to ratify and validate provisions in Executive Order].)

Bolstering this conclusion, the Legislature also enacted the Sustainable Communities and Climate Protection Act of 2008 (Stats. 2008, ch. 728; Stats. 2009, ch. 354, § 5), referred to by the parties as Senate Bill No. 375 (SB 375). In enacting SB 375, the Legislature found automobiles and light trucks are responsible for 30 percent of the state's greenhouse gas emissions. (Stats. 2008, ch. 728, § 1, subd. (a).) Accordingly, SB 375 directed CARB to develop regional greenhouse gas emission reduction targets for automobiles and light trucks for 2020 and 2035. (Gov. Code, § 65080, subd. (b)(2)(A).) The targets established by CARB for the San Diego region require a 7 percent per capita reduction in carbon dioxide emissions by 2020 and a 13 percent per capita reduction by 2035 (compared to a 2005 baseline).[5] CARB must update these targets every eight years until 2050, and may update the targets every four years based on changing factors. (Gov. Code, § 65080, subd. (b)(2)(A)(iv).)

2

The transportation plan, which SANDAG must prepare every four years (23 U.S.C. § 134, subd. (c); Gov. Code, § 65080, subds. (a) & (d)), "serves as the long-range plan designed to coordinate and manage future regional transportation improvements, services, and programs among the various agencies operating within the San Diego region." In enacting SB 375, the Legislature found the state's emissions reductions goals cannot be met without improved land use and transportation policy. Consequently, SB 375 (Gov. Code, § 65080, subd. (b)(2)(B)) mandates the transportation

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5 The transportation plan meets these limited scope targets (see part II.C.1, *post*).

plan include a sustainable communities strategy to, as the EIR states, "guide the San Diego region toward a more sustainable future by integrating land use, housing, and transportation planning to create more sustainable, walkable, transit-oriented, compact development patterns and communities that meet [CARB's greenhouse gas] emissions targets for passenger cars and light-duty trucks." Once the sustainable communities strategy is approved, some transit priority projects consistent with the strategy are exempt from CEQA requirements. Other transit priority projects, residential projects, and mixed-use projects consistent with the strategy are subject to streamlined CEQA requirements. (§§ 21155-21155.4, 21159.28; Guidelines, § 15183.3.)

B

Greenhouse Gas Emissions Impacts Analysis

The EIR acknowledged the transportation plan's implementation would lead to an overall increase in greenhouse gas emissions levels; however, the EIR did not analyze whether this consequence conflicted with the Executive Order, or would impair or impede the achievement of the Executive Order's goals. As it did in the EIR and below, SANDAG contends on appeal its decision to omit an analysis of the transportation plan's consistency with the Executive Order (consistency analysis) did not violate CEQA because CEQA does not require such a consistency analysis. Whether the EIR's analysis complies with CEQA depends on whether the analysis reflects a reasonable, good faith effort to disclose and evaluate the transportation plan's greenhouse gas emissions impacts. We review the sufficiency of the analysis in light of what is reasonably foreseeable. (Guidelines, § 15151; *City of Maywood v. Los Angeles Unified School Dist.*

(2012) 208 Cal.App.4th 362, 386 (*City of Maywood*); *City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 897-898 (*City of Long Beach*).) As the focus of SANDAG's contention is whether the EIR's analysis was reasonable and not whether the EIR violated a specific statute or regulation, the contention presents a predominately factual question and our review is for substantial evidence. (*Vineyard*, *supra*, 40 Cal.4th at p. 435.)

Substantial evidence for CEQA purposes is "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (Guidelines, § 15384, subd. (a).) Substantial evidence includes "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." (*Id*., subd. (b).) It does not include argument, speculation, unsubstantiated opinion or narrative, clearly erroneous or inaccurate evidence, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment. (*Id*., subd. (a).)

"In reviewing for substantial evidence, [we] 'may not set aside an agency's approval of an EIR on the ground that an opposite conclusion would have been equally or more reasonable,' for, on factual questions, our task 'is not to weigh conflicting evidence and determine who has the better argument.' " (*Vineyard*, *supra*, 40 Cal.4th at p. 435; *Laurel Heights*, *supra*, 47 Cal.3d at p. 393.) Rather, we must resolve any reasonable doubts and any conflicts in the evidence in favor of the agency's findings and decision. (*Laurel Heights*, at p. 393; *Citizens for Responsible Equitable Environmental Development v. City of San Diego*, *supra*, 196 Cal.App.4th at pp. 522-523.)

In this case, SANDAG's decision to omit an analysis of the transportation plan's consistency with the Executive Order did not reflect a reasonable, good faith effort at full disclosure and is not supported by substantial evidence because SANDAG's decision ignored the Executive Order's role in shaping state climate policy. The Executive Order underpins all of the state's current efforts to reduce greenhouse gas emissions. As SANDAG itself noted in its Climate Action Strategy, the Executive Order's 2050 emissions reduction goal "is based on the scientifically-supported level of emissions reduction needed to avoid significant disruption of the climate and *is used as the long-term driver for state climate change policy development*." (Italics added.)

Indeed, the Executive Order led directly to the enactment of AB 32, which validated and ratified the Executive Order's overarching goal of ongoing emissions reductions, recognized the Governor's Climate Action Team as the coordinator of the state's overall climate policy, and tasked CARB with establishing overall emissions reduction targets for 2020 and beyond. The Executive Order also led directly to the enactment of SB 375, which tasked CARB with establishing regional automobile and light truck emissions reduction targets for 2020 and 2035. CARB is required to revisit these targets every eight years through 2050, or sooner if warranted by changing circumstances. (Gov. Code, § 65080, subd. (b)(2)(A)(iv).) Thus, the Executive Order, with the Legislature's unqualified endorsement, will continue to underpin the state's efforts to reduce greenhouse gas emissions throughout the life of the transportation plan. The EIR's failure to analyze the transportation plan's consistency with the Executive Order, or more particularly with the Executive Order's overarching goal of ongoing

greenhouse gas emissions reductions, was therefore a failure to analyze the transportation plan's consistency with state climate policy. As evidence in the record indicates the transportation plan would actually be inconsistent with state climate policy over the long term, the omission deprived the public and decision makers of relevant information about the transportation plan's environmental consequences. The omission was prejudicial because it precluded informed decisionmaking and public participation. (*Smart Rail*, *supra*, 57 Cal.4th at p. 463; *City of Long Beach*, *supra*, 176 Cal.App.4th at p. 898.)

SANDAG contends the EIR cannot analyze the transportation plan's consistency with the Executive Order because there is no statute or regulation translating the Executive Order's goals into comparable, scientifically based emissions reduction targets. However, we do not agree the lack of such targets precludes the EIR from performing a meaningful consistency analysis in this instance. "Drafting an EIR . . . necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can." (Guidelines, § 15144.) Although SANDAG may not know precisely what future emissions reduction targets the transportation plan will be required to meet, it knows from the information in its own Climate Action Strategy the theoretical emissions reduction targets necessary for the region to meet its share of the Executive Order's goals. It also knows state climate policy, as reflected in the Executive Order and AB 32, requires a continual *decrease* in the state's greenhouse gas emissions and the transportation plan after 2020 produces a continual *increase* in greenhouse gas emissions. With this knowledge, SANDAG could have reasonably analyzed whether the

transportation plan was consistent with, or whether it would impair or impede, state climate policy.[6]

SANDAG's attempts to disavow its responsibility for performing this analysis are unavailing. The Legislature specifically found reducing greenhouse gas emissions cannot be accomplished without improved land use and transportation policy. Accordingly, the transportation plan plays both a necessary and important role in achieving state climate policy. By failing to adequately inform the public and decision makers the transportation plan is inconsistent with state climate policy, the EIR deterred the decision makers from devising and considering changes to favorably alter the trajectory of the transportation plan's post-2020 greenhouse gas emissions. When the decision makers are inevitably faced with post-2020 requirements aligned with state climate policy, their task of complying with these requirements will be more difficult and some opportunities for compliance may be lost. As SANDAG explained in its Climate Action Strategy, "Once in place, land use patterns and transportation infrastructure typically remain part of the built environment and influence travel behavior and greenhouse gas emissions for several decades, perhaps longer." In this regard, the EIR falls far short of being "an

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6 We do not intend to suggest the transportation plan must achieve the Executive Order's 2050 goal or any other specific numerical goal. Our concern is with the EIR's failure to recognize, much less analyze and attempt to mitigate, the conflict between the transportation plan's long-term greenhouse gas emissions increase and the state climate policy goal, reflected in the Executive Order, of long-term emissions reductions. In fact, the EIR does not even discuss the transportation plan's failure to maintain emissions reductions after 2020, which is AB 32's minimum expectation. (See Health & Saf. Code, § 38551, subd. (b).)

'environmental "alarm bell" whose purpose it is to alert the public and its responsible officials to environmental changes before they have reach ecological points of no return.' " (*Laurel Heights*, *supra*, 47 Cal.3d at p. 392.) It also falls far short of " 'demonstrat[ing] to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its actions.' " (*Ibid.*)

We are likewise unpersuaded by SANDAG's assertion the EIR's analysis of the transportation plan's greenhouse gas emissions impacts fully complies with CEQA because it utilized significance thresholds specified in Guidelines section 15064.4, subdivision (b).[7] This Guideline states in relevant part: "A lead agency should consider the following factors, *among others*, when assessing the significance of impacts from greenhouse gas emissions on the environment: [¶] (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting[.] [¶] (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project. [¶] (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution

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7 "A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant." (Guidelines, § 15064.7.)

of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project." (Guidelines, § 15064.4, subd. (b), italics added.)

Although this Guideline specifies three means of determining whether a project's greenhouse gas emissions impacts are significant, the "among others" qualifying language indicates these means are not exclusive.[8] Moreover, "the fact that a particular environmental effect meets a particular threshold cannot be used as an automatic determinant that the effect is or is not significant . . . a threshold of significance cannot be applied in a way that would foreclose the consideration of other substantial evidence tending to show the environmental effect to which the threshold relates might be significant." (*Protect The Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109 (*Amador*).) Consequently, the use of the Guideline's thresholds does not necessarily equate to compliance with CEQA, particularly where, as here, the failure to consider the transportation plan's consistency with the state climate policy of ongoing emissions reductions reflected in the Executive Order frustrates the state climate policy and renders the EIR fundamentally misleading.

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[8] Indeed, in its statement of reasons for adopting the Guideline, the Natural Resources Agency explained the Guideline "reflects the existing CEQA principle that there is no iron-clad definition of 'significance.' [Citations.] Accordingly, lead agencies must use their best efforts to investigate and disclose all that they reasonably can regarding a project's potential adverse impacts." (California Natural Resources Agency, Final Statement of Reasons for Regulatory Action (Dec. 2009) p. 20 < http:// resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf > (as of Nov. 21, 2014).)

We are also unpersuaded by SANDAG's assertion it was not required to analyze the transportation plan's consistency with the state climate policy reflected in the Executive Order because SANDAG has broad discretion to select the criteria it uses to determine the significance of the transportation plan's impacts. While we agree SANDAG has such discretion (*North Coast Rivers Alliance v. Marin Municipal Water Dist. Bd. of Directors* (2013) 216 Cal.App.4th 614, 624), SANDAG abuses its discretion if it exercises it in a manner that causes an EIR's analysis to be misleading or without informational value. (See *Smart Rail*, *supra*, 57 Cal.4th at pp. 445, 457.) "A lead agency cannot avoid finding a potentially significant effect on the environment by rotely applying standards of significance that do not address that potential effect." (*Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690, 717, citing *Amador*, *supra*, 116 Cal.App.4th at p. 1111.)

By disregarding the Executive Order's overarching goal of ongoing emissions reductions, the EIR's analysis of the transportation plan's greenhouse gas emissions makes it falsely appear as if the transportation plan is furthering state climate policy when, in fact, the trajectory of the transportation plan's post-2020 emissions directly contravenes it. "[O]mitting material necessary to informed decisionmaking and informed public participation" subverts the purposes of CEQA and "precludes both identification of potential environmental consequences arising from the project and also thoughtful analysis of the sufficiency of measures to mitigate those consequences." (*Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 658.) Such an omission is particularly troubling where, as here, the project under review involves long-term,

planned expenditures of billions of taxpayer dollars. No one can reasonably suggest it would be prudent to go forward with planned expenditures of this magnitude before the public and decision makers have been provided with all reasonably available information bearing on the project's impacts to the health, safety, and welfare of the region's inhabitants. We, therefore, conclude SANDAG prejudicially abused its discretion by omitting from the EIR an analysis of the transportation plan's consistency with the state climate policy, reflected in the Executive Order, of continual greenhouse gas emissions reductions.[9]

C

Mitigation of Greenhouse Gas Emissions Impacts

1

Although the EIR did not analyze the transportation plan's consistency with the state climate policy reflected in the Executive Order, the EIR nevertheless, analyzed the transportation plan's greenhouse gas emissions impacts against three significance thresholds for each of the planning years 2020, 2035, and 2050. Under the first

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[9] Our decision will not necessarily stop any project encompassed within the transportation plan. (See *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 286-289.) Our decision also will not procedurally or substantively expand CEQA requirements in violation of section 21083.1 because the EIR is required to analyze the transportation plan's potential "to degrade the quality of the environment, curtail the range of the environment, *or to achieve short-term, to the disadvantage of long-term, environmental goals*." (§ 21083, subd. (b)(1), italics added; Guidelines, § 15065, subd. (a)(2), (c).) Rather, our decision is consistent with the intent CEQA "be interpreted to afford the fullest possible protection to the environment within the reasonable scope of the statutory language. (Guidelines, § 15003, subd. (f).)

threshold, the EIR posited the transportation plan's impacts would be significant if the transportation plan's implementation were to increase greenhouse gas emissions compared to existing, or 2010, conditions. Under the second threshold, the EIR posited the transportation plan's impacts would be significant if the transportation plan's implementation conflicted with CARB's regional automobile and light truck emissions reductions targets. Under the third threshold, the EIR stated the transportation plan's impacts would be significant if the transportation plan's implementation conflicted with either CARB's Climate Change Scoping Plan (Scoping Plan) or SANDAG's own Climate Action Strategy.[10]

The EIR concluded the transportation plan's greenhouse gas emissions impacts would be significant under the first significance threshold for the 2035 and 2050 planning years because the emissions would be higher in those planning years than in 2010. The EIR concluded the greenhouse gas emissions impacts would be less than significant in all other respects analyzed.[11]

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[10] The Scoping Plan is CARB's roadmap for achieving greenhouse gas emissions reductions. The Climate Action Strategy is SANDAG's guide for addressing climate change. The Climate Action Strategy emphasizes the areas where the greatest impact can be made at the local level, including transportation infrastructure.

[11] The People and Cleveland have not challenged these conclusions and their propriety is not before us. Nonetheless, regarding the third significance threshold, we note the Climate Action Strategy expresses far stronger views than the transportation plan on the steps necessary to achieve the state's long-term greenhouse gas emissions reductions goals. For example, the Climate Action Strategy maintains achieving the goals "will require fundamental changes in policy, technology, and behavior" and "[b]y 2030, the region must have met and gone below the 1990 [emissions] level and be well on its way to doing its share for achieving the 2050 greenhouse gas reduction level."

To mitigate the significant greenhouse gas emissions impacts found under the first threshold, the EIR identified three mitigation measures it deemed feasible.[12] The first mitigation measure required SANDAG to update its future regional comprehensive plans, regional transportation plans, and sustainable communities plans to incorporate policies and measures leading to reduced greenhouse gas emissions. The second mitigation measure encouraged the San Diego region cities and the County of San Diego (County) to adopt and implement climate action plans for reducing greenhouse gas emissions to a level the particular city or the County determined would not be cumulatively considerable. The second mitigation measure also identified various provisions the plans should include and stated SANDAG would assist in the preparation of the plans and other climate strategies through the continued implementation of its own Climate Action Strategy and Energy Roadmap Program.[13] The third mitigation measure stated SANDAG would and other agencies should require the use of best available control technology to reduce greenhouse gas emissions during the construction and operation of projects.

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[12] " 'Feasible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (Guidelines, § 15364.)

[13] According to the record, the Energy Roadmap Program "identifies energy-saving measures that can be integrated into local planning and permitting processes, ordinances, outreach and education efforts, and municipal operations."

According to the EIR, these mitigation measures encourage reduction in greenhouse gas emissions, but they do not provide a mechanism guaranteeing such reductions. Consequently, the EIR concluded the significant impacts found under the first threshold would remain significant and unavoidable.

The EIR also considered and rejected three other mitigation measures deemed infeasible. These mitigation measures were: (1) requiring all vehicles driven within the region to be zero-emission vehicles or to be powered by renewable energy; (2) requiring all future construction to be net-zero energy use; and (3) requiring all future construction activity to include only equipment retrofitted to significantly reduce greenhouse gas emissions.

3

SANDAG contends the EIR adequately addressed mitigation for the transportation plan's significant greenhouse gas emissions impacts. Given our conclusion in part II.B, *ante*, this challenge is at least partially moot as the additional analysis necessary to properly address the transportation plan's consistency with the state climate policy reflected in the Executive Order will likely require revisions to related sections of the EIR, including the EIR's discussion of mitigation measures. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 91 [once a lead agency recognizes an impact is significant, the agency must describe, evaluate, and adopt

feasible mitigation measures to mitigate or avoid the impact].)[14] We, nonetheless, briefly address SANDAG's contention. As this contention is predominately factual, our review is for substantial evidence. (*Vineyard*, *supra*, 40 Cal.4th at p. 435.)

a

"The core of an EIR is the mitigation and alternatives sections." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564; *Watsonville Pilots Assn. v. City of Watsonville* (2010) 183 Cal.App.4th 1059, 1089.) "Section 21002 requires agencies to adopt feasible mitigation measures to substantially lessen or avoid otherwise significant adverse environmental impacts. [¶] The CEQA guidelines state that to be legally adequate mitigation measures must be capable of: '(a) Avoiding the impact altogether by not taking a certain action or parts of an action. (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation. (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment. (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.' [Citation.]

"For each significant effect, the EIR must identify specific mitigation measures; where several potential mitigation measures are available, each should be discussed separately, and the reasons for choosing one over the others should be stated. If the

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14 We do not express any view on precisely how SANDAG must remedy the analytical deficiencies identified in this opinion as we recognize a court may direct SANDAG to comply with CEQA, but a court may not direct SANDAG to exercise its discretion in a particular fashion or to produce a particular result. (§ 21168.9, subd. (c); *Schellinger Brothers v. City of Sebastopol* (2009) 179 Cal.App.4th 1245, 1266.)

inclusion of a mitigation measure would itself create new significant effects, these too, must be discussed, though in less detail than required for those caused by the project itself." (*Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1027.)

For significant greenhouse gas emissions effects, feasible mitigation measures may include: "(1) Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision; [¶] (2) Reductions in emissions resulting from a project through implementation of project features, project design, or other measures . . . ; [¶] (3) Off-site measures, including offsets that are not otherwise required, to mitigate a project's emissions; [¶] (4) Measures that sequester greenhouse gases; [¶] [and] (5) In the case of the adoption of a plan, such as a general plan, long range development plan, or plans for the reduction of greenhouse gas emissions, mitigation may include the identification of specific measures that may be implemented on a project-by-project basis. Mitigation may also include the incorporation of specific measures or policies found in an adopted ordinance or regulation that reduces the cumulative effect of emissions." (Guidelines, § 15126.4, subd. (c).)

b

At one extreme, the EIR in this case considered and deemed feasible three measures requiring little to no effort to implement and assuring little to no concrete steps toward emissions reduction. In addition, according to the EIR, many of the suggestions contained in these measures have already been incorporated into the transportation plan and, by implication, the transportation plan's emissions estimates. "A 'mitigation measure' is a suggestion or change that would reduce or minimize significant adverse

impacts on the environment caused by the project as proposed." (*Lincoln Place Tenants Association v. City of Los Angeles* (2007) 155 Cal.App.4th 425, 445.) A mitigation measure is not part of the project. (*Lotus v. Department of Transportation*, *supra*, 223 Cal.App.4th at p. 656 & fn. 8.) Thus, it is questionable whether these measures even qualify as mitigation measures.

At the other extreme, the EIR considered and deemed infeasible three particularly onerous measures. Each of the measures would be difficult, if not impossible, to enforce and each requires implementation resources not readily available. Unrealistic mitigation measures, similar to unrealistic project alternatives, do not contribute to a useful CEQA analysis. (See *Watsonville Pilots Assn. v. City of Watsonville*, *supra*, 183 Cal.App.4th at p. 1089; 1 Kostka & Zischke, Practice Under the Cal. Environmental Quality Act (Cont.Ed.Bar 2014) § 15.10, pp. 15-16.) As none of these measures had any probability of implementation, their inclusion in the EIR was illusory.

Missing from the EIR is what CEQA requires: a discussion of mitigation alternatives that could both substantially lessen the transportation plan's significant greenhouse gas emissions impacts and feasibly be implemented. (*Lincoln Place Tenants Association v. City of Los Angeles*, *supra*, 155 Cal.App.4th at p. 445.) A few examples of potential alternatives identified in the Climate Action Strategy include: supporting the planning and development of smart growth areas through transportation investments and other funding decisions; offering incentives for transit-oriented developments in smart growth areas; coordinating the funding of low carbon transportation with smart growth development; and encouraging parking management measures that promote walking and

transit use in smart growth areas. Given the absence of any discussion of such mitigation alternatives, we conclude there is not substantial evidence to support SANDAG's determination the EIR adequately addressed mitigation for the transportation plan's greenhouse gas emissions impacts. The error is prejudicial because it precluded informed public participation and decisionmaking. (§ 21005, subd. (a); *City of Maywood*, *supra*, 208 Cal.App.4th at p. 386.)

III

Cross-Appeals

A

Forfeiture

The People's and Cleveland's pleadings and briefs below challenged many aspects of the EIR in addition to the EIR's analysis and mitigation of greenhouse gas emissions impacts. In its tentative ruling, the superior court acknowledged the other challenges, but determined it could resolve the case solely on the greenhouse gas emissions impacts analysis and mitigation issues and, consequently, it did not need to address the other challenges. The People and Cleveland through their cross-appeals now seek rulings from this court on many of the other challenges. SANDAG contends they forfeited these challenges by failing to attempt to obtain rulings on them below.

Even if SANDAG's contention were correct, the application of the forfeiture rule is not automatic and we may excuse forfeiture in cases presenting "an important legal issue." (*In re S.B.* (2004) 32 Cal.4th 1287, 1293.) We are persuaded the legal issues raised in the cross-appeals are sufficiently important we should exercise our discretion to

excuse any forfeiture. Moreover, we are mindful of the Legislature's intent "that any court, which finds, or, in the process of reviewing a previous court finding, finds, that a public agency has taken an action without compliance with [CEQA], shall specifically address each of the alleged grounds for noncompliance." (§ 21005, subd. (c).)

B

Project Alternatives

1

The EIR analyzed seven project alternatives. They were:

1. A no project alternative, which assumed the transportation plan would not be adopted and only transportation improvements under construction or development would be built (Alternative 1);

2. A modified funding strategy alternative, which deleted some highway improvements, delayed other highway improvements, added some transit projects, advanced other transit projects, and increased some transit service frequencies (Alternative 2a);

3. The same modified funding strategy alternative coupled with a modified "smart growth" land use pattern, which assumed added infill and redevelopment to increase residential development density in urban and town center areas and increased employment within job centers (Alternative 2b);

4. A transit emphasis alternative, which advanced the development of some transit projects, but did not add any new transit projects (Alternative 3a);

5. The same transit emphasis alternative, but assuming the modified smart growth land use pattern (Alternative 3b);

6. An alternative implementing the transportation plan's transportation network, but assuming the modified smart growth land use pattern (Alternative 4); and

7. A slow growth alternative, which assumed the application of regulations and/or economic disincentives to slow population and employment and delayed the complete implementation of the transportation plan by five years (Alternative 5).

2

Cleveland contends the EIR fails to comply with CEQA because the EIR did not analyze a reasonable range of project alternatives. As the focus of this contention is whether the analysis was reasonable and not whether it occurred, the contention presents a predominately factual question and our review is for substantial evidence. (*Vineyard*, *supra*, 40 Cal.4th at p. 435.)

"CEQA requires that an EIR, in addition to analyzing the environmental effects of a proposed project, also consider and analyze project alternatives that would reduce adverse environmental impacts. [Citations.] The [Guidelines] state that an EIR must 'describe a range of reasonable alternatives to the project . . . which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project . . . .' [Citation.] An EIR need not consider every conceivable alternative to a project or alternatives that are infeasible. [Citations.] [¶] . . . [¶]

" 'There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.' [Citation.] The rule of reason 'requires the EIR to set forth only those alternatives necessary to permit a reasoned choice' and to 'examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.' [Citations.] An EIR does not have to consider alternatives 'whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.' " (*Bay-Delta*, *supra*, 43 Cal.4th at p. 1163, fn. omitted.) A court will uphold the selection of project alternatives unless the challenger demonstrates " 'that the alternatives are manifestly unreasonable and that they do not contribute to a reasonable range of alternatives.' " (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 988.)

In this case, the EIR's discussion of project alternatives is deficient because it does not discuss an alternative which could significantly reduce total vehicle miles traveled. Although Alternatives 3a and 3b are labeled "transit emphasis" alternatives, the labeling is a misnomer. These alternatives mainly advance certain rapid bus projects, but leave the planned rail and trolley projects largely unchanged. In addition, these alternatives do not provide any new transit projects or significant service increases. In fact, the "transit emphasis" alternatives include fewer transit projects than some of the other non-"transit-emphasis" alternatives.

The omission of an alternative which could significantly reduce total vehicle miles traveled is inexplicable given SANDAG's acknowledgment in its Climate Action Strategy that the state's efforts to reduce greenhouse gas emissions from on-road

transportation will not succeed if the amount of driving, or vehicle miles traveled, is not significantly reduced. The Climate Action Strategy explained, "Lowering vehicle miles traveled means providing high-quality opportunities to make trips by alternative means to driving alone such as walking, bicycling, ridesharing, and public transit, and by shortening vehicle trips that are made. This can be accomplished through improved land use and transportation planning and related measures, policies and investments that increase the options people have when they travel." Accordingly, the Climate Action Strategy recommended policy measures to increase and prioritize funding and system investments for public transit and transit operations, increase the level of service on existing routes and provide new public transit service through expanded investments, and improve the performance of public transit with infrastructure upgrades. Given these recommendations, their purpose, and their source, it is reasonable to expect at least one project alternative to have been focused primarily on significantly reducing vehicle trips.

Instead, it appears the project alternatives focused primarily on congestion relief. The Climate Action Strategy provides evidentiary support for the consideration of congestion relief alternatives as it notes, "Eliminating or reducing congestion can lead to more efficient travel conditions for vehicles and greenhouse gas savings." However, the transportation plan is a long-term plan and congestion relief is not necessarily an effective long-term strategy. As the Climate Action Strategy explains, "Measures to relieve congestion also may induce additional vehicle travel during uncongested periods, particularly over the long-term, which can partially or fully offset the greenhouse gas reductions achieved in the short-term from congestion relief. Induced demand

(sometimes called the rebound effect) in transportation refers to the increase in travel that can occur when the level of service on a roadway or other facility improves. Travelers sometimes respond to faster travel times and decreased costs of travel by traveling more, resulting in increased vehicle miles traveled." (Fns. omitted.) Given the acknowledged long-term drawbacks of congestion relief alternatives, there is not substantial evidence to support the EIR's exclusion of an alternative focused primarily on significantly reducing vehicle trips. The error is prejudicial because it precluded informed public participation and decisionmaking. (§ 21005, subd. (a); *City of Maywood*, *supra*, 208 Cal.App.4th at p. 386.)

C

Air Quality Impacts

1

Eleven air quality monitoring stations throughout the region measure ambient air pollutant concentrations to determine whether the region's air quality meets federal and state standards. The region does not meet the state standards for emissions of respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less (PM_{10}) and fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less ($PM_{2.5}$).[15] The EIR forecasted the daily tonnage of on-road mobile emissions of PM_{10} and $PM_{2.5}$ from the transportation plan's transportation network

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15 According to the EIR, "respirable" means the particulate matter can "avoid many of the human respiratory system defense mechanisms and enter deeply into the lung."

improvements would steadily and substantially increase from 2010 to 2050. The EIR did not forecast whether there would be any increase in these emissions from regional growth or land use changes associated with the transportation plan. Instead, the EIR indicated such forecasting would be done during the next tier of environmental review.

Five of the region's air quality monitoring stations also sample toxic air contaminants (TACs), which are contaminants known or suspected to cause cancer or serious health problems, but for which there are no federal or state ambient air quality standards. State law also requires facilities to report any emissions of TACs in order to quantify the amount released, the location of the release, the concentrations to which the public is exposed, and the resulting potential health risk. (Health & Saf. Code, § 44300 et seq.) In 2009, annual emissions of TACs in the region were estimated to be more than 64.9 million pounds.

According to the EIR, exposure to TACs can cause cancer and other serious health problems. This is especially true of exposure to diesel particulate matter, which is respirable (see fn. 15, *ante*). The EIR further explained, "The carcinogenic potential of TACs is a particular public health concern because many scientists currently believe that there is no 'safe' level of exposure to carcinogens. Any exposure to a carcinogen poses some risk of contracting cancer."

One of the thresholds the EIR used to determine the significance of the transportation plan's air quality impacts was whether sensitive receptors would be exposed to substantial pollutant concentrations. For purposes of this threshold, "sensitive

receptors" included children, the elderly, and communities already experiencing high levels of air pollution and related diseases.

As to PM_{10} and $PM_{2.5}$ emissions, the EIR indicated sensitive receptors could be significantly impacted if they were located near congested intersections. As to TACs, the EIR indicated TACs emitted from highway vehicles and nonroad equipment tend to impact those closest to the emission sources. The EIR explained, "[a] growing body of scientific evidence shows that living or going to school near roadways with heavy traffic volumes is associated with a number of adverse effects. These include increased respiratory symptoms, increased risk of heart and lung disease, and elevated mortality rates."

Although the EIR recognized regional growth and land use changes associated with the transportation plan had the potential to expose sensitive receptors to substantial localized pollutant concentrations, the EIR stated the level of exposure could not and would not be determined until the next tier of environmental review when facility designs of individual projects became available. The EIR made identical statements regarding proposed transportation improvements associated with the transportation plan.

The EIR summarized several studies linking proximity to heavily traveled roads and freeways to harmful health effects to children. The EIR also noted CARB had estimated the region's health risk from diesel particulate matter in 2000 was 720 excess cancer cases per million and had recommended sensitive land uses not be sited within 500 feet of a freeway, urban roads with 100,000 vehicles per day, and rural roads with 50,000 vehicles per day.

Cleveland contends the EIR's air quality impacts analysis violates CEQA because the EIR's description of existing conditions does not adequately depict the public's existing exposure to TACs. Cleveland contends the existing conditions description also fails to identify the approximate number and location of sensitive receptors near planned transportation projects. SANDAG, however, asserts its existing conditions description is sufficiently detailed for a program level EIR. As these contentions focus on the reasonableness of the EIR's analysis, they present predominately factual questions and our review is for substantial evidence. (*Vineyard*, *supra*, 40 Cal.4th at p. 435; accord, *Smart Rail*, *supra*, 57 Cal.4th at pp. 447-449; *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 328.)

To fulfill its information disclosure function, "an EIR must delineate environmental conditions prevailing absent the project, defining a baseline against which predicted effects can be described and quantified." (*Smart Rail*, *supra*, 57 Cal.4th at p. 447; see *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 953 [without an adequate baseline description, "analysis of impacts, mitigation measures and project alternatives becomes impossible"]; Guidelines, § 15125, subd. (a).)[16] If the description of the environmental setting " 'is inaccurate, incomplete or

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16 Guidelines section 15125, subdivision (a), provides: "An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and

misleading, the EIR does not comply with CEQA. [Citation.] "Without accurate and complete information pertaining to the setting of the project and surrounding uses, it cannot be found that the [EIR] adequately investigated and discussed the environmental impacts of the development project." ' " (*Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 219.)

In this case, for TACs exposures, the record shows there was available data from monitoring stations and mandatory reports with which SANDAG could have developed a reasoned estimate of the region's existing TACs exposures. Likewise, for sensitive receptors, the record shows SANDAG has data showing current population and land use patterns and current transportation infrastructure from which it could have developed a reasoned estimate of the number and location of sensitive receptors adjacent to highways and heavily traveled roadways.

The fact more precise information may be available during the next tier of environmental review does not excuse SANDAG from providing what information it reasonably can now. (Guidelines, § 15144.) Moreover, if known impacts are not analyzed and addressed in a program EIR, they may potentially escape analysis in a later tier EIR. (§ 21166; *Citizens Against Airport Pollution v. City of San Jose*, *supra*, 227 Cal.App.4th at pp. 807-808; *Concerned Dublin Citizens v. City of Dublin*, *supra*, 214 Cal.App.4th at p. 1320; *Citizens for Responsible Equitable Environmental Development v. City of San Diego*, *supra*, 196 Cal.App.4th at pp. 531-532; *Fort Mojave Indian Tribe v.*

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regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."

Department of Health Services, *supra*, 38 Cal.App.4th at p. 1605.) We, therefore, conclude there is not substantial evidence to support SANDAG's determination it could not reasonably provide additional baseline information in the EIR about TACs exposures and the location of sensitive receptors. The error is prejudicial because it precluded informed public participation and decisionmaking. (§ 21005, subd. (a); *City of Maywood*, *supra*, 208 Cal.App.4th at p. 386.)

3

Both the People and Cleveland contend the EIR's analysis of air quality impacts fails to comply with CEQA because it fails to correlate the transportation plan's adverse air quality impacts to resulting adverse health impacts. SANDAG again contends its disclosure efforts are adequate for the program level of environmental review and producing additional information at this level is infeasible. As with the parties' other contention, this contention is predominantly factual and our review is for substantial evidence. (*Vineyard*, *supra*, 40 Cal.4th at p. 435.)

"Guidelines section 15126.2, subdivision (a) requires an EIR to discuss, inter alia, 'health and safety problems caused by the physical changes' that the proposed project will precipitate." (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1219 (*Bakersfield Citizens*).) Accordingly, an EIR must identify and analyze the adverse health impacts likely to result from the project's air quality impacts. (*Id.*, at p. 1220; *Berkeley Keep Jets Over the Bay Com. v. Board of Port Comrs.*, *supra*, 91 Cal.App.4th at pp. 1367-1371.)

Here, the EIR identified in a general manner the adverse health impacts that might result from the transportation plan's air quality impacts. However, the EIR failed to correlate the additional tons of annual transportation plan-related emissions to anticipated adverse health impacts from the emissions. Although the public and decision makers might infer from the EIR the transportation plan will make air quality and human health worse, at least in some respects for some people, this is not sufficient information to understand the adverse impact. (*Bakersfield Citizens*, *supra*, 124 Cal.App.4th at p. 1220 [EIR analysis of air quality impacts deficient where public would have no idea of the health consequences of increased air pollution].)

While SANDAG contends it is not feasible to provide more definite information at this juncture, we have not located nor has SANDAG identified any evidence in the record supporting this contention. Instead, SANDAG impermissibly relies solely on its own bald assertions of infeasibility contained in the EIR. (*City of Maywood*, *supra*, 208 Cal.App.4th at p. 385 [an EIR must contain facts and analysis, not just the agency's bare conclusions].) Certainly, we recognize there are limitations to the precision of a program-level analysis. SANDAG is nonetheless obliged to disclose what it reasonably can about the correlation, it has not done so, and there is not substantial evidence showing it could not do so. The error is prejudicial because it precluded informed public

participation and decisionmaking.[17] (§ 21005, subd. (a); *City of Maywood*, *supra*, at p. 386.)

4

a

To mitigate the transportation plan's air quality impacts, the EIR identified the following mitigation measures:

1. Local jurisdictions should incorporate into their land use decisions certain measures recommended by the California Attorney General for reducing greenhouse gas emissions.

2. At the next tier of environmental review, SANDAG will and other implementing agencies should incorporate certain dust control measures into project specifications for transportation network improvements.

3. At the next tier of environmental review, SANDAG will and other implementing agencies should require any heavy duty off-road vehicles used to construct transportation network improvements to utilize all feasible measures to reduce specified emissions to a less than significant level.

4. At the next tier of environmental review, SANDAG will and other implementing agencies should evaluate potential impacts from carbon monoxide, PM_{10}

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17 Given this conclusion and its bases, we need not decide the People's conditional motion for judicial notice of examples of correlative information contained in comparable EIRs from other jurisdictions.

and $PM_{2.5}$ emissions and their health risks and, if required, add one or more recommended mitigation measures to reduce the emissions.

The EIR further concluded these were the only mitigation measures available at the program-level of environmental review.

b

Both the People and Cleveland contend these measures, except for the second, violate CEQA because they improperly defer mitigation of the transportation plan's significant air quality impacts. SANDAG once more counters these measures are adequate for the program level of environmental review.

This issue, like the issue involving the mitigation of greenhouse gas emissions impacts, is at least partially moot given our conclusion in parts III.C.2 & 3, *ante*, as the additional analysis necessary to correct the noted deficiencies will likely require revisions to related sections of the EIR, including the discussion of mitigation measures. (*Communities for a Better Environment v. City of Richmond*, *supra*, 184 Cal.App.4th at p. 91.) However, we briefly address the People's and Cleveland's contentions. As these contentions are predominantly factual, our review is for substantial evidence. (*Vineyard*, *supra*, 40 Cal.4th at p. 435.)

"An EIR shall describe feasible measures which could minimize significant adverse impacts. (Guidelines, § 15126.4, subd. (a)(1).) An EIR may not defer the formulation of mitigation measures to a future time, but mitigation measures may specify performance standards which would mitigate the project's significant effects and may be accomplished in more than one specified way. (*Id*., subd. (a)(1)(B).)

"Thus, ' " 'for [the] kinds of impacts for which mitigation is known to be feasible, but where practical considerations prohibit devising such measures early in the planning process (e.g., at the general plan amendment or rezone stage), the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval. Where future action to carry a project forward is contingent on devising means to satisfy such criteria, the agency should be able to rely on its commitment as evidence that significant impacts will in fact be mitigated.' " ' [Citation.] Conversely, ' "[i]mpermissible deferral of mitigation measures occurs when an EIR puts off analysis or orders a report without either setting standards or demonstrating how the impact can be mitigated in the manner described in the EIR." ' " (*Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 280-281.)

In this case, with one exception, the EIR defers the analysis of appropriate mitigation measures. It also fails to set performance standards and commit SANDAG to complying with them. Although SANDAG contends no other mitigation is feasible at the program level of environmental review, we have not located nor has SANDAG pointed to any evidence in the record supporting this contention. Accordingly, we conclude there is not substantial evidence to support SANDAG's determination the EIR adequately addressed mitigation for the transportation plan's air quality impacts. The error is prejudicial because it precluded informed public participation and decisionmaking. (§ 21005, subd. (a); *City of Maywood*, *supra*, 208 Cal.App.4th at p. 386.)

D

Agricultural Impacts

1

The EIR evaluated the transportation plan's agricultural impacts under two significance thresholds. Under the first threshold, the EIR evaluated the impacts to land designated prime farmland, unique farmland or farmland of statewide significance under the California Resources Agency's Farmland Mapping and Monitoring Program.[18] The EIR concluded implementation of the transportation plan would result in the conversion of 3,485.09 acres of such farmland by 2050.

Under the second threshold, the EIR evaluated impacts to all land with existing agricultural uses regardless of classification, lands subject to Williamson Act contracts, and lands designated under the California Farmland Conservancy Program Act.[19] The EIR concluded implementation of the transportation plan would result in the conversion

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18 According to the EIR, the Farmland Mapping and Monitoring Program is used to identify agricultural resources of 10-acres or more. "Farmlands are classified according to soil factors, including available water holding capacity, temperature regime, acidity, depth to the water table, electrical conductivity, flooding potential, erosion hazard, permeability, rock content, and rooting depth. The best quality land is identified as Prime Farmland and Farmland of Statewide Importance."

19 According to the EIR, "the Williamson Act [Gov. Code, § 51200 et seq.] enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value."

The California Farmland Conservancy Program Act (§ 10200 et seq.) encourages "the long-term, private stewardship of agricultural lands through the voluntary use of agricultural conservation easements."

of 7,023.07 acres of such land by 2050. The conclusion was based on data from the Farmland Mapping and Monitoring Program augmented with data from SANDAG's own geographic information system.

2

a

Cleveland contends the EIR violates CEQA by understating the transportation plan's growth-induced impacts on agricultural lands. As this contention is predominantly factual, our review is for substantial evidence. (*Vineyard*, *supra*, 40 Cal.4th at p. 435.)

As we have previously indicated, when reviewing the adequacy of an EIR's disclosures, we are chiefly concerned with whether the EIR reasonably fulfills its function of facilitating informed decisionmaking. An analysis which understates the severity of a project's impacts "impedes meaningful public discussion and skews the decisionmaker's perspective concerning the environmental consequences of the project, the necessity for mitigation measures, and the appropriateness of the project approval." (*Citizens to Pres. the Ojai v. County of Ventura* (1985) 176 Cal.App.3d 421, 431.)

In this case, both of the data sets used to analyze the transportation plan's agricultural impacts have important limitations. The Farmland Mapping and Monitoring Program does not capture information for farmland under 10 acres. In addition, according to SANDAG, its own geographic information system's inventory of agricultural land may not include any agricultural lands that went into production after the mid-1990s. The combined effect of these limitations is that there is not substantial evidence to show the EIR's analysis accounted for impacts to farmland of less than 10

acres put into production within the last 20 years. The error necessarily prejudiced informed public participation and decisionmaking because 68 percent of the farmland in the County is between one and nine acres, with the average farm size being four acres. (§ 21005, subd. (a); *City of Maywood*, *supra*, 208 Cal.App.4th at p. 386.)

While SANDAG correctly points out CEQA permits the use of data from the Farmland Mapping and Monitoring Program to analyze a project's agricultural impacts (Guidelines, Exhibit G), CEQA does not mandate the use of such data nor does it insulate an EIR from further scrutiny if the EIR relies on the data. Moreover, because the transportation plan included the sustainable communities strategy, SANDAG was required by statute to "gather and consider the best practically available scientific information regarding resource areas and farmland in the region . . . ." (Gov. Code, § 65080, subd. (b)(2)(B)(v).) By choosing a methodology with known data gaps, SANDAG produced unreliable estimates of the amount of existing farmland and, consequently, unreliable estimates of the transportation plan's impacts to existing farmland. Accordingly, SANDAG failed to comply with its statutory obligation as well as CEQA's information disclosure requirements.

b

Finally, in addition to Cleveland's general contention that the EIR understated the transportation plan's agricultural impacts, Cleveland raises two specific contentions: (1) the EIR failed to disclose and analyze the transportation plan's impacts to small farms; and (2) the EIR's discussion of impacts to agricultural land from growth inaccurately assumed land converted to a rural residential designation would remain farmland.

SANDAG counters Cleveland is precluded under section 21177, subdivision (a), from raising these two specific contentions because Cleveland never exhausted its administrative remedies as to them.[20] Except to the extent the specific contentions are subsumed within the general contention, we agree.

"A CEQA challenge is not preserved 'unless the alleged grounds for noncompliance with [CEQA] were presented to the public agency orally or in writing by any person during the public comment period provided by this division or prior to the close of the public hearing . . . .' [Citation.] 'Exhaustion of administrative remedies is a jurisdictional prerequisite to maintenance of a CEQA action.' [Citation.]

" 'To advance the exhaustion doctrine's purpose "[t]he 'exact issue' must have been presented to the administrative agency . . . ." [Citation.] While " 'less specificity is required to preserve an issue for appeal in an administrative proceeding than in a judicial proceeding' because, . . . parties in such proceedings generally are not represented by counsel . . . ' [citation]" [citation], "generalized environmental comments at public hearings," "relatively . . . bland and general references to environmental matters" [citation], or "isolated and unelaborated comment[s]" [citation] will not suffice. The same is true for " '[g]eneral objections to project approval . . . .' [Citations.]" [Citation.]

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20 Section 21177, subdivision (a), provides: "An action or proceeding shall not be brought pursuant to Section 21167 unless the alleged grounds for noncompliance with this division were presented to the public agency orally or in writing by any person during the public comment period provided by this division or prior to the close of the public hearing on the project before the issuance of the notice of determination."

" '[T]he objections must be sufficiently specific so that the agency has the opportunity to evaluate and respond to them.' " ' [Citation.]

" ' "The petitioner bears the burden of demonstrating that the issues raised in the judicial proceeding were first raised at the administrative level. [Citation.]" [Citation.] An appellate court employs a de novo standard of review when determining whether the exhaustion of administrative remedies doctrine applies.' " (*Citizens for Responsible Equitable Environmental Development v. City of San Diego*, *supra*, 196 Cal.App.4th at p. 527.)

Cleveland has not met its burden in this case. Before SANDAG approved the EIR, Cleveland submitted a letter commenting on the EIR's analysis of agricultural impacts from growth as follows: "[T]he [EIR] states that approximately 10,500[21] acres of agricultural land will be impacted due to regional growth and land use change by the year 2050. [Citations.] The [EIR] also acknowledges that its regional growth projections are based on current planning assumptions for San Diego County and the jurisdictions therein. [Citation.] However, the EIR for the County's current General Plan update, which by definition reflects current planning assumptions (as of 2011), shows that the General Plan expects *55,963* acres of agricultural land to convert to non-agricultural uses by the year 2030. [Citation.] Even though they account for conditions expected to exist 20 years sooner, these impacts are more than five times greater than the impacts identified in the [transportation plan's EIR].

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21 This figure apparently represents the combined total of the impacts identified under both significance thresholds (see part III.D.1, *ante*).

"It is not clear how the [EIR] could use current planning assumptions for growth and determine that there will be only 10,500 acres of agricultural land impacted, when the current plans on which it bases its assumptions assume there will be more than five times as many acres impacted. SANDAG must explain if there is a basis for this discrepancy. Without any such explanation, the [EIR] appears to severely underestimate the amount of agricultural land that will be impacted, in contravention of CEQA. [¶] In sum, the [EIR's] failure to accurately account for impacts to agricultural land renders it inadequate as a matter of law."

Even read liberally, Cleveland's comment letter did not fairly apprise SANDAG that Cleveland had specific concerns about the EIR's handling of impacts to small farms and lands redesignated rural residential. Instead, Cleveland's comment letter focused on the discrepancy between SANDAG's estimate of overall growth-induced impacts and the County's estimate of overall growth-induced impacts. Cleveland cites to no other place in the record where any other person or organization raised specific concerns about the EIR's handling of impacts to small farms and lands designated rural residential. Consequently, Cleveland has not demonstrated exhaustion of administrative remedies as to these concerns.

DISPOSITION

The matter is remanded to the superior court with directions to modify the judgment and writ of mandate to incorporate our decision on the cross-appeals. The judgment is affirmed as so modified. The People and Cleveland are awarded their appeal and cross-appeal costs.

McCONNELL, P. J.

I CONCUR:

IRION, J.

BENKE, J., Dissenting.

My colleagues and I have vastly different views on the extent to which this court can and should control environmental review of the planning decisions of a regional transportation agency such as the San Diego Association of Governments (SANDAG). Where the majority, as a result of the alleged inadequacy of the environmental impact report's (EIR) analysis of greenhouse gas (GHG) impacts, would strike down the EIR implementing SANDAG's regional transportation plan (RTP) calling for investment of about $214 billion over the next several decades in the San Diego region, I would not. Where the majority purports to enforce the California Environmental Quality Act (CEQA) and its Guidelines,[1] I believe my colleagues weaken and confuse the law. Thus, although I conclude that substantial evidence supports the finding SANDAG's GHG impacts analysis is CEQA-compliant, I preface that substantial evidence analysis with the following observations and concerns.

In order to understand the full impact of my colleagues' decision regarding the adequacy of SANDAG's assessment of the GHG impacts of the project, it is first necessary to define a "threshold of significance." CEQA requires "[a]ll public agencies . . . adopt by ordinance, resolution, rule, or regulation, objectives, criteria, and procedures for the evaluation of projects and the preparation of environmental impact reports." (Pub. Resources Code, § 21082.)[2] Such "objectives, criteria, and procedures" are also known

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1 Citations to "Guidelines" refer to California Code of Regulations, title 14, section 15000 et seq., which are the guidelines for the application of CEQA. (Cal. Code Regs., tit. 14, §§ 15000, 15001.)

2 All further statutory citations refer to the Public Resources Code unless otherwise indicated.

as "thresholds of significance" and are used by an agency as a benchmark in determining the significance of environmental effects of a project. (Guidelines, § 15064.7, subd. (a).) A threshold of significance for GHG impacts *may* be accompanied by a plan to achieve the reduction or mitigation of GHG emissions, but the plan *must* be adopted through a public review process. (Guidelines, § 15064.4, subd. (b)(3).)

Executive Order No. S-3-05, signed in 2005 by then Governor Arnold Schwarzenegger (Executive Order), does not unilaterally qualify as a threshold of significance. To reach this conclusion, one need go no further than our Supreme Court's opinion of *Professional Engineers in California Government v. Schwarzenegger* (2010) 50 Cal.4th 989 (*Professional Engineers*). In *Professional Engineers*, the court concluded that an executive order, which attempted to implement a mandatory furlough program during our state's fiscal crisis, had no foundation in the state constitution or existing statutes. In particular, the court noted "the Governor fails to cite any judicial decision or other supporting authority holding or suggesting that the power under the California Constitution to establish or revise the terms and conditions of state employment, even in a fiscal emergency, resides in the Governor (or any other executive officer or entity) rather than in the Legislature. To the contrary, the following is well established: (1) Under the California Constitution it is *the Legislature,* rather than the Governor, that generally possesses the ultimate authority to establish or revise the terms and conditions of state employment through legislative enactments, and (2) any authority that the Governor or an executive branch entity . . . is entitled to exercise in this area emanates from the Legislature's delegation of a portion of its legislative authority to such executive officials or entities through statutory enactments." (*Id.* at p. 1015.)

The court in *Professional Engineers* likewise rejected the Governor's argument that his power to impose a mandatory work furlough program through an executive order was supported by statutes, including several specific statutory provisions. Among the factors noted contrary to this position, the court recognized that "the Legislature has demonstrated a special interest in retaining . . . [the] ultimate control over the salary and wages of such employees." (*Professional Engineers*, *supra*, 50 Cal.4th at p. 1024.) The court held that the mandatory furlough program was valid *only* because the Legislature, "*through the exercise of its own legislative prerogative*," independently adopted the program. (*Id.* at p. 1047.)

Similarly, the Executive Order at issue in this case, which includes *statewide* GHG reduction targets for 2020, 2035 and 2050, was at its inception merely a broad policy statement of goals issued by the Governor. Like the order at issue in *Professional Engineers*, it too does not have an identifiable foundation in the constitutional power of the Governor or in statutory law.

The majority cites no judicial decision or other supporting authority holding or even suggesting that the power to establish thresholds of significance, qualitative or quantitative, resides in the Governor rather than in the Legislature. Nor is there any authority supporting the view that the Legislature has delegated to the Governor any power to enact or establish thresholds of significance, including with respect to GHG at issue in this case.

To the contrary, as I discuss, the Legislature has clearly demonstrated it intends to retain ultimate control over the regulation of environmental planning. It has vested in the California Air Resources Board (CARB) the responsibility for coordinating efforts to

attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and systematically attack the serious problem caused by motor vehicles. (Health & Saf. Code, § 39003.) It also has limited by statute the ability of courts to add substantive or procedural requirements to CEQA provisions. (Pub. Resources Code, § 21083.)

The majority is either unable or unwilling to expressly declare its position on whether the Executive Order is a threshold of significance as that term is employed in CEQA analysis. I sympathize with their apparent uneasiness. If the majority declares the Executive Order *is* a threshold of significance, it is faced with the reality that the Executive Order simply does not meet the requirements necessary to have attained that status. If it expressly acknowledges that the Executive Order is *not* a threshold of significance, then it must also acknowledge that SANDAG is quite correct that it was not required to employ it as a CEQA measuring stick in assessing compliance.

My colleagues attempt to avoid the dilemma altogether. They offer that the *policy* underlying the Executive Order is of such overarching importance that it *must* be included within the significance factors listed in Guidelines section 15064.4, subdivision (b), and, therefore, SANDAG was *required* to consider that policy in what they euphemistically refer to as a "consistency analysis" involving the GHG impacts of its project and the Executive Order. Because SANDAG failed to provide such a policy analysis in its EIR, my colleagues conclude SANDAG abused its discretion. By this exercise in linguistics, the majority in contravention of *Professional Engineers* has elevated the Executive Order to the status of a threshold of significance without ever having to expressly declare they are doing so. Its action is judicial fiat, pure and simple.

The majority seeks support for its new formulation of the law by noting that important legislation has sprung from the Executive Order, and they offer that the Executive Order will continue to be the springboard for legislative action. Relying on *Professional Engineers*, the majority also concludes the policy underlying the Executive Order has been "ratified" by subsequent legislation. (Maj. opn. *ante*, at p. 14.) If, by this reasoning, the majority implies that subsequent environmental legislation somehow bestowed on the Executive Order a power it did not have, I believe it is mistaken. As *Profession Engineers* recognizes, our Legislature acts independently. As I discuss, the fact that the Legislature has enacted environmental legislation in recognition of the Executive Order's goals does not bestow on the Executive Order any more power than it had before the Legislature acted.

Moreover, although the Legislature has exercised its own independent prerogative by tasking CARB with adopting regional GHG reduction targets for 2020 and 2035, it has not done so for 2050. As I also discuss, the Legislature is currently considering a comprehensive and complex plan for 2050 that tasks the CARB to establish regional targets. It is possible the Legislature may alter the Executive Order's 2050 goals or reject them altogether. Using the majority's own logic, the Legislature has not ratified the Executive Order's qualitative or quantitative goals for 2050.

It is true, of course, that *qualitative* thresholds of significance are acceptable in assessing significance. (See Guidelines, § 15064.7, subd. (a).) However, qualitatively addressing the policy and sciences underlying the Executive Order—if this in fact is what the majority means by a "consistency analysis"—adds little if any meaning to the discussion of the significance of GHG impacts. SANDAG considered in its EIR the

important public policy of GHG emissions reduction in implementing its project. It acknowledged the Executive Order and its goals. It concluded the 2050 goal in that order was not at this time applicable. The purpose of remand is therefore unclear to me if the majority merely requires additional, undefined consideration of the qualitative aspects of the Executive Order.

Quantitatively speaking, as noted, SANDAG in its EIR considered, but did not use, the 2050 GHG reduction targets set forth in the Executive Order. Until the Legislature independently acts and tasks the CARB with adopting regional 2050 GHG emissions reduction targets, SANDAG in my view was not required to consider in its EIR the broad 2050 statewide goals set forth in the Executive Order. (See *Professional Engineers*, *supra*, 50 Cal.4th at p. 1047.)

The majority states that it is not requiring SANDAG's project to "*achieve* the Executive Order's 2050 goal or any other specific numerical goal" in undertaking the now-required "consistency analysis." (Maj. opn. *ante*, at p. 15, fn. 6.) This comes as little surprise, inasmuch as an EIR is merely an "informational document." (See Guidelines, § 15003, subd. (i).)

Nonetheless, whether qualitative or quantitative, it is not clear to me how, in assessing the significance of GHG impacts of the project—including for 2050—a lead agency is supposed to adopt from the Executive Order *regional* GHG emissions reduction targets. The majority appears to answer this question by stating SANDAG can determine its "share" of GHG emissions reduction responsibility from theoretical targets. With respect to SANDAG's share of responsibility, it is important to emphasize what the majority has not acknowledged: SANDAG is responsible only for its "*fair* share" when

assessing significance. Establishing an agency's "*fair* share" is a complex and science-based process. It begins by recognizing that the level of GHG emissions is a statewide problem encompassing a diverse array of emitters. Included in the array is not only transportation but also, for example, land use and development, agriculture, electricity generation, forestry, and industrial sectors. The analysis of GHG impacts thus involves emissions across sectors both within SANDAG's planning discretion (i.e., transportation and land use) and outside SANDAG's planning discretion (i.e., heavy industry). SANDAG is not empowered or equipped to offer and use analyses in statewide sectors over which it has no control.

The point is SANDAG, unlike the CARB, is a *regional* and not a state agency. Without a model addressing *regional* GHG emissions reduction targets between 2035 and 2050, it is impossible for SANDAG in its RTP to conduct a "consistency analysis" for these years of study.

As the lack of substance in the now-required "consistency analysis" attests, there is little to say except that, in the world of GHG emissions, "more of them are bad and less is good." It is a reasonable conclusion here that the SANDAG Board of Directors, comprised of locally elected officials from San Diego County and the 18 cities in the region, are already well aware of this. The EIR in any event recognizes the important policy goal of reducing GHG emissions.

As I discuss, there is legislation currently pending tasking the CARB with setting state and regional targets for 2050. This pending legislation further demonstrates my point that the Legislature has not yet independently adopted the Executive Order's 2050 statewide GHG emissions reduction goals. Once the CARB sets these regional targets,

which incidentally, may be different than the Executive Order's statewide goal, SANDAG and the other 18 metropolitan planning agencies (MPO's) throughout the state can then use them to determine their "*fair* share" of GHG emissions in analyzing the significance of GHG impacts of their projects. I fear the majority's demand that SANDAG "do more" *now* based on mere policy goals and/or theoretical targets, and without providing any guidance as to what more should be done, will in effect require SANDAG to set unilaterally 2050 regional GHG reduction targets in order to try to satisfy, somehow, the majority's "consistency analysis." In doing so, it may take action that ultimately conflicts with requirements set by CARB.

Perhaps the most profound harm arising from the majority's finesse of CEQA is the lasting damage it does to Guidelines section 15064.4. This section gives a lead agency substantial discretion to determine both the amount of GHG emissions from a project and whether such emissions are significant. Subdivision (b) of Guidelines section 15064.4 in particular states that in assessing GHG impacts, the lead agency *should* consider three factors, *among others*. One such factor expressly gives a *lead agency* the discretion to determine the thresholds of significance that should apply to its project in determining significance. (Guidelines, § 15064.4, subd. (b)(2).) To the extent thresholds of significance *other* than the three expressly provided in subdivision (b) apply, that should be a determination made by an agency in the proper exercise of its discretion.

It is apparent to me that identifying and selecting thresholds of significance is not a judicial function. Despite the clear language of Guidelines section 15064.4, subdivision (b) and the obvious intent of that section, the majority asserts a right to determine that a gubernatorial policy statement, which does not qualify as a threshold of significance, is to

be included among the "other factors" and then *orders* SANDAG on remand to develop an undefined "consistency analysis" between the lead agency's plan and the policy statement.

This insinuation of judicial power into the environmental planning process and usurping of legislative prerogative is breathtaking. Now we, the courts, without institutional planning expertise or knowledge, get to tell a lead agency what it must use as a threshold of significance. As a consequence of not being prescient enough to know what a court might select, the EIR's of projects such as this RTP, which, as noted, calls for investment of about $214 billion in the San Diego region over the next few decades, are invalidated and sent back to the lead agency to anticipate what we, the court, might next decide is or has become of such critical policy significance that the agency must use it as a threshold of significance. There is no legal support for our action, which strips lead agencies of the discretion vested in them by the Legislature and reposes that discretion in the courts. To be clear, I do not believe our action expands Guidelines section 15064.4; instead, I believe it destroys the integrity of that section. (See Maj. opn. *ante*, at p. 20, fn. 9.)

The mischief caused by the majority would not be confined to the SANDAG region. The majority would have each of our states' six appellate districts, and multiple divisions within many of them, instructing the 18 MPO's regarding whether a "consistency analysis" is required based on, for example, the Executive Order, and, if so, what it should contain. It does not take much energy to foresee the permutations possible as each MPO receives judicial instruction. Chaos in environmental planning comes to mind.

The Legislature, in its wisdom, has foreseen the kind of damage we do today, and it has taken steps to forbid such judicial interference. First, the Legislature vested one agency, CARB, with creating the targets and metrics in assessing, and ultimately reducing, GHG emissions regionally and statewide. (Health & Saf. Code, § 39003.) Second, it has, in CEQA itself, expressly prevented courts from selecting what "other factors" an agency should consider in assessing significance of GHG impacts.

Indeed, section 21083.1 provides the legislative intent underlying CEQA and the interpretation of its statutes and guidelines by our courts: "It is the intent of the Legislature that courts, consistent with generally accepted rules of statutory interpretation, shall not interpret this division or the state guidelines adopted pursuant to Section 21083 in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division or in the state guidelines." Judicial imposition of significance thresholds does precisely what the statute prohibits.

As I discuss in more detail *post*, I conclude substantial evidence in the record shows SANDAG made a good faith and reasonable effort to analyze in its EIR the GHG impacts of its project. In its 39-page GHG impacts analysis, SANDAG, as noted, analyzed the targets set by the CARB for 2020 and 2035 under three thresholds of significance, in compliance with Guidelines section 15064.4. I thus would *reverse* the trial court's order finding SANDAG's GHG impacts analysis of the project was inadequate, including because SANDAG did not address the 2050 GHG *statewide* reduction goals set forth in the Executive Order.

As to the cross-appeal, because the trial court declined to reach those issues and because the majority in any event is remanding the matter with respect to the EIR's

treatment of GHG impacts and mitigation measures of the project, I would defer the issues raised in the cross-appeal to the trial court for consideration in the first instance. I do, however, note that our instructions on remand include what appears to be a directive that SANDAG consider further analysis of mass transportation. This directive, coupled with the vague requirement of a "consistency analysis," leaves me with an uncomfortable feeling that some might believe that, in sending this case back, we are *sub rosa* directing SANDAG to shift the emphasis in its plan to mass transportation. If that is a direction in which we inadvertently venture, I would only comment that it is not a journey we are empowered or equipped to undertake.

DISCUSSION

I

GHG Impacts

A. *Regulation of GHG by the CARB*

On June 1, 2005, at the United Nations World Environment Day in San Francisco, Governor Schwarzenegger signed the Executive Order in front of hundreds of international leaders. The Governor told his invited guests, which included mayors from more than 70 cities from around the world, that the "debate" over global warming from GHG emissions was "over." (Marshall, *Schwarzenegger Issues Plan to Reduce Greenhouse Gases* (June 2, 2005) N.Y. Times <http://www.nytimes.com/2005/06/02/national/02arnold.html?_r=0> [as of November 2014].)

The Executive Order established the following *statewide* reduction targets for greenhouse gas emissions: by 2010, to 2000 levels; by 2020, to 1990 levels; and by 2050, to 80 percent below 1990 levels. It also directed the California Environmental Protection

Agency (Cal-EPA) to develop strategies to meet these targets. In response, the "Climate Action Team," comprised of representatives from various agencies and commissions including the Cal-EPA and the CARB, was created. (See *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899, 938; see also Comment, *Quantifying an Uncertain Future: The Demands of the California Environmental Quality Act and the Challenge of Climate Change Analysis* (2012) McGeorge L.Rev. 1065, 1068-1069.)

Although the Executive Order provided the "power" for its issuance was derived from "the Constitution and statutes of the State of California," that order did *not* identify any article, section and/or statute as the source of this alleged authority. In any event, as noted, I do not believe our Constitution, including article V, vested the Governor with the authority to singlehandedly issue and enforce the Executive Order. (See, i.e., *Professional Engineers*, *supra*, 50 Cal.4th at p. 1015 [rejecting the argument the governor had the unilateral authority to implement a mandatory furlough program].) I also do not believe that our Legislature expressly granted that authority to the Governor. (See *id.* at p. 1000.) Therefore, I believe the GHG statewide emission reduction targets set forth in the Executive Order are nothing more than mere policy recommendations unless and until our Legislature independently acts to adopt such targets, which, as I explain, it has done for 2020 and 2035, but not for 2050. (See *ibid.*)

The Executive Order was by no means the first attempt in our state to address GHG emissions. In 2002, our Legislature passed a law regulating GHG vehicle emissions. (See Stats. 2002, ch. 200, enacting Assem. Bill No. 1493 (2001-2002 Reg. Sess.) (AB 1493).) Under this law, the CARB was required to develop and adopt, by

January 1, 2005, "regulations that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from motor vehicles." (Health & Saf. Code, § 43018.5, subd. (a).) In enacting this law, our Legislature noted that the "control and reduction of emissions of greenhouse gases are critical to slow the effects of global warming." (Stats. 2002, ch. 200, § 1(c).) Thus, AB 1493 shows that our state policy of reducing GHG emissions did *not* originate with the 2005 Executive Order, as the majority appears to suggest, but rather was in existence before the Executive Order was issued.[3]

The California Global Warming Solutions Act of 2006 (Health & Saf. Code, § 38500 et seq., added by Stats. 2006, ch. 488, § 1, enacting Assem. Bill No. 32 (AB 32)) implemented the 2020 reduction target set forth in the Executive Order. (See Health & Saf. Code, § 38550; see also *Rialto Citizens for Responsible Growth v. City of Rialto*, *supra*, 208 Cal.App.4th at p. 939.) AB 32 directed the CARB to develop a "scoping plan . . . for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions from sources or categories of sources of greenhouse gases . . . ." (Health & Saf. Code, § 38561, subd. (a); see Health & Saf. Code, § 38562, subd. (a) [requiring the CARB to "adopt greenhouse gas emission limits and emission reduction measures by regulation . . . to become operative beginning on January 1, 2012"]; see also *Association of Irritated Residents v. State Air Resources Bd.* (2012) 206 Cal.App.4th 1487, 1490 [noting AB 32 designated the CARB as "'the state agency

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[3] Our Legislature as early as 1975 tasked the CARB with the responsibility of "coordinating efforts to attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and to systematically attack the serious problem caused by motor vehicles, which is the major source of air pollution in many areas of the state." (Health & Saf. Code, § 39003.)

charged with monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emissions of greenhouse gases' . . . and imposes numerous directives and timelines on the [CARB]"].)

To assist an agency in its analysis of GHG emissions in CEQA review, our Legislature in 2007 enacted, among other provisions, section 21083.05 (added by Stats. 2007, ch. 185, § 1, enacting Sen. Bill No. 97 (SB 97)).[4] SB 97 directed the Office of Planning and Research (OPR) to prepare and submit to the Natural Resources Agency (NRA) "guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions . . . including, but not limited to, effects associated with transportation or energy consumption." (Former § 21083.05, subd. (a).) SB 97 further provided that the OPR and NRA "shall periodically update the guidelines to incorporate new information or criteria" established by the CARB pursuant to AB 32. (*Id.*, subd. (c).)

The NRA adopted regulations on the significance of GHG emissions for CEQA, which were then incorporated into the CEQA Guidelines including, as perhaps most relevant here, Guidelines section 15064.4, discussed *post*.[5]

In 2008, our Legislature passed the Sustainable Communities and Climate Protection Act of 2008 (Sen. Bill No. 375 (2007-2008 Reg. Sess.)). As the majority recognizes, SB 375 supports the state's climate action goals to reduce GHG emissions through coordinated transportation and land use planning. Under SB 375, the CARB—

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4 SB 97 was amended effective January 1, 2013. (Stats. 2012, ch. 548, § 5.)

5 "In interpreting CEQA, we accord the Guidelines great weight except where they are clearly unauthorized or erroneous." (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 428, fn. 5.)

once again—was directed to provide each region by no later than September 30, 2010 with GHG emission "reduction targets for the automobile and light truck sector for 2020 and 2035, respectively." (Gov. Code, § 65080, subd. (b)(2)(A).) Once these targets were established by the CARB, each of the state's MPO's was required to prepare under Government Code former section 65080, subdivision (b)(2) a "sustainable communities strategy" (SCS) as part of the MPO's RTP. (See Gov. Code, former § 65080, subd. (b)(2).)[6]

In developing the SCS, SB 375 required each MPO to "conduct at least two informational meetings . . . within the region for members of the board of supervisors and city councils" on the SCS. (Gov. Code, § 65080, subd. (b)(2)(E).) The purpose of the meetings was to "discuss the [SCS] . . . , including the key land use and planning assumptions to the members of the board of supervisors and the city council members in that county and to solicit and consider their input and recommendations." The SCS, if and when implemented, would allow the MPO to reach the GHG reduction targets established by the CARB. If those targets were unmet, the MPO would be required to prepare an alternative planning strategy to the SCS. (Gov. Code, § 65080, subd. (b)(2)(E).)

As *the* agency responsible for "target-setting" GHG emissions reductions, the CARB in 2010 created reduction targets for SANDAG's MPO region for 2020 and 2035.

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6 Government Code section 65080 was amended effective January 1, 2010 (Stats. 2009, ch. 354, § 1) and again effective January 1, 2011 (Stats. 2010, ch. 328, § 95). The requirement of an SCS as part of an MPO's RTP remains in the current version of Government Code section 65080, subdivision (b).

SANDAG used these targets in addressing in its EIR the GHG impacts of the project. However, as SANDAG properly recognized in its EIR impact analysis, the CARB has not yet set 2050 GHG emissions reduction targets for the MPO's. As noted and as I discuss, there is legislation currently pending, Assembly Bill No. 2050 (AB 2050), that would require the CARB to do so.[7]

Thus, our Legislature has recognized the strong public policy of GHG emissions reductions in our state and has fully occupied this enormously complex field by delegating the "target-setting responsibility" of such reductions to the CARB through a series of comprehensive legislative enactments, including in AB 32, SB 97 and SB 375.[8]

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[7] According to a recent summary prepared by the Senate Appropriations Committee, AB 2050 would amend SB 32 by requiring "the California Air Resources Board (CARB) to develop greenhouse gas (GHG) emissions reductions goals for 2050, including intermediate goals, and to perform a number of analyses of the strategies that would be required to reach those goals" for purposes of the next scoping plan update. (Sen. Appropriations. Com., analysis of Assem. Bill No. 2050 (2013-2014 Reg. Sess.) p. 1.)

[8] This list is not exhaustive. For example, in 2010 legislation was enacted requiring the Department of Transportation to update the federally mandated California Transportation Plan (CTP) by December 31, 2015 and every five years thereafter. (Gov. Code, §§ 65070, subd. (a) & 65071.) The CTP requires identification of a "statewide integrated multimodal transportation system" that includes among other requirements the incorporation of all SCS and/or alternate planning strategies required by SB 375. (Gov. Code, § 65072.2) "In developing the [CTP] . . . , the department shall address how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of [GHG] emissions to 1990 levels by 2020 as required by [AB 32] and 80 percent below 1990 levels by 2050." (*Ibid.*) The CTP must include: "(a) A policy element that describes the state's transportation policies and system performance objectives. These policies and objectives shall be consistent with legislative intent described in Sections 14000, 14000.5, 14000.6, and 65088. [¶] (b) A strategies element that shall incorporate the broad system concepts and strategies synthesized from the adopted regional transportation plans prepared pursuant to Section 65080. The California Transportation Plan shall not be project specific. [¶] (c) A recommendation element that includes economic forecasts and recommendations to the Legislature and the Governor to

The CARB in response has then set reduction targets for each of the 18 MPO's in our state.

Against this backdrop, I disagree with the majority's conclusion that SANDAG acted unreasonably in refusing to engage in a "consistency analysis" using the Executive Order as a CEQA measuring stick when accessing the GHG impacts of its regional project. (See *Professional Engineers*, *supra*, 50 Cal.4th at p. 1000.) Instead, in my view, the record contains more than sufficient evidence showing SANDAG acted in good faith and properly exercised its broad discretion under Guidelines section 15064.4 in assessing the significance of GHG impacts of the project.

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achieve the plan's broad system concepts, strategies, and performance objectives." (*Id.*, § 65072.) The Legislature in the CTP directly (*id.*, § 14000.6, subd. (b)) and indirectly (*id.*, § 65072.2) referenced the Executive Order and its goal of reducing GHG emissions to 80 percent of 1990 levels by 2050. However, as noted, the Legislature has not yet tasked the CARB to set 2050 GHG regional reduction targets for the MPO's.

B. *Guidelines Section 15064.4*[9]

As noted, CEQA requires that public agencies "adopt by ordinance, resolution, rule, or regulation" criteria for the evaluation of a project and the preparation of an EIR that are consistent with the statutory provisions of CEQA and its Guidelines. (§ 21082.)

Section 21083, subdivision (a) directs the OPR to "prepare and develop proposed guidelines" for implementation by a public agency. Subdivision (b) of that statute states the "guidelines shall specifically include criteria for public agencies to follow in determining whether or not a proposed project may have a 'significant effect on the environment.'" As noted *ante*, section 21083.5 was added by SB 97 to require the OPR to

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9 Guideline section 15064.4 provides: "(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to: [¶] (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or [¶] (2) Rely on a qualitative analysis or performance based standards. [¶] (b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment: [¶] (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting; [¶] (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project. [¶] (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project."

prepare specific guidelines dealing with CEQA review of GHG.

Adopted after passage of SB 97, Guidelines section 15064.4, subdivision (a) requires a lead agency to make a "good-faith effort" to determine the GHG emissions of a project. In making this determination, a lead agency has the discretion to "[u]se a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use" (Guidelines, § 15064.4, subd. (a)(1)) and/or to "[r]ely on a qualitative analysis or performance based standards" (*id.*, subd. (a)(2)). After choosing a methodology and selecting significance thresholds, the lead agency next is required under Guidelines section 15064.4 to assess the "significance of impacts" of GHG emissions. (*Id.*, subd. (b).)

In assessing the significance of GHG impacts of a given project, Guidelines section 15064.4 states a lead agency "should" consider among others the following factors: (1) the extent to which the project may increase or reduce GHG "as compared to the existing environmental setting"; (2) whether the project's GHG emissions "exceed a threshold of significance that the *lead agency determines* applies to the project"; and (3) the extent to which the project "complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation" of GHG. (Guidelines, § 15064.4, subd. (b)(1), (2) & (3), italics added.) Subdivision (b)(3) of Guidelines section 15064.4 further provides that "[s]uch requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions."

Guidelines section 15064.4 thus "'confirms that lead agencies retain the discretion to determine the significance of greenhouse gas emissions and should "make a good-faith

effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of [GHG] emissions resulting from a project." [Citation.]' [Citations.]" (*Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 807.)

I therefore disagree with the majority's interpretation of Guidelines section 15064.4: although subdivision (b) of this section clearly states the factors listed in subdivisions (1), (2) and (3) are not exhaustive, that does not ipso facto mean the courts may require an agency to consider additional "factors" (i.e., the Executive Order) in evaluating the GHG impacts of a project, as the majority has done here. In my view, the majority's reading of Guidelines section 15064.4 usurps the broad discretion afforded an agency in analyzing significance and improperly puts courts in charge of determining whether benchmarks other than those expressly provided in subdivisions (1), (2) and (3) must be considered by an agency when undertaking such an analysis.

Here, as I have noted, the EIR used three separate GHG analyses utilizing two of the specific significance criteria authorized by Guidelines section 15064.4. GHG-1, the first analysis, is an "existing conditions" baseline analysis authorized by subdivision (b)(1) of Guidelines section 15064.4.[10] Under this analysis, any increase of GHG emissions over existing conditions (i.e., 2010) was deemed to be a significant impact.

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10 I note the existing environmental setting "normally constitute[s] the baseline physical conditions by which a lead agency determines whether an impact is significant." (Guidelines, § 15125, subd. (a); see *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 445 [holding that "[w]hile an agency has the discretion under some circumstances to omit environmental analysis of impacts on existing conditions and instead use only a baseline of projected future conditions, existing conditions 'will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant'"].)

The GHG-1 analysis concluded that, although regional GHG emissions would decrease under the project from existing levels until after 2020, they would increase above existing levels by 2035 and increase still further by 2050, largely as a result of population increase and development. The EIR therefore determined the GHG impacts in 2020 would be a less than significant impact but would be significant in 2035 and 2050.

The second analysis, GHG-2, used the GHG reduction targets set forth in SB 375 as a significance criteria. GHG-2 used a narrower range of GHG emissions than GHG-1. GHG-2's approach, in my view, was also fully consistent with Guidelines section 15064.4.

Under SB 375, as I have noted, the CARB prepared regional GHG emission reduction targets, compared to 2005 emissions, for cars and light trucks for 2020 and 2035 for each of the state's MPO's. In response, each of the MPO's, including SANDAG, prepared an SCS as part of its RTP to "reduce GHGs by better aligning transportation, land use, and housing. For SANDAG, the targets are to reduce per capita CO_2 emissions 7 percent below 2005 levels by 2020 and 13 percent below 2005 levels by 2035. Because CARB has not developed a target for 2050, no analysis is provided for that year."

Using this significance criteria, the EIR concluded the project would have less than a significant impact because the project met SB 375's goals, as set by the CARB, for lowered per capital vehicle-related GHG emissions in 2020 and 2035.

The third GHG impact analysis, GHG-3, analyzed whether regional GHG emissions (from both transportation and land use/growth) would conflict with (1) the scoping plan adopted by the CARB pursuant to AB 32, which plan functions as a roadmap to achieve GHG reductions in our state, and (2) SANDAG's own adopted

Climate Action Strategy (CAS), which was created in 2010 under a partnership with the California Energy Commission "as a guide for SANDAG and local governments and policymakers in addressing climate change."

Because the scoping plan time horizon was limited to 2020, the EIR's analysis of whether or not the project under GHG-3 would have a significant impact with respect to GHG was limited to 2020, and no analysis was presented for 2035 and 2050. Although recognizing 2035 and 2050 emission reduction targets for GHG's were established in the Executive Order, the EIR in my view properly concluded the order was not a "'plan'" adopted through a public review process as required in subdivision (b)(3) of Guidelines section 15064.4. The EIR, however, analyzed transportation and land use/growth in 2035 and 2050 expected as a result of implementation of the project, with respect to the CAS.

The EIR analysis concluded that with respect to transportation, the estimated emissions from transportation in 2020 would be less than required by AB 32 and would constitute a less than significant impact under this threshold. The EIR also concluded that the project would not impede the CAS and its policy of promoting the reduction of vehicle miles traveled and minimization of GHG in transportation, inasmuch as the project also sought to reduce GHG emissions in transportation through a series of projects. Therefore, for transportation, the EIR found the implementation of the project would constitute a less than significant impact under the CAS threshold for 2020, 2035 and 2050.

With respect to land use/growth, the EIR analysis concluded in GHG-3 that emissions of GHG in 2020 were expected to exceed the scoping plan reduction goals. However, it noted several other measures included in the scoping plan were not yet

adopted or implemented, including "cap-and-trade," and, therefore, were not included in the GHG reduction calculations. Because the RTP was itself consistent with its role in the overall scoping plan strategy, SANDAG concluded for land use/growth that for 2020 the impact would be less than significant under this threshold. The EIR further provided for 2020, 2035 and 2050, implementation of the project would not impede the CAS but in fact would promote it and the goals of increasing energy efficiency and reducing energy consumption and, therefore, would constitute a less than significant impact.

C. *Substantial Evidence Supports the Finding SANDAG's Assessment of Significance of GHG Impacts in its EIR Satisfied CEQA*

Unlike my colleagues, I do not believe SANDAG's failure to discuss the project's consistency with the Executive Order shows a lack of a "good-faith effort" to assess in the EIR the GHG impacts of the project.[11] Rather, in my view, there is abundant evidence in the record showing that SANDAG made a "good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions [in the SANDAG MPO region] resulting from [the] project" (Guidelines, § 15064.4, subd. (a)); and that it properly assessed the significance of these emissions under applicable thresholds (*id.*, subd. (b)), including those adopted by the CARB (through enabling legislation) for 2020 and 2035. (See *Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal.App.4th 327, 335-336 (*City of Chula Vista*).)

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[11] In finding an alleged lack of evidence in the record of a reasonable, good-faith effort by SANDAG to assess the GHG impacts, the majority, in my view, is in effect applying an independent standard of review, and its contention otherwise is one of form over substance. (Maj. opn. *ante*, at p. 14.)

Moreover, the record also contains substantial evidence showing SANDAG properly exercised its discretion when it decided not to use the Executive Order's 2050 statewide emission reduction target as a CEQA measuring stick for its regional plan. *North Coast Rivers Alliance v. Marin Municipal Water Dist. Board of Directors* (2013) 216 Cal.App.4th 614 (*North Coast*) informs my view on this issue.

There, the petitioners contended an EIR for a project to build a sea-water desalination plant approved by a local water district was deficient because, among other reasons, it contained an inadequate analysis of GHG emissions. Although the trial court rejected this argument, it nonetheless found the EIR lacked substantial evidence to support the water district's conclusion the plant's GHG emissions were not cumulatively considerable. (*North Coast*, *supra*, 216 Cal.App.4th at p. 650.)

In reversing, the court concluded the EIR's use of AB 32, and its requirement that the CARB "'adopt regulations that would require the reporting and verification of statewide GHG emissions and limit statewide GHG emissions to 1990 levels by 2020,'" was acceptable as a threshold of significance, inasmuch as the EIR properly noted "no CEQA thresholds of significance have been established for GHG[]." (*North Coast*, *supra*, 216 Cal.App.4th at p. 651.) The court also concluded the EIR used as a threshold a program voluntarily adopted by Marin County, which the water district joined, where GHG emissions would be reduced to 15 percent below 1990 levels by 2020. (*Ibid.*)

The *North Coast* court then reviewed the EIR in light of these thresholds, which focused primarily on energy consumption for plant operations. (*North Coast*, *supra*, 216 Cal.App.4th at p. 652.) In concluding the EIR's analysis "more than satisfied the requirements of CEQA" (*id.* at p. 652), the court recognized that the petitioners'

disagreement with the district's significance conclusion for GHG impacts was insufficient under CEQA because a """reviewing court 'may not set aside an agency's approval of an EIR on the ground that an opposite conclusion would have been equally or more reasonable,' for, on factual questions, [the court's] 'task is not to weigh conflicting evidence and determine who has the better argument.'""" (*Id.* at p. 653.)

Similarly, this court in *City of Chula Vista* rejected the petitioner's contention the lead agency (i.e., the city) was required to use three other well-recognized potential thresholds of significance, instead of the goals set forth in AB 32, in analyzing the GHG impacts of a store replacement project. Citing to then-newly enacted Guidelines section 15064.4, this court concluded that this regulation "confirms that lead agencies retain the discretion to determine the significance of greenhouse gas emissions." (*City of Chula Vista*, *supra*, 197 Cal.App.4th at p. 336.) This court also concluded the lead agency "properly exercised its discretion to utilize compliance with [AB 32] as the threshold" and, as such, *rejected* the petitioner' contention the lead agency erred by not applying different thresholds. (*Ibid.*; see *Citizens Against Airport Pollution v. City of San Jose*, *supra*, 227 Cal.App.4th at p. 807 [recognizing that Guidelines, § 15064.4 gives a lead agency discretion to determine the significance of GHG emissions based to the extent possible on available scientific and factual data].)

North Coast and *City of Chula Vista*, in my view, provide guidance in the instant case and support the conclusion that SANDAG properly exercised its discretion under Guidelines section 15064.4, subdivision (b)(1), (2) and (3), including when it used the regional target numbers established by the CARB (developed in response to AB 32 and SB 375) in analyzing the impacts of GHG of the project. (See *Citizens for a Sustainable*

Treasure Island v. City and County of San Francisco (2014) 227 Cal.App.4th 1036, 1060-1061 [noting the "core principle" that an EIR is not required to engage in "speculative analysis," and, thus, a lead agency is not required to "'forsee[] the unforeseeable,'" "predict[] the unpredictable or quantify[] the unquantifiable"] (*Treasure Island*).) *North Coast* and *City of Chula Vista* also support the conclusion that, subject to the requirements of Guidelines section 15064.4, lead agencies and not the courts have the discretion to determine the benchmarks to be used for determining the GHG impacts of a project.

Indeed, as I previously noted, there is legislation currently pending, Assembly Bill No. 2050 (AB 2050), that among other purposes would delegate to the CARB the authority to set specific GHG emission reduction targets for the MPO's, including in the SANDAG region, but in this instance, the targets would be for 2050. Regardless of whether AB 2050 ultimately passes, the bill is significant because it shows our Legislature has not yet acted to set 2050 reduction targets (through the CARB). AB 2050 also demonstrates, yet again, the intent of the Legislature to fully occupy the field of regulating GHG emissions in our state. I believe the majority ignores this intent by requiring SANDAG, based on a strained interpretation of Guidelines section 15064.4, to do a "consistency analysis" using the Executive Order as a CEQA measuring stick. I also believe doing so has far-reaching, negative consequences.

By imposing a requirement on SANDAG that does not exist under CEQA, including in the applicable GHG Guidelines, the majority is contravening section 21083.1, as I have already discussed. In addition, as I have noted, the regulation of GHG emissions is better left to our Legislature and government agencies like the CARB in

what is clearly an area that "involves numerous highly technical and novel scientific, technical and economic issues" that will span many decades. (*Association of Irritated Residents v. State Air Resources Bd.*, *supra*, 206 Cal.App.4th at pp. 1502, 1505 [noting the CARB has been "assigned the responsibility of designating and overseeing the implementation of measures" to achieve the "challenging" goals of reducing GHG emissions in our state].)

The complexity of the issues addressed by SANDAG's RTP, the first of its kind to be approved in this state, cannot be overstated. The sheer volume of the record in this case pays homage to the difficult issues facing a lead agency like SANDAG in preparing a RTP with an SCS component, where transportation planning and land use are linked to regional GHG emissions reduction goals for the next several decades. In contrast, judges "have neither the resources nor scientific expertise to engage in such analysis." (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 393.)

Until our Legislature directs the CARB to set regional goals for 2050, I do not believe SANDAG was required to use the Executive Order and/or its 2050 GHG statewide reduction goal as a threshold to assess the significance of the GHG impacts of the project. (See *Treasure Island*, *supra*, 227 Cal.App.4th at p. 1054 [refusing to "fault" an EIR for a project to redevelop a former naval station into a new, mixed-use community because there were many project features that were subject to future revision, and, thus, the EIR "cannot be faulted for not providing detail that, due to the nature of the [p]roject, simply does not now exist"].)

Finally, the majority in my view is unnecessarily interfering with SANDAG's program EIR and tiering, which frustrates the goal of good planning: "Where a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof . . . , the development of detailed, site-specific information may not be feasible but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographic scale, as long as deferral does not prevent adequate identification of significant effects of the planning approval at hand." (Guidelines, § 15152, subd. (c).)

Our high court in *In re Bay-Delta etc.* (2008) 43 Cal.4th 1143 rejected a challenge to a program EIR on the basis it lacked sufficient detail regarding water sources to implement a project to restore the ecological health and improve the management of the Bay-Delta region. In so doing, the court noted that the Bay-Delta project was a "broad, general, multiobjective, policy-setting, geographically dispersed" plan (*id.* at p 1171); that at the first-tier program level, the "environmental effects of obtaining water from potential sources may be analyzed in general terms, without the level of detail appropriate for second-tier, site-specific review" (*id.* at p. 1169); that the advantage of a program EIR is it allows a lead agency "'to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts'" (*ibid.*, citing Guidelines, § 15168, subd. (b)(4)); and that because the Bay-Delta project "is to be implemented over a 30-year period[,] . . . [i]t is therefore impracticable to foresee with certainty specific sources of water and their impacts" (*id.* at p. 1172).

Much like the Bay-Delta project, the project here is a "broad, general, multiobjective, policy-setting" plan. (See *In re Bay-Delta etc.*, *supra*, 43 Cal.4th at p. 1171.) As such, I believe substantial evidence in the record shows SANDAG in its EIR engaged in a "good-faith effort" to analyze the GHG impacts of the project for purposes of the first-tier stage of what is clearly a long-term planning process that will be implemented over decades, "with the understanding that additional detail will be forthcoming when specific second-tier projects are under consideration." (See *id.* at p. 1172; see also *Rio Vista Farm Bureau Center v. County of Solano* (1992) 5 Cal.App.4th 351, 372 [upholding program EIR against a challenge it was vague and insufficiently described potential future facilities of a county's hazardous waste management plan because the plan, much like SANDAG's project at issue here, served only as an "assessment and overview, with any separate future projects, when identified, to be accompanied by additional EIR's"].)

According to SANDAG, implementation of the project will involve "literally hundreds of individual freeway, highway, local road, public transit, bikeway and other transportation projects, as well as ongoing development of various mitigation, planning and transportation management programs." In addition, many of these projects will occur 10, 20 or 30 years into the future and will be carried out by others including local governments and/or agencies, where baseline conditions may have substantially changed and after the project itself will have gone through multiple mandatory updates on a four-year cycle as currently required under Government Code section 65080, subdivision (d).

Because most, if not all, of these individual future transportation projects and/or land use decisions will be subject to its own project-level review under CEQA, and

because, in any event, SANDAG's EIR considered the public policy of GHG emission reduction and the CARB has not yet established 2050 GHG reduction target numbers for the SANDAG MPO region, I believe there is absolutely no reason to send the EIR back to the trial court for further consideration of GHG impacts utilizing the Executive Order as a threshold. Rather, I believe this is a waste of precious resources and will amount to "endless rounds of revision and recirculation of EIR's" that the Legislature did not intend. (See *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1132; see also Guidelines, § 15151 [stating that the "sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible" and that "courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure" in analyzing the adequacy of an EIR]; *Treasure Island*, *supra*, 227 Cal.App.4th at p. 1061 [noting it "has long been recognized that premature attempts to evaluate effects that are uncertain to occur or whose severity cannot reliably be measured is 'a needlessly wasteful drain of the public fisc'"].)

In sum, I conclude there is substantial evidence in the record showing SANDAG acted reasonably and in good faith when it addressed the GHG impacts of its project and properly exercised its discretion under Guidelines section 15064.4. I thus would reverse the trial court order finding SANDAG's GHG impacts analysis insufficient under CEQA.

II

Mitigation Measures

Initially, because I conclude the EIR adequately addressed the GHG impacts of the project, unlike the majority I do not deem moot (or partially moot) (Maj. opn. *ante*, at p. 23) SANDAG's contention that the EIR also adequately addressed mitigation measures

for the project's significant GHG impacts. Also unlike the majority, I conclude the EIR adequately considered reasonable mitigation measures for GHG impacts.

A. *Additional Background*

As noted, the EIR under the "existing conditions" baseline, GHG-1, concluded that the GHG impacts in 2020 would be a less than significant impact but would be significant in 2035 and 2050. Based on this analysis, the EIR proposed three mitigation measures to reduce impacts related to GHG emissions to less than significant levels.

The first mitigation measure, GHG-A, provided: "SANDAG shall update future Regional Comprehensive Plans and Regional Transportation Plans/Sustainable Community Plans to incorporate polices and measures that lead to reduced GHG emissions. Such policies and measures may be derived from the General Plans, local jurisdictions' Climate Action Plans, and other adopted policies and plans of its member agencies that include GHG mitigation and adaptation measures or other sources."

The second, GHG-B, encouraged the "San Diego region cities and the County government" to "adopt and implement Climate Actions Plans" (CAP's) and other climate strategies by: a) quantifying GHG emissions, "both existing and projected over a specified time period, resulting from activities within their respective jurisdictions"; b) establishing a "level . . . below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable"; c) identifying and analyzing GHG emissions "resulting for specific actions . . . anticipated within their respective jurisdictions"; d) specifying measures, "including performance standards, that . . . if implemented on a project-by-project basis, would collectively achieve the specified emissions level"; e) establishing a mechanism to monitor the "progress toward achieving

that level" of specified emissions and requiring an amendment if such levels are not achieved; and f) adopting such plans "in a public process following environmental review."

GHG-B further provided that, when appropriate, CAP's should "incorporate planning and land use measures from the California Attorney General's latest list of example policies to address climate change at both the plan and project level." At the plan level, GHG-B identified various policies to be considered and, if appropriate, implemented, from the website of the California Attorney General providing examples to address climate change, including "[s]mart growth, jobs/housing balance, transit-oriented development, and infill development through land use designations, incentives and fees, zoning, and public-private partnerships"; "[c]reate transit, bicycle, and pedestrian connections through planning, funding, development requirements, incentives and regional cooperation, and create disincentives for auto use"; [and] "[e]nergy and water-efficient buildings and landscaping through ordinances, development fees . . . and other implementing tools."

GHG-B also identified project-specific mitigation measures available on the website that, if appropriate, should be implemented at the plan level in a CAP's planning and land use measures, including adopting a "comprehensive parking policy" that encourages use of alternate transportation and discourages use of private vehicles; building or funding a "major transit stop within or near development"; providing public transit incentives, such as free or low-cost monthly transit passes to the public; incorporating bicycle lanes and routes into new development; and requiring facilities and amenities for non-motorized transportation, such as secure bicycle parking.

SANDAG in connection with GHG-B stated it would assist local governments in preparing CAP's and other climate strategies plans through implementation of its own CAS, which, as noted, was created in 2010 "as a guide for SANDAG and local governments and policymakers in addressing climate change." The CAS "provides a toolbox of land use, transportation, and related policy measures and investments that help implement the 2050 RTP/SCS [i.e., the project] through reducing GHG emissions. Policy measures also are identified for buildings and energy use, protecting transportation and energy infrastructure from climate impacts, and to help SANDAG and local jurisdictions reduce GHGs from their operations."

The third mitigation measure discussed in the EIR, GHG-C, provided SANDAG and local governments should require "Best Available Control Technology" (BACT) in constructing and operating projects.

SANDAG also considered additional mitigation measures that were found to be infeasible. One such measure was requiring all vehicles in the San Diego region to be either zero-emission vehicles or to be powered by renewable energy. SANDAG found this measure infeasible because of the "rate of turnover of vehicles on the roadway" and because of the limited number of such vehicles available. Another measure found to be infeasible was requiring all future construction to be net-zero energy use. Although renewable energy is available and is an option for a portion of a project's energy needs, SANDAG concluded it was infeasible for all projects to have net-zero emissions (i.e., hospitals).

Finally, SANDAG also found infeasible the requirement that all future construction activity include only "retrofitted equipment." Because certain equipment

does not have "retrofit components," SANDAG concluded this mitigation measure was infeasible.

SANDAG in the EIR noted that implementation of mitigation measures GHG-A through GHG-C "would reduce GHG emissions through adoption of measures and policies that encourage GHG emissions reduction in regional plans, adoption of Climate Action Plans by member agencies, and using BACT during construction and operation of implemented projects." Because of the growth in population, housing, and employment, the EIR concluded implementation of the project "would result in an increase in GHG emissions" and, as such, even with the mitigation measures, GHG-1, the existing conditions baseline, "would remain a significant and unavoidable impact in 2035 and 2050."

B. *Governing Law and Analysis*

It is axiomatic that an EIR must describe feasible measures that could minimize significant adverse impacts. (Guidelines, § 15126.4, subd. (a)(1).) Feasible means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (*Id.*, § 15364.)

However, a lead agency may find that "particular economic, social, or other considerations make the alternatives and mitigation measures infeasible and that particular project benefits outweigh the adverse environmental effects. (Pub. Resources Code, § 21081, subds. (a)(3), (b); Guidelines, § 15091, subd. (a)(3).) Specifically, an agency cannot approve a project that will have significant environmental effects unless it finds as to each significant effect, based on substantial evidence in the administrative

record, that (1) mitigation measures required in or incorporated into the project will avoid or substantially lessen the significant effect; (2) those measures are within the jurisdiction of another public agency and have been adopted, or can and should be adopted, by that agency; or (3) specific economic, legal, social, technological, or other considerations make the mitigation measures or alternatives identified in the EIR infeasible, and specific overriding economic, legal, social, technological, or other benefits outweigh the significant environmental effects. (Pub. Resources Code, §§ 21081, 21081.5; Guidelines, § 15091, subds. (a), (b).)" (*Federation of Hillside & Canyon Assns. v. City of Los Angeles* (2004) 126 Cal.App.4th 1180, 1198; see *South County Citizens for Smart Growth v. County of Nevada* (2013) 221 Cal.App.4th 316, 336 [noting that "'CEQA requires the appropriate public agency "to find, based on substantial evidence, that the mitigation measures are 'required in, or incorporated into, the project'; or that the measures are the responsibility of another agency and have been, or can and should be, adopted by the other agency; or that mitigation is infeasible and overriding considerations outweigh the significant environmental effects"'"].)

Claims concerning the feasibility or effectiveness of mitigation measures are reviewed for substantial evidence, which is defined as "'enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.'" (*Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 486.) In reviewing an agency's decision for substantial evidence, courts "'must indulge all reasonable inferences from the evidence that would support the agency's determinations and resolve all conflicts in the evidence in favor of the agency's decision.'" (*California Native Plant*

Society v. City of Santa Cruz (2009) 177 Cal.App.4th 957, 985.) This standard of review flows from the fact that an "agency has the discretion to resolve factual issues and to make policy decisions." (*Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 120.)

""As with all substantial evidence challenges, an appellant challenging an EIR for insufficient evidence must lay out the evidence favorable to the other side and show why it is lacking. Failure to do so is fatal. A reviewing court will not independently review the record to make up for appellant's failure to carry his [or her] burden."" (*Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th 1552, 1572.)

Here, I conclude petitioners have not met their burden of showing the mitigation measures for GHG emissions described by SANDAG in its program EIR were inadequate. As noted, the EIR discussed three separate mitigation measures in connection with impact analysis GHG-1. Each such measure complies with Guidelines section 15126.4, subdivision (c)(5), which was adopted in response to SB 97 and which provides the GHG mitigation measures proposed in connection with adoption of a long-range plan, such as the instant project, "may include the identification of specific measures that may be implemented on a project-by-project basis."[12]

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12 Subdivision (c) of Guideline section 15126.4 provides in part: "[L]ead agencies shall consider feasible means, supported by substantial evidence and subject to monitoring or reporting, of mitigating the significant effects of greenhouse gas emissions. Measures to mitigate the significant effects of greenhouse gas emissions may include, among others: [¶] (1) Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision; [¶] (2) Reductions in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F; [¶] (3) Off-site measures, including offsets that are not otherwise required, to mitigate a project's emissions; [¶] (4) Measures that sequester greenhouse gases; [¶] (5) In the case of the

Moreover, the record shows SANDAG considered additional mitigation measures to reduce GHG emissions and found them infeasible. (See *Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 245 [noting that CEQA does not require "an EIR to explain why certain mitigation measures are infeasible"]; see also C*herry Valley Pass Acres & Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 351 [noting CEQA does not require an EIR to analyze in detail mitigation measures deemed infeasible].)

At the conclusion of the CEQA review process, the record shows SANDAG adopted both the mitigation measures within its power to implement and a mitigation monitoring program (MMRP) for compliance. (See §§ 21081 & 21081.6.) The mitigation measures and MMRP confirm SANDAG's commitment to implementing GHG mitigation measures described in the EIR.

I do not agree with petitioners that the mitigation measures were insufficiently unenforceable because, particularly with respect to GHG-A and GHG-B, they depended on the cooperation of multiple other agencies. As noted, CEQA allows a lead agency to approve or carry out a project with potential adverse impacts if "[c]hanges or alterations have been . . . incorporated into[] the project" and "[t]hose changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency." (§ 21081, subd. (a)(1) & (2).)

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adoption of a plan, such as a general plan, long range development plan, or plans for the reduction of greenhouse gas emissions, mitigation may include the identification of specific measures that may be implemented on a project-by-project basis. Mitigation may also include the incorporation of specific measures or policies found in an adopted ordinance or regulation that reduces the cumulative effect of emissions."

Finally, because SANDAG in my view satisfied its initial burden to consider a range of reasonable mitigation measures in its EIR, I would conclude the burden then switched to petitioners to establish from the record what petitioners describe as other "effective" mitigation measures that allegedly were omitted from consideration in the EIR and to show, again from the record, that such "effective" measures 1) were not only legally feasible but also suitable for discussion in a program EIR involving a project incorporating a broad range of planning measures and policies over the next several decades, *and* 2) would avoid or substantially lessen the project's GHG impacts. (See *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 14-17 [rejecting the petitioners' contention that unspecified, additional mitigation measures should have been considered in "meaningful detail" in an EIR and noting the general rule that "CEQA does not . . . require discussion of every mitigation measure the agency rejected as infeasible"].) I would conclude petitioners have not met, and cannot meet, this burden in this case. (See *id.* at p. 17 [noting that "[f]easibility under CEQA encompasses desirability to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors"].)[13]

BENKE, J.

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13 Because the trial court never reached the issues raised in the cross-appeal and because the majority in any event is remanding the matter with respect to the EIR's treatment of GHG impacts and mitigation measures of the project, as I have noted, I would defer the issues raised in the cross-appeal to the trial court for consideration. Nonetheless, I feel compelled to state my objection to the majority's conclusion that SANDAG failed to consider a reasonable range of project alternatives.

Kern Council of Governments

February 4, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi
Executive Director

By: Becky Napier, Regional Planner

SUBJECT: RPAC AGENDA ITEM: VI
KERN COUNCIL OF GOVERNMENTS (COG) DRAFT RESPONSE LETTER TO ENVIRONMENTAL DOCUMENTS

DESCRIPTION

Kern COG has a responsibility under its Environmental Review Program/Intergovernmental Review process to provide information to lead agencies on various environmental documents. Kern COG drafted a letter to provide information outlined in the 2014 Regional Transportation Plan.

DISCUSSION

The federal government has shown its commitment to the environment through the passage of the National Environmental Policy Act (NEPA) in 1969, which requires federal agencies to consider the environmental impacts of their actions. In a similar vein, California passed the California Environmental Quality Act (CEQA) in 1970, which was designed to ensure that public agencies consider the environmental impacts of their decisions.

In California, the environmental review associated with the RTP and the subsequent project delivery process is two-fold. MPOs and RTPAs are responsible for the planning contained in the RTP that precedes project delivery. Typically a local government, consultant or Caltrans is responsible for the actual construction of the project i.e. project delivery. CEQA applies to the planning document (RTP) while both NEPA and CEQA may apply to the individual projects that implement the RTP during the project delivery process.

Given that protection of the environment is an important public policy goal and it is an important aspect of public acceptance during project delivery, best regional planning practices would seek to plan and implement transportation projects that would avoid or minimize environmental impacts.

ACTION

Information. It is proposed that the Regional Planning Advisory Committee (RPAC) will recommend Kern COG Board approval at the next RPAC meeting.

Kern Council of Governments
1401 19th Streets, Suite 300 Bakersfield CA 93301 661-861-2191 Facsimile 661-324-8215 TTY 661-832-7433 www.kerncog.org

[DRAFT ENVIRONMENTAL REVIEW COMMENT LETTER]

Date

[Lead Agency
Mailing address]

Re: [EIR Project Name Here]

Dear Lead Agency:

Kern Council of Governments (Kern COG) adopted the 2014 Regional Transportation Plan (RTP) on June 19, 2014. The Program Environmental Impact Report (PEIR) provides project impacts, mitigation measures and residual impacts of implementing the 2014 RTP. Areas discussed in the PEIR are:

• **Aesthetics**	• **Agricultural Resources**
• **Air Quality**	• **Biological Resources**
• **Cultural Resources**	• **Geology and Soils**
• **Greenhouse Gases**	• **Hazards and Hazardous Materials**
• **Noise**	• **Population, Housing, and Employment**
• **Fires Services**	• **Police Services**
• **Schools**	• **Recreation**
• **Transportation and Traffic**	• **Energy**
• **Wastewater**	• **Water Resources**
• **Solid Waste**	

The Kern COG Regional Transportation Plan Program EIR states:

> "Kern COG has no authority to impose mitigation measures on individual projects for which it is not the lead agency. Mitigation measures in this the Program EIR that include the language, 'Kern COG through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to …' are intended to be used by projects seeking to use this Program EIR for CEQA streamlining (under SB 375 and SB 226 – CEQA Streamlining for Infill Projects) and tiering. For projects seeking to use CEQA streamlining and/or tier from the 2014 RTP Program EIR, mitigation measures included in this Program EIR (or equivalent) should be required by the lead agency as appropriate and applicable. Many lead agencies have existing regulations, policies, and/or standard conditions of approval that address potential impacts. Nothing in the Program EIR is intended to supersede existing regulations and policies of individual jurisdictions. Since Kern COG has no authority to impose mitigation measures, mitigation measures to be implemented by local jurisdictions are subject to a city or county's independent discretion as to whether measures are applicable to projects in their respective jurisdictions. Lead agencies may use, amend, or not use measures identified in Program EIR

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as appropriate to address project-specific conditions. The determination of significance and identification of appropriate mitigation is *solely* the responsibility of the lead agency."

Kern COG through its Environmental Review Program/Intergovernmental Review process has a responsibility to respond to Environmental Impact Reports for specific projects within Kern County. Samples of mitigation measures that are encouraged for all projects included but are not limited to:

- Facilitate and encourage implementing and local agencies to encourage urban development, in place of development in rural and sensitive areas;
- Facilitate and encourage implementing and local agencies to minimize and avoid agricultural resources located within the limits of a proposed project;
- Facilitate and encourage transportation projects that include VMT reductions, emissions reduction and promote livability;
- Facilitate and encourage implementing and local agencies to avoid or minimize impacts on Special-Status Plant Populations and Special-Status Wildlife Species;
- Facilitate and encourage implementing and local agencies to require consultation, surveys, and monitoring for archaeological resources;
- Facilitate and encourage implementing and local agencies to conduct site-specific, design level geotechnical investigation for individual projects;
- Continue to encourage and facilitate transportation Projects that include VMT reduction, emissions reduction and promote livability;
- Facilitate and encourage implementing and local agencies to implement measures adopted by ARB designed to attain federal air quality standards for PM2.5;
- Facilitate and encourage implementing and local agencies to determine whether specific project sites are listed on government lists of hazardous materials and/or waste sites compile pursuant to the California Government Code;
- Work with member agencies on the Regional Planning Advisory Committee to ensure that RTP transportation projects and growth are consistent with general plans and associated local government planning assumptions;
- Facilitate and encourage implementing and local agencies to assess and mitigate to the extent feasible short- and long-term noise impacts;
- Continue to build consensus in the region relating to changes in land use to accommodate future population growth while maintaining the quality of life in the region;
- Facilitate and encourage implementing and local agencies to ensure adequate fire protection services and police services to satisfy community needs;
- Facilitate and encourage implementing and local agencies to undertake project-specific review of the impacts to educational facilities as part of project specific environmental review;
- Encourage member jurisdictions to explore multiple use spaces and redevelopment in areas where it will provide more opportunities for recreational uses and access to natural areas close to the urban core;
- Encourage and work with local governments to develop multimodal performance standards;
- Encourage and work with local governments to implement energy saving policies and projects that incorporate renewable and alternative energy to the extent feasible;
- Facilitate and encourage wastewater treatment agencies to maximize efficiency of wastewater treatment;
- Facilitate and encourage implementing and local agencies to undergo individual project review and comply with NPDES requirements and applicable storm water regulations;

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- Facilitate and encourage implementing and local agencies to implement water conservation measures in new development;
- Facilitate and encourage diversion of solid waste such as recycling and composting programs.

Implementing and local agencies are encouraged to review the list of mitigation measures identified in the 2014 RTP PEIR for a more comprehensive list. The 2014 RTP PEIR can be found on the Kern COG website at http://www.kerncog.org/regional-transportation-plan.

This letter fulfills the mitigation monitoring requirements of the Kern COG Regional Transportation Plan Program EIR.

If you have additional questions, please contact _____ by calling 661-861-2191 or sending an email to _____.

Sincerely,

Kern Council of Governments
1401 19th Streets, Suite 300 Bakersfield CA 93301 661-861-2191 Facsimile 661-324-8215 TTY 661-832-7433 www.kerncog.org

Kern Council of Governments

February 4, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Peter Smith,
Regional Planner

SUBJECT: RPAC AGENDA ITEM: VII
ACTIVE TRANSPORTATION PROGRAM

DESCRIPTION: The Active Transportation Program's (ATP) has available $180 million to encourage increased use of active modes of transportation. ATP applications are due June 1, 2015.

DISCUSSION: On September 26, 2013, Governor Brown signed legislation creating the Active Transportation Program (ATP) in the Department of Transportation (Senate Bill 99, Chapter 359 and Assembly Bill 101, Chapter 354). The ATP consolidates existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School (SR2S), into a single program with a focus to make California a national leader in active transportation. The ATP is administered by the Division of Local Assistance, Office of Active Transportation and Special Programs.

The purpose of ATP is to encourage increased use of active modes of transportation by achieving the following goals:

- Increase the proportion of trips accomplished by biking and walking;
- Increase safety and mobility for non-motorized users;
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas (GHG) reduction goals;
- Enhance public health;
- Ensure that disadvantaged communities fully share in the benefits of the program; and
- Provide a broad spectrum of projects to benefit many types of active transportation users.

Cycle 1 ATP funding has been completed. The Kern Region was awarded funding for 15 projects in several jurisdictions and the County of Kern. Cycle 2 is being initiated with a proposed submittal deadline of Monday June 1, 2015. The draft guidelines can be found at this website:

http://www.catc.ca.gov/programs/ATP/2015/Discussion_Draft_2015_ATP_Guidelines_11_21_14.pdf

The draft 2015 Active Transportation Program application may be accessed at this website: http://www.dot.ca.gov/hq/LocalPrograms/atp/index.html.

Final program guidelines are expected on or before March 21, 2015, at which time applications will begin to be accepted until the submittal deadline.

Further, the Kern Council of Governments submitted an ATP proposal in Cycle 1 to inventory pedestrian and bicycle facilities deficiencies throughout Kern County. Although the proposal was rejected, Kern COG wishes to re-submit a revised application and is requesting partnerships with interested jurisdictions, as well as letters of support for the project proposal. The original proposal is attached. A sample letter of support is also attached.

A workshop highlighting ATP issues is being organized, but no date has been established. TTAC and RPAC members will be notified when this workshop will be held. CALTRANS will be holding ATP workshops in each District but dates and locations have not been announced.

ACTION: Information. Member agencies and stakeholders are requested to provide letters of support for a regional application using the attached sample.

Attachments:

1. Narrative section of Kern COG ATP Plan application
2. Sample Letter of Support

ACTIVE TRANSPORTATION PROGRAM

CYCLE 1

APPLICATION
Part 2
(Includes Narrative Sections II, III & IV)

II. PROJECT INFORMATION

(Please read the "ATP instructions" document prior to attaching your responses to all of the questions in Sections II. Project Information, Section III. Screening Criteria and Section IV. Narrative Questions - 20 pages max)

1. **Project Location** Kern County, California

2. **Project Coordinates** Latitude _____ (Decimal degrees) Longitude _____ (Decimal degrees)

3. **Project Description** Active Transportation Plan for Kern County, CA.

4. **Project Status** Awaiting Funding

III. SCREENING CRITERIA

1. **Demonstrated Needs of the Applicant**
   Describe the need for the project and/or funding

   Response Question 1: The proposed Active Transportation Plan for Kern County will address the issues of non-motorized transportation facilities in the region. The Plan will address the needs for active transportation facilities. This Active Transportation Plan will build on previous planning efforts including the Kern County Bike Master Plan, Bakersfield Bicycle Transportation Plan, The Tehachapi Bicycle Transportation Plan, the Wasco Bicycle Plan, the California City Bicycle Plan and the Delano Bicycle Plan. Areas which have not had bicycle facilities planning will be inventoried and classified as to pedestrian fitness. Some communities will have both pedestrian and bicycle facilities planning undertaken.

2. **Consistency with Regional Transportation Plan (100 words or less)**
   Explain how this project is consistent with your Regional Transportation Plan (if applicable). Include adoption date of the plan.

   R The Active Transportation Plan for Kern County is consistent with the 2014 Regional Transportation Plan. The 2014 Regional Transportation Plan encourages and promotes non-motorized transportation facilities and has identified sources of funding to pay for infrastructure improvement. We anticipate that the 2014 Kern Regional Transportation Plan will be adopted in June, 2014.

IV. NARRATIVE QUESTIONS

1. **POTENTIAL FOR INCREASED WALKING AND BICYCLING, ESPECIALLY AMONG STUDENTS, INCLUDING THE IDENTIFICATION OF WALKING AND BICYCLING ROUTES TO AND FROM SCHOOLS, TRANSIT FACILITIES, COMMUNITY CENTERS, EMPLOYMENT CENTERS, AND OTHER DESTINATIONS; AND INCLUDING INCREASING AND IMPROVING CONNECTIVITY AND MOBILITY OF NON-MOTORIZED USERS.** *(0-30 POINTS)*

A. Describe how your project encourages increased walking and bicycling, especially among students.

Response A: The Kern Active Transportation Plan will identify areas where facilities are lacking, incomplete or absent. When facilities improvements are completed non-motorized transportation users may be anticipated to increase

B. Describe the number and type of possible users and their destinations, and the anticipated percentage increase in users upon completion of your project. Data collection methods should be described.

Response B: All residents of Kern County are potential users of non-motorized transportation facilities. Identifying gaps, safety concerns and other issues will lead to improvements within the non-motorized network.

C. Describe how this project improves walking and bicycling routes to and from, connects to, or is part of a school or school facility, transit facility, community center, employment center, state or national trail system, points of interest, and/or park.

Response C: Upon completion of the study popular destinations will be identified and proposals to connect or improve connections between origins and destinations will be suggested

D. Describe how this project increases and/or improves connectivity, removes a barrier to mobility and/or closes a gap in a non-motorized facility.

Response D: Gap removal and connectivity prioritization would be included in the study

- Projects with significant potential- 21 to 30 points
- Projects with moderate potential- 11 to 20 points
- Projects with minimal potential- 1 to 10 points
- Projects with no potential- 0 points

IV. NARRATIVE QUESTIONS- continued

2. POTENTIAL FOR REDUCING THE NUMBER AND/OR RATE OF PEDESTRIAN AND BICYCLIST FATALITIES AND INJURIES, INCLUDING THE IDENTIFICATION OF SAFETY HAZARDS FOR PEDESTRIANS AND BICYCLISTS. *(0-25 POINTS)*

A. Describe the potential of the project to reduce pedestrian and/or bicycle injuries or fatalities.

Response A: Hazard identification, removal or mitigation will be included in the Kern Active Transportation Plan

B. Describe if/how your project will achieve any or all of the following:

- Reduces speed or volume of motor vehicles
- Improves sight distance and visibility
- Improves compliance with local traffic laws
- Eliminates behaviors that lead to collisions
- Addresses inadequate traffic control devices
- Addresses inadequate bicycle facilities, crosswalks or sidewalks

Response B: Hazard identification and reduction will be addressed in the Kern Active Transportation Plan

C. Describe the location's history of events and the source(s) of data used (e.g. collision reports, community observation, surveys, audits) if data is not available include a description of safety hazard(s) and photos.

Response C: On-site studies and references to public sources of information (SWITRS) concerning hazard/danger identification.

- Projects with significant potential- 16 to 25 points
- Projects with moderate potential- 8 to 15 points
- Projects with minimal potential- 1 to 7 points
- Projects with no potential- 0 points

IV. NARRATIVE QUESTIONS- continued

3. PUBLIC PARTICIPATION and PLANNING *(0-15 POINTS)*

A. Describe the community based public participation process that culminated in the project proposal or plan, such as noticed meetings/public hearings, consultation with stakeholders, etc.

Response A: Project will have multiple opportunities for public input at public meetings and the formal approval process. See Kern COG Public Outreach Policy, attached

B. Describe the local participation process that resulted in the identification and prioritization of the project:

Response B: None has occurred at this juncture

C. Is the project cost over $1 Million? Y/N No

D. Is the project Prioritized in an adopted city or county bicycle transportation plan, pedestrian plan, safe routes to school plan, active transportation plan, trail plan, circulation element of a general plan, or other publicly approved plan that incorporated elements of an active transportation plan? Y/N

Response D: The proposed Kern Active Transportation Plan will combine bicycle and pedestrian planning for the Kern Region

- Projects with substantial participation of community members- 11 to 15 points
- Projects with moderate participation of community members - 6 to 10 points
- Projects with minimal participation of community members- 1 to 5 points
- Projects with no participation of community members- 0 points

IV. NARRATIVE QUESTIONS- continued

4. COST EFFECTIVENESS *(0-10 POINTS)*

A. Describe the alternatives that were considered. Discuss the relative costs and benefits of all the alternatives and explain why the nominated one was chosen.

Response A: No alternatives to the Kern Active Transportation Plan were considered

B. Calculate the ratio of the benefits of the project relative to both the total project cost and funds requested (i.e., $\frac{Benefit*}{Total\ Project\ Cost}$ and $\frac{Benefit*}{Program\ Funds\ Requested}$).

Response B: No cost/benefit analysis was attempted

*Benefits must directly relate to the goals of the Active Transportation Program.

- Applicant considers alternatives and exceptionally justifies the project nominated - 5 points
- Applicant considers alternatives and adequately justifies the project nominated - 3 to 4 points
- Applicant considers alternatives and minimally justifies the project nominated - 1 to 2 points
- Applicant did not consider alternatives or justify the project nominated - 0 points

- Applicant logically described how project benefits were quantified and has a benefit-cost ratio greater than 1 - 5 points
- Applicant logically described how project benefits were quantified and has benefit-cost ratio less than 1- 3 points
- Applicant did not logically describe how project benefits were quantified - 0 points

IV. NARRATIVE QUESTIONS- continued

5. IMPROVED PUBLIC HEALTH *(0-10 points*)

A. Describe how the project will improve public health, i.e. through the targeting of populations who have a high risk factor for obesity, physical inactivity, asthma, or other health issues
.

Response A: The Kern Active Transportation Plan will identify areas and strategies that will improve the general well-being of the residences of Kern County.

- Applicant exceptionally described how the project will improve public health and addresses high risk populations- 7 to 10 points
- Applicant adequately described how the project will improve public health and addresses high risk populations - 4 to 6 points
- Applicant minimally described how the project will improve public health - 1 to 3 points
- Applicant did not describe how the project will improve public health - 0 points

IV. NARRATIVE QUESTIONS- continued

6. **BENEFIT TO DISADVANTAGED COMMUNITIES** *(0-10 points)*

A. I. Is the project located in a disadvantaged community? Y/N Yes

II. Does the project significantly benefit a disadvantaged community? Y/N Yes

a. Which criteria does the project meet? (Answer all that apply)

- **XXX Median household income for the community benefited by the project: $ Multiple Communities SEE LIST OF KERN COMMUNITIES HOUSEHOLD INCOME**
- California Communities Environmental Health Screen Tool (CalEnvironScreen) score for the community benefited by the project: _____
- For projects that benefit public school students, percentage of students eligible for the Free or Reduced Price Meals Programs: _____ %

b. Should the community benefitting from the project be considered disadvantaged based on criteria not specified in the program guidelines? If so, provide data for all criteria above and a quantitative assessment of why the community should be considered disadvantaged.

B. Describe how the project demonstrates a clear benefit to a disadvantaged community and what percentage of the project funding will benefit that community, for projects using the school based criteria describe specifically the school students and community will benefit.

- Project clearly and significantly addresses health, safety, and/or infrastructure challenges in the disadvantaged community- 5 points
- Project adequately addresses health, safety, and/or infrastructure challenges in the disadvantaged community - 3 points
- Project minimally addresses health, safety, and/or infrastructure challenges in the disadvantaged community - 1 points

- 80% to 100% of project funding benefits the disadvantaged community- 5 points
- 60% to 79% of project funding benefits the disadvantaged community- 4 points
- 40% to 59% of project funding benefits the disadvantaged community- 3 points
- 20% to 39% of project funding benefits the disadvantaged community- 2 points
- 1% to 19% of project funding benefits the disadvantaged community- 1 points
- 0% of project benefits the disadvantaged community- 0 points

IV. NARRATIVE QUESTIONS- continued

7. USE OF CALIFORNIA CONSERVATION CORPS (CCC) OR A CERTIFIED COMMUNITY CONSERVATION CORPS *(0 to -5 points)*

The applicant must send the following information to the CCC and CALCC prior to application submittal to Caltrans:

Project Description	Detailed Estimate	Project Schedule
Project Map	Preliminary Plan	

The corps agencies can be contacted at:
California Conservation Corps at: www.ccc.ca.gov
Community Conservation Corps at: http://calocalcorps.org

A. The applicant has coordinated with the CCC to identify how a state conservation corps can be a partner of the project. Y/N
   a. Name, e-mail, and phone # of the person contacted and the date the information was submitted to them

B. The applicant has coordinated with a representative from the California Association of Local Conservation Corps (CALCC) to identify how a certified community conservation corps can be a partner of the project. Y/N
   a. Name, e-mail, and phone # of the person contacted and the date the information was submitted to them

C. The applicant intends to utilize the CCC or a certified community conservation corps on all items where participation is indicated? Y/N

I have coordinated with a representative of the CCC; and the following are project items that they are qualified to partner on:

I have coordinated with a representative of the CALCC; and the following are project items that they are qualified to partner on:

Points will be deducted if an applicant does not seek corps participation or if an applicant intends not to utilize a corps in a project in which the corps can participate*.

- The applicant intends to partner with a conservation corps to the maximum extent possible- 0 points
- The applicant did not seek partnership with a conservation corps, or indicated that they do not intend to partner with the corps to the maximum extent possible- (-)5 points

**If the applicant has indicated intended use of the CCC or CALCC in the approved application, a copy of the agreement between the implementing agency and the CCC or CALCC must be provided by the implementing agency, and will be incorporated as part of the original application, prior to request for authorization of funds for construction.*

IV. NARRATIVE QUESTIONS- continued

8. **APPLICANT'S PERFORMANCE ON PAST GRANTS** *(0 to -10 points)*

A. Describe any of your agency's ATP type grant failures during the past 5 years, and what changes your agency will take in order to deliver this project.

None

- The applicant has no past grant experience or has performed satisfactorily on past grants - 0 points
- The applicant has not performed satisfactorily on past grants and/or has not adequately described how they will deliver this project (-)10 points

Bakersfield City School District

1300 Baker Street
Bakersfield, CA 93305-4399
Phone (661) 631-4610
Fax (661) 324-3190

BOARD OF EDUCATION
Andrae Gonzales
PRESIDENT
Bill McDougle
CLERK
Pam Baugher
Dr. Fred L. Haynes
Lillian Tafoya

Robert J. Arias, Ed.D.
SUPERINTENDENT

May 13, 2014

CALTRANS
Division of Local Assistance
PO Box 942874
Sacramento, CA 94274-0001

Re: Support for the City of Bakersfield's Active Transportation Program (ATP) Grant Application Sidewalk and Handicap Ramp Improvements for Frank West Elementary School in Bakersfield, California

To Whom It May Concern:

The Bakersfield City School District enthusiastically supports the City of Bakersfield's proposed grant application to install sidewalks, handicap ramps and other improvements to several streets adjacent to Frank West Elementary School. Our school has nearly 400 students, not including parents and family, which either walk or ride to school daily. The identified improvements will improve access for our school pedestrians and community members, and make the route to school much safer for our students who walk, bike or skateboard to and from school.

Our schools and Parent Involvement Centers operate almost year round and are an important focal point for delivering health and social services as well as educational services for our students and their families. A safe and accessible walkway to Frank West Elementary School will provide a major benefit to our neighborhood well beyond our daily school activities and improve the quality of life to our entire community.

We strongly urge that this grant application be funded.

Sincerely,

Dr. Robert J. Arias
Superintendent
Bakersfield City School District

c: Mr. John Ussery, Civil Engineer
Public Works, Traffic Engineering
City of Bakersfield

Kern Council of Governments

February 4, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

BY: Troy Hightower,
Regional Planner

SUBJECT: RPAC AGENDA ITEM: VIII
NEW STATE STRATEGIC GROWTH COUNCIL GRANT

DESCRIPTION:

The Strategic Growth Council (SGC) received $130 million from the Greenhouse Gas Reduction Cap and Trade program for administering the Affordable Housing and Sustainable Communities (AHSC) Program. An SGC workshop is scheduled for February 9, at Kern COG. Concept grant proposals are due February 19, 2015, and final proposals are due April 15, 2015.

DISCUSSION:

Below is a brief highlight of the most relevant Assembly and Senate Bills related to Cap and Trade funding opportunities:

SB 375 (2008)	Sustainable Communities and Climate Protection Act
SB 535 (2012)	Requires that auction proceeds benefit and invest in disadvantaged communities.
SB 862 (2014)	Creates the Affordable Housing and Sustainable Communities Program

To comply with SB 535, the Office of Environmental Health Hazard Assessment (OEHHA), on behalf of the California Environmental Protection Agency (CalEPA), created the California Communities Environmental Health Screening Tool: CalEnviroScreen Version 2.0. CalEnviroScreen is a screening methodology that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution. The press release stated: "The tool will be used to inform the investment of state cap-and-trade funds specifically targeted for Disadvantaged Communities." A large portion of Kern County has been designated as Disadvantage.

CalEnviroScreen maps of Bakersfield and Kern County and the methodology/scoring chart are attached. More information on CalEnviroScreen can be found at: http://www.oehha.ca.gov/ej/ces2.html .

The purpose of the AHSC program is to invest in projects that reduce greenhouse gas emissions (GHG) by creating the following:

- More compact infill development patterns
- Integrating affordable housing
- Encouraging active transportation and mass transit usage
- Protecting agricultural land from sprawl development

The guidelines for the AHSC program were approved by the Strategic Growth Council Board on January 20, 2015. The following is the development schedule:

January 26, 2015	Notice of Funding Availability (NOFA) Funding Released
February 9, 2015	NOFA Workshop and Technical Assistance to be held at Kern COG (Notice attached)
February 19, 2015	Concept Proposal Due to HCD
March 11, 2015	Invitation to Select Applicants to Submit Full Application
April 15, 2015	Full Applications Due to HCD
June 2015	SGC Council Approves Staff Recommendations for Awards

Information about the SGC programs and guidelines for the Affordable Housing and Sustainable Communities Program can be found at: http://sgc.ca.gov/ and http://www.sgc.ca.gov/s_ahscprogram.php. Final AHSC guidelines are now available on line at http://www.sgc.ca.gov/docs/AHSC-FINAL_GUIDELINES.pdf .

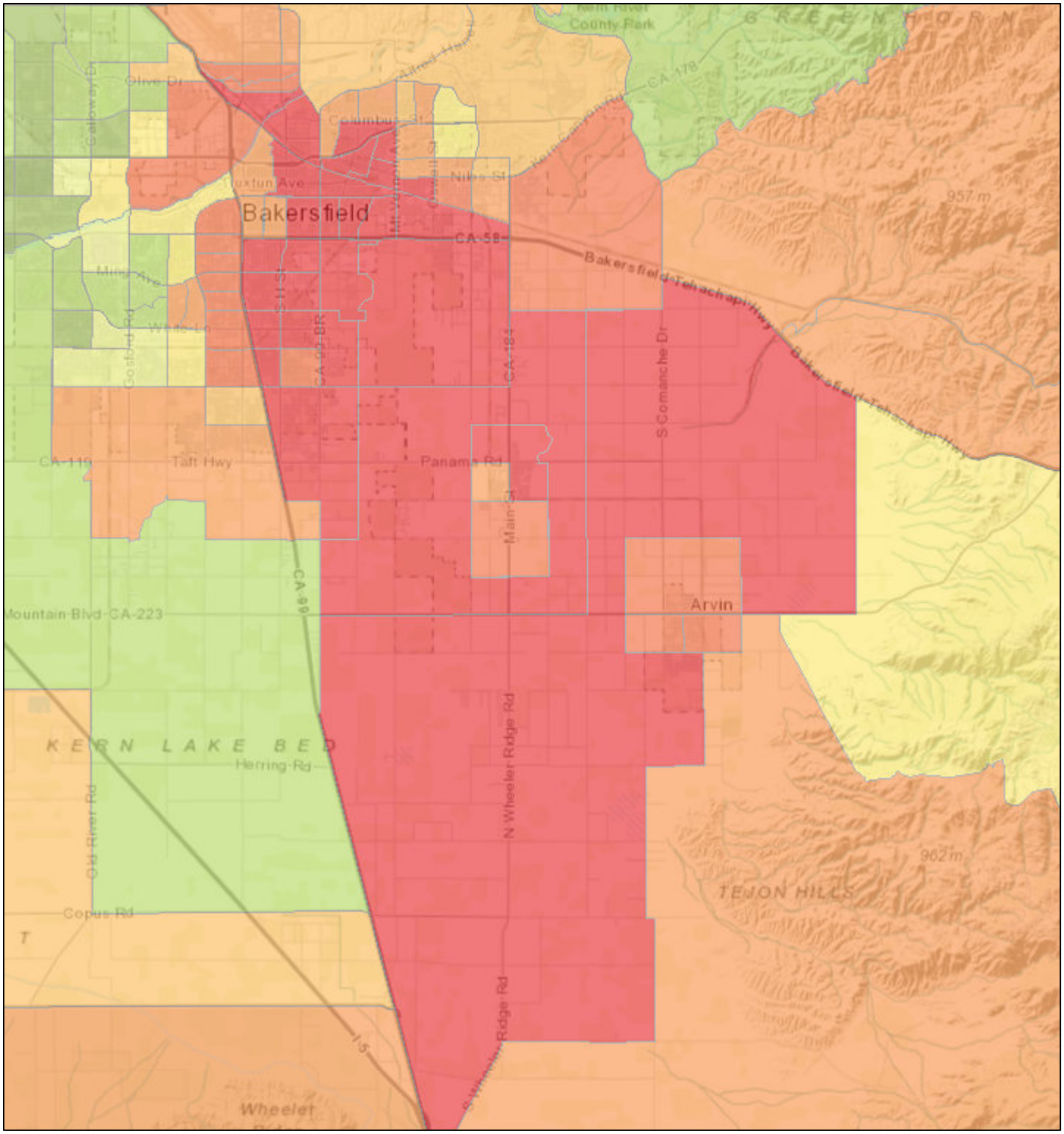
Kern COG staff is considering submitting a regional application and is requesting partnerships with interested jurisdictions, as well as letters of support for the project proposal. A sample support letter is attached.

ACTION: Information. Member agencies and stakeholders are requested to provide letters of support for a regional application using the attached sample.

Attachments:

1. Cal EnviroScreen Maps and Methodology
2. SGC workshop flyer
3. Sample letter of support

CalEnviroScreen 2.0 results



August 19, 2014

1:288,895

0 2.5 5 10 mi

0 4 8 16 km

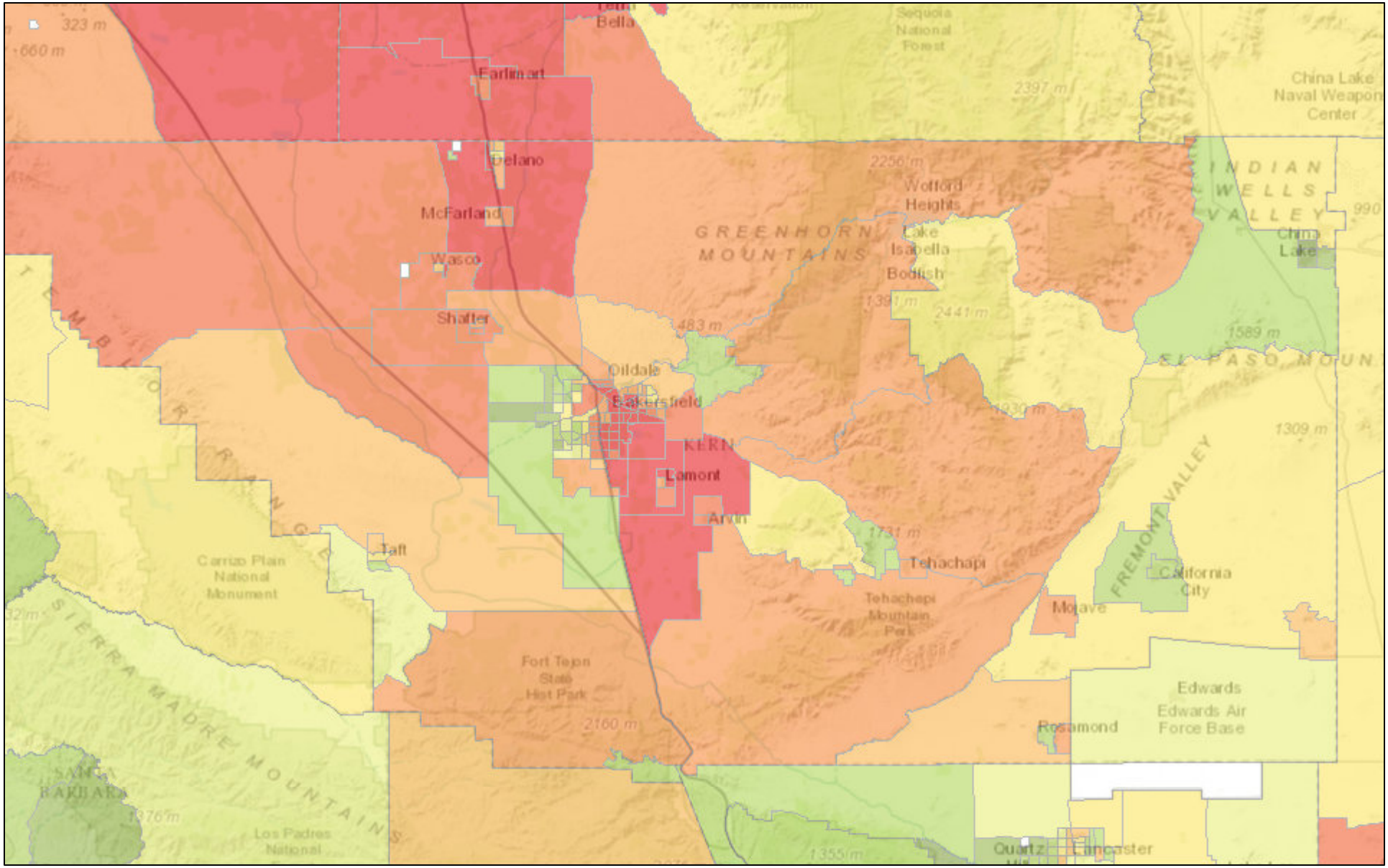
CalEnviroScreen 2.0 all results

Cl10grps_1

- Lowest Scores (Bottom 10%)
- 11 - 20%
- 21 - 30%
- 31- 40%
- 41- 50%
- 51 - 60%
- 61 - 70%
- 71 - 80%
- Highest Scores (81 - 90%)
- Highest Scores (91 - 100%)

Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

CalEnviroScreen 2.0 results



August 19, 2014

CalEnviroScreen 2.0 all results

Cl10grps_1

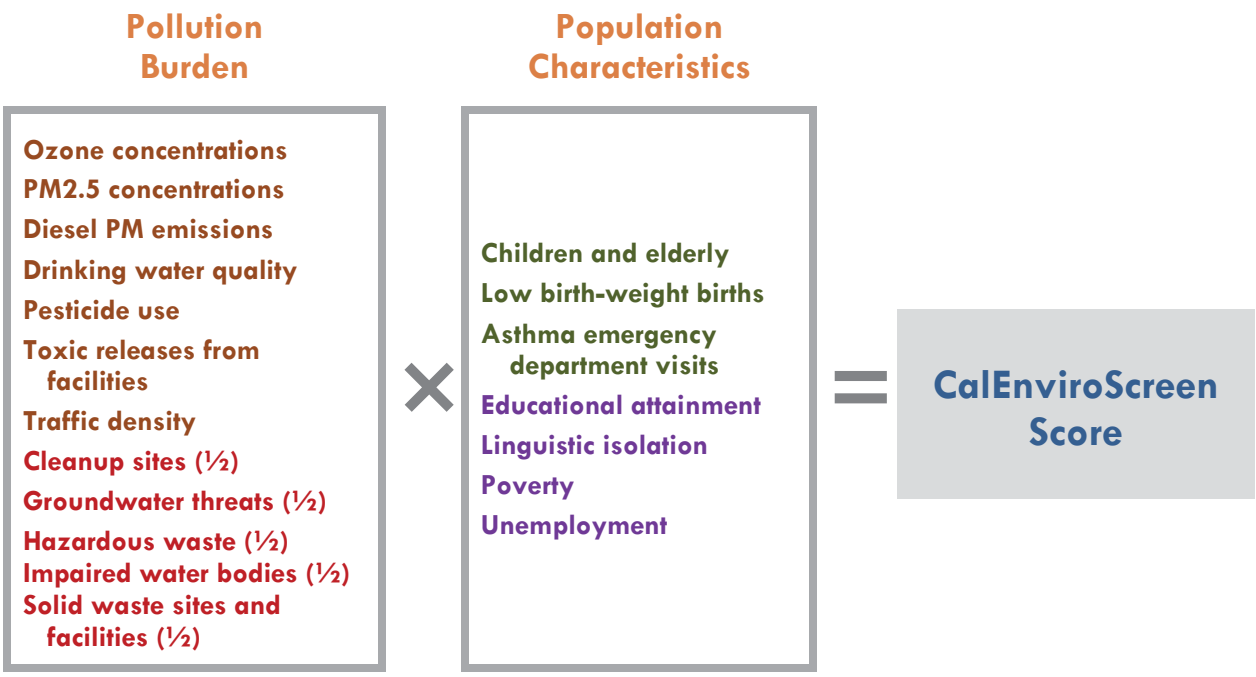
- Lowest Scores (Bottom 10%)
- 11 - 20%
- 21 - 30%
- 31- 40%
- 41- 50%
- 51 - 60%
- 61 - 70%
- 71 - 80%
- Highest Scores (81 - 90%)
- Highest Scores (91 - 100%)

1:1,155,581

0 10 20 40 mi

0 15 30 60 km

Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL,



CalEnviroScreen Score and Maps

The overall CalEnviroScreen score is calculated from the Pollution Burden and Population Characteristics groups of indicators by multiplying the two scores. Since each group has a maximum score of 10, the maximum CalEnviroScreen Score is 100.

The geographic areas are ordered from highest to lowest, based on their overall score. A percentile for the overall score is then calculated from the ordered values. As for individual indicators, a geographic area's overall CalEnviroScreen percentile equals the percentage of all ordered CalEnviroScreen scores that fall below the score for that area.

Maps are developed showing the percentiles for all the census tracts of the state. Maps are also developed highlighting the census tracts scoring the highest.

Uncertainty and Error

There are different types of uncertainty that are likely to be introduced in the development of any screening method for evaluating pollution burden and population vulnerability in different geographic areas. Important ones are:

- The degree to which the data that are included in the model are correct.
- The degree to which the data and the indicator metric selected provide a meaningful measure of the pollution burden or population vulnerability.
- The degree to which data gaps or omissions influence the results.

Efforts were made to select datasets for inclusion that are complete,

California
Strategic Growth Council

AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM WORKSHOP NOTICE

This round of SGC workshops will be comprised of an informational presentation and overview on the Affordable Housing and Sustainable Communities Program, including requirements to submitting a concept proposal. Small group or one-on-one consultation (depending on volume of requests) with AHSC Program staff will also be available to discuss project eligibility. To register for a workshop or request a consultation, please click on the registration links below.

Consultations will take place on the same day of the informational presentation at each location from 1-5 pm, and are intended to focus on projects that are ready to apply for 2014-15 AHSC funding. Exact time of consultation will be provided in advance of each workshop. SGC staff will attempt to provide consultations to all who request one, however, priority will be given to applicants proposing projects to benefit Disadvantaged Communities. **For more information on how to determine project eligibility to benefit a Disadvantaged Community, please see page two of this Notice.**

All workshops will follow the same time frame:
9:30 am to 11:30 am: Informational Presentation
1:00 pm to 5:00 pm: 30-minute small group or one-on-one consultations

WORKSHOP LOCATIONS

(exact locations are currently being arranged and will be announced by the end of January)

SAN DIEGO
Wednesday, February 4
Click here to register

SAN BERNARDINO
Thursday, February 5
Click here to register

LOS ANGELES
Friday, February 6
Click here to register

BAKERSFIELD
Monday, February 9
Click here to register

STOCKTON
Tuesday, February 10
Click here to register

OAKLAND
Wednesday, February 11
Click here to register

Agenda and meeting materials will be posted prior to the workshops. Please limit registrations to no more than two people per organization in order to allow representatives from other entities to attend. If you have any questions, please contact Kim Danko at 916-324-9766 or kim.danko@sgc.ca.gov. If you would like to request translation services, please contact Kim by Feb 1.

Instructions to determine Disadvantaged Community prioritization for AHSC Program consultations

Potential applicants will indicate whether they are applying for a project to benefit a Disadvantaged Community when registering using the links on page one of this Notice. To search Disadvantaged Community census tracts, click here. (If the project location selected appears in red on the map, it is in the top 25% of CalEnviroScreen census tracts. Click on the map, and the census tract number will appear. For projects where the majority (50% or more) is not located within a Disadvantaged Community, but meets one of the criteria detailed below, please use the census tract/s of the Disadvantaged Community/Communities your proposed project will benefit.

Affordable Housing and Sustainable Communities Projects: Projects will achieve GHG reductions by reducing vehicle miles travelled (e.g., increasing accessibility of housing, employment centers, and key destinations via low-carbon transportation options such as walking, biking, and transit).
CRITERIA TO EVALUATE PROJECTS
Step 1 – Located Within: *Evaluate the project to see if it meets at least one of the following criteria for being located in a Disadvantaged Community census tract and provides a desirable benefit to a Disadvantaged Community.*
Project must meet the following criteria focused on reducing passenger vehicle miles travelled, while addressing housing needs and other regional planning objectives for Disadvantaged Community residents: A. A majority (50%+) of the project is within one or more Disadvantaged Communities and reduces vehicle miles travelled, and the project is designed to avoid displacement of Disadvantaged Community residents and businesses.
Step 2 – Provides Benefits To: *If the project does not meet the above criteria for "located within," evaluate the project to see if it meets at least one of the following criteria for providing a desirable benefit to a Disadvantaged Community.*
Project must meet at least one of the following criteria focused on reducing passenger vehicle miles travelled, while addressing housing needs and other regional planning objectives for Disadvantaged Community residents: A. Project is within ½ mile of a Disadvantaged Community and reduces vehicles miles travelled, and is designed to avoid displacement of Disadvantaged Community residents and businesses. B. Project includes recruitment, agreements, policies or other approaches that result in at least 25% of project work hours performed by residents of a Disadvantaged Community. C. Project includes recruitment, agreements, policies or other approaches that result in at least 10% of project work hours performed by residents of a Disadvantaged Community participating in job training programs which lead to industry-recognized credentials or certifications.

BAKERSFIELD OFFICE
1115 TRUXTUN AVE., ROOM 505
BAKERSFIELD, CA 93301
PHONE (661) 868-3690
FAX (661) 868-3645
district5@co.kern.ca.us

LAMONT/ARVIN OFFICE
12014 MAIN STREET
LAMONT, CA
PHONE (661) 868-5815
FAX (661) 868-5844
www.co.kern.ca.us/bos/dist5

LETICIA PEREZ

SUPERVISOR - FIFTH DISTRICT

October 31, 2014

Ahron Hakimi
Executive Director
Kern Council of Governments
1401 19th Street, Suite 300
Bakersfield, CA 93301

Re: Support for Kern Council of Governments submittal for FTA Section 5304 funding to prepare a South Kern Regional Multi-modal Transportation Study

Dear Mr. Hakimi:

The County of Kern is pleased to support Kern Council of Governments' (Kern COG) in its application for FTA Section 5304 funding to prepare a South Kern Regional Multi-modal Transportation Study for the city of Arvin, communities of Lamont and Greenfield, and the southern portion of Kern County. These disadvantaged communities also include the area of the new Federally recognized Tejon Tribe.

In September 2009, Kern COG published its Arvin/Lamont/Bakersfield Corridor Transit Development Plan. The proposed Study is consistent with and will support the transit development plan. The Study is also consistent with the recently adopted 2014 Kern Regional Transportation Plan and Sustainable Communities Strategy.

As Supervisor for Kern County's 5th District, I know firsthand the needs of the Arvin, Lamont, Greenfield and southern Kern County. This study on transportation is essential in connecting these communities to education, jobs, resources and services. The County of Kern hopes that your proposed application receives favorable consideration. We welcome the opportunity to assist Kern COG in its planning efforts that benefit the city of Arvin, communities of Lamont and Greenfield, and the southern portion of Kern County.

Sincerely,

LETICIA PEREZ
Supervisor - Fifth District

Kern Council of Governments

February 4, 2015

TO: Transportation Modeling Committee and Regional Planning Advisory Committee

FROM: Ahron Hakimi, Executive Director

By: Ed Flickinger, Regional Planner III

SUBJECT: RPAC AGENDA ITEM: IX
TRAFFIC COUNT WEBSITE UPDATE

DESCRIPTION:

Enhancements to Kern Regional Traffic Count Program have been made. An upgraded website has been developed mapping out the count data and can be found at http://www.kerncog.org/data-center/regional-traffic-count-data-map.

DISCUSSION:

Background – Traffic monitoring and pavement management are mandated under Federal Title 23 Part 500 Management and Monitoring Systems. In addition to traffic monitoring, traffic volume data obtained by traffic counters is used to validate the regional transportation model and used for engineering and planning purposes by local agencies. Traffic counts are used in the annual pavement management report that provides technical data on road samples throughout Kern County.

A Memorandum of Understanding (MOU) establishing the Kern Regional Traffic Count program was approved by the Kern COG Board in January 2004 between Caltrans, the County, the City of Bakersfield and Kern COG representing the outlying communities. The program is funded through the Federal Transportation Improvement Program (FTIP) per the requirements of the MOU. The program is funded at $79,677 per year for traffic count consulting services. COG staff time for administration is funded by federal planning (PL) and/or local Transportation Development Act (TDA) matching funds.

In 2008 a transportation monitoring system plan was completed with the help of a consultant and extensive input from member agencies. A link to the final report can be found at http://www.kerncog.org/publications/general-transportation-reports titled *Regional Transportation Monitoring Improvement Plan Final Report 1-4-08 with TOC*. The program has provided more consistent and frequent traffic count, vehicle mix, and other transportation monitoring data to eliminate duplication of effort in counting programs between Kern COG member agencies and Caltrans. In addition, the plan included a provision to periodically review the traffic count program.

From 2006 through the Fiscal Year ending June 2014, over 7,500 daily counts and 3,500 classification counts have been acquired and are available online. A Quick Help Guide can be found at http://kerncog.ms2soft.com/tcds/nethelp/QRG-TCDS.pdf.

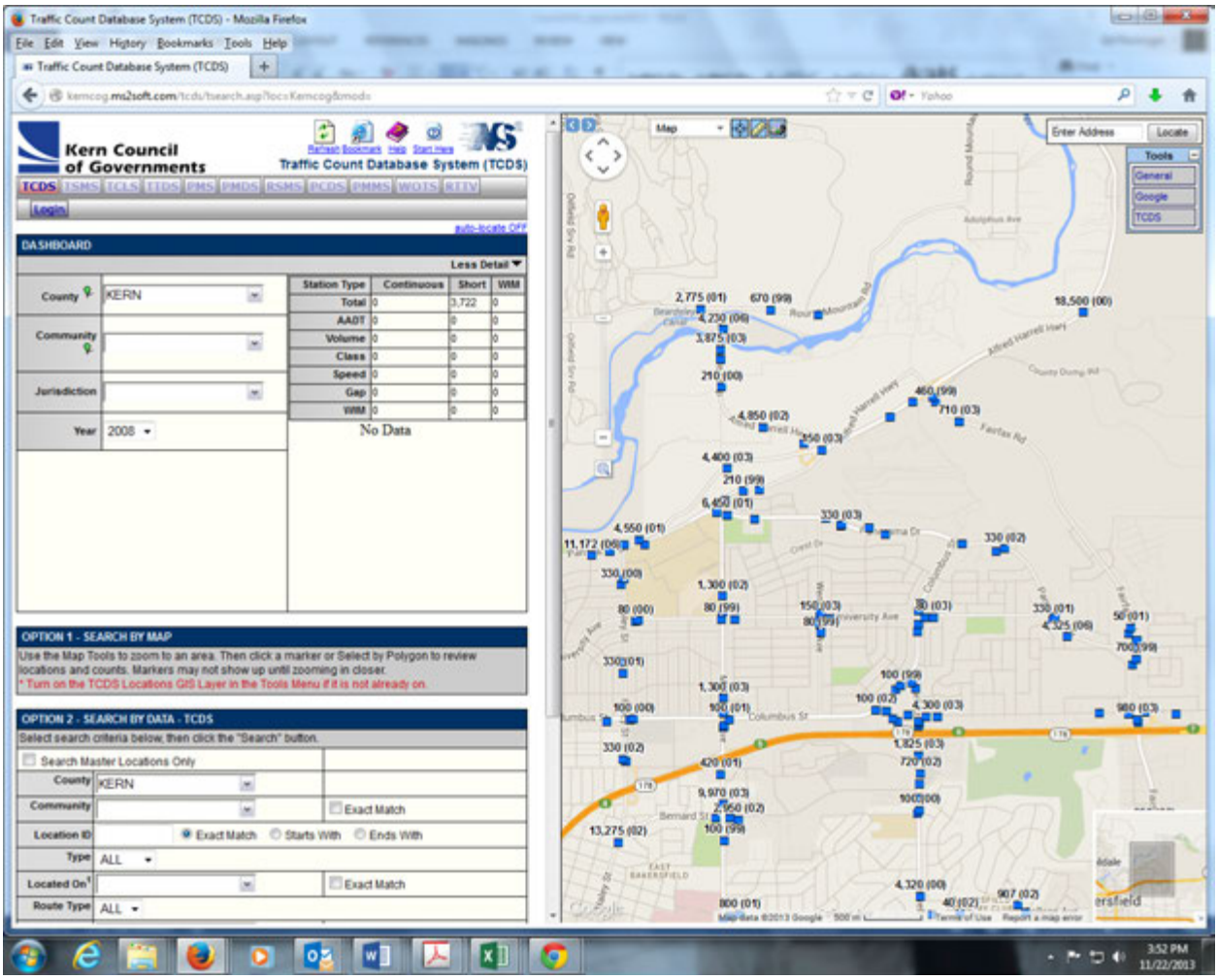
In order for the online traffic count mapping system to better handle the constantly increasing database size, improvements have been needed. This is the second upgrade to the website since it was first implemented in 2008. The upgraded website is a hosted “cloud based” system that eliminates the need for periodic software and hardware updates. Also, many reports, charts, and graphs can be created for each location. A screen shot is posted below.

Attachments –

1. Screenshot of Proposed Online New Traffic Count Interface

ACTION: Information on Traffic Count Program enhancements.

Attachment 1 - Screenshot of New Online Traffic Count Interface



Kern Council of Governments

February 23, 2015

TO: REGIONAL PLANNING ADVISORY COMMITTEE

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

SUBJECT: MEETING CANCELLATION NOTICE – March 4, 2015

The meeting of the Regional Planning Advisory Committee (RPAC) scheduled for Wednesday, March 4th has been cancelled. The next meeting will be held on Wednesday, April 1, 2015. Agenda material will be mailed approximately one week prior to that date.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG BOARD ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
April 1, 2015
1:30 P.M.

Call in Number: (312) 878-3080
Access Code: 586-617-702

I. ROLL CALL:

II. PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Committee at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.**

Disabled individuals who need special assistance to attend or participate in a meeting of the Regional Planning Advisory Committee may request assistance at 1401 19th Street, Suite 300; Bakersfield CA 93301 or by calling (661) 861-2191. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made at least three (3) working days in advance whenever possible.

III. APPROVAL OF DISCUSSION SUMMARIES

- RPAC Meeting of Wednesday February 4, 2015

IV. SELECTION OF A CHAIRMAN AND VICE-CHAIRMAN

Comment: The Regional Planning Advisory Committee (RPAC) By-Laws specify that the Chairman and Vice-Chairman be elected from among voting members of the committee at the first meeting of each year. At this time it is appropriate to select a Chairman and Vice-Chairman.

Action: Select a Chairman and a Vice-Chairman for the Regional Planning Advisory Committee.

V. KERN COUNCIL OF GOVERNMENTS (COG) RESPONSE LETTER TO ENVIRONMENTAL DOCUMENTS (Napier)

Comment: Kern COG has a responsibility under its Environmental Review Program/ Intergovernmental Review process to provide information to lead agencies on various environmental documents. Kern COG distributed a draft letter to the RPAC at the February 2015 meeting for review.

Action: Recommend approval of the letter to the Kern COG Board of Directors.

VI. DISCUSSION OF SENATE BILL 1077 – ROAD USAGE CHARGE ALTERNATIVES TO THE GAS TAX (Ball)

Comment: Committee Member Poire requested that the RPAC discuss Senate Bill (SB) 1077. SB 1077 requires that the California Road Charge Pilot Program Technical Advisory Committee (TAC) study road usage charge alternatives to the gas tax.

Action: Information

VII. KERN COUNCIL OF GOVERNMENTS PUBLIC INFORMATION POLICIES AND PROCEDURES (Napier)

Comment: The 2010 California Regional Transportation Plan Guidelines (RTP) requires that a Metropolitan Planning Organization (MPO) develop a public participation plan prior to the development of the RTP. The forty-five (45) day public comment period on the Kern COG Draft 2015 Public Information Policies and Procedures began March 19, 2015.

Action: Information.

VIII. GROWTH FORECAST UPDATE SCHEDULE (Raymond)

Comment: Kern COG has enter into a contract with PlaceWorks to update Kern's Regional Growth Forecast for 2014-2050. The regional growth forecast is reviewed, and revised at a minimum of every three years. The Kern COG Board is scheduled to revisit the regional growth forecast in the Summer of 2015.

Action: Information.

IX. HOUSING ELEMENT UPDATE (Invina)

Comment: Local housing elements are due to California Department of Housing and Community Development (HCD) by the end of December 2015 for jurisdictions to qualify for 8-year update cycle instead of the normal 4-year cycle.

Action: Discussion, question and answer session on status of local Housing Element updates. Please contact Kern COG staff if assistance is needed.

X. TRANSIT CENTER STUDY UPDATE

Comment: Kern COG in partnership with Golden Empire Transit District (GET). The City of Bakersfield, and Kern Transit (KT) are in the process of developing the Metropolitan Bakersfield Transit Center Study. The consultant CDM Smith was awarded a contract to prepare the study in May 2014. The Study is scheduled to be completed by June 2015.

Action: Information

XI. INFORMATION ITEMS/ANNOUNCEMENTS

- California Transportation Plan (CTP) 2040 webinar recording www.californiatransportationplan2040.org
- Active Transportation Projects Workshop Flier (attached)
- Public Information Policies & Procedures Meeting Flier (attached)
- San Joaquin Valley Greenprint Information (attached)
- AHSC Grant Information (Troy)
- Model Request Update (Rob)

XII. MEMBER ITEMS

XIII. ADJOURNMENT

The next scheduled meeting of the RPAC/TMC meeting will be May 6, 2015.

REMINDER: THE RPAC REQUESTED TO MEET AFTER THE RPAC MEETING TO DISCUSS POTENTIAL REGIONAL ACTIVE TRANSPORTATION PROJECTS

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
February 4, 2015
1:30 P.M.

Chairman McNamara called the meeting to order at 1:30 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Wayne Clausen	City of Shafter
	David Burlupic	City of Arvin (telephone)
	Bill Card	City of Delano
	Mark Staples	City of Taft
	David James	City of Tehachapi
	Roger Mobley	City of Wasco
	Karen King	GET
	Paul Marquez	Caltrans
STAFF:	Ahron Hakimi	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Ed Flickinger	Kern COG
	Becky Napier	Kern COG
	Pete Smith	Kern COG
OTHERS:	Heather Dumais	American Lung Association
	Jaime Moncayo	Leadership Council
	Jacqui Kitchen	City of Bakersfield
	Mike McCabe	Public

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

None.

III. APPROVAL OF DISCUSSION SUMMARY: Meeting of November 5, 2014. Mr. Clausen made a motion to approve the discussion summary as amended, Mr. Card seconded the motion with all in favor.

IV. STATUS ON STATE AIR RESOURCES BOARD ACCEPTANCE OF THE EIGHT SAN JOAQUIN VALLEY COGS SB 375 SUSTAINABLE COMMUNITIES STRATEGIES

Mr. Ball gave an update on the status of the California Air Resources Board (CARB) acceptance of the San Joaquin Valley COGs SB 375 Sustainable Communities Strategies (SCS). Specifically, on January 29, 2015, CARB accepted Fresno COG's Sustainable Communities Strategy. Mr. Ball also stated that Kern COG has met three times with ARB staff to provide information on the technical evaluation of the Kern COG SCS. CARB is scheduled to review San Joaquin COG's SCS and Stanislaus COG's SCS prior to reviewing Kern COG's in June 2015.

This item was for information only.

V. DECISION IN CLEVELAND NATIONAL FOREST FOUNDATION ET. AL. AND CREED-21 ET. AL. V. SAN DIEGO ASSOCIATION OF GOVERNMENTS

Ms. Napier stated that the San Diego Association of Governments decision in the subject lawsuit was issued in November 2014 with the Court finding completely in petitioners' favor with one dissent. Ms. Napier also stated that the primary issue was concerning deferral of mitigation measures which Kern COG needs to be cognizant of during the next iteration of the RTP. Chairman James indicated that CREED-21 is a group of attorneys known for filing suit against new Walmart stores.

This item was for information only.

VI. KERN COUNCIL OF GOVERNMENTS DRAFT RESPONSE LETTER TO ENVIRONMENTAL DOCUMENTS

Ms. Napier informed the Committee that Kern COG has a responsibility under its Environmental Review Program/ Intergovernmental Review process to provide information to lead agencies on various environmental documents. In California, the environmental review associated with the RTP and the subsequent project delivery process is two-fold. MPOs and RTPAs are responsible for the planning contained in the RTP that precedes project delivery. Typically a local government, consultant or Caltrans is responsible for the actual construction of the project. CEQA applies to the planning document (RTP) while both NEPA and CEQA may apply to the individual projects that implement the RTP during the project delivery process.

Ms. Napier explained that this letter will be placed on next month's agenda for a recommendation that the Kern COG Board approve use of the letter.

This item was for information only.

VII. ACTIVE TRANSPORTATION PROGRAM

Mr. Smith informed the Committee that the Active Transportation Program (ATP) has $180 million available to encourage increased use of active modes of transportation. Final program guidelines are expected n or before March 21, 2015, with a deadline for submittal of Monday, June 1, 2015.

After discussion the Committee requested to meet immediately following the next RPAC meeting to discuss proposed projects. The Committee asked for additional information prior to the March meeting.

This item was for information only.

VIII. NEW STATE STRATEGIC GROWTH COUNCIL GRANT

Mr. Hightower informed the Committee that the Strategic Growth council (SGC) received $130 million in funding from the Greenhouse Gas Reduction Cap and Trade program for administering the Affordable Housing and Sustainable Communities (AHSC) Program. An SGC workshop is scheduled for February 9, at Kern COG. Concept proposals are due February 19, 2015, and final proposals are due April 15, 2015 for those invited to prepare a final proposal. The purpose of the AHSC program is to invest in projects that reduce greenhouse gas emissions by: creating more compact infill development patterns; integrating affordable housing; encouraging active transportation and mass transit usage; protecting agricultural land from sprawl development.

This item was for information only.

IX. TRAFFIC COUNT WEBSITE UPDATE

Mr. Flickinger informed the Committee that enhancements to the Kern Regional Traffic County Program have been made. An upgraded website was developed which is a “cloud based” system that eliminates the need for periodic software and hardware updates.

Mr. Flickinger displayed the new website.

This was an information only item.

X. INFORMATION ITEMS/ANNOUNCEMENTS

Mr. Hightower announced the Metro Bakersfield Transit Center Study meeting to be held February 26, from 3:30 – 7:00 p.m. at the Beale Library, 701 Truxtun Ave., Bakersfield.

XI. MEMBER ITEMS

Mr. Marquez from Caltrans passed out a Quarterly Caltrans Newsletter and a questionnaire about the Newsletter. Mr. Marquez encouraged the Committee to review the Newsletter and complete the questionnaire.

XII. ADJOURNMENT

With no further business the meeting was adjourned at 2:21 p.m.

The next meeting will be Wednesday, March 4, 2015 at 1:30 p.m.

Kern Council of Governments

April 1, 2015

TO: Regional Planning Advisory Committee
Transportation Modeling Committee

FROM: Ahron Hakimi,
Executive Director

By: Becky Napier, Regional Planner

SUBJECT: RPAC/TMC AGENDA ITEM: IV.
Selection of a Chairman and Vice-Chairman

DESCRIPTION:

The Regional Planning Advisory Committee (RPAC) By-Laws specify that the Chairman and Vice-Chairman be elected from among voting members of the committee at the first meeting of each year. At this time it is appropriate to select a Chairman and Vice-Chairman.

DISCUSSION:

The Secretary of the RPAC will take nominations for the position of Chairman. Each voting member of the RPAC is eligible to be nominated as Chairman. After selection of a Chairman, the Secretary will transfer the gavel to the Chairman who will take nominations for Vice-Chairman.

ACTION

Select a Chairman and a Vice-Chairman for the Regional Planning Advisory Committee.

Kern Council of Governments

April 1, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi
Executive Director

By: Becky Napier, Regional Planner

SUBJECT: RPAC AGENDA ITEM: V.
Kern Council of Governments (COG) Response Letter To Environmental Documents

DESCRIPTION

Kern COG has a responsibility under its Environmental Review Program/Intergovernmental Review process to provide information to lead agencies on various environmental documents. Kern COG distributed a draft letter to the RPAC at the February 2015 meeting for review.

DISCUSSION

The federal government has shown its commitment to the environment through the passage of the National Environmental Policy Act (NEPA) in 1969, which requires federal agencies to consider the environmental impacts of their actions. In a similar vein, California passed the California Environmental Quality Act (CEQA) in 1970, which was designed to ensure that public agencies consider the environmental impacts of their decisions.

In California, the environmental review associated with the RTP and the subsequent project delivery process is two-fold. MPOs and RTPAs are responsible for the planning contained in the RTP that precedes project delivery. Typically a local government, consultant or Caltrans is responsible for the actual construction of the project i.e. project delivery. CEQA applies to the planning document (RTP) while both NEPA and CEQA may apply to the individual projects that implement the RTP during the project delivery process.

Given that protection of the environment is an important public policy goal and it is an important aspect of public acceptance during project delivery, best regional planning practices would seek to plan and implement transportation projects that would avoid or minimize environmental impacts.

Kern COG received one comment from the RPAC on the draft letter which is reflected in the attachment.

ACTION

Recommend approval of the letter to the Kern COG Board of Directors.

Kern Council of Governments
1401 19th Streets, Suite 300 Bakersfield CA 93301 661-861-2191 Facsimile 661-324-8215 TTY 661-832-7433 www.kerncog.org

ENVIRONMENTAL REVIEW COMMENT LETTER

Date

[Lead Agency
Mailing address]

Re: [EIR Project Name Here]

Dear Lead Agency:

Kern Council of Governments (Kern COG) adopted the 2014 Regional Transportation Plan (RTP) on June 19, 2014. The Program Environmental Impact Report (PEIR) provides project impacts, mitigation measures and residual impacts of implementing the 2014 RTP. Areas discussed in the PEIR are:

• **Aesthetics**	• **Agricultural Resources**
• **Air Quality**	• **Biological Resources**
• **Cultural Resources**	• **Geology and Soils**
• **Greenhouse Gases**	• **Hazards and Hazardous Materials**
• **Noise**	• **Population, Housing, and Employment**
• **Fires Services**	• **Police Services**
• **Schools**	• **Recreation**
• **Transportation and Traffic**	• **Energy**
• **Wastewater**	• **Water Resources**
• **Solid Waste**	

The Kern COG Regional Transportation Plan Program EIR states:

> "Kern COG has no authority to impose mitigation measures on individual projects for which it is not the lead agency. Mitigation measures in this the Program EIR that include the language, 'Kern COG through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to …' are intended to be used by projects seeking to use this Program EIR for CEQA streamlining (under SB 375 and SB 226 – CEQA Streamlining for Infill Projects) and tiering. For projects seeking to use CEQA streamlining and/or tier from the 2014 RTP Program EIR, mitigation measures included in this Program EIR (or equivalent) should be required by the lead agency as appropriate and applicable. Many lead agencies have existing regulations, policies, and/or standard conditions of approval that address potential impacts. Nothing in the Program EIR is intended to supersede existing regulations and policies of individual jurisdictions. Since Kern COG has no authority to impose mitigation measures, mitigation measures to be implemented by local jurisdictions are subject to a city or county's independent discretion as to whether measures are applicable to projects in their respective jurisdictions. Lead agencies may use, amend, or not use measures identified in Program EIR as appropriate to address project-specific conditions. The determination of significance and identification of appropriate mitigation is *solely* the responsibility of the lead agency."

Kern COG through its Environmental Review Program/Intergovernmental Review process has a responsibility to respond to Environmental Impact Reports for specific projects within Kern County. Samples of mitigation measures that are encouraged for all projects included but are not limited to:

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- ~~Facilitate and encourage implementing and local agencies to encourage urban development, in place of development in rural and sensitive areas;~~
- ~~Facilitate and encourage implementing and local agencies to minimize and avoid agricultural resources located within the limits of a proposed project;~~
- ~~Facilitate and encourage transportation projects that include VMT reductions, emissions reduction and promote livability;~~
- ~~Facilitate and encourage implementing and local agencies to avoid or minimize impacts on Special-Status Plant Populations and Special-Status Wildlife Species;~~
- ~~Facilitate and encourage implementing and local agencies to require consultation, surveys, and monitoring for archaeological resources;~~
- ~~Facilitate and encourage implementing and local agencies to conduct site-specific, design level geotechnical investigation for individual projects;~~
- ~~Continue to encourage and facilitate transportation Projects that include VMT reduction, emissions reduction and promote livability;~~
- ~~Facilitate and encourage implementing and local agencies to implement measures adopted by ARB designed to attain federal air quality standards for PM2.5;~~
- ~~Facilitate and encourage implementing and local agencies to determine whether specific project sites are listed on government lists of hazardous materials and/or waste sites compile pursuant to the California Government Code;~~
- ~~Work with member agencies on the Regional Planning Advisory Committee to ensure that RTP transportation projects and growth are consistent with general plans and associated local government planning assumptions;~~
- ~~Facilitate and encourage implementing and local agencies to assess and mitigate to the extent feasible short- and long-term noise impacts;~~
- ~~Continue to build consensus in the region relating to changes in land use to accommodate future population growth while maintaining the quality of life in the region;~~
- ~~Facilitate and encourage implementing and local agencies to ensure adequate fire protection services and police services to satisfy community needs;~~
- ~~Facilitate and encourage implementing and local agencies to undertake project-specific review of the impacts to educational facilities as part of project specific environmental review;~~
- ~~Encourage member jurisdictions to explore multiple use spaces and redevelopment in areas where it will provide more opportunities for recreational uses and access to natural areas close to the urban core;~~
- ~~Encourage and work with local governments to develop multimodal performance standards;~~
- ~~Encourage and work with local governments to implement energy saving policies and projects that incorporate renewable and alternative energy to the extent feasible;~~
- ~~Facilitate and encourage wastewater treatment agencies to maximize efficiency of wastewater treatment;~~
- ~~Facilitate and encourage implementing and local agencies to undergo individual project review and comply with NPDES requirements and applicable storm water regulations;~~
- ~~Facilitate and encourage implementing and local agencies to implement water conservation measures in new development;~~
- ~~Facilitate and encourage diversion of solid waste such as recycling and composting programs.~~

Implementing and local agencies are encouraged to review the list of mitigation measures identified in the 2014 RTP PEIR for a more comprehensive list. The 2014 RTP PEIR can be found on the Kern COG website at http://www.kerncog.org/regional-transportation-plan.

This letter fulfills the mitigation monitoring requirements of the Kern COG Regional Transportation Plan Program EIR.

If you have additional questions, please contact _____ by calling 661-861-2191 or sending an email to _____.

Sincerely,

Kern Council of Governments
1401 19th Streets, Suite 300 Bakersfield CA 93301 661-861-2191 Facsimile 661-324-8215 TTY 661-832-7433 www.kerncog.org

Kern Council of Governments

April 1, 2015

TO: Regional Planning Advisory Committee
Transportation Modeling Committee
Transportation Technical Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Rob Ball, Planning Director

SUBJECT: RPAC/TMC AGENDA ITEM: VI.
Discussion of Senate Bill 1077 – Road Usage Charge Alternatives to the Gas Tax

DESCRIPTION:

Committee Member Poire requested that the RPAC discuss Senate Bill (SB) 1077. SB 1077 requires that the California Road Charge Pilot Program Technical Advisory Committee (TAC) study road usage charge alternatives to the gas tax.

DISCUSSION:

The TAC was formed in response to SB 1077. The TAC is required to study road usage charge alternatives to the gas tax, gather public comment and make recommendations to the California State Transportation Agency regarding the design and evaluation of a road usage charge pilot program. Monthly meetings of the TAC are scheduled up and down the state (see attached letter).

A copy of SB 1077 can be found at the following link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1077

ACTION

Information.

LUCETTA DUNN, Chair
BOB ALVARADO, Vice Chair
DARIUS ASSEMI
YVONNE B. BURKE
JAMES EARP
DARIO FROMMER
JAMES C. GHIELMETTI
CARL GUARDINO
FRAN INMAN
JAMES MADAFFER
JOSEPH TAVAGLIONE

SENATOR JIM BEALL, Ex Officio
ASSEMBLY MEMBER JIM FRAZIER, Ex Officio

WILL KEMPTON, Executive Director

STATE OF CALIFORNIA

EDMUND G. BROWN Jr., Governor

CALIFORNIA TRANSPORTATION COMMISSION

1120 N STREET, MS-52
SACRAMENTO, CA 95814
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
FAX (916) 653-2134
(916) 654-4245
http://www.catc.ca.gov

March 16, 2015

Dear Stakeholder:

The California Road Charge Pilot Program Technical Advisory Committee (TAC) was formed in response to the enactment of Senate Bill (SB) 1077 (DeSaulnier, Chapter 835, Statutes of 2014). SB 1077 requires that the TAC study road usage charge alternatives to the gas tax, gather public comment, and make recommendations to the California State Transportation Agency regarding the design and evaluation of a road usage charge pilot program.

The TAC will meet monthly over the next year to discuss road charge alternatives and to gather public input for the development of the road charge pilot program. The next TAC meeting will be held as follows:

March 27, 2015 – 9:00 AM to 4:00 PM
Hotel Irvine, 17900 Jamboree Rd, Irvine CA
Webcast: www.catc.ca.gov

At the March meeting, the TAC will consider a variety of topics including operational concepts, enabling technology, and road charge pilot system architecture. Additionally, the TAC will hear from experts on the emergence of autonomous vehicles and telematics.

Future meetings are planned to be held as follows:

2015 Meeting Schedule	
March 27, 2015 – Irvine	August 28, 2015 – San Diego
April 24, 2015 – Central Coast	September 25, 2015 – Northstate Area
May 29, 2015 – Fresno	October 23, 2015 – Bay Area
June 26, 2015 – Sacramento Area	November 20, 2015 – Los Angeles
July 24, 2015 – Sierra Nevada/Tahoe Area	December 11, 2015 - Riverside

For more information about SB 1077 and the TAC, please visit our website located at: http://goo.gl/VB0I7F.

I look forward to seeing you in Irvine at the next TAC Meeting.

Sincerely,

Jim Madaffer
Chair, California Road Charge Pilot Program Technical Advisory Committee

BRIEFING BOOK FOR THE CALIFORNIA ROAD CHARGE TECHNICAL ADVISORY COMMITTEE

Pre-Meeting Background Reading for TAC Meeting #2

Prepared by D'Artagnan Consulting LLP

February 23, 2015

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BRIEFING BOOK FOR TAC MEETING #2

Contents

Section 1 Overview 3
Section 2 California Policy Dimensions and Tasks Ahead for the TAC 6
Section 3 Global Evolution of Road Charging Policy 45
Section 4 Key Communications Issues 62

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SECTION 1
OVERVIEW

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Purpose of this briefing book

Senate Bill (SB) 1077 requires the Chair of the California Transportation Commission to create a Technical Advisory Committee (TAC) to study road usage charging (or road charging, for purposes of this document) alternatives to the gas tax and make recommendations to the Secretary of the California State Transportation Agency (CalSTA) on the design and evaluation of a road charging pilot program.

This briefing book is the first in a series designed to provide background information to TAC members on key issues the TAC will have to decide in order to complete their charge from the Legislature. The expectation is that information contained in these briefing books will inform TAC members on critical matters prior to each meeting, facilitate better understanding of the presentations, and stimulate thoughtful discussion of key ideas during the meetings.

In many instances, the information provided will be broader in scope than the TAC's primary responsibilities and will include information about topics that are more properly addressed by CalSTA or through legislative action. The broader background on these topics is offered to provide TAC members with context since many of the policy, communications, and technical issues are highly interdependent. Additionally, TAC recommendations for the pilot program may well lay the foundation for any longer-term road charging system in California.

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We designed the remainder of this document to help the TAC begin work on its four core activities

Section 2 provides a summary of the policy context in California, including an outline of the four core activities the TAC will undertake:

- Study road charging methods
- Seek public input
- Recommend pilot design parameters
- Recommend pilot evaluation criteria

Section 2 also includes a broad overview of commonly raised road charging policy questions. Since policy choices drive so many aspects of the program, we believe it is important for the TAC to be aware of these questions when undertaking its work. **The TAC does not need to formulate answers to these policy questions, but awareness of the questions will inform decisions about pilot design and evaluation criteria.**

Section 3 provides a summary of key activities and lessons learned from road charging programs from around the world.

Section 4 is a discussion of communications issues related to road charging. It provides perspectives and lessons learned on gathering public comment on road charging, the related task of sharing information about the road charge with the public, and an overview of communications activities in the current work plan for the pilot program.

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SECTION 2
CALIFORNIA POLICY DIMENSIONS AND TASKS AHEAD FOR THE TAC

(To be discussed during Item 7 on February TAC agenda)

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"An efficient transportation system is critical for California's economy and quality of life" – SB 1077

California's transportation system serves all 38 million residents. The state's 175,000 miles and 400,000 lane-miles of roads directly serve 24.2 million licensed California drivers, 27.7 million registered California vehicles, and out-of-state visitors. Collectively, Californians and visitors are estimated to drive over 200 billion miles every year on California roads.

In Senate Bill 1077, the Legislature recognized the important role of an efficient transportation system for the state's economy and quality of life. Well-maintained roads and bridges provide mobility and accessibility for residents and businesses alike.

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Revenues from existing taxes and fees dedicated to roadway infrastructure are not keeping pace with demands on roadway infrastructure

The largest sources of funding for transportation projects in California are derived from excise taxes paid on fuel consumption. These funds are primarily used to preserve, maintain, expand, and modernize California's highway system.

Annual investments funded from these and other sources to preserve California's transportation infrastructure have not kept pace with the demands on the infrastructure.

"The revenues currently available for highways and local roads are inadequate to preserve and maintain existing infrastructure and to provide funds for improvements that would reduce congestion and improve service." – SB 1077

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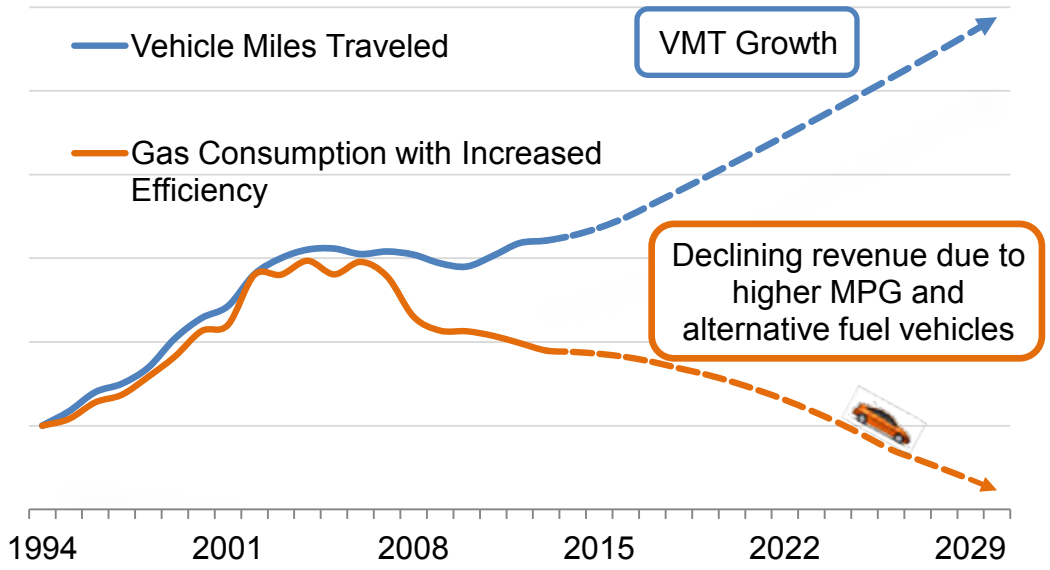
As California reduces fossil fuel consumption, gas taxes are not a sustainable source of funding

Fuel taxes are the primary source of funds to support California's transportation system. Current funding levels are insufficient to properly maintain roads and bridges. In the future, as fuel tax receipts decline due to improved fuel economy and alternative fuel vehicles, the challenge of funding basic maintenance and repairs will be even more difficult.



Source: Caltrans

"The gas tax is an ineffective mechanism for meeting California's long-term revenue needs because it will steadily generate less revenue as cars become more fuel efficient and alternative sources of fuel are identified. By 2030, as much as half of the revenue that could have been collected will be lost to fuel efficiency. Additionally, bundling fees for roads and highways into the gas tax makes it difficult for users to understand the amount they are paying for roads and highways." – SB 1077

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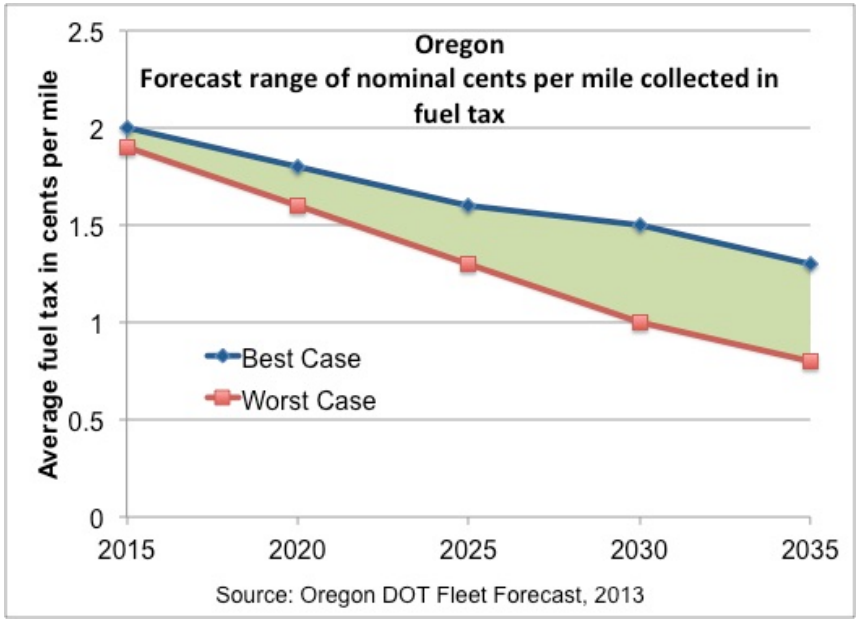
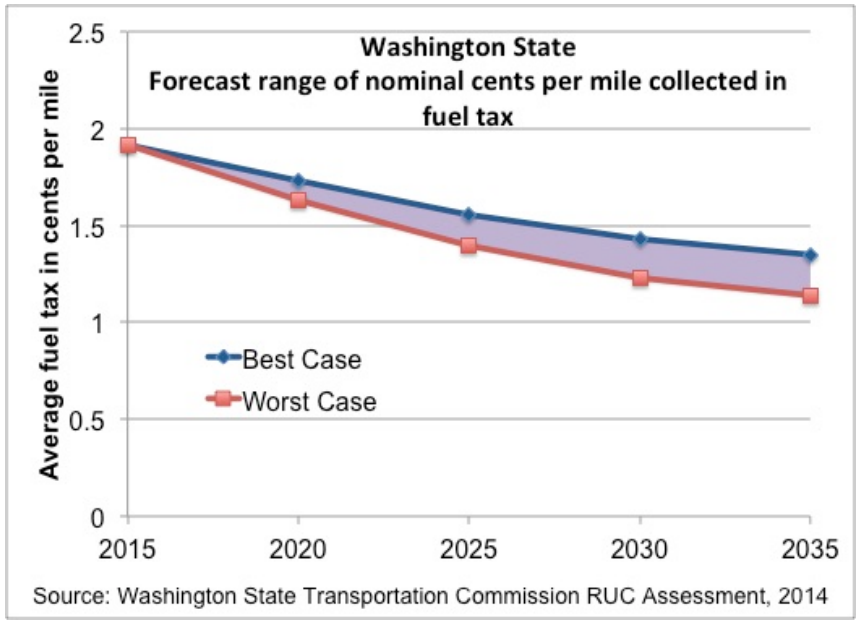
Other states are questioning reliance on fuel taxes and are examining alternatives, including road charging

Fuel tax revenue per mile driven has declined in the past decade due to improvements in fleet miles per gallon (MPG). Per-mile revenue will continue its decline as high MPG vehicles enter the fleet in greater numbers. According to a 2013 study commissioned by Caltrans (*Alternative Transportation Financing Strategies*) as well as our own tracking of state legislative activities, over half of all states have examined ways of stabilizing fuel tax revenue over the past several years.





For example, Oregon and Washington have examined the impact of new vehicles on fuel tax revenue. Washington is in advanced stages of study and preparation for a road charging pilot test, while Oregon will implement a permanent road charging system in July 2015.

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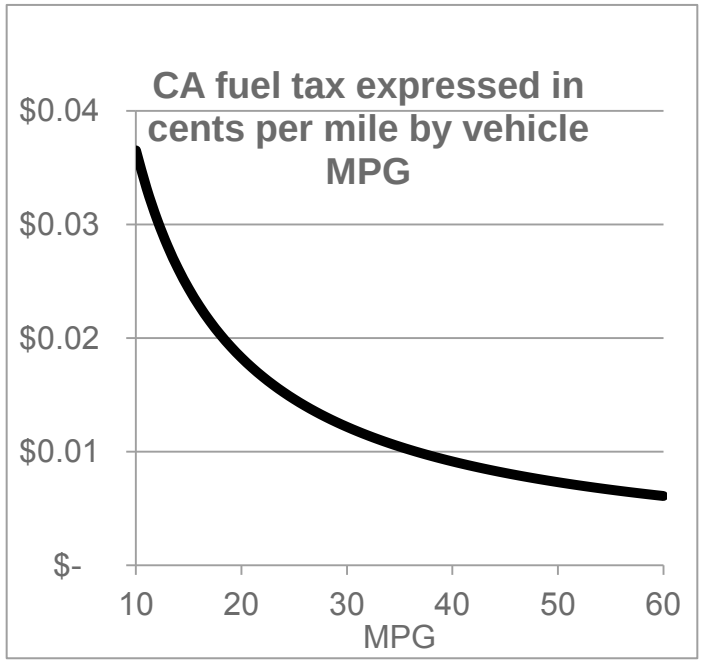
Road charging is a concept of funding roads and bridges based on distance traveled rather than fuel consumed

"Road usage charging is a policy whereby motorists pay for the use of the roadway network based on the distance they travel. Drivers pay the same rate per mile driven, regardless of what part of the roadway network they use." – SB 1077

It is the consultants' view that the per-mile rate(s) for any operational road charging system would ultimately be determined by the Legislature, or delegated by the Legislature to a rate-making body. Moreover, the legislative language of SB 1077 states that per-mile rate(s) could be flat (i.e., not vary by location or time of day) for each individual motorist.
However, based on the consultants' interpretation of the legislative language, there are two rate possibilities the TAC could consider for pilot testing purposes:

- The per-mile rate(s) could vary depending on the type of vehicle, including, for example, based on characteristics such as emissions.
- Some motorists could be offered the ability to "opt out" of reporting actual distance traveled, and instead report a default value. In other words, motorists could pay a fee for the right to drive an unlimited number of miles during a specified period of time. The TAC could recommend such default values to use in pilot testing, should such an option be desirable.



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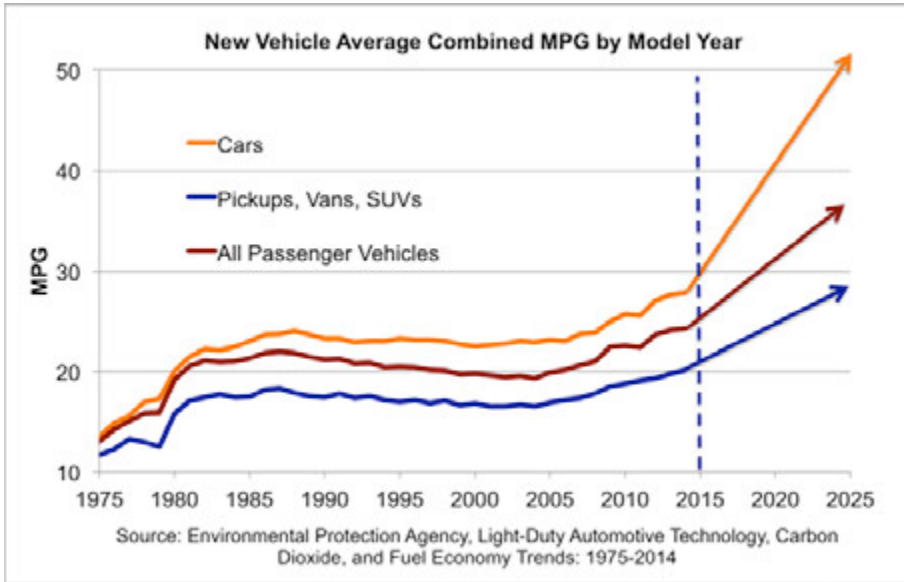
Road charging ensures that all motorists contribute to road funding regardless of the type of vehicle they drive



Fuel taxes were designed to approximate road use: the more you drive, the more fuel you consume, the more tax you pay. Over most of the past century, the majority of passenger cars had similar fuel economy, meaning that motorists were paying approximately the same amount per mile driven regardless of the type of vehicle they drove.

In 2007, average MPG of new passenger cars began a steady, multi-year increase for the first time since the 1980s and the second time in a century. In addition, the number of vehicles achieving very high MPG (40+) has proliferated, and many vehicles now have motive sources that do not use fossil fuels at all, such as electric vehicles. In this new environment, some vehicles pay nothing in fuel taxes for road use, some pay very little, and others pay a great deal. At the same time, however, these vehicles consume roughly equal portions of the state's roadway budget, occupy similar space in traffic, cause similar amounts of roadway wear, and use similar amounts of roadway lighting and signage. A road charge corrects this imbalance by ensuring that all vehicles pay the same per mile, regardless of fuel source.

"A road usage charge program has the potential to distribute the gas tax burden across all vehicles regardless of fuel source and to minimize the impact of the current regressive gas tax structure." – SB 1077

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Road charging programs can be viable without compromising motorist privacy or security of personal data

Oregon was the first U.S. state to design (2010-2012), test (2012-2013), and implement (2014-2015) a road charging program that does not require motorists to share location information. In New Zealand, diesel vehicle driving motorists have paid road charges since 1978 through prepaid distance licenses, which do not require any location information or even any technology other than a functional odometer.

The success of New Zealand's and Oregon's systems have convinced lawmakers in other states like California to advance discussions of road charging.

"Experience to date in other states across the nation demonstrates that mileage-based charges can be implemented in a way that ensures data security and maximum privacy protection for drivers." – SB 1077

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Now is the time to explore road charging in California, while heeding the privacy lessons of earlier efforts

"It is therefore important that the state begin to explore alternative revenue sources that may be implemented in lieu of the antiquated gas tax structure now in place… Any exploration of alternative revenue sources shall take privacy implications into account, especially with regard to location data. Travel locations or patterns shall not be reported, and legal and technical safeguards shall protect personal information." – SB 1077

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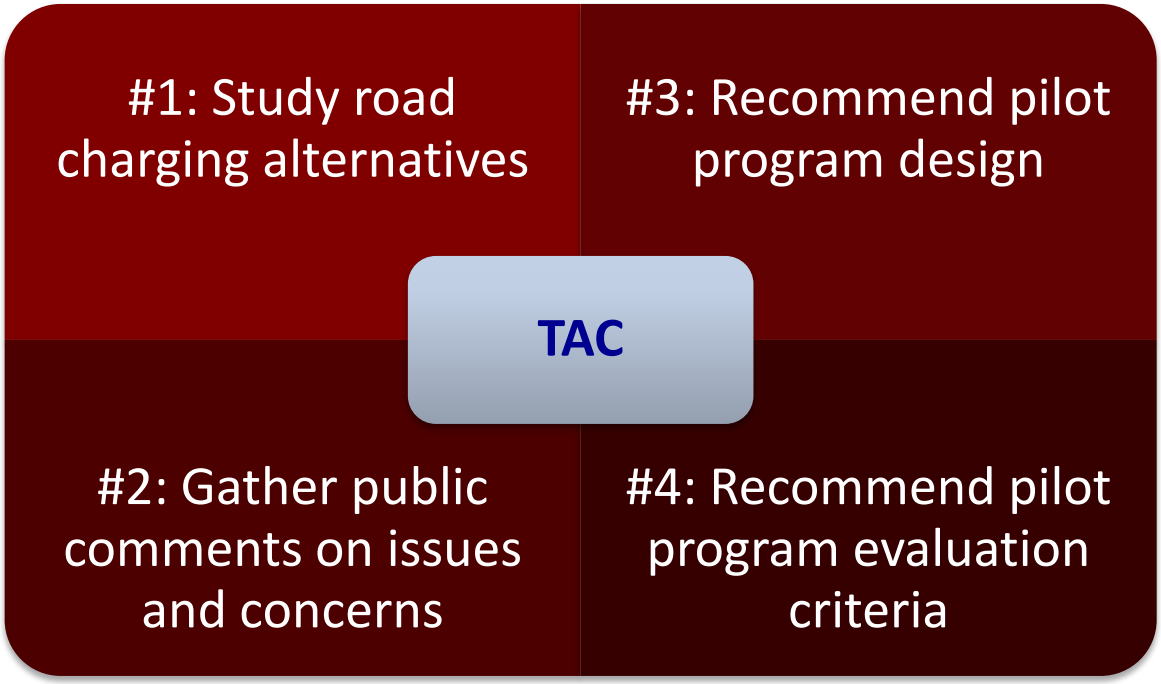
SB 1077 empowers the TAC to undertake four primary activities

SB 1077 establishes the TAC as an independent body **studying technical aspects** of road charging alternatives and **gathering public input** on issues and concerns. The TAC is responsible for assimilating this information and using it as the basis for **pilot design** and **evaluation criteria** recommendations.



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TAC activity 1: Study road charging alternatives to the gas tax

There are many possibilities for measuring and reporting the road usage of a vehicle. Examples include self-reported mileage, certified odometer readings, smartphone-based mileage reporting, in-vehicle device-based mileage reporting, and telematics-based reporting. Throughout the year, the TAC will study these and other methods through operational concept development, business case analysis, policy issue evaluation, and organizational design.

Simultaneously, the TAC will develop evaluation criteria—formal criteria against which each possible method is rated—to guide its study of road charging methods. These criteria may ultimately correspond with the criteria recommended for pilot program evaluation.

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TAC activity 2: Gather public comment on issues and concerns related to the pilot program

In addition to evaluating the technical dimensions of road charging, it is critical that the TAC consider public feedback on the road charging policy itself as well the methods being studied. The TAC has already identified a number of venues for seeking public and stakeholder input. This process involves two-way communication:

- The TAC will communicate what it is doing with the public, including its purpose, objectives, and process. As the year unfolds, the TAC can gradually communicate more detailed information about the methods being examined.
- By the same token, the TAC will open channels for receiving public feedback, including a website with social media, monthly meetings, and other public forums.

The information received throughout this process will inform the TAC's recommendations regarding pilot program design and evaluation criteria.

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TAC activity 3: Recommend road charging approaches and pilot program design parameters to CalSTA

The first category of TAC outputs is a set of design recommendations for a road charge pilot program, to be implemented and operated by CalSTA. Examples of the types of pilot design recommendations that the consultants believe the TAC will make are listed below. Please note that this list is neither exhaustive nor mandatory, but rather intended only for illustrative purposes:

- Road charging methods to test
  - Methods of recording and reporting road use
  - Methods of billing
  - Methods of payment
  - Mechanisms for enforcement
  - Involvement of commercial account managers
- Participants
  - Location and distribution
  - Type of participants (diverse households, businesses, public agencies)
  - Types of vehicles to include
- Public agency involvement
- Privacy protections to have in place
- Data security mechanisms to have in place
- Whether and how to test road charging on visitors from out of state

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TAC activity 4: Make recommendations on evaluation criteria to use for the pilot program

In parallel with deciding the pilot dimensions to test, the TAC can develop and recommend criteria for evaluating the pilot program. These criteria could include any combination of the following:

- Internal evaluation criteria that the TAC uses in its study of road charging methods
- Standalone criteria designed to evaluate the pilot program
- Standalone criteria designed to evaluate a future operational program

The Legislature provided the following “considerations” in SB 1077. The consultants believe the TAC can consider this as a partial or initial list of potential evaluation criteria:

- Availability, adaptability, reliability, and security of methods of recording and reporting highway use
- Necessity of protecting personally identifiable information
- Ease and cost of recording and reporting highway use
- Ease and cost of administering road charges compared to fuel taxes
- Effectiveness of methods of maintaining compliance
- Ease of re-identifying location data even when personally identifiable information has been removed
- Privacy concerns if road charging location data are used in conjunction with other technologies
- Public agency, including law enforcement, and private entity access to data related to road charging, pursuant to Article I Section 1 of the California Constitution

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SB 1077 also provides design parameters to CalSTA that the TAC may find useful

CalSTA must consider the following in implementing the pilot. The consultants believe these items will be instructive for the TAC to consider in developing pilot design recommendations:

- Analyze alternative means of collecting road use data, including at least one alternative that must not rely on electronic vehicle location data
- Collect a minimum amount of personal information including location data
- Ensure that processes for collecting, managing, storing, transmitting, and destroying data are in place to safeguard data integrity and privacy
- Do not disclose data except under statutorily specified circumstances

CalSTA must report back to the TAC and legislative committees with a discussion of the following issues related to the pilot program. The consultants believe these items will be instructive for the TAC to consider in development of evaluation criteria:

- Cost
- Privacy
- Jurisdictional issues
- Feasibility
- Complexity
- Acceptance
- Use of revenues
- Security and compliance, including processes to minimize evasion and fraud
- Data collection technology
- Other driver services
- Implementation issues

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To summarize, the TAC will collect input from staff and consultants as well as from the public

Input from staff and consultants on road charging methods

- Policy lessons learned from around the globe
- Ongoing analysis of policy issues and concerns
- Special policy topics (e.g., privacy, rural driver impacts, relationship to other policy areas)
- Development of operational concepts
- Identification of technology requirements
- Business case analysis (costs of collection)
- Study of organizational design implications
- Risk analysis
- Analysis of pilot procurement alternatives

Input from the California public on road charging attitudes and beliefs

- Telephone surveys of public views
- Focus groups (public engagement sessions)
- Public comment at TAC meetings
- Outreach to general public and stakeholder groups
- Media monitoring
- Social media monitoring
- Web-based feedback from constituents
- Feedback from TAC member conversations with constituents
- Town hall events

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A distinction must be made between pilot design parameters and evaluation criteria

EXAMPLE PILOT DESIGN PARAMETERS	EXAMPLE EVALUATION CRITERIA FOR EACH PARAMETER
How many reporting methods? (SB 1077 requires >1)	Acceptance, ease & cost to administer
How many non-location reporting methods? (≥1)	Acceptance
Personal data to collect?	Type and amount of personal data collected
Which process(es) to safeguard data?	Security of methods, ease of re-identifying personal & location data
Which reporting methods to use?	Availability, adaptability, reliability, ease & cost to comply
Which billing methods to use?	Availability, adaptability, reliability
Which methods of collecting payment?	Availability, adaptability, reliability
Which mechanisms for enforcement?	Compliance (level of evasion/fraud), ease & cost to administer
Involve commercial account managers?	Acceptance, ease & cost to administer, access to data
Location and distribution of participants?	Acceptance, consultation with vehicle users
Type of participants/vehicles to include?	Acceptance, revenue collected
Level of involvement by agencies?	Ease & cost to administer, agency access to personal data
Will collected revenues be consistent with cost to administer?	Ease & cost to administer, appropriateness of revenue uses
Test road charging for visitors to the state?	Ease & cost to administer, jurisdictional issues, complexity
How to safeguard personally identifiable information?	Type and amount of personal data collected

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In deciding pilot design parameters and evaluation criteria, we recommend that the TAC consider policy questions

The questions below are intended to illustrate the range and types of policy questions that commonly arise in studying and testing road charging programs. We recommend that the TAC think about these questions when considering design parameters and evaluation criteria for the pilot. The TAC's recommendations will influence whether and to what extent the state will be able to address the following questions through the pilot process:

- How should road charges be enforced?
- Should rates differ by vehicle type (e.g., weight, engine size, MPG)?
- Will there be unique impacts on rural drivers?
- What payment options should motorists have?
- What are the various agencies' roles?
- Should California address road charging interoperability with other states and if so how?
- What evaluation criteria and process should be used to evaluate the success of a road charging pilot?
- Should the road charging system be entirely state-run or should private account managers be allowed?
- Should standards be applied to vendor technology or systems? If so, which ones?
- How should technology or systems be certified?
- Will private account managers be regulated?
- What privacy protection requirements should the system include?
- How should personally identifiable information be protected?
- What data security requirements should the system include?
- How should privacy and data security requirements be enforced?
- Should road charging use open or closed systems?
- Should reporting technologies require location capability or not?
- Should both non-electronic and electronic options for road use reporting be offered?
- If private account managers are allowed, should there be a government-provided technology option?

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The remainder of this section provides a cursory view of key considerations of each policy question for the TAC to consider in developing pilot design parameters and evaluation criteria

The purpose of the next 19 slides is not to resolve policy questions. Rather, the purpose is to provide the TAC with the following:

- An appreciation of the breadth of questions that surround road charging
- An understanding of how such questions have been dealt with in other contexts both in the U.S. and abroad
- Awareness of the interdependencies between some of the open questions

The pages that follow detail some of the issues that commonly arise when states and countries have debated road charging as a potential policy. In this briefing book, we only focus on those issues most pressing for the TAC's immediate work. This section considers each issue one at a time, drawing on the experiences, deliberations, and decisions of other jurisdictions when appropriate.

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How should road charges be enforced?

Why this question is important

- Enforcement is any effort to deter evasion and encourage compliance. Any tax regime requires some level of enforcement. Visible enforcement ensures a level of voluntary compliance.

Relevant lessons learned

- Enforcement programs should be comprehensive and intelligent. Enforcement is not only about detecting violations (cases of non-payment or underpayment of the road charge, whether fraudulent or inadvertent), but also notifying individuals responsible for the nonpayment or underpayment of any tax or penalty, and collecting any fines associated with the penalty.
- There are two main components of road charging enforcement:
  - The first component is to verify that all vehicles subject to road charges are recorded as charge-liable by the responsible agency, e.g., with the help of the vehicle registry.
  - The second component involves detecting attempts by individuals to defraud the system by misusing or hacking mileage reporting devices or vehicle odometers.
- In addition, it may be necessary to tighten administrative procedures around vehicle registration and titling, including any legally required odometer disclosures and timely registration upon moving to California.

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Should rates differ by vehicle type (e.g., weight, emissions)?

Why this question is important

- No two vehicles are identical, so some people may suggest creating charging schemes that differentiate road charges based on vehicle characteristics such as weight, engine size, MPG, emissions, or other factors.
- These are all dimensions of rate setting that can turn a simple policy into a complicated one.
- Fortunately, most of them can be readily incorporated into a pilot test.

Relevant lessons learned

- This is one of the thorniest, most controversial policy questions related to road charging.
- When heavy vehicles are included in the road charge, it seems very logical to assign different rates to heavy vehicles based on weight, because the amount of roadway wear and tear caused by different vehicle weights varies so widely.
- Light vehicles, on the other hand, tend to cause similar amounts of roadway wear and tear with respect to each other, so differential rates are not justifiable on that basis. For that reason, Oregon chose to assign one per-mile rate to all light vehicles.
- Rates may be assigned for reasons other than to cover the cost of roadway wear and tear. For example, rates may be charged to discourage consumption of fuel and emissions.
- Rate setting algorithms work best when based on vehicle characteristics that can be easily captured in the state's vehicle registry.

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Will there be unique impacts on rural drivers?

Why this question is important

- The concept of road charging commonly elicits a reaction that it is punitive to rural drivers. Given the large number of rural and agricultural Californians, it will be important to address this concern.

Relevant lessons learned

- Many people feel that because rural residents tend to drive longer distances each trip they take, they will end up being harmed by a road charge. However, few people readily appreciate that the gas tax also is more costly to those who drive more. Moreover, the effective per-mile rate of the gas tax is a function of fuel economy, with less fuel-efficient vehicles such as farm trucks and pickups paying more per mile than sedans and compact cars.
- An analysis of the Oregon vehicle registry demonstrated that rural residents tend to drive less fuel-efficient vehicles than urban residents. In that case, changing from a fuel tax to a road charge would be net positive for rural residents. In addition, Oregon found that there was no substantial difference between the amounts of driving by rural residents vs. urban residents: rural residents took longer trips, but less frequently.
- In Washington State, a survey panel analysis conducted determined that there is no significant difference in fuel efficiency between urban and rural drivers in that state, but that rural residents tend to drive more than urban residents. Under a road charge, rural drivers would save approximately $2 per month relative to gas taxes, while urban drivers would pay approximately $4 more.

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What payment options should motorists have?

Why this question is important

- Motorists may be more likely to accept a road charge if they can choose how to pay for it in a way that is convenient to them.

Relevant lessons learned

- In Oregon, a study concluded that users want not only choice of reporting method, but also of payment method.
- Online account holders will want credit/debit card and ACH/bank transfer options.
- Payment by mail/check should also be possible for those who do not have a credit/debit card or do not use online services at all.
- In case of a mandatory road charge program, cash payment may be necessary to support individuals who do not have bank accounts. According to a 2012 study by the Federal Deposit Insurance Corporation (FDIC), 7.8% of California households do not have a checking or savings account.[1]

[1] 2012. Federal Deposit Insurance Corporation (FDIC). *National Survey of Unbanked and Underbanked Households*.

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What are the various agencies' roles?

Why this question is important

- Department of Motor Vehicles (DMV), CalSTA, Caltrans, CTC, and the Board of Equalization (BOE) are all California government agencies that will have some role in implementing a road charge, and the precise roles will need to be determined before any potential future road charge program could be implemented.
- A pilot test offers the opportunity to simulate the actual implementation and to gather lessons learned for the final organizational design.

Relevant lessons learned

- The administration for the new road charge will reside within one or more state agencies.
- DMV will almost certainly be involved, due to the need for the motor vehicle database as means of identifying vehicles liable for the road charge and the names and addresses of vehicle owners.
- CalSTA, Caltrans, CTC, and BOE also are likely to be involved with varying roles.
- The precise role of each agency is a question that should be approached gradually, thoughtfully, taking into account the unique strengths of each agency.
- The pilot project is an excellent opportunity to trial the agency roles.

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Should California address road charging interoperability with other states and, if so, how?

Why this question is important

- Oregon already has a road charging program, and other states are actively looking into the possibility of implementing one.
- It could be desirable that devices used to pay road charges in the various states also support payment in neighboring states with a road charge.
- It may also be desirable to study and begin developing multi-state agreements regarding charging for travel across multiple jurisdictions.

Relevant lessons learned

- The Western Road Usage Charge Consortium (WRUCC), of which California is one of 11 members, is already investigating how to achieve interoperability and how to transfer funds among various states within the consortium.
- There are existing models for funds transfers within a consortium including the International Fuel Tax Agreement (IFTA) and the International Registration Program (IRP), which provide multi-jurisdictional reconciliation of fuel taxes and registration fees for heavy trucks, respectively.
- There are existing models for interstate road use sticker programs. The California DMV requires nonresident employees who travel frequently into California from border areas of Nevada and Arizona to purchase a registration sticker. In parts of Europe, “vignette” (sticker) programs are in place for light and heavy vehicles, requiring the pre-payment of road taxes through the purchase and display of a permit authorizing travel for a fixed period of time.

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What evaluation criteria and processes should be used to evaluate the success of a road charging pilot or program?

Why this question is important

- To assure the public and the government that the road charge program is operating well (efficiently, fairly, etc.) the TAC may establish a process by which the program can be evaluated, and criteria chosen upon which the program will be evaluated.

Relevant lessons learned

- The evaluation process begins with the selection of criteria upon which the program will be evaluated (e.g., revenue generation efficiency, public acceptance). Each criterion is measured with a value called a metric (e.g., revenue divided by cost, change in public acceptance, etc.). Each metric has a unique process for measurement, typically involving computation of a value called an indicator from raw data.
- Raw data may be numerical observations from technical field trials; or it may be monetary (cost or revenue) data; or it may be public opinion survey / focus group data.
- For the sake of efficiency and consistency, it is typically desirable for any pilot program to be evaluated according to the process designed for evaluating the pilot while it was in live operations, so that the evaluation process itself can be refined.

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Should the road charging system be entirely state-run, or should commercial account managers be allowed?

Why this question is important

- Commercial account managers have the potential to reduce the overall cost of the road charging system, increase technical innovation, and reduce technical risk to the state.

Relevant lessons learned

- Oregon has set up a system of “Commercial Account Managers” – private companies that provide hardware, invoicing, bill payment, and account management services for participants in their road charging program.
- These companies compete for users who choose a distance measurement device as their method of payment reporting. They could offer value added services, such as pay-as-you-drive insurance, to customers. They could, potentially, also charge a small fee for their account management service.
- To function properly, a private market for collection of road charges requires regulation of service providers, including certification of systems and technology, but companies would be allowed to compete for and have direct relationships with motorists.
- Commercial account managers have proven in other contexts to reduce the cost of program administration, the technical risk for the administering agency, and the cost of compliance for taxpayers.

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Should standards be employed for any vendor technology or systems? If so, which ones?

Why this question is important

- If the road charging system is to remain "open" – available for all potential private equipment or services vendors to support—then private companies servicing the road charging program will need to design and manufacture their equipment according to common, open technical standards.
- Lacking standards, vendors would use their own private and possibly proprietary technology, which would make the system closed, and potentially locking taxpayers in to particular technology solutions and providers.

Relevant lessons learned

- In a closed system, opportunities for new entrants are minimized, and technical innovation and price competition suffer.
- In the tolling industry, closed systems mean that various tolling agencies are compelled to purchase equipment from the same vendor each time they need to upgrade systems, regardless of the quality or price.
- Standards would specify certain communications formats, such as how mileage information is transmitted.
- Standards could also govern the performance of equipment, security measures, etc.

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How should technology or systems be certified?

Why this question is important

- Certification is the means by which the state agency administering the road charge verifies that a private vendor's products or services comply with the relevant standards and rules.
- Certification is also the method by which the state agency guarantees to the public that all equipment or services in the system provided by private vendors perform with sufficient accuracy and reliability to merit collecting the road charge.

Relevant lessons learned

- State agencies often lack the technical background and resources needed to act as certification agents.
- Self-certification may be a sufficiently rigorous process for the start of a system—so long as all self-certification documents and results are thoroughly audited by the state.
- When a certification program grows large, having a third party private certification agent guarantees consistency of results.
- Both private organizations and universities may act as third party certification agents.

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Will commercial account managers be regulated?

Why this question is important

- To guarantee that the private vendors provide a minimum level of service acceptable to the state, the state may wish to regulate some aspects of competition among vendors.

Relevant lessons learned

- The state may require that commercial account managers meet certain minimum financial stability requirements.
- The state may require that road charge account data be stored in a format that would make it straightforward for another company to take over, in case the first company failed or the motorist chooses to switch account managers.
- Similarly, the state may wish to set a maximum amount that commercial account managers may charge customers for road charging services. However, the state should not limit pricing on other services that the vendors may offer customers.

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What privacy protection requirements should the system include?

Why this question is important

- Privacy concerns are among the most commonly cited concerns with a road charging program.

Relevant lessons learned

- One important privacy protection measure is make the use of location-based devices (devices that include GPS) optional, so that those who do not wish their location ever to be recorded may have that be the case.
- Another measure is to prevent exact locations from ever being stored. In Oregon, for example, devices aggregate miles traveled into “buckets” including miles traveled in state, miles traveled in other states, and miles traveled on private roads, without ever record specific locations.
- Another measure is to have strict data retention and handling requirements clearly defined in the legislation that creates the road charge. In Oregon, for example, data may not be retained for more than 30 days after a given billing cycle, except when billing is disputed.

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How should personally identifiable information be protected?

Why this question is important

- Personally Identifiable Information (PII), such as name, address, phone number, and e-mail address, is very sensitive and must be handled appropriately.

Relevant lessons learned

- All account management entities, public and private, will have access to users' PII.
- Rules for dealing with PII will need to be established in a road charge program. All account managers should be required to abide by these rules for handling and, when necessary, of communicating PII.
- Such rules should include only allowing access to PII for authorized users, requiring appropriate background screening of all authorized users, and recording of all access to such information and archiving such records for a defined period of time.

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What data security requirements should the system include?

Why this question is important

- Having strict data security measures will be vital for the success of a road charge system.

Relevant lessons learned

- Data security practices should include using certain data encryption standards, requiring password authentication of all data users, and only allowing authorized users to access certain information.
- Such measures should apply to all account managers, as well as to any state systems that deal with a road usage charge.
- Such measures should be well documented and made publicly available to reassure the public of their data's security.

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How should privacy and data security requirements be enforced?

Why this question is important

- Enforcement measures are needed to ensure that the entire system is compliant with privacy and data security standards.

Relevant lessons learned

- Fines and penalties can be assessed against offenders.
- Fines may increase per instance of violation.
- In the case of a commercial account provider, an effective deterrent is to make a certain number of violations grounds for contract termination.

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Should road charging use open or closed systems?

Why this question is important

- Deciding whether the road charge system will be open or closed may sound like a technical detail, but it is a fundamental policy choice with far reaching impacts on system cost, adaptability, customer friendliness, state agency procurement flexibility, and resources devoted to developing standardized interfaces.

Relevant lessons learned

- Open Systems require common standards. Examples include Unix computer operating system, and mobile telephone networks (i.e., roaming).
- Examples of closed systems are based on proprietary standards. Examples include Apple computer operating system and road tolling systems in the U.S.
- Open systems tend to be more customer friendly, lower cost, and adaptable to latest technologies.
- Open systems require the state agency to develop common standards and interfaces between the interchangeable pieces of the system, whereas closed systems require the agency to specify the entire system.

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Should reporting technologies require location capability or not?

Why this question is important

- Some early and unsuccessful formulations of road charging are based on the notion that every charge should be based on location, which requires the motorist to have GPS technology capable of recording his or her location and calculating charges on that basis. The most important step forward in road charging policy in the U.S. in the past decade has been the recognition, led by Oregon, that GPS is not required. In SB 1077, California has reaffirmed this principle. In addition to a series of privacy protection and data security requirements, the law states that the road charging pilot program shall “analyze alternative means of collecting road usage data, including at least one alternative that does not rely on electronic vehicle location data.”

Relevant lessons learned

- Non-location based technologies simply calculate or aggregate distance driven and report the aggregate mileage traveled by a vehicle. This can be done by odometers, add-on devices that use sensors to measure (or compute) distance traveled without detecting location, or sensors built into the vehicle that measure distance using dead reckoning or other similar techniques.
- Given the proliferation of accurate non-location-based measurement methods, it is not necessary to mandate GPS.

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Should both electronic and non-electronic options for road use reporting be offered?

Why this question is important

- In providing "user choice," a range of options should be considered. These break down to electronic and non-electronic categories of options for taxpayers to choose based on their individual preferences.

Relevant lessons learned

- Electronic options are those dealing with some form of technology to read and report distance traveled from the vehicle in automated fashion. They range from devices that plug into the vehicle data port to onboard GPS devices to in-vehicle sensors paired to a smartphone.
- Non-electronic options are those that do not use any technology. They can be:
  - A flat fee paid to cover some default mileage amount
  - A paper based system of pre-purchasing miles in mileage blocks
  - Manual reading of the vehicle odometer by an authorized agent at periodic intervals
  - Self-reporting of the odometer reading coupled with periodic verification by authorized agents
- "Simple" and "desirable" are in the eye of the beholder. Some motorists will prefer highly automated options, while others will prefer manual approaches.
- There is a tradeoff between cost and user acceptance—manual options are typically desirable to satisfy some segment of the public, but they do tend to add to costs.

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If private account managers are allowed, should there be a government-provided technology option?

Why this question is important

- Technology options such as distance measurement devices may be effectively offered by private industry, so it may be unnecessary for a state agency to offer this as well.
- However, some individuals may wish to do business with the state instead of a private company. The state could elect to provide technology options to such individuals.

Relevant lessons learned

- In the Oregon program, the absence of a manual or paper-based option means that all road charging program participants must use a technology option. Some individuals may not be eligible or willing to accept the terms of the available commercial account managers. (Oregon chose to provide a government technology alternative for such individuals).
- The presence of a state-offered technology option is a disincentive for the participation of private companies, since they are then competing with the state. Oregon chose to support only basic (non-location-based) distance reporting devices without value-added services as a state-offered technology option to reduce the level of competition with commercial providers.
- In Washington State, the steering committee has not made a final decision on whether to utilize commercial account managers in the road charging program, but they have noted that if they are allowed, there would be no need for the state to provide a technology option, since the state is offering paper-based/manual options.

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Road charging represents a major shift in how we fund roads and bridges

Road charging is a transformational concept. It requires policy, technology, design, and business innovation. It involves the change management of highly interdependent systems—interdependencies that are familiar and recognized by California transportation agencies and the public alike. To improve one aspect of the system without considering these interdependencies may produce unexpected and unwelcome side effects in other quarters of the system. The establishment of any road charging system is complex, ambiguous, and not well suited to the straightforward engineering progression from defining goals through designing and engineering solutions, to manufacturing/procurement of products, and system integration and deployment. We hope this section on policy questions has helped increase awareness of the many interconnected issues at play in recommending pilot design parameters and evaluation criteria.

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SECTION 3
GLOBAL EVOLUTION OF ROAD CHARGING POLICY

(To be discussed with Item 8 on February agenda)

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Experience with implementation of road charging on passenger cars is limited

Though studied extensively, both by academics and by practitioners, implementation of road charging has been limited to the following examples worldwide:

- **New Zealand**. All diesel and other alternative fuel vehicles have been subject to road charges since 1978 using a paper-based licensing scheme in which motorists pre-purchase blocks of kilometers.
- **Europe**. Several European nations use vignettes (stickers) that allow foreign motorists access to motorways for a designated period of time (a few days to a year).

- **Oregon**. Following over a decade of study and two pilot tests, Oregon is moving forward with an operational road charging system that will launch in July 2015, initially for 5,000 volunteer motorists, but with expectations to expand the program to include mandatory vehicles in the future.

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New Zealand: The largest and longest lived example of road charging for light vehicles

1978 Startup: In 1978, New Zealand introduced a road charge (known in New Zealand as RUC) on all non-gasoline vehicles as well as any vehicles over 3.5 metric tons. A paper-based scheme was adopted that uses windshield-mounted sticker licenses. At the time of adoption, the number of non-gasoline passenger cars was negligible. Today, there are about 550,000 diesel cars subject to road charges. Compliance is enforced at roadside against odometer readings, through annual safety inspections, and using a robust audit program. Police have authority to ticket motorists whose licenses are not current. Because New Zealand is an island nation, cross-border travel is not an issue.

2008 Update: In 2008, government commissioned an independent review to provide recommendations on updating policies and technologies associated with road charges. The following passage punctuates their findings: "*A good charging system should not be discarded in the pursuit of a perfect system. The policy aim should be for a system that accomplishes as many and as much of the objectives as possible at low cost and, from a dynamic perspective, is not so complicated that different parties are constantly tempted to chip away at various components and undermine it.*"

2009 Private Sector Agents: The government certifies private sector agents to handle license sales and fee collection for motorists, some of whom use electronic methods to replace paper licenses.

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Europe: Several countries use vignettes (stickers) to charge for motorway use by visitors – an example of time-based road charging

Paper vignettes. A vignette is a windshield sticker that allows a vehicle to use certain roads in a country for a defined period. Frequent users typically buy a vignette that is good for a year, but shorter periods (down to a few days) are also available, depending on the country.

Electronic vignettes. Two countries (Hungary and Romania) have recently moved toward electronic vignettes. With an e-vignette, no physical sticker is required. Instead, the license plate is registered with authorities for a set number of days.

Charge for motorways only. In most countries, the vignettes are required only to use the limited-access highway system (e.g., Autobahn).

Tax out-of-country motorists. All countries that have vignettes also have fuel taxes, but as fuel prices vary across Europe, and distances are short, in many cases the fuel taxes are inadequate because foreign motorists may drive through a country without purchasing any fuel.

Non-discriminatory. EU rules require that vignettes not discriminate in design or practice. Systems must charge the same amount to everyone, regardless of nationality.

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Europe (continued): vignette pricing, volumes, and operational costs vary from country to country

COUNTRY	SYSTEM	NETWORK CHARGED	ANNUAL GROSS REVENUE (US $ MILLIONS)	NUMBER OF UNITS SOLD	TOTAL OPERATING COSTS (US $ MILLIONS)	COST AS A % OF REVENUE
Austria	Sticker	Motorway / expressways	$494	21.2	$7.2	1.5%
Bulgaria	Sticker	All national roads	$20	N.A.	N.A.	N.A.
Czech R.	Sticker	Motorways / highways	$167	4.8	$17.0	10.2%
Hungary	Electronic	Motorways only	$127	13.1	$19.7	15.5%
Romania	Electronic	All main roads	$114	5.7	$6.4	5.6%
Slovakia	Sticker	Motorways / highways	$47	3.3	$0.3	0.6%
Slovenia	Sticker	Motorways / expressways	$164	3.8	$9.1	5.6%
Switzerland	Sticker	Motorways only	N.A.	N.A.	N.A.	N.A.

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Oregon: The first U.S. jurisdiction to implement road charging for cars, with a statewide program set to launch in July, 2015

Oregon has been a pioneer in transportation funding as the first state to implement a gas tax (1919), weight-mile tax (1925), and road charges for passenger cars (2015). Passenger vehicle road charging exploration began in 2001 with the legislature's creation of the Road User Fee Task Force (RUFTF), which oversaw a study of revenue alternatives, resulting in the recommendation to pursue road charges through pilot testing.

Oregon's first pilot (2006-2007) was a technical success but a policy failure. It featured a "pay at the pump" model, using an in-vehicle device to record mileage with GPS and communicate data to the point-of-sale system at fueling stations. At fueling, participants received a mock receipt showing gas tax credits and mileage fees due. The reliance on a single GPS-based device created public concerns about privacy, and the emergence of all-electric and plug-in hybrid vehicles raised doubts that a pay-at-the-pump model could keep up with a vehicle fleet trending away from fossil fuels.

Oregon's second pilot (2012-2013) was both a technical and policy success. After several years of policy development and R&D, the second pilot demonstrated user choice, open systems, commercial account management, and no GPS mandate.

Following the success of the second pilot, the Oregon legislature passed SB 810, enabling legislation to create the nation's first permanently operational road charge program, populated initially by 5,000 volunteer motorists. One government-run account manager and two commercial account managers have been announced, with others likely to provide services for the program in the future.

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As with light vehicles, there are only a few examples of distance-based heavy vehicle road charging

- **New Zealand**. All vehicles over 3.5 tons are subject to road charges based on weight and distance traveled, enforced using prepaid window licenses or, more recently, electronic compliance systems.

- **Europe**. Several European nations require trucks to pay weight-distance charges for use of motorway networks.

- **North America**. Four states have weight-mile taxes (Oregon, Kentucky, New York, and New Mexico). These taxes rely on self-reporting and roadside enforcement, although Oregon recently certified an electronic compliance service provider. In addition, the lower 48 states and 10 Canadian provinces require all interstate truck operators to report all miles traveled by jurisdiction quarterly in order to apportion diesel taxes and registration fees based on actual mileage traveled in each jurisdiction. These schemes are known as the International Fuel Tax Agreement (IFTA) and International Registration Plan (IRP), respectively.

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Many other road charging studies and proposals have not resulted in implementation to date; as much or more can be learned from these examples as from implemented programs

International

- **United Kingdom**. Dating back half a century, the UK has studied various forms of national road pricing but not yet implemented any outside the London Congestion Charge. Today it is considering a proposal for national truck charging.
- **Netherlands**. Over a period of two decades, the Netherlands considered a variety of approaches to simplify its many vehicle- and driver-based taxes into a single distance-based charge. To date, none of these proposals has been implemented.
- **Australia**. Beginning with the Henry Tax Review, published in 2010 and continuing through the present day, Australia has examined the possibility of transforming transportation funding by implementing road charging and simplifying or eliminating a host of other taxes and fees.

Domestic

- **University of Iowa (2009-2010**) tested user experience with GPS technology for tracking and road usage charging.
- **Nevada DOT (2009-2012)** studied public views of various road charging concepts.
- **I-95 Corridor Coalition (2012)** developed a Concept of Operations for multi-state charging.
- **Minnesota (2010-2011)** studied, developed concepts, conducted outreach, and pilot tested road charging using onboard vehicle technology and smartphones.
- **Washington State (2012-2015**) formed a Steering Committee to develop operational concepts and examine the business case for road charging. The Legislature is now weighing next steps, which include examining proposed methods through a pilot test.

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United Kingdom: Over half a century of study, but no road charging implementation outside of London's congestion charge

1964: Smeed Report. The UK Ministry of Transport's study of road revenue alternatives was among the earliest to recommend national zone charging, with prices varying by location, time, and vehicle type. Prices would reflect road costs, congestion, and environmental impacts, along with in-vehicle meters and payment devices. Proposals were abandoned in 1970 with a change in government.

Mid 1990s-Present: Lorry charging. In the mid-1990s, the Conservative government endorsed road charging, but since then, nothing has been implemented due to objections of stakeholder groups, changes in policy direction, and bundling truck charges with other transport policies.

2004: Road pricing feasibility study. In 2004, a national steering committee produced a report providing guidelines for studying, designing, and proposing road pricing schemes, following the successful imposition of congestion charging in 2003 in Central London.

2005: Lorry Road Charging merged with National Road Pricing. This resulted from some of the recommendations of the feasibility study.

2007-2008: Efforts abandoned: Owing in part to a petition, the government abandoned the national lorry charging proposal. Critics questioned privacy and cost aspects of the plan, which envisioned "time-distance-place" pricing involving complicated algorithms and GPS devices in every truck.

2010-Present: Lorry charging re-emerges. The political acceptability of lorry charging recently resurged. Truckers now favor the scheme as a method of leveling the playing field with foreign trucks that purchase lesser-taxed fuel in Europe and use UK roads. A scheme must comply with EU vignette rules.

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The Netherlands: Many road charging program experiments, but no implementation to date

The Netherlands funds its roads from sales taxes, fuel taxes, and annual operating taxes based on vehicle weight and fuel consumption. Road pricing and road usage charging proposals have been made six times since 1988, but none of them were ultimately implemented.

1988: Rekening Rijden I. Proposed distance-based road charge system.

1992: Spitsvignet. Proposed peak period charges in urban areas.

1994: Rekening Rijden II. Proposed AM peak period cordon charges around four cities: Amsterdam, Rotterdam, The Hague, and Utrecht.

1999: Spitstarief. Proposed cordon pricing with access point tollbooths in the Randstad conurbation.

2001: Kilometerheffing. Proposed a distance-based road charge system.

2005: Anders Betalen voor Mobiliteit (ABvM). “Paying Differently for Mobility” was proposed to simplify the many taxes paid by motorists into a single distance-based charge. Secondary objectives included reducing travel times, improving reliability, and supporting efficient distribution of economic activity. The government’s Mobility Policy Document to 2020, published in September 2005, stated: “The cabinet considers the introduction of a kilometer fee in combination with a reduction in road taxes to be a workable alternative… The state will take all steps needed to introduce a system for levying a ‘fast-track fee’. The proceeds will be used to expedite the resolution of existing bottlenecks.”

The Netherlands did not implement any of these programs.

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The Netherlands: Progress on implementing road charging programs stalled primarily due to conflicting policy objectives

The core purpose of the Netherlands' road charge proposals was to reorganize an existing hodgepodge of taxes to be simpler and more cost-effective. However, the stated objectives included all of the following:

- Replacing the current tax regime to be simpler for users while maintaining the same net revenues
- Reducing congestion
- Improving air quality
- Addressing climate change
- Sustaining economic growth

In a post-mortem review, the Dutch government cited reasons for the failure of the proposals:

- KISS – "Keep It Simple Stupid." Despite the objective of simplicity, the road charging policy had too many objectives, making it a target for opposition. Proponents lost focus on the primary objectives as originally stated, which included the following:
  - Pay for roads in a direct way based on usage rather than ownership
  - Keep net revenues neutral with the existing tax regime
  - Dedicate revenues to the transportation sector
- Detractors exploited weaknesses in the complex proposals to damage public relations.
- A technology-centric approach led to reliance solely on GPS-based measurement alternatives as the only option for deployment because of the multi-faceted objectives sought by the program.

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Australia: nearly a decade of analysis and policy development moving toward road charging for light vehicles

Australia has been addressing road charging for the past decade, but recent years have seen growing momentum. Like the U.S., Australia collects federal fuel taxes, a portion of which is returned to the states. States supplement federal funds with local sources of transportation revenue such as vehicle registration fees, tolling, and parking revenues.

The possible transition to a road charge system is marked by the following major recent milestones:

- In 2008, a federal commission headed by the Treasury studied all Australian taxes in an effort to simplify the nation's tax policies. The commission recommended transportation taxes be reformed to "[give] individuals a clear signal about the cost of infrastructure, [so] they will have an incentive to use it efficiently."
- The commission, known as the Henry Tax Review, published a report in 2010 identifying the consolidation of all motor vehicle related taxes into a single, unified road charge using distance traveled as the most promising policy.
- In 2014, the Australian Productivity Commission identified decline in fuel tax revenue alongside growth in road use and costs of construction as a further impetus for policy reform. Their report calls on governments to undertake pilot studies of road charging for light vehicles, using telematics, with revenues dedicated to road spending.

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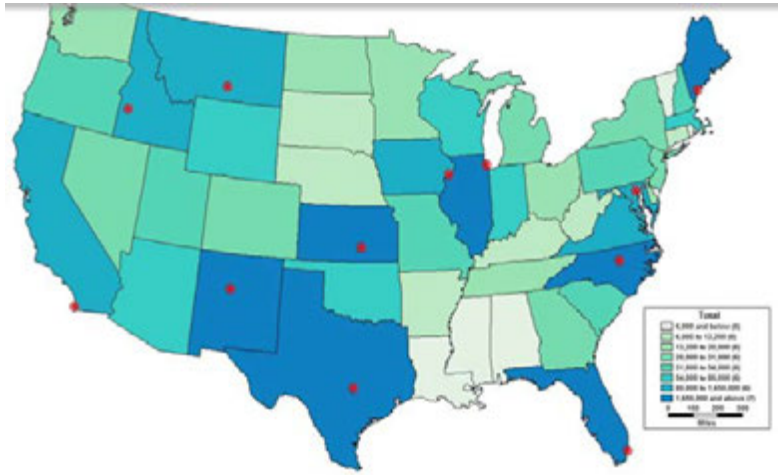
University of Iowa: Nationwide field trials (2008-2010)

Professors David Forkenbrock and Paul Hanley at the University of Iowa published groundbreaking road charge policy studies in the early 2000s. Later the University received a federal grant to run a major field trial of a road usage charge.

- 2 years (2008-2010)
- 2,650 participants from 12 different regions
- GPS-based on-board unit, recorded total miles driven in each state by participants
- Per-mile charges varied by state / municipality and vehicle class as follows:
  - There were 20 vehicle classes. Differences between classes were based on EPA fuel consumption and emissions data.
  - Charges ranged from 0.33 cents to 2.19 cents per mile ($0.0033-0.0219).



Throughout the trial, researchers surveyed participants on their opinions of the system. They found that participants' opinion of the system improved over time. In general, those who were initially undecided or neutral towards the system became favorably disposed towards it.

TIME OF SURVEY	OPINION OF ROAD USAGE CHARGING		
	FAVORABLE	NEUTRAL	UNFAVORABLE
Pre-trial	42%	41%	17%
Post-trial	70%	11%	19%

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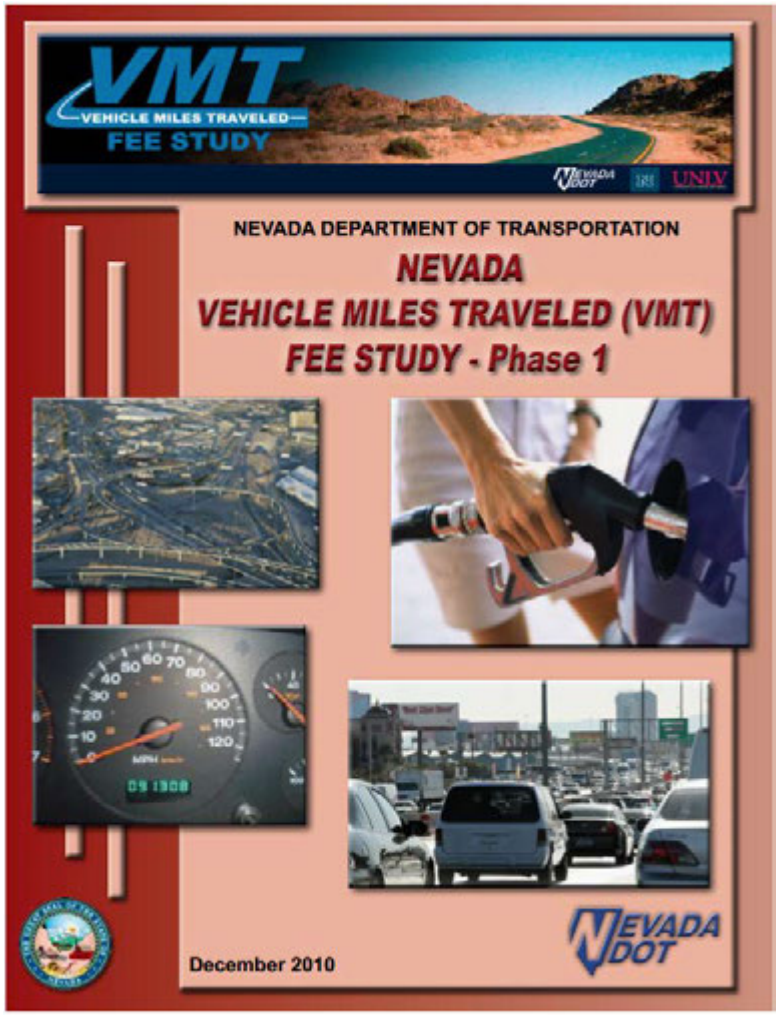
Nevada: Vehicle Miles Traveled Fee Study (2009-2012)

Since 2009, the Nevada Department of Transportation (DOT) has investigated road charges as a possible way to shore up sinking gas tax revenues. In the first phase of the trial, Nevada DOT performed a policy study and held two large public meetings. The meetings showed that there was great public interest in the program, but concerns about privacy were very strong.

The Phase 1 report included an extensive policy discussion on:

- The privacy issue. They felt that privacy was not an insurmountable issue, but that legal privacy protections were vital. For example, they proposed that a good model for privacy protection legislation was the Federal government's Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- How to set the per-mile rates, and determine what per-mile rates should be in various localities, based on theoretical economic modeling.



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I-95 Corridor Coalition: Road Charging Study and ConOps (2012)

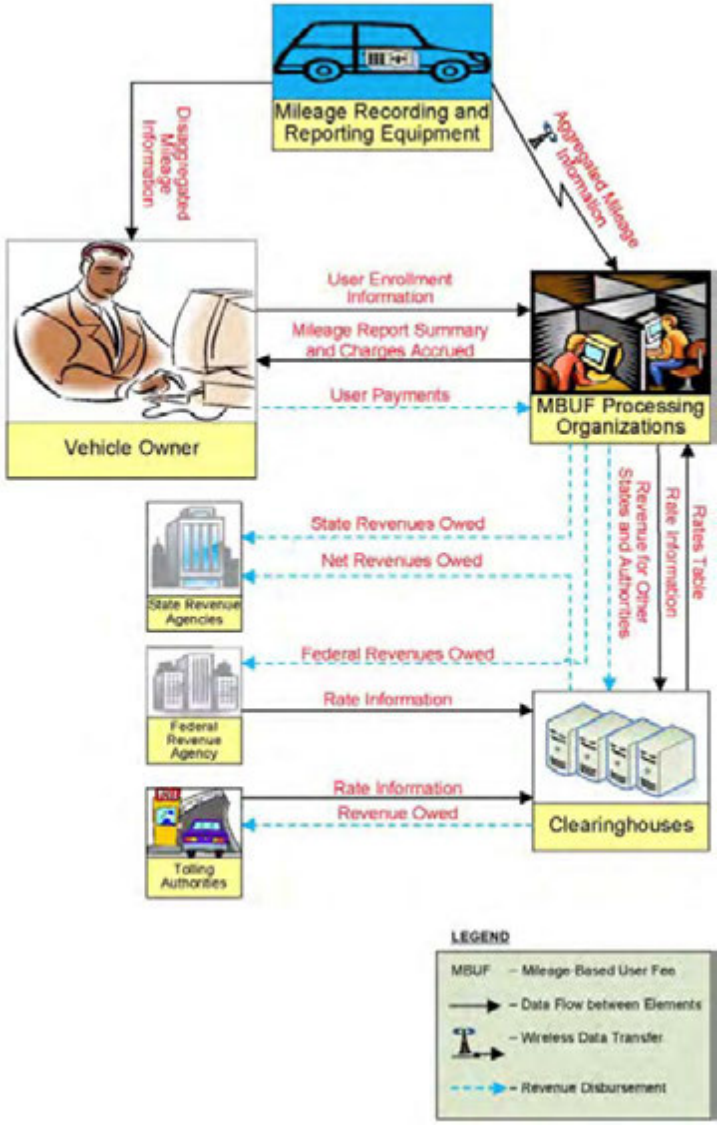
The I-95 Corridor Coalition is an organization of toll authorities, state DOTs, and other transportation agencies from Florida to Maine. In 2009, the Coalition launched a study of multi-jurisdictional road charging. Given the smaller areas of East Coast states and the higher frequencies of cross-border travel relative to Western states, it is likely that road charging will develop as a regional effort there.

The study resulted in a high-level concept of operations (ConOps) for multistate road charge, concluding:

- Multi-jurisdictional road charges are feasible.
- There are significant institutional issues that are present in a multi-jurisdictional context that must be handled through a centralized back office.

The proposed high-level system architecture is pictured at right. The architecture features:

- MBUF (Mileage-Based User Fee, another term for road charges) Processing Organizations, which run the road charge program directly with clients
- Clearinghouses, which distribute the mileage rates and clear revenues between jurisdictions



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Minnesota: Research, outreach, and trials (2004-2012)

In 2004, Minnesota DOT (MnDOT) began studying road charges through a trial of pay-as-you-drive insurance and car leasing with 100 participants, demonstrating that per-mile charging is feasible as a concept, and that popularity increases if the public perceives its benefits. In 2009, MnDOT concluding the following based on surveys and focus groups:

- Public understanding of transportation funding in Minnesota is low.
- Initially, the public tends to favor non-technology options for road charge payment.
- Agencies should anticipate initial reservations from the public, as a natural reaction to change.
- Agencies should emphasize that road usage charging is similar to the gas tax as a “user pays” fee.
- Uncertainty breeds apprehension. Agencies should wait until they have a substantially developed model to create communications to the public.
- A staged implementation plan is preferable to full system to launch at once – the “big bang.”
- The public needs to have the opportunity to learn about details at their own pace.

In 2011, the Mileage-Based User Fee Task Force found road charging to be financially sustainability, equitable to various driver groups, and technically feasible. The Task Force oversaw a Road Fee Test with 500 participants paying charges with rates varying by zone and time of day through a smartphone app that communicated with the vehicle through a device installed in the onboard data port.

Some of the participants reported billing errors, missed mileage, and technical glitches with the smartphone app. Simultaneously, a minority report from the Task Force was critical of road charges. Reliance on a single approach to measuring, reporting, and paying road charges was one of the key factors leading to these issues. Minnesota’s legislature has not authorized further study of road charges.

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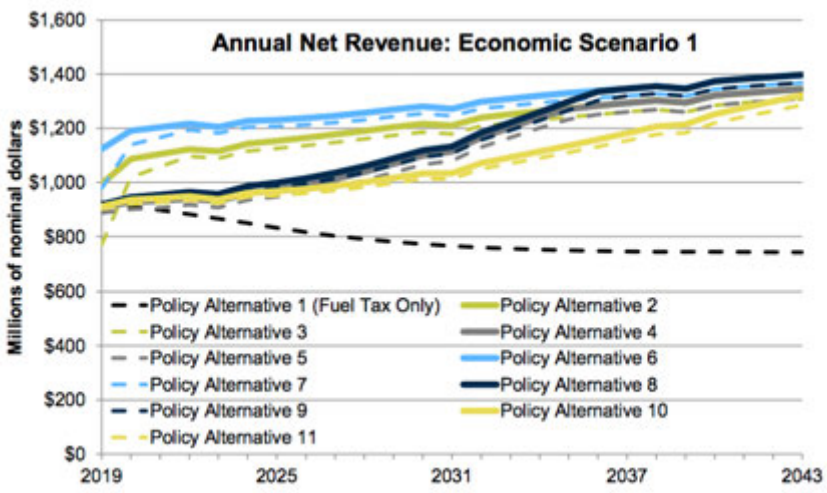
Washington State: A legislatively-created steering committee has examined road charging since 2012; this year, the committee recommended moving forward with a pilot test

The Washington State legislature established a Steering Committee to examine road charges in 2012. In each year from 2012-2014, the Committee successively determined the following: road charging is feasible, there is a business case to pursue road charging, and a combined pilot test and outreach effort should be undertaken to fine tune the Committee's working policy assumptions and recommendations. The Steering Committee endorsed the following four operational concepts for further testing and refinement in combination:



- **Time Permit**: unlimited driving for a specified time period (e.g., one year) for a flat fee
- **Odometer Charge:** prepayment of road charge for one year based on estimated or assumed miles to be driven, with reconciliation at year's end based on actual odometer reading
- **Automated Distance Charge**: payment of road charges based on actual miles driven as measured by an in-vehicle device
- **Smartphone App**: payment of road charges based on actual miles driven as measured by a smartphone app that connects to the vehicle's onboard computer and/or using certified photos of the vehicle odometer

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SECTION 4
KEY COMMUNICATIONS ISSUES

(To be discussed with Item 9 on February agenda)

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Communications is important. It should be used to build understanding by opening two-way dialogues with the public and stakeholders

This dialogue relies on developing general messaging and providing information to a range of groups:

- Stakeholders and key decision-makers (e.g., legislators) at all levels (e.g., state, regional, and local)
- Relevant agencies
- Industry groups
- Media
- Demonstration test participants
- General public

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As the TAC prepares to launch its communications and outreach effort for road charging, it is useful to learn from previous experiences in California and elsewhere

Transportation agencies, universities, think tanks, and media outlets regularly conduct surveys of public attitudes on general transportation topics, including funding and policy proposals such as road charging. As the TAC prepares to engage with the public, we have compiled some of the findings from previous survey and outreach efforts, including the following:

- Surveys and focus groups from Southern California on transportation funding and road revenue alternatives, including road charging
- Statewide surveys on transportation attitudes
- Regional, state, national, and international surveys and focus groups on transportation funding and road charging

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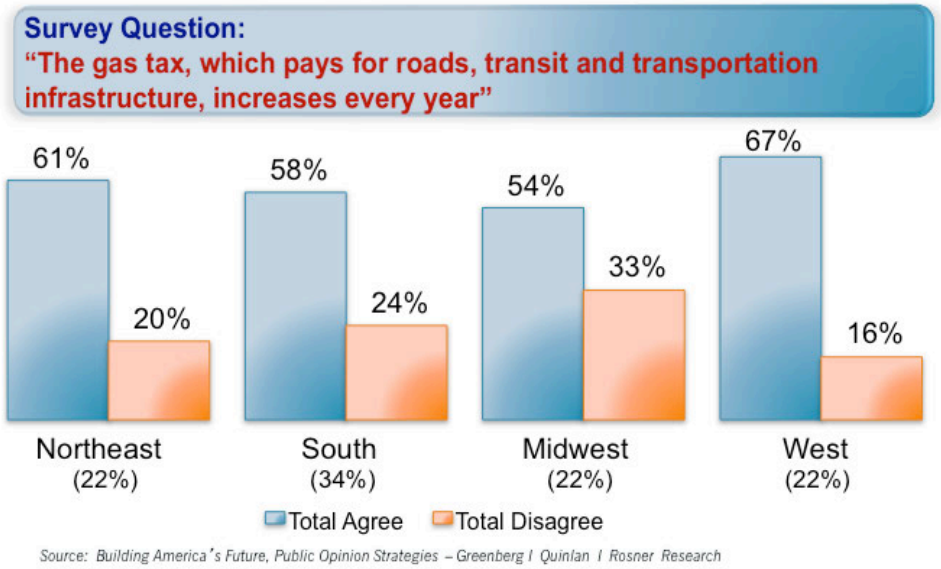
Surveys and focus groups, both nationally and in California, consistently reveal misconceptions about transportation funding

National and regional survey data suggest that most people do not understand the complex issues around transportation funding. The examples below are just two illustrations of this trend—one from a national survey and one from a California outreach effort. The consultants recommend baseline surveys about road charging to better understand what Californians already know and believe about funding.

- The figure at right reflects national survey results, including regional results for Western states, indicating that a large majority of respondents believe that the gas tax increases every year.
- Southern California Association of Governments (SCAG) surveys and focus groups conducted in 2012 indicated that, "few are aware that the gas tax exists in the first place and how much it is," and that many believe "gas usage and associated gas tax revenues are increasing."[2]



[2] 2012. Southern California Association of Governments (SCAG). *Express Travel Choices Study Final Report*.

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In a Southern California study, focus group participants made logical assumptions, but few were aware of key subtleties about transportation funding

The aforementioned focus groups conducted by SCAG also found the following:

- Focus group participants speculated about a number of sources of transportation funding. However, very few—generally no more than one in each group—could name the gas tax specifically.
- Participants mentioned the following as sources they believed funded transportation:
  - Vehicle registration
  - Money from traffic citations
  - Federal, state, and city taxes
  - Stimulus funds
  - Property and income taxes
  - Cigarette taxes
  - Taxi and shuttle fees
  - Mello-Roos Act (Orange County only)
- Many participants believed that sufficient funds were available for transportation projects on the basis of perceiving road construction in their communities and regions.

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Most focus group participants in Southern California were unaware of road charging; when introduced to the concept, they made assumptions and raised questions

After speculating about the meaning of the term, focus group participants were shown a one-sentence description that read, “a fee that is charged based on the number of miles a vehicle has traveled.”

This led to some immediate questions that emerged in nearly every focus group:

- How much is the fee?
- How much are we paying now?
- How will they calculate the fee? How will “they know how many miles I’ve driven?”
- How will they collect it?
- Will it replace the gas tax (This was asked after a detailed discussion about the gas tax prior to which most could not recall the gas tax)?
- Who charges it?
- Where will the money go?
- How will it be administered?
- Does everyone pay it?

By more than a 3-to-1 margin, the most mentioned reason for opposing road charging in these Southern California surveys and focus groups was the perceived invasion of privacy and opposition to being “tracked” by the government, based on participant assumption of a GPS device requirement.

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National survey data on road charging are consistent with the results from Southern California: most respondents react negatively to road charging, largely because it is unknown

San Jose State University's Mineta Institute conducts an annual survey of the public's attitudes toward transportation funding. In 2014, survey respondents opposed mileage-based charges by a 4-1 margin. When broken down by region, this margin does not vary significantly. Support improves when assuming that the per-mile rate varies based on vehicle emissions, to 43% nationally and 46% in the West.[3]

Indiana University's School of Policy and Environmental Affairs recently published results of a national survey, finding that the majority of respondents opposed the concept of road charging. The authors of the study speculate that opposition has to do with concerns about privacy and cost.[4]

Based on focus groups conducted in the Washington DC metropolitan area, study authors concluded, "people are generally uninformed about gas taxes." Participants opposed road charging by wide margins based largely on the presumption that it would require all motorists to provide GPS location data.[5]

Colorado DOT observed that focus group participants were unaware that the gas tax rate had not increased in 20 years, nor were they aware of how transportation is funded. Participants were averse to the notion of road charging, preferring to address perceived inefficiencies in transportation spending.[6]

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[3] 2014. Mineta Transportation Institute. Report 12-36: *What do Americans Think About Federal Tax Options to Support Public Transit, Highways, and Local Streets and Roads? Results from Year Five of a National Survey*.
[4] 2014. *SPEA Insights*. "Mileage-Based User Fees: Do Americans Support or Oppose Them?"
[5] 2013. National Capital Region Transportation Planning Board. *What do People Think about Congestion Pricing?*
[6] 2013. Colorado DOT. *Colorado Mileage-Based User Fee Study*.

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Oregon offers interesting results based on its mature road charging program and corresponding long-term communications and outreach effort, with opposition sorted into four categories

Lack of trust in government

- Belief that Oregon government is irresponsible with budgets
- Lack of belief that Oregon government will credit gas taxes against road charges

Worry about negative repercussions

- Disincentive for Oregonians to purchase fuel efficient vehicles
- Damage to Oregon's commerce/tourism
- Charges will not apply to out-of-staters

Road charging is unfair and inequitable

- Penalizes Oregonians who drive long distances
- All road users should pay (bicycles, etc.)

Road charging program is ill conceived

- Doubts in ODOT's ability to implement a large and complex program
- Many unknowns and lack of understanding

What Oregonians said about road charging

- I feel a little nervous. I am unsure our government will take off the taxes on gasoline and just add a new tax.
- I don't like it at all, like I'm being scammed. I pay taxes for road repair and everything else; stop funding wars or come up with a better plan than taxes—I see it as big brother putting more on our shoulders

- This will be punishing those who drive more efficient cars while helping those with gas-guzzlers like Suburban's and Humvees, etc.
- It limits travel and hurts commerce and tourism; budgets are unchecked and misappropriated—no oversight; wasn't consented to
- Not practical—what about out of state drivers? Drivers who live outside of our state or those who are just visiting?

- It's not fair—doesn't even come close. You need to include public transportation and bikes—motor and non-motor and anything else used to get from one place to another
- I'm angry I will be charged for mileage I drive in and out of state. I will be charged mileage outside of state. I travel outside the state often, so I will pay taxes on usage of roads out of state. It's not fair

- Confused—need more information. I would like to see a comparison of fuel taxes vs. 1.5 cents per mile— a study
- It needs more planning to cover all the different kinds of transportation — electric cars to motorcycles

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New Zealand and Europe also offer important insights into the importance of outreach and communications

Like Oregon years later, New Zealand saw great success in the adoption of road charging in part because of the reduction and ultimate elimination of fuel taxes for road charge payers.

- New Zealand directed an Independent Review Group to evaluate its road user charges through technical analysis, surveys, and public outreach in 2008-2009.[7]
- The review included a survey of road user charge payers, the results of which "revealed a surprisingly high overall satisfaction level with the current system among those who pay [road charges]."
- The review also included deeper case studies with individual users to highlight issues and concerns.
- Based on the Independent Review Group report and feedback received, the New Zealand government enacted major reforms in 2012, currently being implemented, aimed at addressing the key concerns and issues identified.

In the UK, the idea of road charging is not new as it has been investigated and studied for decades. The 2006 *RAC Report on Motoring* revealed the experience of motoring in the UK to be more painful than gainful, but also found the following:

- 63% would back road charging if all the money raised was spent on improving the roads.
- 69% would back road charging if it replaced the excise fuels taxes (gas tax).
- 80% to 87% suggest that in-vehicle telematics with value-added services could constitute a useful bargaining chip in a positive reception for telematics-enabled road charging.

[7] 2009. New Zealand Road User Charges Review Group. An Independent Review of the New Zealand Road User Charging System.

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Based on these experiences, we believe that sound public opinion research is the foundation of an effective outreach and communications strategy

Public opinion research informs communications strategies:

- It defines the public's baseline understanding and feelings regarding transportation funding and road charging.
- Good information leads to good decision-making.

Examples of activities that are performed to achieve an understanding of baseline public opinion include the following:

- Examining distinctions in needs, attitudes, and understanding between urban and rural residents and residents in various regions of the state
- Conducting a statewide phone survey of residents to determine acceptance and awareness of road charging
- Conducting focus groups with members of the public who consider themselves opposed to road charging to better understanding their concerns
- Hosting a statewide listening tour to gather insights and answer questions about road charging
- Interviewing key stakeholders and holding in-depth conversations about road charging with them

This type of baseline research is planned to take place in California this spring.

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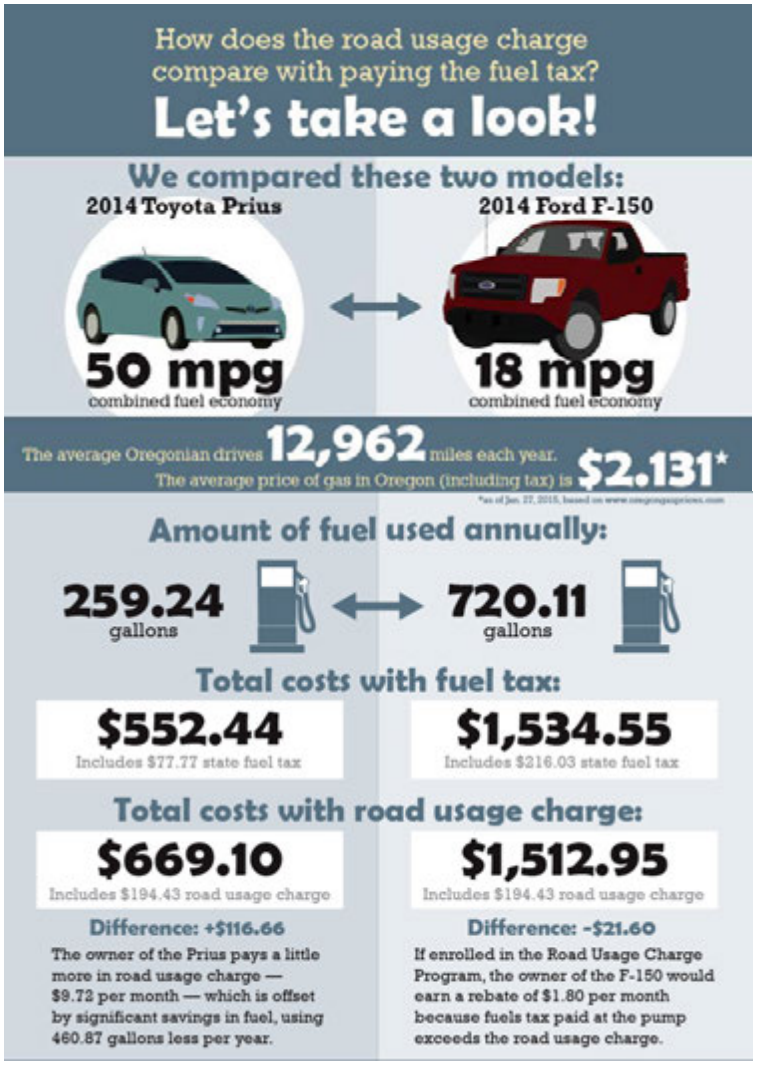
Relating road charges to fuel taxes is a useful tactic for public communications



Despite the confusion around fuel taxes noted elsewhere, people generally understand the purpose and function of fuel taxes. Given that road charges are intended as a policy substitute for fuel taxes, it is useful to present any facts and figures about road charging in conjunction with information about fuel taxes.

At left is an example used in Oregon. By presenting this juxtaposition of road charges and fuel taxes, it is hoped that residents will have a better understanding of the relationship between these two approaches to road funding.

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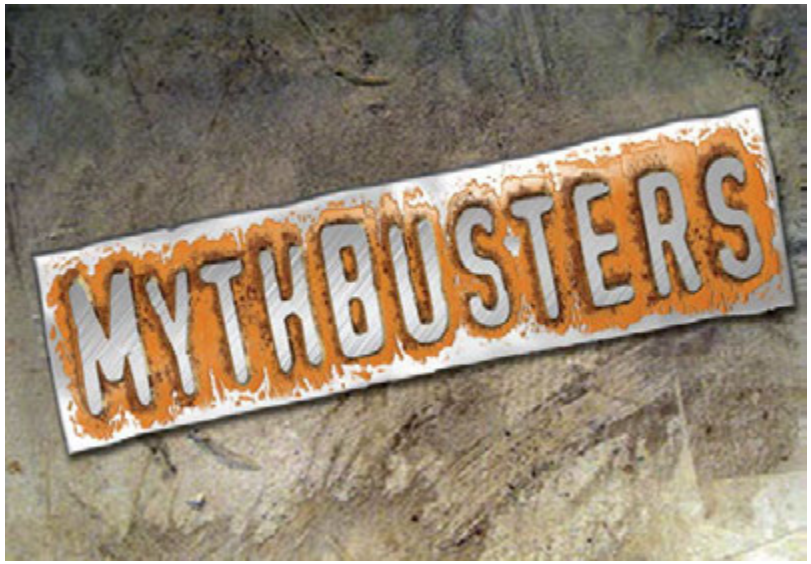
Another useful tactic is to correct myths with accurate, timely information



Media conversations with people about road charging around the U.S. have revealed many misconceptions. People who are not informed about road charging may see risk in unknown ideas or be negative to change—they tend to expect the worst outcomes.

We have observed that some people hold the following initial beliefs about road charging, for example:

- *Road charging is unfair (to rural residents, farmers, ranchers, low-income drivers, cross-state drivers, etc.)*. Research in other states shows that this is not generally the case. For example, Washington State research in 2014 found that on average, a rural driver will pay approximately $2 less per month and an urban driver will pay approximately $4 more per month.[8]
- *Road charging is an invasion of privacy.* 62% of Oregon media stories about that state's road charging program and legislation used the word "tracking." Tracking conjures images and thoughts of privacy violations and location awareness, but Oregon policy does not require location information and forbids state access to such information.
- *Road charging is double taxation*. People often think they will be charged both a fuel tax and a road charge. It will be important to clarify this in California.

[8] 2015. Washington State Transportation Commission. Road Usage Charge Assessment: Financial & Equity Implications for Urban & Rural Drivers.

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Based on experiences elsewhere and California's road charging program needs, we offer several recommendations for the program communications effort

- Provide the facts, publish a "Road Charging Facts" brochure, and provide this early to get ahead of any misunderstandings and misinformation.
- As information about the pilot program is decided, or becomes firmer, refresh and update the public.
- Leverage private partners' and vendors' advertising methods to correct misconceptions about road charging.
- Associate road charging with trusted California brands through partnerships such as technology companies, major employers, and educational institutions that may be involved in the pilot program.
- Look for endorsements of the careful approach being taken in California of studying and testing multiple concepts from a wide range of transportation and other industry groups.
- Use grassroots outreach for two-way conversations, and recruit those grassroots leaders to participate in the pilot.
- Develop a users' forum to answer questions and have two-way conversations, allowing people to feel good about their decision to participate by valuing their input.

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Communications activities planned in advance of the pilot program

1. Telephone surveys will be conducted to gather more complete information on what Californians currently think about road charging and road conditions. We will use telephone survey results to do the following:

- Analyze how the public understand the problem of funding our roads
- Get an updated sense of Californians' understanding of the gas tax
- Try to determine level of understanding and acceptability of a road charge

2. Focus groups will be convened to gain more detailed insights to Californians' understanding of road charging. We intend to use focus groups to do the following:

- Test for sensitivities to the information that needs to be emphasized
- Attempt to understand the right messaging in California
- Try to understand what terminology should be used

3. Results of the surveys and focus groups will be used to create accurate, comprehensible road charging messages that can be used before and during the pilot.

4. An evaluation plan will be designed to test public acceptance of various road charge methods when they are demonstrated during the pilot.

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April 1, 2015

TO: Kern Council of Governments

FROM: Ahron Hakimi,
Executive Director

BY: Becky Napier
Regional Planner

SUBECT: RPAC AGENDA ITEM: VII.
Kern Council of Governments Public Information Policies & Procedures

DESCRIPTION:

The 2010 California Regional Transportation Plan Guidelines (RTP) requires that a Metropolitan Planning Organization (MPO) develop a public participation plan prior to the development of the RTP. The forty-five (45) day public comment period on the Kern COG Draft 2015 Public Information Policies and Procedures began March 19, 2015.

DISCUSSION:

Pursuant to Senate Bill 375, Kern COG updated its Public Information Policies and Procedures (PIP) guide in 2011 to include additional provisions required for public participation. Prior to development of the 2018 RTP, Kern COG is updating the PIP to include Federal requirements for consultation with recognized Tribal Governments.

The 2010 California RTP Guidelines as well as Kern COG's 2011 PIP require a forty-five (45) day public comment period. The comment period began, March 19, 2015.

To review the Draft 2015 Public Information Policies and Procedures document follow the link below:

http://www.kerncog.org/images/docs/policies/draft_public_involvement_procedures_20150306.pdf

ACTION

Information

Kern Council
of Governments

April 1, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Ben Raymond, Regional Planner

SUBJECT: RPAC AGENDA ITEM NO. VIII.
REGIONAL GROWTH FORECAST UPDATE SCHEDULE

DESCRIPTION:

A consultant has been retained to assist in the update of the regional growth forecast countywide control totals in the Summer of 2015.

DISCUSSION:

Background

Kern COG has enter into a contract with PlaceWorks to update Kern's Regional Growth Forecast for 2014-2050. The regional growth forecast is reviewed, and revised as needed not less than every three years.

The Regional Growth Forecast Defined - The Kern COG regional growth forecast is a long-range projection for countywide total population. The population total is used to predict housing, employment, school enrollment, and income. The forecast is used for local transportation and air quality planning as well as by the member agencies for a variety of long range planning activities. This forecast revision will serve as the growth assumption for the 2018 Regional Transportation Plan/Sustainable Communities Strategy and Federal Transportation Improvement Program. The forecast is used as a control target for distribution of socio-economic data throughout the county sub areas. The forecast is based on Census Data and California Department of Finance (DOF) estimates for the base year. If forecast determines future growth to be more than 3% outside of DOF projections, Kern COG will need to provide detailed explanation for why the forecasts differs more 3% and work with DOF to agree to methodology of the forecast.

Review Requirements – Section 3 of the Kern COG Policy and Procedure Manual revised in May 2001 contains the Regional Transportation Modeling Policy. This policy states:

> "Socio-Economic Forecast Data – Countywide forecasts for households, employment and other socio-economic data shall be updated not less than 3 years from the time of the Socio-economic forecast. A minimum of three years between Countywide forecast revisions is needed to allow responsible state and federal agencies time to complete their review of large environmental documents without major changes to transportation circulation modeling results..."

The Kern COG adopted Public Policy and Procedure manual requires a 30-day advertised notice of public meetings/workshops regarding the regional growth forecast. Additional, extensive opportunities for public comment on the forecast will be provided as part of the 2018 Regional Transportation Plan adoption.

Committee Oversight – The Kern COG Regional Planning Advisory Committee (RPAC) will provide oversight during the growth forecast update. The committee is also responsible for sub-area distribution of the growth forecast following the adoption of the forecast. Recommendations on the regional growth forecast by the RPAC will be presented to the Transportation Technical Advisory Committee (TTAC) for consideration, and then to the Kern COG Board for final adoption.

Growth Forecast Timeline – The following schedule is anticipated for forecast adoption:

- April 7th, 2015 – Growth forecast project kick-off meeting with PlaceWorks
- May 6th, 2015 – RPAC growth forecast project status update
- June 3rd, 2015 – RPAC review initial draft forecast
- June 15th, 2015 – 30-day public notification (display adds/flyers/draft report available at www.kerncog.org)
- July 16th, 2015 – RPAC reviews draft report and makes recommendations to the Transportation Technical Advisory Committee (TTAC)
- July 1st, 2015 – TTAC reviews RPAC recommendations
- July 16th, 2015 – Televised Public Workshop on Forecast
- July 16th, 2015 – Close of 30-day public review period
- July 16th, 2015 – Kern COG Board reviews draft forecast for information and comments
- August 5th, 2015 – RPAC review public comments, and board comments and makes recommendation to the TTAC
- August 5th, 2015 -- TTAC considers public comments, RPAC recommendation and makes recommendation to the Kern COG Board.
- August 20th, 2015 – Kern COG Board Considers Public Comments, recommendations and adoption of the regional growth forecast.

ACTION: Information.

Kern Council of Governments

April 1, 2015

TO: Regional Planning Advisory Committee/
Transportation Modeling Committee

FROM: Ahron Hakimi,
Executive Director

BY: Rochelle Invina, Regional Planner

SUBJECT: RPAC AGENDA ITEM: IX.
Housing Element Update

DESCRIPTION:

Local housing elements are due to California Department of Housing and Community Development (HCD) by the end of December 2015 for jurisdictions to qualify for 8-year update cycle instead of the normal 4-year cycle.

DISCUSSION:

The Kern Council of Governments (Kern COG), acting in the capacity as the state-designated Regional Planning Agency, prepares the state mandated Regional Housing Needs Allocation (RHNA).
Kern COG worked with local governments, stakeholders, and HCD on the RHNA. Kern COG must identify areas within the region sufficient to house an eleven-year projection of the regional housing need. Additionally, the RHNA must allocate housing units within the region consistent with the development pattern included in the Sustainable Communities Strategy (SCS), and is part of the Regional Transportation Plan (RTP).

The 5th cycle regional housing needs assessment determination projection period is January 1, 2013 through December 31, 2023. The 5th cycle Housing Element planning period is from December 31, 2015 through December 31, 2023, and local housing elements are due to HCD by the end of December 2015. In September 2014, the California Housing and Community Development Department (HCD) approved Kern COG's RHNA Plan.

The California Department of Housing and Community Development's Division of Housing Policy Development (HPD) conducted housing element workshops to assist in the preparation of the housing element of the general plan in Fall 2014. In addition, HCD approved Kern COG's Kern Regional Housing Data Report which is a compilation of required data sets to help local jurisdictions prepare their housing element updates. HCD also developed the Housing Element Update Guidance which provides a streamlined review option for jurisdictions meeting specific requirements. The Data Report will be incorporated into HCD's streamlined and standard reviews of housing elements. Presentations from the workshops, Data Report and other housing element resources may be downloaded here: http://www.kerncog.org/regional-housing

Attachment: HCD Housing Element compliance status report (Kern cities on pages 3-4)

ACTION: Discussion, question and answer session on status of local Housing Element updates. Please contact Kern COG staff if assistance is needed.

HOUSING ELEMENT COMPLIANCE REPORT

Please note: To verify compliance status for the purposes of determining eligibility of funding, please contact the Division directly at (916) 263-7421 or (916) 263-7420.

The Department makes every effort to ensure the following information is complete and accurate. For any questions or clarifications, please contact the Division of Housing Policy Development at (916) 263-2911.

To determine the official status of each jurisdiction's housing element, refer to the column on the right. The definitions of terms used are:

IN – local government adopted an element the Department found in compliance with State housing element law.

OUT – either the local government adopted an element the Department found did not comply with State housing element law, or the local government has not yet submitted an adopted housing element pursuant to the statutory schedule.

IN REVIEW – element is under review by the Department as of date of this report.

OVER DUE – means element is OUT due to not yet being submitted for current planning period in which due date has passed.

DUE – means element is OUT for not submitted for current 5th planning period in which 10/15/13 due date has passed.

Total Jurisdictions= 538

03/09/2015

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

HOUSING ELEMENT COMPLIANCE STATUS	STATUS	LOCALITIES	PERCENT
	IN	400	74%
	IN REVIEW	41	8%
	OUT	42	8%
	OVER DUE	8	1%
	DUE	47	9%
	TOTAL	538	100%

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
ALAMEDA	ALAMEDA	ADOPTED	8/1/2014	9/5/2014	IN	5B
	ALAMEDA COUNTY	DRAFT	12/26/2014	2/23/2015	OUT	5B
	ALBANY	ADOPTED	2/12/2015	2/19/2015	IN	5B
	BERKELEY	DRAFT	12/22/2014	2/17/2015	OUT	5B
	DUBLIN	ADOPTED	12/12/2014	1/21/2015	IN	5B
	EMERYVILLE	ADOPTED	12/1/2014	1/28/2015	IN	5B
	FREMONT	ADOPTED	12/18/2014	2/4/2015	IN	5B
	HAYWARD	ADOPTED	1/26/2015	-	IN REVIEW	5B
	LIVERMORE	DRAFT	12/24/2014	2/19/2015	OUT	5B
	NEWARK	DRAFT	3/5/2015	-	IN REVIEW	5B
	OAKLAND	ADOPTED	1/30/2015	3/5/2015	IN	5B
	PIEDMONT	ADOPTED	12/16/2014	12/24/2014	IN	5B
	PLEASANTON	ADOPTED	1/21/2015	1/30/2015	IN	5B
	SAN LEANDRO	ADOPTED	1/30/2015	2/5/2015	IN	5B
	UNION CITY	ADOPTED	1/30/2015	2/19/2015	IN	5B
ALPINE	ALPINE COUNTY	DRAFT	6/30/2014	-	DUE	5F
AMADOR	AMADOR	DRAFT	6/30/2014	-	DUE	5F
	AMADOR COUNTY	DRAFT	1/30/2015	-	IN REVIEW	5F
	IONE	DRAFT	1/14/2015	-	IN REVIEW	5F
	JACKSON	DRAFT	1/14/2015	-	IN REVIEW	5F
	PLYMOUTH	DRAFT	2/23/2015	-	IN REVIEW	5F
	SUTTER CREEK	DRAFT	1/14/2015	-	IN REVIEW	5F
BUTTE	BIGGS	ADOPTED	6/16/2014	8/21/2014	IN	5F1
	BUTTE COUNTY	ADOPTED	9/2/2014	9/19/2014	IN	5F1
	CHICO	ADOPTED	6/27/2014	8/6/2014	IN	5F1
	GRIDLEY	ADOPTED	12/24/2014	3/3/2015	IN	5F1
	OROVILLE	ADOPTED	6/9/2014	6/17/2014	IN	5F1
	PARADISE	ADOPTED	6/13/2014	6/27/2014	IN	5F1
CALAVERAS	ANGELS CAMP	DRAFT	6/30/2014	-	DUE	5F
	CALAVERAS COUNTY	DRAFT	3/3/2015	-	IN REVIEW	5F
COLUSA	COLUSA	DRAFT	3/12/2014	4/30/2014	OUT	4F
	COLUSA COUNTY	ADOPTED	7/22/2014	9/9/2014	IN	5F
	WILLIAMS	DRAFT	6/30/2014	-	DUE	5F
CONTRA COSTA	ANTIOCH	DRAFT	12/22/2014	2/20/2015	IN	5B
	BRENTWOOD	DRAFT	11/20/2014	1/13/2015	IN	5B
	CLAYTON	ADOPTED	12/1/2014	12/11/2014	IN	5B
	CONCORD	ADOPTED	1/13/2015	1/20/2015	IN	5B
	CONTRA COSTA COUNTY	ADOPTED	12/12/2014	-	IN REVIEW	5B
	DANVILLE	DRAFT	12/26/2014	2/24/2015	IN	5B
	EL CERRITO	DRAFT	12/24/2014	2/12/2015	IN	5B
	HERCULES	DRAFT	1/22/2015	2/23/2015	OUT	5B
	LAFAYETTE	DRAFT	12/3/2014	1/23/2015	IN	5B
	MARTINEZ	DRAFT	3/6/2015	-	IN REVIEW	5B
	MORAGA	ADOPTED	1/30/2015	2/11/2015	IN	5B

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
CONTRA COSTA	OAKLEY	ADOPTED	2/3/2015	-	IN REVIEW	5B
	ORINDA	DRAFT	12/26/2014	2/17/2015	OUT	5B
	PINOLE	DRAFT	9/19/2014	11/12/2014	IN	5B
	PITTSBURG	DRAFT	12/31/2014	2/17/2015	IN	5B
	PLEASANT HILL	DRAFT	6/26/2014	8/25/2014	IN	5B
	RICHMOND	ADOPTED	1/18/2013	3/4/2013	IN	4B
	SAN PABLO	DRAFT	1/5/2015	2/26/2015	OUT	5B
	SAN RAMON	DRAFT	2/18/2015	-	IN REVIEW	5B
	WALNUT CREEK	ADOPTED	9/22/2014	9/25/2014	IN	5B
DEL NORTE	CRESCENT CITY	DRAFT	6/30/2014	-	DUE	5F
	DEL NORTE COUNTY	ADOPTED	9/19/2014	9/24/2014	IN	5F
EL DORADO	EL DORADO COUNTY	ADOPTED	11/6/2013	11/13/2013	IN	5C
	PLACERVILLE	ADOPTED	2/18/2014	3/5/2014	IN	5C
	SOUTH LAKE TAHOE	ADOPTED	5/30/2014	7/16/2014	IN	5C1
FRESNO	CLOVIS	ADOPTED	9/20/2010	12/1/2010	IN	4C
	COALINGA	ADOPTED	6/10/2011	8/11/2011	IN	4C
	FIREBAUGH	ADOPTED	11/2/2009	1/19/2010	IN	4C
	FOWLER	DRAFT	-	-	OVER DUE	4C
	FRESNO	ADOPTED	2/2/2009	2/27/2009	IN	4C
	FRESNO COUNTY	DRAFT	-	-	OVER DUE	4C
	HURON	ADOPTED	6/5/2012	6/26/2012	IN	4C
	KERMAN	DRAFT	8/18/2010	10/14/2010	OUT	4C
	KINGSBURG	DRAFT	-	-	OVER DUE	4C
	MENDOTA	DRAFT	-	-	OVER DUE	4C
	ORANGE COVE	ADOPTED	5/29/2009	6/1/2009	IN	4C
	PARLIER	ADOPTED	6/26/2009	7/15/2009	IN	4C
	REEDLEY	ADOPTED	10/15/2014	11/5/2014	IN	4C
	SAN JOAQUIN	ADOPTED	1/19/2010	3/22/2010	IN	4C
	SANGER	DRAFT	9/12/2012	12/11/2012	OUT	4C
	SELMA	DRAFT	10/18/2010	12/17/2010	OUT	4C
GLENN	GLENN COUNTY	DRAFT	10/31/2014	12/29/2014	OUT	5F
	ORLAND	ADOPTED	8/13/2014	9/5/2014	IN	5F
	WILLOWS	ADOPTED	1/26/2015	-	IN REVIEW	5F
HUMBOLDT	ARCATA	ADOPTED	8/11/2014	8/21/2014	IN	5F
	BLUE LAKE	DRAFT	6/30/2014	-	DUE	5F
	EUREKA	ADOPTED	6/26/2014	7/7/2014	IN	5F
	FERNDALE	ADOPTED	9/16/2014	9/19/2014	IN	5F
	FORTUNA	DRAFT	6/30/2014	-	DUE	5F
	HUMBOLDT COUNTY	ADOPTED	5/20/2014	8/13/2014	IN	5F
	RIO DELL	DRAFT	6/30/2014	-	DUE	5F
	TRINIDAD	DRAFT	6/30/2014	-	DUE	5F
IMPERIAL	BRAWLEY	ADOPTED	12/16/2013	12/20/2013	IN	5A
	CALEXICO	ADOPTED	2/3/2014	4/3/2014	IN	5A
	CALIPATRIA	DRAFT	-	-	DUE	5A
	EL CENTRO	ADOPTED	9/20/2013	10/21/2013	IN	5A
	HOLTVILLE	DRAFT	-	-	DUE	5A
	IMPERIAL	ADOPTED	1/16/2015	2/12/2015	IN	5A
	IMPERIAL COUNTY	ADOPTED	9/30/2013	11/19/2013	IN	5A
	WESTMORLAND	DRAFT	-	-	DUE	5A
INYO	BISHOP	ADOPTED	4/14/2014	4/17/2014	IN	5F
	INYO COUNTY	ADOPTED	6/23/2014	6/26/2014	IN	5F
KERN	ARVIN	ADOPTED	3/30/2012	6/28/2012	IN	4C
	BAKERSFIELD	ADOPTED	3/16/2009	4/8/2009	IN	4C
	CALIFORNIA CITY	ADOPTED	12/16/2014	12/22/2014	IN	5C2
	DELANO	ADOPTED	3/13/2012	4/10/2012	IN	4C

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
KERN	KERN COUNTY	ADOPTED	2/11/2009	3/16/2009	IN	4C
	MARICOPA	ADOPTED	6/12/2009	9/9/2009	OUT	4C
	MCFARLAND	ADOPTED	8/2/2010	10/29/2010	IN	4C
	RIDGECREST	DRAFT	12/12/2014	2/9/2015	IN	5C2
	SHAFTER	ADOPTED	4/15/2010	7/14/2010	IN	4C
	TAFT	ADOPTED	7/27/2009	8/13/2009	IN	4C
	TEHACHAPI	ADOPTED	5/21/2014	6/2/2014	IN	4C
	WASCO	ADOPTED	7/28/2009	8/4/2009	IN	4C
KINGS	AVENAL	ADOPTED	6/9/2010	7/16/2010	IN	4F
	CORCORAN	ADOPTED	6/9/2010	7/16/2010	IN	4F
	HANFORD	ADOPTED	6/9/2010	7/16/2010	IN	4F
	KINGS COUNTY	ADOPTED	6/9/2010	7/16/2010	IN	4F
	LEMOORE	ADOPTED	6/9/2010	7/16/2010	IN	4F
LAKE	CLEARLAKE	DRAFT	11/12/2014	1/8/2015	OUT	5F
	LAKE COUNTY	DRAFT	6/30/2014	-	DUE	5F
	LAKEPORT	ADOPTED	8/25/2014	11/17/2014	IN	5F
LASSEN	LASSEN COUNTY	ADOPTED	6/30/2014	7/1/2014	IN	5F
	SUSANVILLE	DRAFT	6/30/2014	-	DUE	5F
LOS ANGELES	AGOURA HILLS	ADOPTED	9/3/2013	9/19/2013	IN	5A
	ALHAMBRA	ADOPTED	1/17/2014	2/4/2014	IN	5A
	ARCADIA	ADOPTED	12/5/2013	12/20/2013	IN	5A
	ARTESIA	ADOPTED	2/13/2014	4/3/2014	IN	5A
	AVALON	ADOPTED	2/5/2015	2/6/2015	IN	5A
	AZUSA	ADOPTED	10/25/2013	11/4/2013	IN	5A
	BALDWIN PARK	ADOPTED	10/11/2013	11/26/2013	IN	5A
	BELL	DRAFT	-	-	DUE	5A
	BELL GARDENS	ADOPTED	1/21/2014	2/27/2014	IN	5A
	BELLFLOWER	ADOPTED	10/7/2013	11/26/2013	IN	5A
	BEVERLY HILLS	ADOPTED	1/9/2014	2/27/2014	IN	5A
	BRADBURY	ADOPTED	12/23/2014	3/5/2015	IN	5A
	BURBANK	ADOPTED	1/23/2014	2/4/2014	IN	5A
	CALABASAS	ADOPTED	9/26/2013	10/15/2013	IN	5A
	CARSON	ADOPTED	10/30/2013	12/10/2013	IN	5A
	CERRITOS	ADOPTED	1/31/2014	2/6/2014	IN	5A
	CLAREMONT	DRAFT	8/16/2013	10/14/2013	OUT	5A
	COMMERCE	ADOPTED	11/13/2013	11/27/2013	IN	5A
	COMPTON	DRAFT	-	-	DUE	5A
	COVINA	DRAFT	-	-	DUE	5A
	CUDAHY	ADOPTED	1/28/2014	3/6/2014	OUT	5A
	CULVER CITY	ADOPTED	2/10/2014	2/19/2014	IN	5A
	DIAMOND BAR	ADOPTED	1/28/2014	2/27/2014	IN	5A
	DOWNEY	ADOPTED	6/28/2013	8/22/2013	IN	5A
	DUARTE	ADOPTED	2/19/2014	3/28/2014	IN	5A
	EL MONTE	ADOPTED	1/2/2014	3/17/2014	IN	5A
	EL SEGUNDO	ADOPTED	2/7/2014	2/24/2014	IN	5A
	GARDENA	ADOPTED	12/2/2013	12/10/2013	IN	5A
	GLENDALE	ADOPTED	2/5/2014	2/24/2014	IN	5A
	GLENDORA	ADOPTED	11/20/2013	11/26/2013	IN	5A
	HAWAIIAN GARDENS	ADOPTED	9/30/2013	10/21/2013	IN	5A
	HAWTHORNE	ADOPTED	2/19/2014	3/21/2014	IN	5A
	HERMOSA BEACH	ADOPTED	9/27/2013	10/18/2013	IN	5A
	HIDDEN HILLS	ADOPTED	1/31/2014	4/9/2014	IN	5A
	HUNTINGTON PARK	ADOPTED	2/26/2009	4/7/2009	DUE	5A
	INDUSTRY	ADOPTED	2/12/2014	3/21/2014	IN	5A
	INGLEWOOD	ADOPTED	4/1/2014	5/20/2014	IN	5A
	IRWINDALE	ADOPTED	9/18/2013	9/26/2013	IN	5A
	LA CANADA FLINTRIDGE	ADOPTED	2/19/2014	3/5/2014	IN	5A

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
LOS ANGELES	LA HABRA HEIGHTS	DRAFT	10/15/2013	-	DUE	5A
	LA MIRADA	ADOPTED	2/25/2014	4/30/2014	IN	5A
	LA PUENTE	DRAFT	10/15/2013	-	DUE	5A
	LA VERNE	ADOPTED	12/9/2013	1/3/2014	IN	5A
	LAKEWOOD	ADOPTED	8/16/2013	10/9/2013	IN	5A
	LANCASTER	ADOPTED	10/28/2013	12/31/2013	IN	5A
	LAWNDALE	ADOPTED	1/15/2014	2/21/2014	IN	5A
	LOMITA	ADOPTED	2/7/2014	2/19/2014	IN	5A
	LONG BEACH	ADOPTED	1/15/2014	4/2/2014	IN	5A
	LOS ANGELES	ADOPTED	1/10/2014	4/2/2014	IN	5A
	LOS ANGELES COUNTY	ADOPTED	2/5/2014	4/30/2014	IN	5A
	LYNWOOD	ADOPTED	9/13/2013	10/11/2013	IN	5A
	MALIBU	ADOPTED	1/16/2014	2/12/2014	IN	5A
	MANHATTAN BEACH	ADOPTED	2/10/2014	2/24/2014	IN	5A
	MAYWOOD	ADOPTED	2/24/2014	5/22/2014	OUT	5A
	MONROVIA	ADOPTED	2/13/2014	3/21/2014	IN	5A
	MONTEBELLO	DRAFT	1/28/2014	3/28/2014	OUT	5A
	MONTEREY PARK	ADOPTED	12/23/2013	2/4/2014	IN	5A
	NORWALK	ADOPTED	6/26/2014	8/13/2014	IN	5A
	PALMDALE	ADOPTED	1/3/2014	2/27/2014	IN	5A
	PALOS VERDES ESTATES	ADOPTED	7/23/2014	7/28/2014	IN	5A
	PARAMOUNT	ADOPTED	2/13/2014	3/10/2014	OUT	5A
	PASADENA	ADOPTED	2/13/2014	2/24/2014	IN	5A
	PICO RIVERA	ADOPTED	10/23/2013	11/12/2013	IN	5A
	POMONA	ADOPTED	2/21/2014	5/19/2014	OUT	5A
	RANCHO PALOS VERDES	ADOPTED	2/10/2014	4/9/2014	IN	5A
	REDONDO BEACH	ADOPTED	4/7/2014	5/5/2014	OUT	5A
	ROLLING HILLS	ADOPTED	3/3/2014	5/30/2014	OUT	5A
	ROLLING HILLS ESTATES	ADOPTED	4/14/2014	4/29/2014	IN	5A
	ROSEMEAD	ADOPTED	12/2/2013	12/16/2013	IN	5A
	SAN DIMAS	ADOPTED	12/16/2013	12/20/2013	IN	5A
	SAN FERNANDO	ADOPTED	1/24/2014	3/18/2014	IN	5A
	SAN GABRIEL	ADOPTED	9/23/2013	10/16/2013	IN	5A
	SAN MARINO	ADOPTED	1/21/2015	2/13/2015	IN	5A
	SANTA CLARITA	ADOPTED	10/25/2013	11/5/2013	IN	5A
	SANTA FE SPRINGS	ADOPTED	2/18/2014	2/24/2014	IN	5A
	SANTA MONICA	ADOPTED	1/6/2014	1/29/2014	IN	5A
	SIERRA MADRE	ADOPTED	2/14/2014	3/21/2014	IN	5A
	SIGNAL HILL	ADOPTED	2/11/2014	3/18/2014	IN	5A
	SOUTH EL MONTE	DRAFT	10/15/2013	-	DUE	5A
	SOUTH GATE	ADOPTED	2/14/2014	3/17/2014	OUT	5A
	SOUTH PASADENA	ADOPTED	1/21/2014	2/27/2014	IN	5A
	TEMPLE CITY	ADOPTED	2/3/2014	3/20/2014	IN	5A
	TORRANCE	ADOPTED	10/15/2013	11/21/2013	IN	5A
	VERNON	ADOPTED	2/28/2013	4/10/2013	IN	5A
	WALNUT	ADOPTED	2/19/2014	2/25/2014	IN	5A
	WEST COVINA	ADOPTED	10/23/2013	11/5/2013	IN	5A
	WEST HOLLYWOOD	ADOPTED	12/13/2013	1/14/2014	IN	5A
	WESTLAKE VILLAGE	ADOPTED	2/24/2014	5/20/2014	OUT	5A
	WHITTIER	ADOPTED	12/20/2013	2/6/2014	IN	5A

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
MADERA	CHOWCHILLA	ADOPTED	2/10/2014	2/19/2014	IN	4F
	MADERA	ADOPTED	8/24/2010	8/26/2010	IN	4F
	MADERA COUNTY	DRAFT	12/24/2014	2/17/2015	IN	5F
MARIN	BELVEDERE	DRAFT	1/20/2015	-	IN REVIEW	5B
	CORTE MADERA	DRAFT	2/23/2015	-	IN REVIEW	5B
	FAIRFAX	ADOPTED	10/25/2013	11/20/2013	IN	4B
	LARKSPUR	DRAFT	2/27/2015	-	IN REVIEW	5B
	MARIN COUNTY	ADOPTED	12/22/2014	-	IN REVIEW	5B
	MILL VALLEY	DRAFT	11/5/2014	12/30/2014	IN	5B
	NOVATO	ADOPTED	12/10/2014	1/23/2015	IN	5B
	ROSS	DRAFT	1/5/2015	2/19/2015	OUT	5B
	SAN ANSELMO	DRAFT	2/18/2015	-	IN REVIEW	5B
	SAN RAFAEL	ADOPTED	1/14/2015	1/23/2015	IN	5B
	SAUSALITO	ADOPTED	2/11/2015	-	IN REVIEW	5B
	TIBURON	ADOPTED	8/25/2014	9/5/2014	IN	5B
MARIPOSA	MARIPOSA COUNTY	DRAFT	6/30/2014	-	DUE	5F
MENDOCINO	FORT BRAGG	ADOPTED	12/29/2014	12/31/2014	IN	5F
	MENDOCINO COUNTY	DRAFT	1/23/2015	-	IN REVIEW	5F
	POINT ARENA	DRAFT	6/30/2014	-	DUE	5F
	UKIAH	DRAFT	6/30/2014	-	DUE	5F
	WILLITS	DRAFT	6/30/2014	-	DUE	5F
MERCED	ATWATER	DRAFT	6/21/2010	8/18/2010	OUT	4F
	DOS PALOS	DRAFT	-	-	OVER DUE	4F
	GUSTINE	ADOPTED	7/28/2011	8/3/2011	IN	4F
	LIVINGSTON	ADOPTED	8/11/2010	10/27/2010	IN	4F
	LOS BANOS	ADOPTED	6/8/2010	6/28/2010	IN	4F
	MERCED	ADOPTED	11/23/2011	12/30/2011	IN	4F
	MERCED COUNTY	ADOPTED	6/23/2010	8/31/2010	IN	4F
MODOC	ALTURAS	DRAFT	6/30/2014	-	DUE	5F
	MODOC COUNTY	DRAFT	6/30/2014	-	DUE	5F
MONO	MAMMOTH LAKES	ADOPTED	6/25/2014	7/1/2014	IN	5F
	MONO COUNTY	ADOPTED	6/16/2014	6/17/2014	IN	5F
MONTEREY	CARMEL	ADOPTED	7/23/2010	10/19/2010	IN	4D
	DEL REY OAKS	DRAFT	8/11/2006	10/4/2006	DUE	4D
	GONZALES	ADOPTED	6/25/2009	8/13/2009	IN	4D
	GREENFIELD	ADOPTED	8/16/2012	8/17/2012	IN	4D
	KING CITY	ADOPTED	6/24/2010	7/15/2010	IN	4D
	MARINA	ADOPTED	9/22/2009	12/16/2009	IN	4D
	MONTEREY	ADOPTED	7/14/2009	10/8/2009	IN	4D
	MONTEREY COUNTY	ADOPTED	6/17/2010	8/18/2010	IN	4D
	PACIFIC GROVE	ADOPTED	10/28/2011	12/14/2011	IN	4D
	SALINAS	ADOPTED	4/14/2011	5/6/2011	IN	4D
	SAND CITY	ADOPTED	3/1/2010	4/13/2010	IN	4D
	SEASIDE	ADOPTED	2/22/2011	3/23/2011	IN	4D
	SOLEDAD	ADOPTED	6/26/2009	9/24/2009	IN	4D
NAPA	AMERICAN CANYON	DRAFT	12/5/2014	1/21/2015	IN	5B
	CALISTOGA	ADOPTED	1/12/2015	3/2/2015	IN	5B
	NAPA	DRAFT	7/16/2014	8/7/2014	IN	5B
	NAPA COUNTY	ADOPTED	12/22/2014	3/3/2015	IN	5B
	SAINT HELENA	DRAFT	3/3/2015	-	IN REVIEW	5B
	YOUNTVILLE	ADOPTED	2/9/2015	-	IN REVIEW	5B

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
NEVADA	GRASS VALLEY	ADOPTED	9/26/2014	10/7/2014	IN	5F
	NEVADA CITY	ADOPTED	4/16/2014	4/18/2014	IN	5F
	NEVADA COUNTY	ADOPTED	6/27/2014	7/17/2014	IN	5F
	TRUCKEE	ADOPTED	1/26/2015	2/5/2015	IN	5F
ORANGE	ALISO VIEJO	ADOPTED	1/24/2014	4/23/2014	IN	5A
	ANAHEIM	ADOPTED	2/21/2014	3/17/2014	IN	5A
	BREA	ADOPTED	11/22/2013	11/26/2013	IN	5A
	BUENA PARK	ADOPTED	12/4/2013	12/6/2013	IN	5A
	COSTA MESA	ADOPTED	1/29/2014	2/5/2014	IN	5A
	CYPRESS	ADOPTED	10/24/2013	11/4/2013	IN	5A
	DANA POINT	ADOPTED	12/23/2013	1/8/2014	IN	5A
	FOUNTAIN VALLEY	ADOPTED	2/11/2014	3/12/2014	IN	5A
	FULLERTON	DRAFT	1/13/2015	-	IN REVIEW	5A
	GARDEN GROVE	ADOPTED	6/6/2013	6/14/2013	IN	5A
	HUNTINGTON BEACH	ADOPTED	10/1/2013	11/12/2013	IN	5A
	IRVINE	ADOPTED	9/17/2013	11/4/2013	IN	5A
	LA HABRA	ADOPTED	1/30/2014	2/5/2014	IN	5A
	LA PALMA	ADOPTED	2/3/2014	2/12/2014	IN	5A
	LAGUNA BEACH	ADOPTED	2/11/2014	3/17/2014	IN	5A
	LAGUNA HILLS	ADOPTED	10/15/2013	11/5/2013	IN	5A
	LAGUNA NIGUEL	ADOPTED	9/10/2013	11/5/2013	IN	5A
	LAGUNA WOODS	ADOPTED	2/10/2014	2/27/2014	IN	5A
	LAKE FOREST	ADOPTED	1/15/2014	1/21/2014	IN	5A
	LOS ALAMITOS	ADOPTED	2/10/2014	2/25/2014	IN	5A
	MISSION VIEJO	ADOPTED	3/6/2013	3/7/2013	IN	5A
	NEWPORT BEACH	ADOPTED	10/18/2013	10/31/2013	IN	5A
	ORANGE	ADOPTED	2/12/2014	3/19/2014	IN	5A
	ORANGE COUNTY	ADOPTED	1/9/2014	1/29/2014	IN	5A
	PLACENTIA	ADOPTED	1/16/2014	2/4/2014	IN	5A
	RANCHO ST. MARGARITA	ADOPTED	10/10/2013	10/17/2013	IN	5A
	SAN CLEMENTE	DRAFT	10/15/2013	-	DUE	5A
	SAN JUAN CAPISTRANO	ADOPTED	2/6/2014	2/24/2014	IN	5A
	SANTA ANA	ADOPTED	2/14/2014	4/23/2014	IN	5A
	SEAL BEACH	ADOPTED	10/18/2013	11/6/2013	IN	5A
	STANTON	ADOPTED	10/15/2013	11/5/2013	IN	5A
	TUSTIN	ADOPTED	10/15/2013	11/6/2013	IN	5A
	VILLA PARK	DRAFT	10/15/2013	12/13/2013	OUT	5A
	WESTMINSTER	ADOPTED	2/6/2014	4/9/2014	IN	5A
	YORBA LINDA	ADOPTED	10/28/2013	11/4/2013	IN	5A
PLACER	AUBURN	ADOPTED	2/12/2014	2/20/2014	IN	5C
	COLFAX	ADOPTED	3/7/2014	3/19/2014	IN	5C
	LINCOLN	ADOPTED	11/18/2013	2/7/2014	IN	5C
	LOOMIS	ADOPTED	2/24/2014	4/30/2014	IN	5C
	PLACER COUNTY	ADOPTED	10/16/2013	11/22/2013	IN	5C
	ROCKLIN	ADOPTED	10/28/2013	12/16/2013	IN	5C
	ROSEVILLE	ADOPTED	7/1/2013	8/22/2013	IN	5C
PLUMAS	PLUMAS COUNTY	DRAFT	6/30/2014	-	DUE	5F
	PORTOLA	DRAFT	6/30/2014	-	DUE	5F
RIVERSIDE	BANNING	ADOPTED	1/20/2015	-	IN REVIEW	5F
	BEAUMONT	ADOPTED	1/13/2014	2/21/2014	IN	5A
	BLYTHE	ADOPTED	2/20/2014	2/24/2014	IN	5A
	CALIMESA	ADOPTED	2/4/2014	3/17/2014	IN	5A
	CANYON LAKE	DRAFT	10/15/2013	-	DUE	5A
	CATHEDRAL	ADOPTED	12/23/2014	2/19/2015	IN	5A
	COACHELLA	ADOPTED	2/24/2014	4/2/2014	IN	5A
	CORONA	ADOPTED	12/10/2013	12/12/2013	IN	5A
	DESERT HOT SPRINGS	DRAFT	10/15/2013	-	DUE	5A

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
RIVERSIDE	EASTVALE	ADOPTED	6/24/2013	6/25/2013	IN	5A
	HEMET	ADOPTED	1/23/2014	1/29/2014	IN	5A
	INDIAN WELLS	ADOPTED	11/20/2013	1/3/2014	IN	5A
	INDIO	ADOPTED	1/28/2014	2/21/2014	IN	5A
	LA QUINTA	ADOPTED	12/4/2013	2/19/2014	IN	5A
	LAKE ELSINORE	ADOPTED	9/4/2013	9/16/2013	IN	5A
	MENIFEE	ADOPTED	2/25/2014	3/5/2014	IN	5A
	MORENO VALLEY	ADOPTED	2/24/2014	5/19/2014	IN	5A
	MURRIETA	ADOPTED	10/14/2013	1/9/2014	IN	5A
	NORCO	ADOPTED	11/22/2013	1/15/2014	IN	5A
	PALM DESERT	ADOPTED	9/30/2013	11/13/2013	IN	5A
	PALM SPRINGS	DRAFT	10/17/2013	12/16/2013	OUT	5A
	PERRIS	ADOPTED	10/7/2013	10/15/2013	IN	5A
	RANCHO MIRAGE	ADOPTED	12/23/2013	1/21/2014	IN	5A
	RIVERSIDE	DRAFT	7/29/2014	9/26/2014	OUT	5A
	RIVERSIDE COUNTY	DRAFT	12/10/2013	2/7/2014	OUT	5A
	SAN JACINTO	ADOPTED	9/23/2013	9/26/2013	IN	5A
	TEMECULA	ADOPTED	2/3/2014	3/10/2014	IN	5A
	WILDOMAR	ADOPTED	12/31/2013	1/6/2014	IN	5A
SACRAMENTO	CITRUS HEIGHTS	ADOPTED	5/28/2013	6/4/2013	IN	5C
	ELK GROVE	ADOPTED	2/28/2014	3/21/2014	IN	5C
	FOLSOM	ADOPTED	11/4/2013	12/3/2013	IN	5C
	GALT	ADOPTED	2/12/2014	2/20/2014	IN	5C
	ISLETON	ADOPTED	2/27/2014	4/24/2014	IN	5C
	RANCHO CORDOVA	ADOPTED	1/13/2014	1/29/2014	IN	5C
	SACRAMENTO	ADOPTED	1/9/2014	3/19/2014	IN	5C
	SACRAMENTO COUNTY	ADOPTED	11/5/2013	12/26/2013	IN	5C
SAN BENITO	HOLLISTER	ADOPTED	12/10/2009	1/12/2010	IN	4F
	SAN BENITO COUNTY	ADOPTED	5/18/2010	6/22/2010	IN	4F
	SAN JUAN BAUTISTA	ADOPTED	4/11/2014	5/30/2014	IN	4F
SAN BERNARDINO	ADELANTO	ADOPTED	2/10/2014	3/5/2014	IN	5A
	APPLE VALLEY	ADOPTED	10/11/2013	10/18/2013	IN	5A
	BARSTOW	DRAFT	12/1/2014	1/30/2015	OUT	5A
	BIG BEAR LAKE	ADOPTED	7/10/2013	8/19/2013	IN	5A
	CHINO	ADOPTED	10/7/2013	11/20/2013	IN	5A
	CHINO HILLS	ADOPTED	10/25/2013	12/10/2013	IN	5A
	COLTON	ADOPTED	2/12/2014	5/12/2014	IN	5A
	FONTANA	ADOPTED	10/15/2014	11/3/2014	IN	5A
	GRAND TERRACE	ADOPTED	2/28/2014	3/17/2014	OUT	5A
	HESPERIA	ADOPTED	3/6/2014	3/19/2014	IN	5A
	HIGHLAND	ADOPTED	5/30/2013	6/21/2013	IN	5A
	LOMA LINDA	ADOPTED	2/14/2014	2/24/2014	IN	5A
	MONTCLAIR	ADOPTED	2/12/2014	2/24/2014	OUT	5A
	NEEDLES	DRAFT	10/15/2013	-	DUE	5A
	ONTARIO	ADOPTED	11/1/2013	11/6/2013	IN	5A
	RANCHO CUCAMONGA	ADOPTED	1/24/2014	3/21/2014	IN	5A
	REDLANDS	ADOPTED	2/10/2014	2/27/2014	IN	5A
	RIALTO	DRAFT	10/15/2013	-	DUE	5A
	SAN BERNARDINO	ADOPTED	2/21/2014	3/28/2014	IN	5A
	SAN BERNARDINO COUNTY	ADOPTED	7/3/2014	9/25/2014	IN	5A
	TWENTYNINE PALMS	ADOPTED	2/28/2014	4/9/2014	IN	5A
	UPLAND	ADOPTED	2/28/2014	5/29/2014	OUT	5A
	VICTORVILLE	ADOPTED	10/6/2014	1/2/2015	IN	5A
	YUCAIPA	ADOPTED	8/16/2013	9/23/2013	IN	5A
	YUCCA VALLEY	ADOPTED	2/14/2014	3/19/2014	IN	5A

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
SAN DIEGO	CARLSBAD	DRAFT	7/29/2013	9/10/2013	OUT	5E
	CHULA VISTA	ADOPTED	5/7/2013	5/15/2013	IN	5E
	CORONADO	ADOPTED	3/1/2013	3/6/2013	IN	5E
	DEL MAR	ADOPTED	5/28/2013	6/6/2013	IN	5E
	EL CAJON	ADOPTED	9/3/2013	9/9/2013	IN	5E
	ENCINITAS	DRAFT	8/10/2007	10/9/2007	OUT	4E
	ESCONDIDO	ADOPTED	1/17/2013	2/6/2013	IN	5E
	IMPERIAL BEACH	ADOPTED	2/13/2013	2/21/2013	IN	5E
	LA MESA	ADOPTED	7/18/2013	7/29/2013	IN	5E
	LEMON GROVE	ADOPTED	9/11/2012	10/8/2012	IN	5E
	NATIONAL CITY	ADOPTED	4/26/2013	5/6/2013	IN	5E
	OCEANSIDE	ADOPTED	10/23/2013	10/23/2013	IN	5E
	POWAY	ADOPTED	6/17/2013	6/19/2013	IN	5E
	SAN DIEGO	ADOPTED	3/25/2013	4/5/2013	IN	5E
	SAN DIEGO COUNTY	ADOPTED	5/7/2013	5/9/2013	IN	5E
	SAN MARCOS	ADOPTED	7/9/2013	7/15/2013	IN	5E
	SANTEE	ADOPTED	4/15/2013	4/16/2013	IN	5E
	SOLANA BEACH	ADOPTED	2/22/2013	3/4/2013	IN	5E
	VISTA	ADOPTED	5/1/2013	5/15/2013	IN	5E
SAN FRANCISCO	SAN FRANCISCO	DRAFT	7/14/2014	9/10/2014	IN	5B
SAN JOAQUIN	ESCALON	ADOPTED	3/9/2010	4/19/2010	IN	4F
	LATHROP	ADOPTED	8/31/2010	10/25/2010	IN	4F
	LODI	ADOPTED	10/26/2011	12/19/2011	IN	4F
	MANTECA	ADOPTED	6/21/2010	9/13/2010	IN	4F
	RIPON	DRAFT	-	-	OVER DUE	4F
	SAN JOAQUIN COUNTY	ADOPTED	1/25/2010	3/17/2010	IN	4F
	STOCKTON	ADOPTED	5/26/2010	6/29/2010	IN	4F
	TRACY	ADOPTED	6/7/2012	7/26/2012	IN	4F
SAN LUIS OBISPO	ARROYO GRANDE	DRAFT	9/30/2014	11/25/2014	OUT	5F
	ATASCADERO	ADOPTED	3/3/2015	-	IN REVIEW	5F
	GROVER BEACH	ADOPTED	7/2/2014	8/12/2014	IN	5F
	MORRO BAY	ADOPTED	7/7/2014	10/2/2014	IN	5F
	PASO ROBLES	ADOPTED	10/21/2014	10/28/2014	IN	5F
	PISMO BEACH	DRAFT	6/30/2014	-	DUE	5F
	SAN LUIS OBISPO	ADOPTED	2/3/2015	-	IN REVIEW	5F
	SAN LUIS OBISPO CO.	ADOPTED	7/17/2014	9/8/2014	IN	5F
SAN MATEO	ATHERTON	DRAFT	11/12/2014	1/8/2015	IN	5B
	BELMONT	DRAFT	12/22/2014	2/18/2015	OUT	5B
	BRISBANE	DRAFT	12/1/2014	1/23/2015	IN	5B
	BURLINGAME	ADOPTED	1/12/2015	1/20/2015	IN	5B
	COLMA	ADOPTED	1/22/2015	1/30/2015	IN	5B
	DALY CITY	DRAFT	10/3/2014	12/1/2014	IN	5B
	EAST PALO ALTO	DRAFT	2/12/2015	-	IN REVIEW	5B
	FOSTER CITY	ADOPTED	2/5/2015	-	IN REVIEW	5B
	HALF MOON BAY	DRAFT	8/8/2014	10/2/2014	IN	5B
	HILLSBOROUGH	ADOPTED	10/17/2014	10/22/2014	IN	5B
	MENLO PARK	ADOPTED	4/14/2014	4/16/2014	IN	5B
	MILLBRAE	DRAFT	1/26/2015	-	IN REVIEW	5B
	PACIFICA	DRAFT	1/5/2015	3/4/2015	IN	5B
	PORTOLA VALLEY	ADOPTED	1/26/2015	1/30/2015	IN	5B
	REDWOOD CITY	ADOPTED	10/27/2014	11/3/2014	IN	5B
	SAN BRUNO	DRAFT	12/1/2014	1/30/2015	OUT	5B
	SAN CARLOS	DRAFT	1/23/2015	-	IN REVIEW	5B
	SAN MATEO	ADOPTED	2/9/2015	2/19/2015	IN	4B
	SAN MATEO COUNTY	DRAFT	2/9/2015	-	IN REVIEW	5B
	SOUTH SAN FRANCISCO	DRAFT	1/7/2015	3/3/2015	IN	5B
	WOODSIDE	DRAFT	12/1/2014	1/23/2015	IN	5B

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
SANTA BARBARA	BUELLTON	ADOPTED	3/3/2015	-	IN REVIEW	5F2
	CARPINTERIA	ADOPTED	11/18/2014	11/20/2014	IN	5F2
	GOLETA	ADOPTED	2/23/2015	3/2/2015	IN	5F2
	GUADALUPE	ADOPTED	7/13/2011	8/4/2011	IN	4F
	LOMPOC	DRAFT	9/26/2014	11/25/2014	OUT	5F2
	SANTA BARBARA	ADOPTED	2/18/2015	-	IN REVIEW	5F2
	SANTA BARBARA COUNTY	ADOPTED	2/13/2015	-	IN REVIEW	5F2
	SANTA MARIA	DRAFT	12/1/2014	1/28/2015	IN	5F2
	SOLVANG	DRAFT	10/30/2014	12/29/2014	IN	5F2
SANTA CLARA	CAMPBELL	DRAFT	9/15/2014	11/7/2014	IN	5B
	CUPERTINO	DRAFT	12/12/2014	2/5/2015	IN	5B
	GILROY	ADOPTED	12/3/2014	12/24/2014	IN	5B
SANTA CLARA	LOS ALTOS	DRAFT	1/14/2015	2/19/2015	OUT	5B
	LOS ALTOS HILLS	DRAFT	1/21/2015	2/23/2015	IN	5B
	LOS GATOS	DRAFT	9/9/2014	11/7/2014	IN	5B
	MILPITAS	DRAFT	11/5/2014	12/30/2014	IN	5B
	MONTE SERENO	DRAFT	2/24/2015	-	IN REVIEW	5B
	MORGAN HILL	DRAFT	9/30/2014	11/25/2014	IN	5B
	MOUNTAIN VIEW	ADOPTED	11/12/2014	12/22/2014	IN	5B
	PALO ALTO	ADOPTED	12/1/2014	1/20/2015	IN	5B
	SAN JOSE	ADOPTED	1/30/2015	-	IN REVIEW	5B
	SANTA CLARA	ADOPTED	12/29/2014	2/13/2015	IN	5B
	SANTA CLARA COUNTY	ADOPTED	6/20/2014	7/25/2014	IN	5B
	SARATOGA	ADOPTED	12/1/2014	1/28/2015	IN	5B
	SUNNYVALE	ADOPTED	12/22/2014	1/20/2015	IN	5B
SANTA CRUZ	CAPITOLA	ADOPTED	2/26/2010	4/6/2010	IN	4D
	SANTA CRUZ	ADOPTED	4/8/2011	5/27/2011	IN	4D
	SANTA CRUZ COUNTY	ADOPTED	2/3/2010	5/4/2010	IN	4D
	SCOTTS VALLEY	ADOPTED	12/9/2009	3/9/2010	IN	4D
	WATSONVILLE	ADOPTED	2/25/2010	4/30/2010	IN	4D
SHASTA	ANDERSON	ADOPTED	9/23/2014	10/1/2014	IN	5F
	REDDING	ADOPTED	6/5/2014	6/16/2014	IN	5F
	SHASTA COUNTY	DRAFT	6/30/2014	-	DUE	5F
	SHASTA LAKE	DRAFT	6/30/2014	-	DUE	5F
SIERRA	LOYALTON	DRAFT	6/30/2014	-	DUE	5F
	SIERRA COUNTY	DRAFT	6/30/2014	-	DUE	5F
SISKIYOU	DORRIS	ADOPTED	9/11/2014	10/1/2014	IN	5F
	DUNSMUIR	DRAFT	6/30/2014	-	DUE	5F
	ETNA	DRAFT	6/30/2014	-	DUE	5F
	FORT JONES	DRAFT	6/30/2014	-	DUE	5F
	MONTAGUE	ADOPTED	6/20/2014	6/26/2014	IN	5F
	MOUNT SHASTA	ADOPTED	10/14/2014	10/21/2014	IN	5F
	SISKIYOU COUNTY	ADOPTED	8/18/2014	8/26/2014	IN	5F
	TULELAKE	DRAFT	6/30/2014	-	DUE	5F
	WEED	DRAFT	10/15/2014	12/11/2014	OUT	5F
	YREKA	ADOPTED	5/7/2014	5/30/2014	IN	5F
SOLANO	BENICIA	ADOPTED	12/12/2014	12/24/2014	IN	5B
	DIXON	DRAFT	2/9/2015	-	IN REVIEW	5B
	FAIRFIELD	DRAFT	11/12/2014	1/9/2015	IN	5B
	RIO VISTA	ADOPTED	9/6/2011	9/9/2011	IN	4B
	SOLANO COUNTY	DRAFT	11/17/2014	1/16/2015	IN	5B
	SUISUN CITY	DRAFT	1/20/2015	-	IN REVIEW	5B
	VACAVILLE	DRAFT	1/20/2015	-	IN REVIEW	5B
	VALLEJO	ADOPTED	9/6/2011	9/21/2011	IN	4B

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
SONOMA	CLOVERDALE	ADOPTED	12/16/2014	2/12/2015	IN	5B
	COTATI	ADOPTED	12/21/2012	1/2/2013	IN	4B
	HEALDSBURG	ADOPTED	11/20/2014	1/8/2015	IN	5B
	PETALUMA	ADOPTED	12/4/2014	1/23/2015	IN	5B
	ROHNERT PARK	ADOPTED	8/8/2014	8/22/2014	IN	5B
	SANTA ROSA	ADOPTED	8/8/2014	8/22/2014	IN	5B
	SEBASTOPOL	DRAFT	11/19/2014	1/14/2015	IN	5B
	SONOMA	DRAFT	11/19/2014	12/9/2014	IN	5B
	SONOMA COUNTY	ADOPTED	12/16/2014	2/4/2015	IN	5B
	WINDSOR	ADOPTED	1/12/2015	2/12/2015	IN	5B
STANISLAUS	CERES	ADOPTED	4/5/2012	6/1/2012	IN	4F
	HUGHSON	ADOPTED	8/27/2009	9/28/2009	IN	4F
	MODESTO	ADOPTED	7/1/2011	7/26/2011	IN	4F
	NEWMAN	ADOPTED	3/18/2010	6/16/2010	IN	4F
	OAKDALE	ADOPTED	9/13/2010	12/7/2010	IN	4F
	PATTERSON	ADOPTED	12/1/2014	2/5/2015	IN	4F
	RIVERBANK	ADOPTED	9/21/2009	10/19/2009	IN	4F
	STANISLAUS COUNTY	ADOPTED	8/31/2012	9/24/2012	IN	4F
	TURLOCK	ADOPTED	3/2/2012	3/23/2012	IN	4F
	WATERFORD	DRAFT	-	-	OVER DUE	4F
SUTTER	LIVE OAK	ADOPTED	9/9/2013	9/16/2013	IN	5C
	SUTTER COUNTY	ADOPTED	2/28/2014	3/7/2014	IN	5C
	YUBA CITY	ADOPTED	2/28/2014	4/16/2014	IN	5C
TEHAMA	CORNING	DRAFT	6/30/2014	-	DUE	5F
	RED BLUFF	ADOPTED	5/23/2014	8/21/2014	IN	5F
	TEHAMA	ADOPTED	2/5/2015	-	IN REVIEW	5F
	TEHAMA COUNTY	ADOPTED	10/6/2014	12/16/2014	IN	5F
TRINITY	TRINITY COUNTY	DRAFT	6/30/2014	-	DUE	5F
TULARE	DINUBA	ADOPTED	10/12/2011	11/17/2011	IN	4F
	EXETER	ADOPTED	2/17/2010	4/19/2010	IN	4F
	FARMERSVILLE	ADOPTED	4/1/2010	5/25/2010	IN	4F
	LINDSAY	ADOPTED	6/14/2010	8/5/2010	IN	4F
	PORTERVILLE	ADOPTED	6/2/2010	6/28/2010	IN	4F
	TULARE	ADOPTED	4/5/2010	6/29/2010	IN	4F
	TULARE COUNTY	ADOPTED	5/16/2012	6/1/2012	IN	4F
	VISALIA	ADOPTED	3/17/2010	5/25/2010	IN	4F
	WOODLAKE	ADOPTED	12/21/2009	2/24/2010	IN	4F
TUOLUMNE	SONORA	ADOPTED	6/4/2014	7/7/2014	IN	5F
	TUOLUMNE COUNTY	ADOPTED	6/9/2014	8/6/2014	IN	5F
VENTURA	CAMARILLO	ADOPTED	1/0/1900	2/10/2014	IN	5A
	FILLMORE	ADOPTED	2/5/2014	5/6/2014	OUT	5A
	MOORPARK	ADOPTED	1/22/2014	1/29/2014	IN	5A
	OJAI	ADOPTED	12/16/2013	3/14/2014	IN	5A
	OXNARD	DRAFT	10/15/2013	-	DUE	5A
	PORT HUENEME	ADOPTED	9/23/2013	11/5/2013	IN	5A
	SAN BUENAVENTURA	ADOPTED	9/20/2013	11/18/2013	IN	5A
	SANTA PAULA	ADOPTED	9/3/2013	9/9/2013	IN	5A
	SIMI VALLEY	ADOPTED	2/14/2014	2/19/2014	IN	5A
	THOUSAND OAKS	ADOPTED	9/25/2013	10/18/2013	IN	5A
	VENTURA COUNTY	ADOPTED	11/4/2013	12/9/2013	IN	5A

HOUSING ELEMENT COMPLIANCE REPORT
03/09/2015 9:08 a.m.

County	Jurisdiction	Record Type	Date Received	Date Reviewed	Compliance Status	Plan Period
YOLO	DAVIS	ADOPTED	3/6/2015	-	IN REVIEW	5C
	WEST SACRAMENTO	ADOPTED	10/8/2013	10/14/2013	IN	5C
	WINTERS	ADOPTED	10/23/2013	11/20/2013	IN	5C
	WOODLAND	ADOPTED	10/28/2013	11/6/2013	IN	5C
	YOLO COUNTY	ADOPTED	10/11/2013	1/7/2014	IN	5C
YUBA	MARYSVILLE	ADOPTED	2/24/2014	3/4/2014	IN	5C
	WHEATLAND	DRAFT	-	-	OVER DUE	4C
	YUBA COUNTY	ADOPTED	1/29/2014	2/12/2014	IN	5C
	538					

Over Due means element is OUT for not submitted for current planning period in which due date has passed.

Due means element is OUT for not submitted for current 5th planning period in which 06/30/2014 due date has passed.

http://www.hcd.ca.gov/hpd/hrc/plan/he/he_time.htm

Kern Council of Governments

April 1, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

BY: Troy Hightower, Regional Planner

SUBJECT: RPAC AGENDA ITEM NO. X.
Metropolitan Bakersfield Transit Center Study Update (Hightower)

BACKGROUND:

Kern COG in partnership with Golden Empire Transit District (GET), the City of Bakersfield, and Kern Transit (KT) are in the process of developing the Metropolitan Bakersfield Transit Center Study, scheduled to be completed by June 2015.

DISCUSSION:

The purpose of the Study is to address emerging intra-city transit system needs. This effort will provide assistance to public, transit and social service agencies within the study area and assist with integrating these services to improve efficiency. The Study will also address transit related policies and strategies of the Sustainable Community Strategy and Regional Transportation Plan (SCS/RTP) and help prioritize the planning for transit priority places in metropolitan Bakersfield identified by the SCS/RTP.

The Study will provide information documenting the suitable locations for Transit Centers, demographic and economic information related to Transit Oriented Development (TOD) for each location, multi-modal access, ridership projections, visualizations, and other illustrations of Transit Centers. In addition, public workshops will be held to get input from the public as well as educate the public on Multi-modal Transit Centers, and TOD.

The Study will explore connections to intercity services across Kern County and consider access to future connections with existing passenger rail and the planned high-speed train.

The need for enhanced transit services as expressed through the unmet transit needs public process, is a general use need including commute to work, access to government, social services and medical facilities, and general mobility between the towns, cities, and regions of Kern County. Recent California Climate Change Law SB 375 requires MPO's to develop a SCS/RTP that supports increasing use of transit and non-motorized modes of transportation.

Kern COG and Golden Empire Transit (GET) entered into a Memorandum of Agreement on September 19, 2013 to perform this Study. Currently, the project is on schedule and on budget.

The following is a summary of the project timetable.

May 1, 2014	Kick-Off Meeting with consultant CDM Smith
July 31, 2014	1st Quarterly Steering Committee Meeting
October 9, 2014	Public Scoping Meeting held at the Beale Library.
October 23, 2014	2nd Quarterly Steering Committee Meeting. Presented Draft Proposed Sites Report
December 9, 2014	Potential Transit Center Sites Report Completed
January 2015	Summary project report presented to the Golden Empire Transit Board
January 22, 2015	3rd Quarterly Steering Committee Meeting
February 26, 2015	Transit Center and TOD Public Workshop held at the Beale Library.
April 30, 2015	4th Quarterly Steering Committee Meeting. Market Assessment Report is due
June 1, 2015	Draft Final Report is due
June 30, 2015	Final Report is due.

Attachments:

1. Metropolitan Bakersfield Transit Center Study Project Fact Sheet

3. Technical Memorandum: Potential Transit Center Sites – Online at: http://www.kerncog.org/public-transit

ACTION: Information.

METROPOLITAN BAKERSFIELD TRANSIT CENTER STUDY

FACT SHEET

Overview of Study

The Metropolitan Bakersfield Transit Center project is to identify potential locations for transit centers in metropolitan Bakersfield due to anticipated growth, higher demand for transit service for both lower income-transit dependent users and choice riders. Kern Council of Governments (COG), Golden Empire Transit (GET), Kern Transit and the City of Bakersfield are working together to ensure the study outcomes are reflective of the goals and guiding principles of the region.

The study efforts are supported by a consultant team assigned with seven tasks that will take approximately 12 months to complete. Tasks include:

- Project Management Administration
- Coordination, Data Gather and Identify Study Parameters
- Identify Alternatives for Transit Centers and Transit Oriented Development (TOD) Analysis
- Public Scoping Meetings and Workshops
- Develop Draft Transit Center Study
- Draft Study Review – Project Milestone
- Prepare and Submit Final Study

The outcome of the work will be a final study report. The draft report is anticipated to be available early 2015. The report will incorporate all of the work produced for each of the seven tasks listed above. It will include recommendations for new functional and attractive transit centers and a market study on up to two locations that have potential for TOD. The Draft and Final reports will be summarized into a comprehensive report presented to the Kern COG and GET Boards. It is anticipated that the study will be complete by June 2015.

Public Engagement Process

The public and interested stakeholders will have opportunities to participate in the planning process. Planning activities include two public meetings: October 9, 2014 and February 2015.

Transit Oriented Development Example

Bakersfield Amtrak Station

Contra Costa Centre Transit Village

For more information

Please contact Kern COG for information: www.kerncog.org or 661-861-2191

METROPOLITAN BAKERSFIELD TRANSIT CENTER STUDY

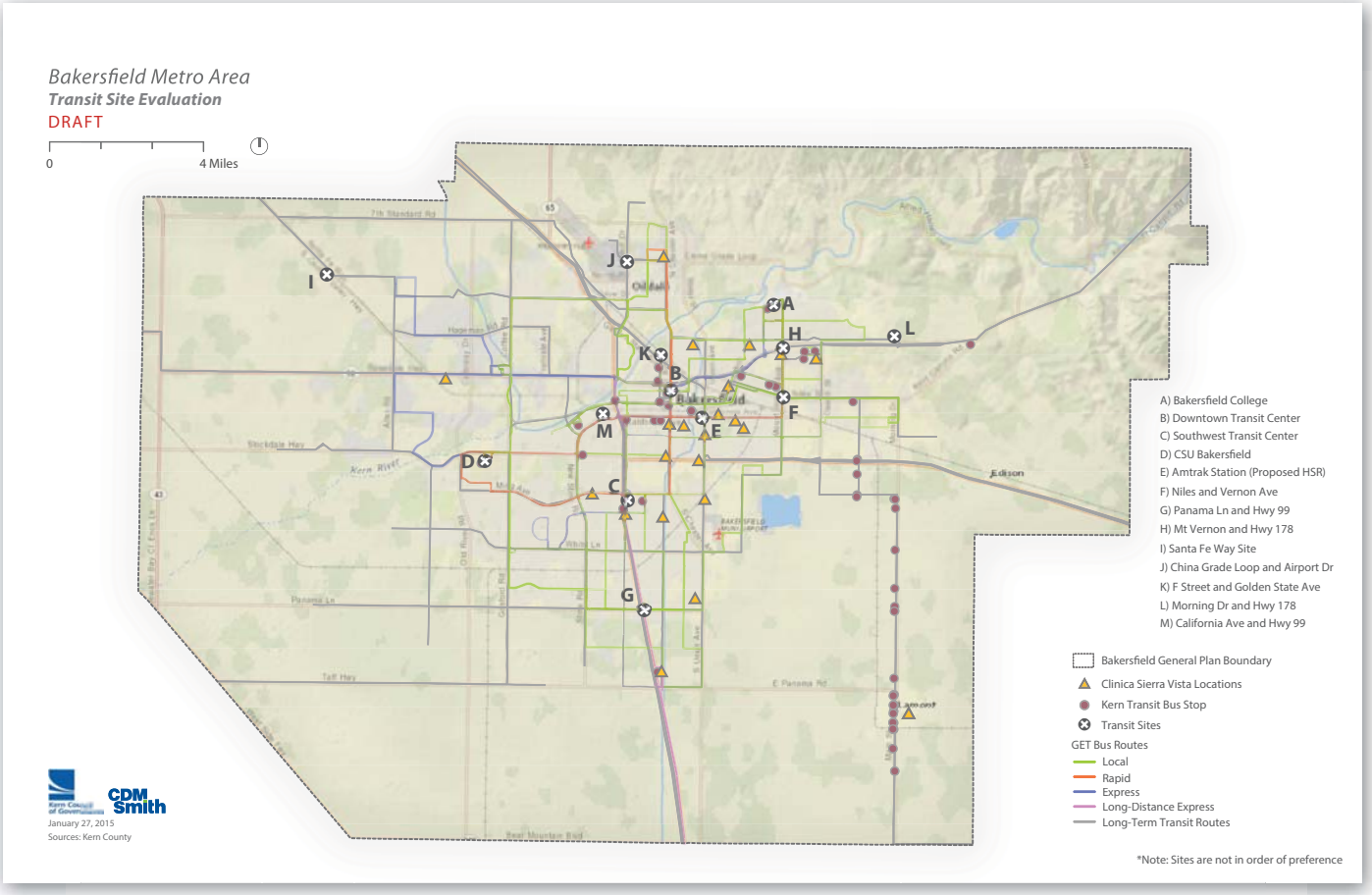
FACT SHEET

Transit Site Evaluation Process

In collaboration with the Kern Council of Governments (COG), Golden Empire Transit (GET), Kern Transit, and the City of Bakersfield, a total of twelve (12) transit center site locations were identified for the Metropolitan Bakersfield area. These site locations were evaluated using information from socioeconomic and land use data and feedback from public outreach methods. Short-term (Year 2020) and long-term (Year 2040) considerations were included based on their relative ease of implementation; factors included, already being an existing location, level of improvements required, Proposed CA HSR, property acquisitions, and/or changes to land use designations.

Evaluated Sites

- Bakersfield College
- Downtown Transit Center
- Southwest Transit Center
- California State University Bakersfield
- Amtrak Station (Proposed HSR)
- Niles and Mt. Vernon Avenue
- Panama Lane and Highway 99
- Santa Fe Way Site
- China Grade Loop and Airport Dr
- F Street and Golden State Ave
- Morning Dr and Hwy 178
- California Ave and Hwy 99



For more information

Please contact Kern COG for information: www.kerncog.org or 661-861-2191

Support for Smaller Agencies and Disadvantaged Communities: Developing Effective Active Transportation Projects and Programs

Workshop Description

This workshop is intended to provide technical assistance to smaller agencies and disadvantaged communities to support development of impactful active transportation plans, programs and projects that can successfully compete for ATP funding. The focus will be on the elements that make for a high quality bicycle or pedestrian plan, project, or program (this workshop will not cover the ATP application process or guidelines).

The workshop is a free, full-day (8-hour) training, and will be delivered once in each of the 12 Caltrans districts, beginning in late March through early May of this year.

Registration is Required

To register for a workshop, see the dates and locations on the next page. Or visit: www.lgc.org/atp-support

Topics Include

- Developing impactful bicycling and walking projects and encouragement programs: using best practices and cutting edge design to get the most bang for your buck
- Designing and implementing an effective community engagement process
- Low-cost strategies to develop a bicycle/pedestrian/active transportation plan
- Effectively using health and crash data to design and justify your project, including SafeTREC TIMS, SWITRS, Cal EnviroScreen
- Tools and strategies to predict and document bicycling and walking rates, including low-cost pre- and post-project user surveys
- Top 10 Tips for successful grant proposals

Please note: this workshop is not focused on the ATP guidelines and application process. Caltrans is offering a separate full-day training on how to prepare and submit applications for ATP Cycle 2 funding, which will cover the application form and instructions in depth. For more information, please visit: http://www.dot.ca.gov/hq/LocalPrograms/atp/index.html

Consultant team members conducting the concept development workshops include the Local Government Commission, Rails-to-Trails Conservancy, California Walks, and California Bicycle Coalition.

For More Information, Please Contact

Kevin Atkinson, Caltrans
kevin.atkinson@dot.ca.gov | 916-653-6920

Khrystyna Platte, Local Government Commission
kplatte@lgc.org | 916-448-1198 x306

California Walks
Stepping Up for Health, Equity, & Sustainability

rails-to-trails conservancy

Local Government Commission

California Bicycle Coalition

Caltrans

Support for Smaller Agencies and Disadvantaged Communities: Developing Effective Active Transportation Projects and Programs

Workshop Dates and Locations Include:

Date	Location
Tuesday, March 24	Marysville, District Office, 703 B Street, Marysville
Register here:	http://www.eventbrite.com/e/atp-workshop-marysville-location-tickets-16048052156
Friday, March 27	San Bernardino, District Office, 464 W. 4th Street, San Bernardino
Register here:	http://atp-support-sanbernardino.eventbrite.com
Tuesday, March 31	Los Angeles, LA Metro Headquarters, One Gateway Plaza, Los Angeles, CA 90012
Register here:	http://atp-support-losangeles.eventbrite.com
Thursday, April 2	Bishop, District Office, 500 S. Main Street, Bishop
Register here:	http://atp-support-bishop.eventbrite.com
Tuesday, April 7	San Luis Obispo, County Government Center, Room D-162, 1055 Monterey Street
Register here:	http://atp-support-slo.eventbrite.com
Tuesday, April 7	Fresno, Fresno Interdenominational Ministries (FIRM), 1940 N Fresno St, Fresno, CA 93703
Register here:	http://atp-support-fresno.eventbrite.com
Monday, April 13	Redding, Shasta Builder's Exchange, 2985 Innsbruck Drive, Redding
Register here:	http://atp-support-redding.eventbrite.com
Wednesday, April 15	Eureka, City, Wharfinger room, #1 Marina Way, Eureka
Register here:	http://atp-support-eureka.eventbrite.com
Monday, April 20	Stockton, County Health Dept., 1601 E. Hazelton, Stockton
Register here:	http://atp-support-stockton.eventbrite.com
Tuesday, April 21	Oakland, District Office, Parkview Room, 111 Grand Ave, Oakland
Register here:	http://atp-support-oakland.eventbrite.com
Wednesday, April 29	Irvine District Office, 3347 Michelson Dr., Ste 100, Irvine
Register here:	http://atp-support-irvine.eventbrite.com
Monday, May 4	San Diego, District Office, Garcia Room, 4050 Taylor Street, San Diego
Register here:	http://atp-support-sandiego.eventbrite.com

Kern Council
of Governments

Public Information Policies & Procedures Update

Public Meeting
Wednesday, April 22, 2015
Time: 4:00 – 6:00 p.m.
Place: Kern COG Board Room
1401 19th Street, Suite 300
Bakersfield, CA 93301

OPEN TO THE PUBLIC

Kern Council of Governments
1401 19th Street, Suite 300
Bakersfield, California 93301
www.kerncog.org
661-861-2191
Facsimile 661-324-8215
TTY 661-832-7433
TDD 800-874-9436

Hello All,

This is a heads-up regarding our next Greenprint Advisory (formerly Steering) Committee meeting. The meeting will be held Thursday, April 9 from 1:00 to 3:00 here at the Fresno COG. A dial-in number will be provided if you are unable to attend in person. A meeting agenda and other materials will be provided approximately one week prior to the meeting. Prior to the meeting, however, I would ask that you consider and respond to the following items:

- For Advisory Committee members only, please indicate your willingness to continue serving on the Committee by signing the attached Advisory Committee Operating Agreement and returning to me or, alternatively, bringing it with you to the meeting on April 9. A list of committee members is attached. You will recall that this Phase II of the Greenprint program will conclude in June of 2016 and that the Advisory Committee is expected to meet only approximately quarterly during this period (unlike with the earlier Phase I Steering Committee which met monthly).
- Suggest other individuals or organizations for inclusion in the Advisory Committee. Please notify me as soon as possible of any suggestion(s) you may have so that the Management Committee can review and possibly extend an invitation to the appropriate individuals to participate in the April 9 meeting.
- For the COG representatives on the Advisory Committee, please discuss with your County Planning Director/Resource Manager the Greenprint project and solicit their involvement with the project, as a member of the Advisory Committee or otherwise. It will be vitally important for the County Planning Directors/Resource Managers to be aware of and participate in Phase II of the Greenprint project given their management responsibilities for the non-urban, resource lands of the Valley. Also, their participation is necessary for successful pilot projects.

Thank you for your attention to these matters. As always, should you have any questions, please do not hesitate to contact me.

Clark Thompson
Fresno Council of Governments
2035 Tulare St., Ste. 201
Fresno, CA 93721
(559) 233-4148 x 203
clarkt@fresnocog.org
www.fresnocog.org

San Joaquin Valley Greenprint

Advisory Committee Operating Agreement

Project Name: San Joaquin Valley Greenprint Phase II
Project Manager: Clark Thompson
Project Sponsor: Fresno Council of Governments
Date: March 18, 2015
Prepared by: Mintier Harnish

Purpose of the Operating Agreement

This Operating Agreement serves as the guidelines and ground rules to help the Advisory Committee work most productively together over the course of the Greenprint Phase II (Project).

Roles and Responsibilities

- **Primary Roles.** The Advisory Committee will provide a broad range of perspectives related to San Joaquin Valley resources. Advisory Committee members will represent the interests and viewpoints of agencies and organizations working in the Valley, and will act as advocates of the Greenprint.
- **Review and Input.** The Advisory Committee will act as a sounding board for the Management Committee and the Project Consultant. Advisory Committee members will review and provide input on Project products, outreach/publicity efforts, and topics for discussion. Input will be used by the Management Committee and Project Consultant to develop or refine project products and conduct outreach/publicity efforts.
- **Advocacy and Publicity.** The Advisory Committee will advance the objective of the Greenprint with stakeholders and the public. Advisory Committee members will disseminate information to their agencies, partners, and constituents, and present Greenprint-related information provided by the Management Committee.
- **Recommendations.** The Advisory Committee will provide recommendations to the COG Directors and the San Joaquin Valley Regional Policy Council on Greenprint-related products and decisions.

Composition

- **Committee Composition.** The Advisory Committee composition will be determined by the Management Committee. Advisory Committee members may suggest other individuals or organizations for inclusion in the Advisory Committee.
- **Members.** The Advisory Committee will be composed of the following individuals:
  - Up to two (2) staff representatives from each San Joaquin Valley County planning department or other department, as determined by each County.
  - One (1) representative from each San Joaquin Valley Council of Governments or Metropolitan Planning Organization.
  - Representatives from key organizations and agencies as determined by the Management Committee.
- **Management.** The Advisory Committee will be chaired by members of the Management Committee. A Chair and Vice-Chair will be responsible for managing the Advisory Committee and facilitating Committee meetings.

Communications

- **Document Sharing.** A Project file sharing site will be established to house the most up-to-date versions of Project documents. The Project Consultants will maintain the Project file sharing site. All Advisory Committee members will be given access.
- **Meeting Agendas and Minutes.** Meeting agendas will be posted to the Project file sharing site and e-mailed to Advisory Committee members at least three days prior to meetings. Meeting minutes will be compiled by the Project Consultants and emailed and posted to the Project file sharing site after meetings.
- **Open Communications.** All communication will be open and courteous. Advisory Committee members will appreciate the sensitive nature of information discussed during the Project and will share with care. Where applicable, documents will include a footer indicating that information is draft or confidential.
- **Stay Informed.** Advisory Committee members will keep each other informed of pertinent Project related information and news.

Meetings

- **Time, Place, Frequency.** Meetings will be held quarterly on Thursdays from 1:00pm to 3:00pm. Meeting locations will be determined by the Project Manager, who will notify the Advisory Committee members at least one month prior to the meeting.
- **Facilitation.** The Advisory Committee Chair will be responsible for facilitating and keeping meetings on track. In the event that the Vice-Chair is not in attendance, the Vice-Chair will be responsible for meeting facilitation.
- **Topic Parking Lot.** During each meeting, a "parking lot" will be used to record topics that require discussion at a later date. Committee members will accept the Management Committee's decision to table or "park" a discussion topic.
- **Agenda review**. Issues, change requests, and action items will be reviewed and updated at each meeting.
- **Attendance.** Meetings will start and end on time. Committee members will attend meetings in person when feasible. A dial-in number will be available for remote attendance. Members will strive to participate in all meetings.
- **Missing a meeting**. It is the responsibility of the member who misses a meeting to catch up through reading the meeting notes, discussing the meeting with members who were present, and/or communicating with the Project Manager. Members are not obligated to spend meeting time covering something that was missed.
- **Substitute representatives**. If a member cannot attend a meeting it is their responsibility to send an informed substitute who has the ability to act in their place. Agencies that have multiple members at the table may use a regular member as their representative and do not need to send a substitute.

Decision Making

Committee members must agree on how decisions will be made to ensure that everyone accepts the decisions made and to ensure that the Project can move forward. The following points include guidelines for achieving consensus for decisions, how decisions will be documented, definitions of key terms, and what happens if the Advisory Committee cannot come to a decision.

1. **Consensus.** Advisory Committee decisions will be achieved through consensus. The consensus process will seek to generate as much agreement as possible, but consensus does not require unanimity. Consensus means that everyone can accept the decision. It doesn't mean everyone has to fully agree with a decision. The Management Committee will determine when sufficient consensus is reached and the Advisory Committee can move on to the next topic.

2. **Record Decisions.** Meeting summaries will document the decisions made. If committee members have questions after reviewing the summary, they will contact the Project Manager and determine the course of action, such as to bring questions to the Advisory Committee for discussion again.

Personal Courtesies

Each Advisory Committee member:

- Represents a different city, county, or agency/organization. Advisory Committee members will bring their individual perspectives to the Advisory Committee and will also consider what is best for the larger group being represented.
- Will demonstrate an understanding of and commitment to the vision, values, and purpose of the Project.
- Maintain the ability and commitment to regular attendance of meetings and full and honest engagement in the process.
- Be committed to problem solving and decision-making through a consensus model, realizing that voting is an option of last resort under specific circumstances or where an intractable conflict emerges.
- Silence all cell phones and other communication devices during meetings and use on an exception basis only.

Commitment

By signing this agreement, the following individual is committing to participate in the Greenprint Phase II Advisory Committee, adhering to the operating protocols described above.

_____ _____

Project Committee Member Name/Organization Date:

Greenprint Steering Committee Members
January 22, 2015

John Wright, Facilitator (planningwright@sbcglobal.net)
Ed Thompson, Vice-Facilitator (ethompson@farmland.org)
Kim Anderson, San Joaquin Council of Governments (anderson@sjcog.org)
Travis Jacobs, Stanislaus Council of Governments (trjacobs@stancog.org)
Natalia Austin, Merced County Association of Governments (natalia.austin@mcagov.org)
Kasia Thompson, Madera County Transportation Commission (kasia@maderactc.org)
Clark Thompson, Fresno Council of Governments (clarkt@fresnocog.org)
Chris Lehn, Kings County Association of Governments (chris.lehn@co.kings.ca.us)
Cynthia Echavarria, Tulare County Association of Governments (CEchavarria@tularecog.org)
Michael Heimer (mheimer@kerncog.org)
Soapy Mulholland, Sequoia Riverlands Trust (soapy@sequoiariverlands.org)
Sarge Green, California Water Institute (sgreen@csufresno.edu)
Wayne Zipser, Stanislaus Farm Bureau (wayne@stanfarmbureau.org)
Ryan Jacobsen, Fresno Farm Bureau (ryan@fcfb.org)
Liz Forsburg, The Nature Conservancy (eforsburg@tnc.org)
Greg Gatzka, Kings County (Greg.Gatzka@co.kings.ca.us)
Jenna Chillingerian (jennac@csufresno.edu)
Carole Combs (ccombs@thegrid.net)

Kern Council of Governments

April 29, 2015

TO: REGIONAL PLANNING ADVISORY COMMITTEE

FROM: AHRON HAKIMI
EXECUTIVE DIRECTOR

SUBJECT: MEETING CANCELLATION NOTICE FOR May 6, 2015

The meeting of the Regional Planning Advisory Committee (RPAC) scheduled for Wednesday, May 6, 2015, has been cancelled. The next meeting will be held on Wednesday, June 3, 2015. Agenda material will be mailed approximately one week prior to that date.

Kern Council of Governments
1401 19th Street, Suite 300, Bakersfield, CA 93301 (661) 861-2191 Facsimile (661) 324-8215 TTY (661) 832-7433
www.kerncog.org

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG BOARD ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
June 3, 2015
1:30 P.M.

Call in Number: (312) 878-3080
Access Code: 586-617-702

I. ROLL CALL:

II. PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Committee at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.**

Disabled individuals who need special assistance to attend or participate in a meeting of the Regional Planning Advisory Committee may request assistance at 1401 19th Street, Suite 300; Bakersfield CA 93301 or by calling (661) 861-2191. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made at least three (3) working days in advance whenever possible.

III. APPROVAL OF DISCUSSION SUMMARIES

- RPAC Meeting of Wednesday April 1, 2015

IV. REGIONAL GROWTH FORECAST UPDATE (Raymond)

Comment: The Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG board in August 2014.

Action: Information.

V. METROPOLITAN BAKERSFIELD TRANSIT CENTER MARKET STUDY (Hightower)

Comment: The Metropolitan Bakersfield Transit Center Study uses a market assessment and other tools to help prioritize planning for potential transit centers and Transit Oriented Development. The Draft Report is scheduled to be available by June 2015.

Action: Information.

VI. ASSEMBLY BILL 2, ALEJO: COMMUNITY REVITALIZATION AUTHORITY (Smith)

Comment: Assembly Bill (AB) 2 would resurrect redevelopment agencies in a new form and provide tax increment funding tools to local governments that could incentivize infill and more vibrant communities while advancing Kern's Sustainable Communities Strategy.

Action: Information.

VII. SAN JOAQUIN VALLEY GREENPRINT REPORT (Heimer)

Comment: San Joaquin Valley Greenprint Phase Two Report.

Action: Information.

VIII. CALIFORNIA TRANSPORTATION PLAN 2040 UPDATE (Napier)

Comment: The California Transportation Plan 2040 is a statewide, long-range transportation plan developed to meet the State's future travel needs while reducing greenhouse gas emissions.

Action: Information

IX. INFORMATION ITEMS/ANNOUNCEMENTS

X. MEMBER ITEMS

XI. ADJOURNMENT

The next scheduled meeting of the RPAC/TMC will be July 1, 2015.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
April 1, 2015
1:30 P.M.

Chairman McNamara called the meeting to order at 1:30 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Dennis McNamara	City of McFarland
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	David James	City of Tehachapi
	Roger Mobley	City of Wasco
	Patty Poire	Community Member
	Alec Kimmel	Caltrans (phone)
STAFF:	Rochelle Invina	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Pete Smith	Kern COG
OTHERS:	Wanda Lord	Tejon Indian Tribe
	Bobbi Lowe	Tejon Indian Tribe
	Jason Cater	Bike Bakersfield
	Mike McCabe	Public
	Ted James	Consultant
	Cindy Parra	Bike Bakersfield
	Dave Dmohowski	Quad Knopf

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

Wanda Lord, Grant Administrator, Tejon Indian Tribe introduced herself and Bobbi Lowe, Housing Committee Chair, Tejon Indian Tribe. Ms. Lord expressed interest in participating more with the RPAC.

III. APPROVAL OF DISCUSSION SUMMARY: Meeting of February 4, 2015. Committee Member Mobley made a motion to approve the discussion summary, seconded by Committee Member Platt with all in favor.

IV. SELECTION OF A CHAIRMAN AND VICE CHAIRMAN

The Regional Planning Advisory Committee (RPAC) By-Laws specify that the Chairman and Vice-Chairman be elected from among voting members of the Committee at the first meeting of each year. Chairman McNamara opened nominations for Chairman. There were no nominations for Chairman; therefore, Mr. McNamara retained the Chairmanship. Chairman McNamara opened nominations for Vice-Chairman. There were no nominations for Vice-Chairman; therefore, Mr. James retained the Vice-Chairmanship.

V. KERN COUNCIL OF GOVERNMENTS (COG) RESPONSE LETTER TO ENVIRONMENTAL DOCUMENTS (Napier)

Ms. Napier informed the Committee that Kern COG has a responsibility under its Environmental Review Program/Intergovernmental Review process to provide information to lead agencies on various environmental documents. Ms. Napier explained that this letter was placed on the February 2015 agenda for review by the Committee. One comment was received and noted on the draft letter. Ms. Poire noted that a sentence needed to be deleted from the draft.

ACTION: Committee Member Platt made a motion to recommend that the Kern COG Board of Directors approve the letter as amended by Ms. Poire. Committee Member Hellman seconded the motion with all in favor.

VI. DISCUSSION OF SENATE BILL 1077 – ROAD USAGE CHARGE ALTERNATIVES TO THE GAS TAX (Ball)

Mr. Ball provided the Committee with a presentation on Senate Bill 1077. There was a short discussion by the Committee.

This item was for information only.

VII. KERN COUNCIL OF GOVERNMENTS PUBLIC INFORMATION POLICIES AND PROCEDURES (Napier)

Ms. Napier explained that Regional Transportation Plan (RTP) Guidelines require the Metropolitan Planning Organization develop a public participation plan prior to development of each RTP. The forty-five day public comment period on the Draft 2015 Public Information Policies and Procedures began March 19, 2015. Ms. Napier encouraged the Committee to review the information and provide input.

This item was for information only.

VIII. GROWTH FORECAST UPDATE SCHEDULE (Raymond)

Mr. Raymond informed the Committee that Kern COG entered into a contract with PlaceWorks to update Kern's regional growth forecast for 2014-2050. The regional growth forecast is reviewed and revised at a minimum of every three years. The Kern COG Board is scheduled to revisit the regional growth forecast in the summer of 2015. Mr. Raymond went over the schedule for the forecast adoption. The Committee was encouraged to attend the kick-off meeting with PlaceWorks on April 7. After discussion, Mr. Raymond stated that the April 7 date could be changed if that date was not convenient for the members that would like to attend. The meeting date will be finalized by Friday, April 3.

This item was for information only.

IX. HOUSING ELEMENT UPDATE

Ms. Invina provided information to the Committee concerning local housing elements due to the California Department of Housing and Community Development by the end of December 2015, for jurisdictions to qualify for the 8-year update cycle. Ms. Invina requested that each agency provide feedback on the status of local Housing Element updates. Ms. Invina also stated to please contact Kern COG staff if assistance is needed.

This item was for information only.

X. TRANSIT CENTER STUDY UPDATE (Hightower)

Mr. Hightower informed the Committee that Kern COG in partnership with Golden Empire Transit District, the City of Bakersfield and Kern Transit are in the process of developing the Metropolitan Bakersfield Transit Center Study. The consultant CDM Smith was awarded a contract to prepare the study in May 2014. The study is scheduled to be completed by June 2015. There was a short question and answer period.

This item was for information only.

XI. INFORMATION ITEMS/ANNOUNCEMENTS

- California Transportation Plan (CTP) 2040 webinar recording www.californiatransportationplan2040.org
- Active Transportation Projects Workshop Flier (attached)
- Public Information Policies & Procedures Meeting Flier (attached)
- San Joaquin Valley Greenprint Information (attached)
- AHSC Grant Information (Mr. Hightower provided a handout)
- Model Request Update (Mr. Ball provided a brief update)

XII. MEMBER ITEMS

Ms. Poire informed the Committee that the California Legislative Office developed a report concerning the effects of Smart Growth laws passed by the Legislature and the impact on home pricing in California. Ms. Poire indicated that as a result of Smart Growth laws Californians have been priced out of home ownership, especially in the Central Valley.

XIII. ADJOURNMENT

With no further business the meeting was adjourned at 2:25 p.m.

The next meeting will be Wednesday, May 6, 2015 at 1:30 p.m.

Kern Council
of Governments

June 3, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Ben Raymond, Regional Planner

SUBJECT: RPAC AGENDA ITEM: IV
REGIONAL GROWTH FORECAST UPDATE

DESCRIPTION:

The Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG board in August 2014.

DISCUSSION:

Background

The Regional Growth Forecast Defined - The Kern COG regional growth forecast is a long-range projection for countywide total population. The population total is used to develop housing, employment, school enrollment, and income forecasts. The forecast is used for local transportation and air quality planning as well as by the member agencies for a variety of long range planning activities. This forecast revision will serve as the growth assumption for the 2018 Regional Transportation Plan/Sustainable Communities Strategy. The forecast is used as a control target by the modeling committee and RPAC for distribution of socio-economic data throughout the county sub areas. The forecast is based on Census Data and California Department of Finance (DOF) estimates for the base year. If forecast determines future growth to be more than 3% outside of DOF projections, Kern COG will need to provide a detailed explanation why the forecasts differs and work with DOF to agree on the forecast methodology.

Review Requirements – The Kern COG Policy and Procedure Manual states:

> "Socio-Economic Forecast Data – Countywide forecasts for households, employment and other socio-economic data shall be updated not less than 3 years from the time of the Socio-economic forecast. A minimum of three years between Countywide forecast revisions is needed to allow responsible state and federal agencies time to complete their review of large environmental documents without major changes to transportation circulation modeling results..."

The Kern COG adopted Public Policy and Procedure manual requires a 30-day advertised notice of public meetings/workshops regarding the regional growth forecast. Additional, extensive opportunities for public comment on the forecast will be provided as part of the 2018 Regional Transportation Plan adoption.

Committee Oversight – The Kern COG Transportation Modeling sub-committee and the Regional Planning Advisory Committee (RPAC) will provide oversight during the growth forecast update. The committees currently meet together and are also responsible for sub-area distribution of the growth forecast following the adoption. The regional growth forecast will be presented to the Transportation Technical Advisory Committee (TTAC) concurrently, and then to the Transportation Planning Policy Committee/Kern COG Board for final adoption.

Status Update

Initial Data Collection and Forecast Model Development – The consultant team has worked with Kern COG staff to collect the initial data for the forecast models. The forecast model uses the latest available data for 2014 as the base year data. The model will incorporate several inputs and multiple trend analysis to develop countywide forecasts for the socio-economic data, including: age groups, housing type, household size, income, employment by employment type. The forecast model is scheduled to be completed for staff review within the next two weeks.

Growth Forecast Timeline – The following schedule is anticipated for forecast adoption:

- April 7th, 2015 – Growth forecast project kick-off meeting with PlaceWorks
- May 6th, 2015 – RPAC growth forecast project status update
- June 3rd, 2015 – RPAC review initial data inputs and status update
- July 1st, 2015 – TTAC reviews draft report for information and comments
- July 1st, 2015 – RPAC reviews draft report for information and comments
- July 2nd, 2015 - 30-day public comment period notification (display adds/flyers/draft report to be available at www.kerncog.org)
- July 16th, 2015 – Televised Public Workshop on Forecast
- July 16th, 2015 – Kern COG Board reviews draft forecast for information and comments
- August 2nd, 2015 – Close of 30-day public review period
- August 5th, 2015 -- TTAC reviews report and public comments.
- August 5th, 2015 – RPAC review public comments, and board comments and makes recommendation to the Kern COG Board
- August 20th, 2015 – Kern COG Board Considers Public Comments, recommendations and considers adoption of the regional growth forecast.

ACTION: Information.

Kern Council of Governments

June 3, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

BY: Troy Hightower, Regional Planner

SUBJECT: RPAC AGENDA ITEM: V
Metropolitan Bakersfield Transit Center Market Assessment (Hightower)

DESCRIPTION:

The Metropolitan Bakersfield Transit Center Study uses a market assessment and other tools to help prioritize planning for potential transit centers and Transit Oriented Development. The Draft Report is scheduled to be available by June 2015.

DISCUSSION:

Kern COG and Golden Empire Transit (GET) entered into a Memorandum of Agreement on September 19, 2013 to perform this Study.

The purpose of the Study is to address emerging intra-city transit system needs. This effort will provide assistance to public, transit and social service agencies within the study area and assist with integrating these services to improve efficiency. The Study will also address transit related policies and strategies of the Sustainable Community Strategy and Regional Transportation Plan (SCS/RTP) and help prioritize the planning for transit priority places in metropolitan Bakersfield identified by the SCS/RTP.

The Study will provide information documenting the suitable locations for Transit Centers, demographic and economic information related to Transit Oriented Development (TOD) for each location, multi-modal access, ridership projections, visualizations, and other illustrations of Transit Centers. In addition, public workshops will be held to get input from the public as well as educate the public on Multi-modal Transit Centers, and TOD.

The Study will explore connections to intercity services across Kern County and consider access to future connections with existing passenger rail and the planned high-speed train.

The need for enhanced transit services as expressed through the unmet transit needs public process, is a general use need including commute to work, access to government, social services and medical facilities, and general mobility between the towns, cities, and regions of Kern County. Recent California Climate Change Law SB 375

requires MPO's to develop a SCS/RTP that supports increasing use of transit and non-motorized modes of transportation.

The market assessment is one of the planned tasks of the Study to provide market based information on the potential sites and the feasibility of TOD at the sites. The market assessment, the technical memorandum, and input from public surveys, and workshops were used to evaluate the potential sites. By consensus of the project Stakeholders and the Steering Committee the Niles at Mt. Vernon, and Southwest Transit Center (Valley Plaza Mall) were selected for further evaluation as potential TOD sites (See attachments).

The following is a summary of the project timetable.

May 1, 2014	Kick-Off Meeting with consultant CDM Smith
July 31, 2014	1st Quarterly Steering Committee Meeting
October 9, 2014	Public Scoping Meeting held at the Beale Library.
October 23, 2014	2nd Quarterly Steering Committee Meeting. Presented Draft Proposed Sites Report
December 9, 2014	Potential Transit Center Sites Report Completed
January 2015	Summary project report presented to the Golden Empire Transit Board
January 22, 2015	3rd Quarterly Steering Committee Meeting
February 26, 2015	Transit Center and TOD Public Workshop held at the Beale Library.
April 30, 2015	4th Quarterly Steering Committee Meeting. Market Assessment due.
June 1, 2015	Draft Final Report is due
June 30, 2015	Final Report is due.

Attachments:

1. Metropolitan Bakersfield Transit Center Study - Market Study Evaluation Matrix

2. Metropolitan Bakersfield Transit Center Study – Public Survey Results

3. Metropolitan Bakersfield Transit Center Study - Market Study - Online at: http://www.kerncog.org/public-transit

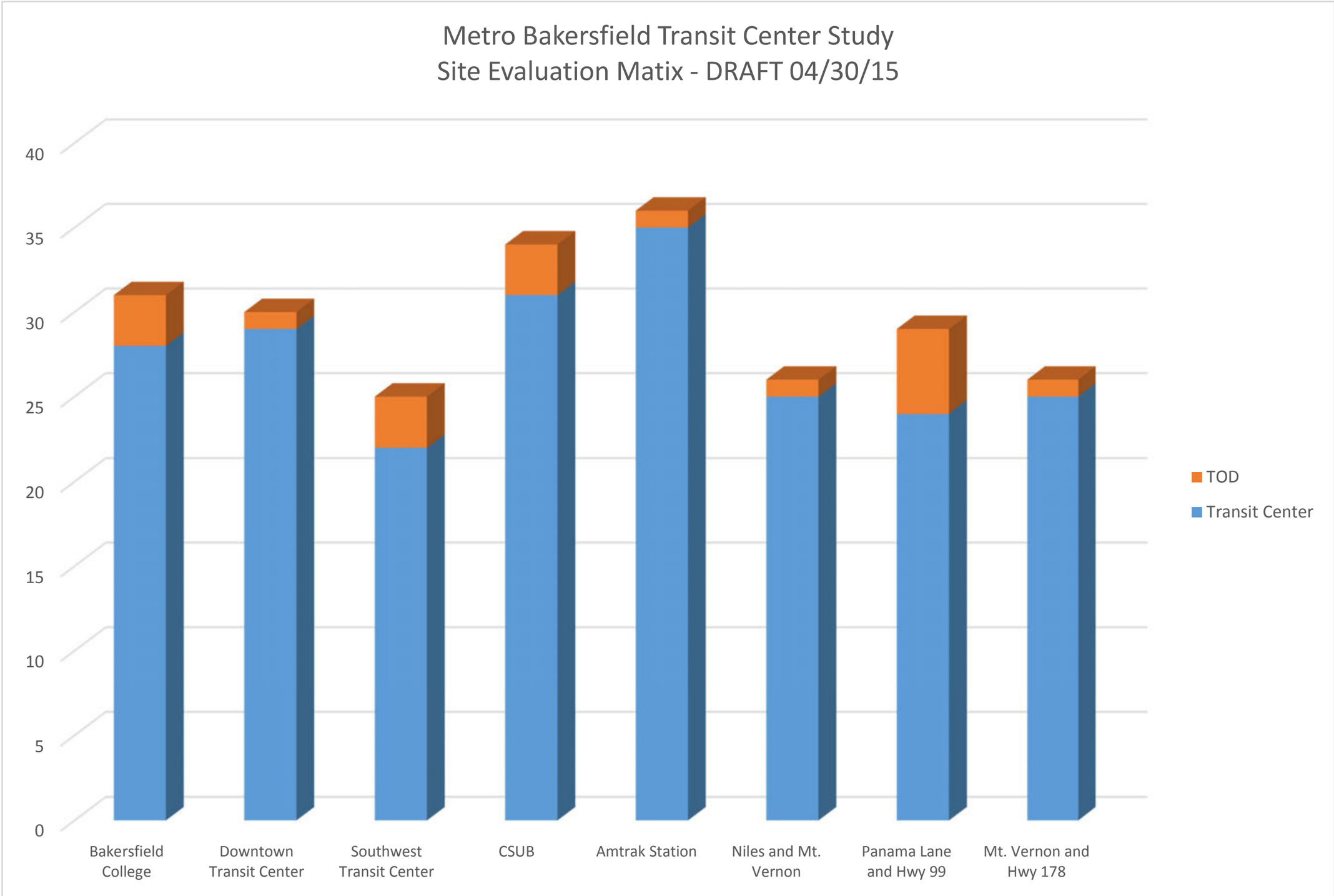
ACTION: Information.

Metropolitan Bakersfield Transit Center Study Site
Evaluation Criteria - DRAFT

04/29/15

No.	Evaluation Criteria	Notes	Bakersfield College
Station Location			
1	Ability to attract choice and transit dependent riders	Nearby demographics and concentration of transit dependent populations	2
2	Access to GET/KRT buses	Ease of access/transferring for existing and/or planned GET/KRT bus routes	4
3	Access to Amtrak and/or High Speed Rail	Ease of access/transferring for existing Amtrak and/or High Speed Rail	4
		Subtotal	**10**
Station Design			
1	Lighting/Aesthetics/Safety	Transit riders are in line of sight, provided with adequate lighting and security	2
2	Parking	Availability of parking for existing and ability to provide parking for future locations	5
		Subtotal	**7**
Nonmotorized Access			
1	Pedestrian Access/Circulation	Ease of access such as crossing major roadways, directness of routes, etc.	3
2	Bicycle Access/Circulation	Ease of access such as nearby bicycle routes, parking facilities, etc.	4
3	Multimodal/Circulation	Ability to accommodate multimodal access including pedestrian, bicycle, vehicle, etc.	4
		Subtotal	**11**
		Transit Center Score	**28**
Transit Oriented Development (TOD) Potential			
1	Market Potential (Station Funding and Operation Costs)	Ability to capture adjacent land uses, market conditions, and future development	3
		Subtotal	**3**
Total			**31**

Transit Center Site Locations						
Downtown Transit Center	**Southwest Transit Center**	**CSUB**	**Amtrak Station**	**Niles and Mt. Vernon**	**Panama Lane and Hwy 99**	**Mt. Vernon and Hwy 178**
3	3	2	3	4	3	3
5	3	3	4	4	4	3
5	3	3	5	4	3	3
13	**9**	**8**	**12**	**12**	**10**	**9**
4	4	3	5	3	1	4
1	5	5	3	1	5	4
5	**9**	**8**	**8**	**4**	**6**	**8**
5	1	5	5	3	1	2
4	2	5	5	3	3	3
2	1	5	5	3	4	3
11	**4**	**15**	**15**	**9**	**8**	**8**
29	**22**	**31**	**35**	**25**	**24**	**25**
1	3	3	1	1	5	1
1	**3**	**3**	**1**	**1**	**5**	**1**
30	**25**	**34**	**36**	**26**	**29**	**26**


Metro Bakersfield Transit Center Study
Site Evaluation Matix - DRAFT 04/30/15
40
35
30
25
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15
10
5
0
Bakersfield College
Downtown Transit Center
Southwest Transit Center
CSUB
Amtrak Station
Niles and Mt. Vernon
Panama Lane and Hwy 99
Mt. Vernon and Hwy 178
TOD
Transit Center

METROPOLITAN BAKERSFIELD TRANSIT CENTER

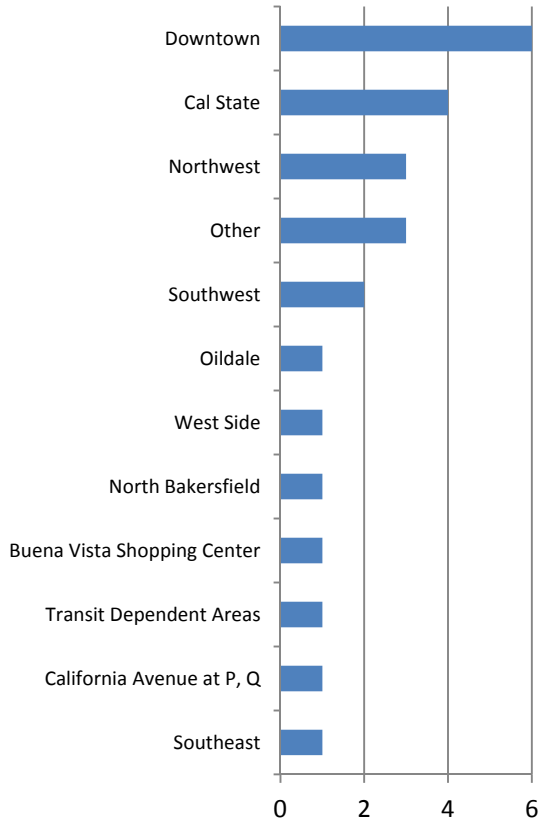
PUBLIC OPINION SURVEY RESULTS

An online survey was created to gather input on the location and amenities for a new transit center in the Metropolitan Bakersfield area.
The survey received 26 responses between October 13 and November 14, 2014.
Feedback and key takeaways are summarized below.

LOCATION

The survey invited respondents to suggest locations for a new transit center. Responses were grouped into eleven broad categories, with the most popular locations being downtown or near the Cal State campus. All locations are shown in **Figure 1**.

Figure 1: Preferred Transit Center Location

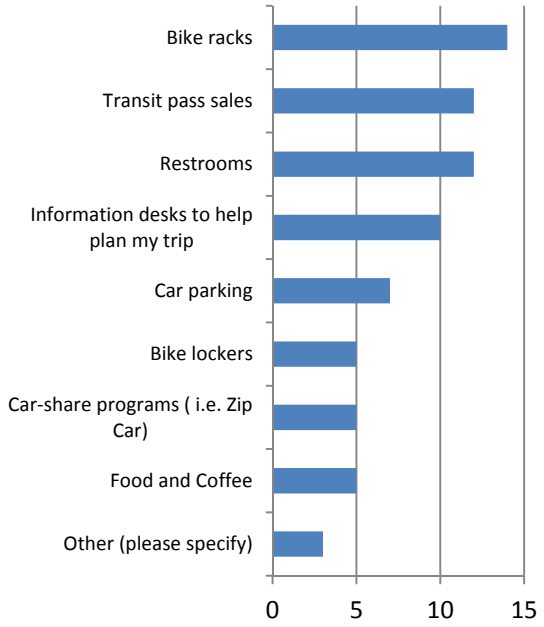


Approximately 60 percent of respondents feel it is important that the transit center be located off-street.

AMENITIES

Respondents were invited to select the three amenities they would most like to see at the new transit center, listed in **Figure 2**. Bike racks, transit pass sales, and restrooms received the most votes.

Figure 2: Desired Amenities



Three respondents selected 'other' and filled in their desired amenities:

- Restaurants and entertainment district
- Shade for heat (extreme heat)
- Smart phone app, like San Francisco MUNI Watch

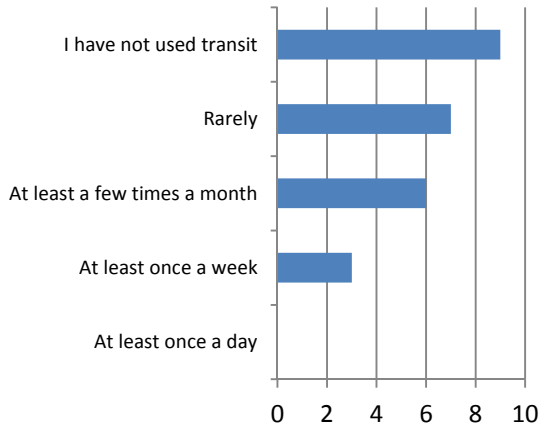
CURRENT TRANSIT USE

Multiple questions on the survey asked about transit ridership, and the number of respondents who reported they do not ride transit varied from question to question. The percentage of respondents that do not currently ride transit is likely between 36 percent and 54 percent, based on the variety of responses received..

Results reported below are based on the responses to individual questions.

When asked how frequently respondents ride transit, three individuals indicated they ride transit on a weekly basis. Six respondents ride transit a few times each month, and seven rarely use transit (see **Figure 3**).

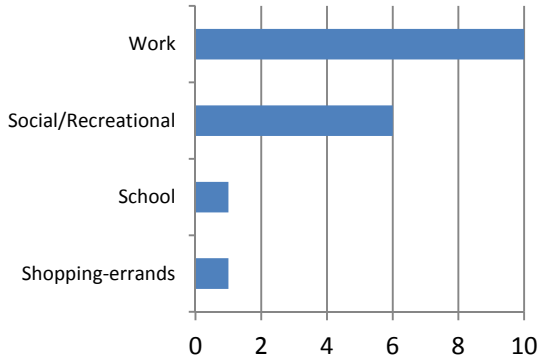
Figure 3: Frequency of Transit Use



All respondents who currently ride transit reported that they typically use transit Monday through Friday. No respondents reported using transit on weekends.

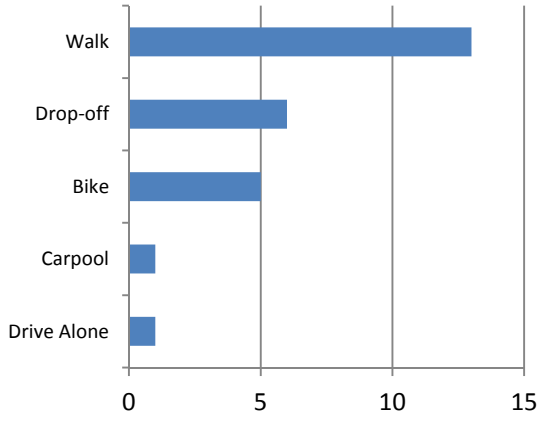
Among respondents who indicated they currently ride transit, 10 reported using transit primarily for their work commute. One reported using transit to get to school, one reported using transit to see their doctor (classified as an errand) and the six use transit for social or recreational trips (see **Figure 4**). Respondents were allowed to select more than one trip purpose.

Figure 4: Transit Typical Trip Purpose



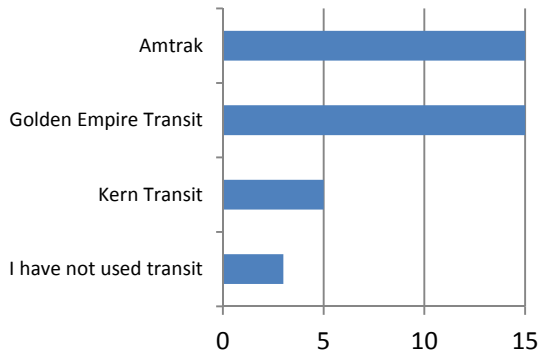
Two-thirds of respondents currently walk to access transit. Other common modes, listed in **Figure 5**, include bicycling or being dropped off.

Figure 5: Mode Used to Access Transit



When asked about past transit use, only three respondents indicated they have not used any of the transit options available in Bakersfield. Only two respondents indicated they currently hold a monthly transit pass. See **Figure 6** for transit providers respondents have used in the past.

Figure 6: Past Transit Use



Eight respondents indicated they make at least one transfer when they use transit. When asked to write-in the routes and transfers they make, the following responses were received. Parentheses indicate whether the route is Golden Empire Transit (GET) or Kern Transit (Kern).

- 46 beginning (GET)
- 84/82 (GET)
- From Lake Isabella once (Kern), and in Bakersfield once (GET)
- Downtown (GET)
- 41, 81,42 (GET)
- 41,81 (GET)

BARRIERS TO TRANSIT USE

When respondents who do not currently ride transit were asked what might motivate them to use transit in the future, responses included the following comments:

- Quick service
- Earlier service
- More frequent connections
- Covered bus stops, protected from summer heat
- Route maps at bus stops
- More direct service to Cal State
- More routes on the west side
- If I had absolutely no other options
- If traffic was more inconvenient
- $1 buses in priority areas, similar to Long Beach Red Bus
- If safety concerns were addressed

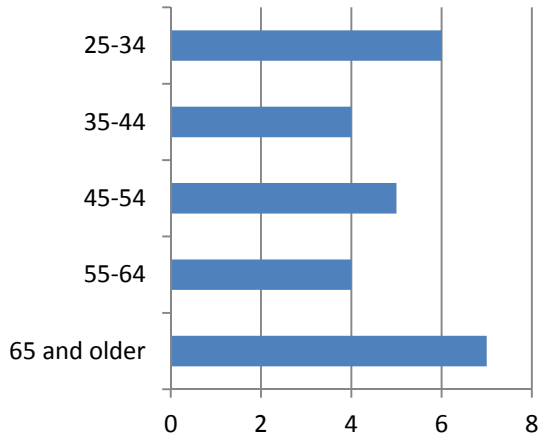
In a separate question, 64 percent of respondents indicated they feel some concern about traffic and safety. The survey provided a comment field for this question, which yielded the following specific concerns:

- Excessive speeds on main streets
- Inconsistent sidewalks on some streets
- Transit center might interfere with traffic
- Adding more stops at CSUB would be ridiculous
- People run lights and follow too closely all the time
- Coach operators as well as motorists need training for increased bike/ped traffic
- Crosswalks are important
- People tend to loiter and get involved in criminal activity at transit centers
- Have a security and safety plan
- Concerned for pedestrian and bicycle circulation
- High speeds are incompatible with pedestrians

RESPONDENT DEMOGRAPHICS

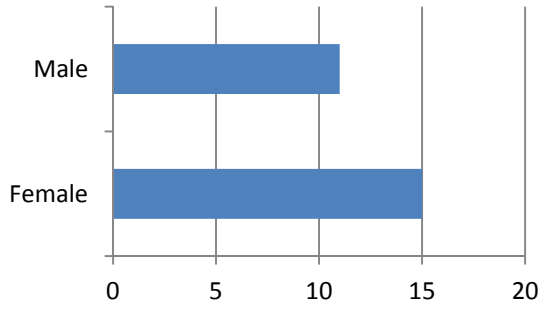
All survey respondents were at least 25 years old, with the largest group being adults 65 and older (see **Figure 7**).

Figure 7: Age of Respondents



58 percent of respondents were female, as shown in **Figure 8**.

Figure 8: Gender of Respondents



Metropolitan Bakersfield Transit Center
Public Opinion Survey

The Kern Council of Governments is conducting a study to identify locations for transit centers in Metropolitan Bakersfield. We want to hear your thoughts! Please complete this survey by November 7, 2014.

You can also fill out the survey online: https://www.surveymonkey.com/s/BakersfieldTransitCenter

1. Where in Bakersfield would you like to see a new transit center?

_____

2. Do you use transit?

☐ Yes ☐ No

If no, why? _____

3. If you don't use transit, what would motivate you to use it?

_____

4. What amenities or services would you most like to see at a new transit center? Select up to three.

☐ Bike racks
☐ Bike lockers
☐ Car-share programs (i.e. ZipCar)
☐ Car parking
☐ Information desks to help plan my trip
☐ Transit pass sales
☐ Food and coffee
☐ Restrooms
☐ Other:

5. Is it important to you that a transit center is off street?

☐ Yes ☐ No

6. Do you have concerns about traffic and safety?

☐ Yes ☐ No

If yes, please describe:

_____

7. Which transit options have you used?

☐ Golden Empire Transit
☐ Kern Transit
☐ Amtrak
☐ I have not used transit

8. Are you a monthly transit pass holder?

☐ Yes ☐ No

9. If you use transit, do you transfer on your trips?

☐ I do not use transit
☐ No
☐ Yes
☐ If yes, how many transfers? _____

10. If you do transfer, which routes? (beginning/ transfer/ end)

_____

11. How frequently do you ride transit in Bakersfield?

☐ At least once a day
☐ At least once per week
☐ At least a few times a month
☐ Rarely
☐ I have not used transit

12. Please indicate when you typically ride transit:

☐ Weekdays (Monday-Friday)
☐ Weekends (Saturday-Sunday)
☐ I do not typically ride transit

13. What is your typical travel purpose when you use transit?

☐ Work
☐ School
☐ Shopping-Errands
☐ Social/Sports/Recreational
☐ Other:_____

14. How do you typically get to transit?

☐ Walk
☐ Bike
☐ Drop-off
☐ Carpool
☐ Drive alone
☐ Other: _____

15. How old are you?

☐ Under 12
☐ 12-17
☐ 18-24
☐ 25-34
☐ 45-54
☐ 55-64
☐ 65 and older

16. Please indicate your gender

☐ Female ☐ Male

Please keep me up to date on the project!

Name:_____

Email:_____

Thank you for completing the survey!

For more information contact the Kern Council of Governments
P: (661) 861-2191or www.kerncog.org
Mail to: Kern Council of Governments, 1401 19th Street, Suite 300, Bakersfield, California 93301

METROPOLITAN BAKERSFIELD TRANSIT CENTER

PUBLIC OPINION SURVEY RESULTS

A survey was created to gather input on the location for a new transit center in the Metropolitan Bakersfield area.
The survey received 24 responses at a public workshop on February 26, 2015.
Feedback and key takeaways are summarized below.

TRANSIT USE AND ACCESS

Out of 24 respondents, 13 reported they use transit. The most commonly reported transit system was Amtrak, at 15 responses, followed by Golden Empire Transit with 11 responses (see **Figure 1**).

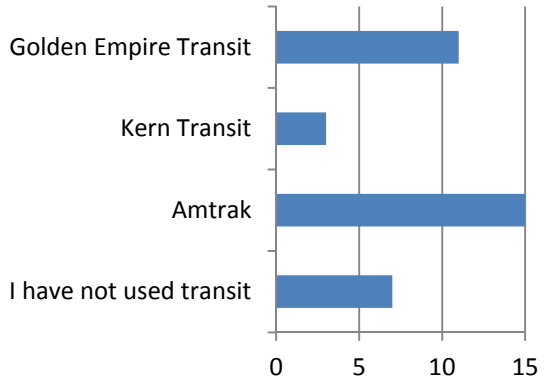


Figure 1: Transit Provider Used

More respondents reported that they walk to transit over any other mode, as shown in **Figure 2**. Being dropped off was the second most common mode reported.

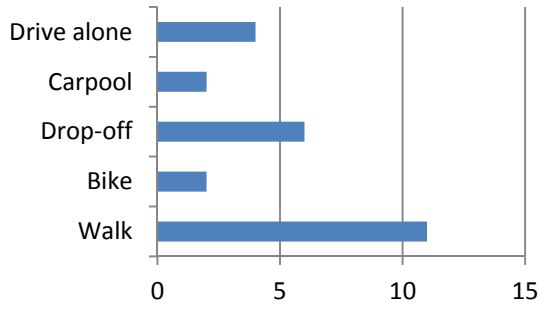


Figure 2: Mode Used to Access Transit

TRANSIT CENTER PROXIMITY

Respondents were asked to identify which evaluated transit center locations were closest to their home, and which were closest to their job or school.

The following evaluated transit center locations were identified as close to respondents' homes:

- California State University Bakersfield (6)
- Amtrak Station (Proposed HSR) (4)
- Bakersfield College (4)
- Downtown Transit Center (4)
- F Street and Golden State Avenue (3)
- Niles and Mt Vernon Avenue (3)
- Morning Drive and Hwy 178 (2)
- California Avenue and Hwy 99 (1)
- China Grade Loop and Airport Drive (1)
- Southwest Transit Center (1)

The following evaluated transit center locations were identified as close to respondents' jobs or schools:

- Downtown Transit Center (13)
- Amtrak Station (Proposed HSR) (4)
- California State University Bakersfield (3)
- California Avenue and Hwy 99 (2)
- Bakersfield College (1)
- F Street and Golden State Avenue (1)
- Niles and Mt Vernon Avenue (1)

TRANSIT CENTER LOCATION PREFERENCES

Respondents were asked to select and rank their top three preferences for a transit center location. Locations ranked as a respondents' most preferred location were awarded three points, followed by two and one points for the second and third most preferred locations.

Based on the total points received, the following ranked list of transit center locations was identified:

- Amtrak Station (Proposed HSR) (40)
- Downtown Transit Center (34)
- California State University Bakersfield (17)
- F Street and Golden State Avenue (13)
- Niles and Mt Vernon Avenue (11)
- California Avenue and Hwy 99 (9)
- Southwest Transit Center (5)
- Bakersfield College (4)
- China Grade Loop and Airport Drive (2)
- Panama Lane and Hwy 99 (2)
- Santa Fe Way (2)
- Morning Drive and Hwy 178 (0)

COMMENTS

Respondents were invited to provide additional comments. The following responses were received:

- I would like to see a transit center with bays for airport and other buses (i.e. casino) to use.
- I am here on behalf of the guest we serve every day through Garden Pathways.
- I would like to see a transit center with proposed HSR location near Amtrak station.
- The area near F Street and Golden State (HSR) has the old Montgomery Ward parcel, the Bakersfield Inn, and is near the train tracks.
- The best way to use public transit in Bakersfield is with a bicycle. Bike lockers, racks, and racks on buses are needed.
- Consider as a 'raison d etre' use as a factor of a medical center and as an urban renewal incentive.

RESPONDENT DEMOGRAPHICS

All survey respondents were at least 25 years old, with the largest group being adults 55 to 64 years old (see **Figure 3**).

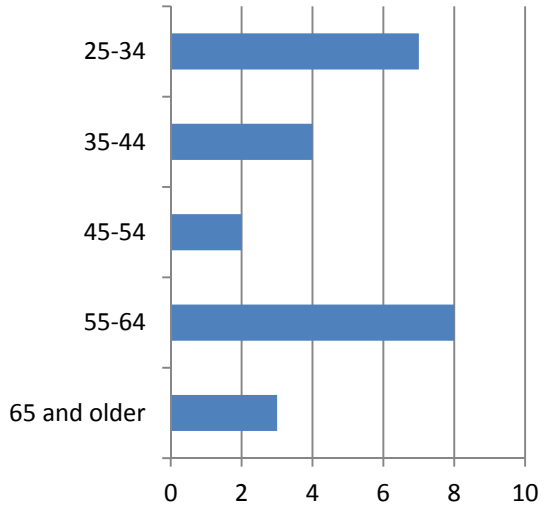


Figure 3: Age of Respondents

62 percent of respondents were female, as shown in **Figure 4**.

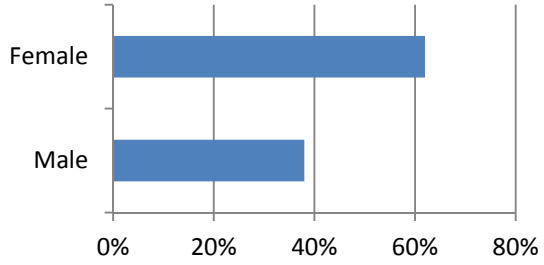


Figure 4: Gender of Respondents

Metropolitan Bakersfield Transit Center Opinion Survey

Community Workshop February 26, 2015

1. How old are you?

- ☐ Under 12
- ☐ 12-17
- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65 and older

2. Please indicate your gender

- ☐ Female
- ☐ Male

3. Do you use transit?

- ☐ Yes
- ☐ No

4. Which transit options have you used?

- ☐ Golden Empire Transit
- ☐ Kern Transit
- ☐ Amtrak
- ☐ I have not used transit

5. If you use transit, how do you typically get to transit?

- ☐ Walk
- ☐ Bike
- ☐ Drop-off
- ☐ Carpool
- ☐ Drive alone
- ☐ Other: _____

6. Which of the evaluated transit center locations is closest to your home?

- ☐ Bakersfield College
- ☐ Downtown Transit Center
- ☐ Southwest Transit Center
- ☐ California State University Bakersfield
- ☐ Amtrak Station (Proposed HSR)
- ☐ Niles and Mt. Vernon Avenue
- ☐ Panama Lane and Highway 99
- ☐ Santa Fe Way
- ☐ China Grade Loop and Airport Dr
- ☐ F Street and Golden State Ave
- ☐ Morning Dr and Hwy 178
- ☐ California Ave and Hwy 99

7. Which of the evaluated transit center locations is closest to your job or school?

- ☐ Bakersfield College
- ☐ Downtown Transit Center
- ☐ Southwest Transit Center
- ☐ California State University Bakersfield
- ☐ Amtrak Station (Proposed HSR)
- ☐ Niles and Mt. Vernon Avenue
- ☐ Panama Lane and Highway 99
- ☐ Santa Fe Way
- ☐ China Grade Loop and Airport Dr
- ☐ F Street and Golden State Ave
- ☐ Morning Dr and Hwy 178
- ☐ California Ave and Hwy 99

8. Please indicate your top 3 sites (in order of preference: 1 highest preference, 3 lowest preference)

- ___ Bakersfield College
- ___ Downtown Transit Center
- ___ Southwest Transit Center
- ___ California State University Bakersfield
- ___ Amtrak Station (Proposed HSR)
- ___ Niles and Mt. Vernon Avenue
- ___ Panama Lane and Highway 99
- ___ Santa Fe Way
- ___ China Grade Loop and Airport Dr
- ___ F Street and Golden State Ave
- ___ Morning Dr and Hwy 178
- ___ California Ave and Hwy 99

9. Comments:

Please keep me up to date on the project!

Name:_____

Email:_____

For more information contact the Kern Council of Governments
P: (661) 861-2191or www.kerncog.org

Kern Council of Governments

June 3, 2015

TO: REGIONAL PLANNING ADVISORY COMMITTEE

FROM: Ahron Hakimi, Executive Director
By: Peter Smith, Regional Planner

SUBJECT: RPAC AGENDA ITEM: VI
Assembly Bill 2, Alejo: Community Revitalization Authority

DESCRIPTION: Assembly Bill (AB) 2 would resurrect redevelopment agencies in a new form and provide tax increment funding tools to local governments that could incentivize infill and more vibrant communities while advancing Kern's Sustainable Communities Strategy.

DISCUSSION: Background-The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined by means of development projects financed by the issuance of bonds serviced by tax increment revenues derived from the project area. Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved agencies and to fulfill the enforceable obligations of those agencies. Existing law also provides for various economic development programs that foster community sustainability and community and economic development initiatives throughout the state.

The proposed law, Assembly Bill 2. seeks to re-establish Redevelopment Agencies to combat blight. The latest action concerning the bill is a first reading in the California State Senate on May 11, 2015.

There are two provisions of the legislation for an authority to carry out a revitalization plan within a prescribed revitalization area. The provisions are:

1. The area as defined by census tracts or census block groups must not have a median household income that is greater than 80% of the California state median household income, **and**;
2. Three of the following four characteristics:
    a. A non-seasonal unemployment rate that is 3 percentage higher than the state average;
    b. A crime rate that is 5 percent higher than the state average;
    c. Deteriorated on inadequate infrastructure;
    d. Deteriorated commercial or residential structures.

The powers of the Authority are further defined in the legislation.

Attached is the text of the bill and maps that show the areas of Kern County and selected communities that have less than 80% of the state median household income.

ACTION: Information.

Attachments: AB 2.

Maps showing areas of Kern County with less than 80% of California Median Household Income.

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL No. 2

Introduced by Assembly ~~Member~~ *Members* Alejo *and Eduardo Garcia*
(Coauthors: Assembly Members Brown, Chiu, Cristina Garcia, Holden, McCarty, Mullin, Perea, and Ting)

December 1, 2014

An act *to add Division 4 (commencing with Section 62000) to Title 6 of the Government Code,* relating to economic development.

LEGISLATIVE COUNSEL'S DIGEST

AB 2, as amended, Alejo. Community revitalization authority.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined by means of redevelopment projects financed by the issuance of bonds serviced by tax increment revenues derived from the project area. Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved agencies and to fulfill the enforceable obligations of those agencies. Existing law also provides for various economic development programs that foster community sustainability and community and economic development initiatives throughout the state.

~~This bill would state the intent of the Legislature to enact legislation that would authorize certain local agencies to form a community revitalization authority within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other~~

~~things, infrastructure, affordable housing, and economic revitalization, and to provide for the financing of these activities by, among other things, the issuance of bonds serviced by tax increment revenues.~~

This bill would authorize certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. The bill would provide for the financing of these activities by, among other things, the issuance of bonds serviced by tax increment revenues, and would require the authority to adopt a community revitalization plan for the community revitalization and investment area that includes elements describing and governing revitalization activities. The bill would also provide for periodic audits by the Controller. The bill would also require the Department of Housing and Community Development, advised by an advisory committee appointed by the Director of Housing and Community Development, to periodically review the calculation of surplus housing under these provisions. The bill would require certain funds allocated to the authority to be deposited into a separate Low and Moderate Income Housing Fund and used by the authority for the purposes of increasing, improving, and preserving the community's supply, as specified. The bill would, if an authority failed to expend or encumber surplus in the Low and Moderate Income Housing Fund, require those funds to be disbursed towards housing needs. The bill would require an authority to make relocation provisions for persons displaced by a plan and replace certain dwelling units that are destroyed or removed as part of a plan. The bill would authorize an authority to acquire interests in real property and exercise the power of eminent domain, as specified.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes*. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Certain areas of the state are generally characterized by buildings in which it is unsafe or unhealthy for persons to live or work, conditions that make the viable use of buildings or lots difficult, high business vacancies and lack of employment

opportunities, and inadequate public improvements, water, or sewer utilities. It is the intent of the Legislature to create a planning and financing tool to support the revitalization of these communities.

(b) It is in the interest of the state to support the economic revitalization of these communities through tax increment financing.

(c) It is the intent of the Legislature to authorize the creation of Community Revitalization and Investment Authorities to invest property tax increment revenue to relieve conditions of unemployment, reduce high crime rates, repair deteriorated or inadequate infrastructure, promote affordable housing, and improve conditions leading to increased employment opportunities.

SEC. 2. Division 4 (commencing with Section 62000) is added to Title 6 of the Government Code, to read:

DIVISION 4. COMMUNITY REVITALIZATION AND INVESTMENT AUTHORITIES

PART 1. GENERAL PROVISIONS

62000. As used in this division, the following terms have the following meanings:

(a) "Authority" means the Community Revitalization and Investment Authority created pursuant to this division.

(b) "Plan" means a community revitalization plan and shall be deemed to be the plan described in Section 16 of Article XVI of the California Constitution.

(c) "Plan area" means territory included within a community revitalization and investment area.

(d) "Revitalization project" means a physical improvement to real property funded by the authority.

62001. (a) A community revitalization and investment authority is a public body, corporate and politic, with jurisdiction to carry out a community revitalization plan within a community revitalization and investment area. The authority shall be deemed to be the "agency" described in subdivision (b) of Section 16 of Article XVI of the California Constitution for purposes of receiving tax increment revenues. The authority shall have only those powers and duties specifically set forth in Section 62002.

(b) (1) An authority may be created in any one of the following ways:

(A) A city, county, or city and county may adopt a resolution creating an authority. The composition of the governing board shall be comprised as set forth in subdivision (c).

(B) A city, county, city and county, and special district, as special district is defined in subdivision (m) of Section 95 of the Revenue and Taxation Code, or any combination thereof, may create an authority by entering into a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1.

(2) (A) A school entity, as defined in subdivision (f) of Section 95 of the Revenue and Taxation Code, may not participate in an authority created pursuant to this part.

(B) A successor agency, as defined in subdivision (j) of Section 34171 of the Health and Safety Code, may not participate in an authority created pursuant to this part, and an entity created pursuant to this part shall not receive any portion of the property tax revenues or other moneys distributed pursuant to Section 34188 of the Health and Safety Code.

(3) An authority formed by a city or county that created a redevelopment agency that was dissolved pursuant to Part 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code shall not become effective until the successor agency or designated local authority for the former redevelopment agency has adopted findings of fact stating all of the following:

(A) The agency has received a finding of completion from the Department of Finance pursuant to Section 34179.7 of the Health and Safety Code.

(B) No former redevelopment agency assets which are the subject of litigation against the state, where the city or county or its successor agency or designated local authority are a named plaintiff, have been or will be used to benefit any efforts of an authority formed under this part unless the litigation, has been resolved by entry of a final judgment by any court of competent jurisdiction and any appeals have been exhausted.

(C) The agency has complied with all orders of the Controller pursuant to Section 34167.5 of the Health and Safety Code.

(c) (1) The governing board of an authority created pursuant to subparagraph (A) of paragraph (1) of subdivision (b) shall be

appointed by the legislative body of the city, county, or city and county that created the authority and shall include three members of the legislative body of the city, county, or city and county that created the authority and two public members. The appointment of the two public members shall be subject to the provisions of Section 54974. The two public members shall live or work within the community revitalization and investment area.

(2) The governing body of the authority created pursuant to subparagraph (B) of paragraph (1) of subdivision (b) shall be comprised of a majority of members from the legislative bodies of the public agencies that created the authority and a minimum of two public members who live or work within the community revitalization and investment area. The majority of the board shall appoint the public members to the governing body. The appointment of the public members shall be subject to the provisions of Section 54974.

(d) An authority may carry out a community revitalization plan within a community revitalization and investment area. Not less than 80 percent of the land calculated by census tracts, or census block groups, as defined by the United States Census Bureau, within the area shall be characterized by both of the following conditions:

(1) An annual median household income that is less than 80 percent of the statewide annual median income.

(2) Three of the following four conditions:

(A) Nonseasonal unemployment that is at least 3 percent higher than statewide median unemployment, as defined by the report on labor market information published by the Employment Development Department in January of the year in which the community revitalization plan is prepared.

(B) Crime rates that are 5 percent higher than the statewide median crime rate, as defined by the most recent annual report of the Criminal Justice Statistics Center within the Department of Justice, when data is available on the California Attorney General's Internet Web site.

(C) Deteriorated or inadequate infrastructure such as streets, sidewalks, water supply, sewer treatment or processing, and parks.

(D) Deteriorated commercial or residential structures.

(e) As an alternative to subdivision (d), an authority may also carry out a community revitalization plan within a community

revitalization and investment area established within a former military base that is principally characterized by deteriorated or inadequate infrastructure and structures. Notwithstanding subdivision (c), the governing board of an authority established within a former military base shall include a member of the military base closure commission as a public member.

(f) An authority created pursuant to this part shall be a local public agency subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), and the Political Reform Act of 1974 (Title 9 (commencing with Section 81000)).

(g) (1) At any time after the authority is authorized to transact business and exercise its powers, the legislative body or bodies of the local government or governments that created the authority may appropriate the amounts the legislative body or bodies deem necessary for the administrative expenses and overhead of the authority.

(2) The money appropriated may be paid to the authority as a grant to defray the expenses and overhead, or as a loan to be repaid upon the terms and conditions as the legislative body may provide. If appropriated as a loan, the property owners within the plan area shall be made third-party beneficiaries of the repayment of the loan. In addition to the common understanding and usual interpretation of the term, "administrative expense" includes, but is not limited to, expenses of planning and dissemination of information.

62002. An authority may do all of the following:

(a) Provide funding to rehabilitate, repair, upgrade, or construct infrastructure.

(b) Provide for low- and moderate-income housing.

(c) Remedy or remove a release of hazardous substances pursuant to the Polanco Redevelopment Act (Article 12.5 (commencing with Section 33459) of Part 1 of Chapter 4 of Division 24) or Chapter 6.10 (commencing with Section 25403) of Division 20 of the Health and Safety Code.

(d) Provide for seismic retrofits of existing buildings in accordance with all applicable laws and regulations.

(e) Acquire and transfer real property in accordance with Part 3 (commencing with Section 62200). The authority shall retain

controls and establish restrictions or covenants running with the land sold or leased for private use for such periods of time and under such conditions as are provided in the plan. The establishment of such controls is a public purpose under the provisions of this part.

(f) Issue bonds in conformity with Article 4.5 (commencing with Section 53506) and Article 5 (commencing with Section 53510) of Chapter 3 of Part 1 of Division 2 of Title 5.

(g) Borrow money, receive grants, or accept financial or other assistance or investment from the state or the federal government or any other public agency or private lending institution for any project or within its area of operation, and may comply with any conditions of the loan or grant. An authority may qualify for funding as a disadvantaged community pursuant to Section 79505.5 of the Water Code or as defined by Section 56033.5. An authority may also enter into an agreement with a qualified community development entity, as defined by Section 45D(c) of the Internal Revenue Code, to coordinate investments of funds derived from the New Markets Tax Credit with those of the authority in instances where coordination offers opportunities for greater efficiency of investments to improve conditions described in subdivisions (d) and (e) within the territorial jurisdiction of the authority.

(h) Adopt a community revitalization and investment plan pursuant to Sections 62003 and 62004.

(i) Make loans or grants for owners or tenants to improve, rehabilitate, or retrofit buildings or structures within the plan area.

(j) Construct foundations, platforms, and other like structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial industrial, or other uses contemplated by the revitalization plan.

(k) Provide direct assistance to businesses within the plan area in connection with new or existing facilities for industrial or manufacturing uses, except as specified in this division.

62003. An authority shall adopt a community revitalization and investment plan that may include a provision for the receipt of tax increment funds generated within the area according to Section 62005, provided the plan includes each of the following elements:

(a) A statement of the principal goals and objectives of the plan including territory to be covered by the plan.

(b) A description of the deteriorated or inadequate infrastructure within the area and a program for construction of adequate infrastructure or repair or upgrading of existing infrastructure.

(c) A housing program that complies with Part 2 (commencing with Section 62100).

(d) A program to remedy or remove a release of hazardous substances, if applicable.

(e) A program to provide funding for or otherwise facilitate the economic revitalization of the area.

(f) A fiscal analysis setting forth the projected receipt of revenue and projected expenses over a five-year planning horizon, including the potential issuance of bonds backed by tax increment during the term of the plan. Bonds shall be issued in conformity with Article 4.5 (commencing with Section 53506) and Article 5 (commencing with Section 53510) of Chapter 3 of Part 1 of Division 2 of Title 5.

(g) Time limits that may not exceed the following:

(1) Thirty years for establishing loans, advances and indebtedness.

(2) Forty-five years for the repayment of all of the authority's debts and obligations, and fulfilling all of the authority's housing obligations. The plan shall specify that an authority shall dissolve as a legal entity in no more than 45 years, and no further taxes shall be allocated to the authority pursuant to Section 62006. Nothing in this paragraph shall be interpreted to prohibit an authority from refinancing outstanding debt solely to reduce interest costs.

(h) A determination that the community revitalization investment area complies with the conditions described in subdivision (d) or (e) of Section 62001.

62004. (a) The authority shall consider adoption of the plan at three public hearings that shall take place at least 30 days apart. At the first public hearing, the authority shall hear all written and oral comments but take no action. At the second public hearing, the authority shall consider all written and oral comments and take action to modify or reject the plan. If the plan is not rejected at the second public hearing, then the authority shall conduct a protest proceeding at the third public hearing to consider whether

the property owners and residents within the plan area wish to present oral or written protests against the creation of the authority.

(b) The draft plan shall be made available to the public and to each property owner within the area at a meeting held at least 30 days prior to the notice given for the first public hearing. The purposes of the meeting shall be to allow the staff of the authority to present the draft plan, answer questions about the plan, and consider comments about the plan.

(c) Notice of the first public hearing shall be given by publication not less than once a week for four successive weeks in a newspaper of general circulation published in the county in which the area lies and shall be mailed to each property owner within the proposed area of the plan. Notice of the second public hearing shall be given by publication not less than 10 days prior to the date of the second public hearing in a newspaper of general circulation published in the county in which the area lies and shall be mailed to each property owner within the proposed area of the plan. The notice shall do all of the following, as applicable:

(1) Describe specifically the boundaries of the proposed area.

(2) Describe the purpose of the plan.

(3) State the day, hour, and place when and where any and all persons having any comments on the proposed plan may appear to provide written or oral comments to the authority.

(4) Notice of second public hearing shall include a summary of the changes made to the plan as a result of the oral and written testimony received at or before the public hearing and shall identify a location accessible to the public where the plan to be presented at the second public hearing can be reviewed.

(5) Notice of the third public hearing to consider any written or oral protests shall contain a copy of the final plan adopted pursuant to subdivision (a), and shall inform the property owner and resident of his or her right to submit an oral or written protest before the close of the public hearing. The protest may state that the property owner or resident objects to the authority taking action to implement the plan.

(d) At the third public hearing, the authority shall consider all written and oral protests received prior to the close of the public hearing and shall terminate the proceedings or adopt the plan subject to confirmation by the voters at an election called for that

purpose. The authority shall terminate the proceedings if there is a majority protest. A majority protest exists if protests have been filed representing over 50 percent of the combined number of property owners and residents in the area who are at least 18 years of age. An election shall be called if between 25 percent and 50 percent of the combined number of property owners and residents in the area who are at least 18 years of age file a protest.

(e) An election required pursuant to subdivision (d) shall be held within 90 days of the public hearing and may be held by mail-in ballot. The authority shall adopt, at a duly noticed public hearing, procedures for this election.

(f) If a majority of the property owners and residents vote against the plan, then the authority shall not take any further action to implement the proposed plan. The authority shall not propose a new or revised plan to the affected property owners and residents for at least one year following the date of an election in which the plan was rejected.

(g) The authority may provide notice of the public hearings to tenants of properties within the proposed area of the plan in a manner of its choosing.

(h) At the hour set in the notice required by subdivision (a), the authority shall consider all written and oral comments.

(i) If a majority protest does not exist, the authority may adopt the plan at the conclusion of the third public hearing by ordinance. The ordinance adopting the plan shall be subject to referendum as prescribed by law.

(j) For the purposes of Section 62005, the plan shall be the plan adopted pursuant to this section.

(k) The authority shall consider and adopt an amendment or amendments to a plan in accordance with the provisions of this section.

62005. (a) (1) The plan adopted pursuant to Section 62004 may include a provision that taxes levied and collected upon taxable property in the area included within the territory each year by or for the benefit the taxing agencies that have adopted a resolution pursuant to subdivision (d), shall be divided as follows:

(A) That portion of the taxes that would have been produced by the rate upon which the tax is levied each year by or for each of the consenting local agencies upon the total sum of the assessed value of the taxable property in the territory as shown upon the

assessment roll used in connection with the taxation of the property by the consenting local agency, last equalized prior to the effective date of the certification of completion, and that portion of taxes by or for each school entity, shall be allocated to, and when collected shall be paid to, the respective consenting local agencies and school entities as taxes by or for the consenting local agencies and school entities on all property are paid.

(B) That portion of the levied taxes each year specified in the community revitalization plan adopted pursuant to Section 62004 for each consenting local agency that has agreed to participate pursuant a resolution adopted pursuant to subdivision (d), in excess of the amount specified in subparagraph (A), shall be allocated to, and when collected shall be paid into a special fund of a the authority to finance the improvements specified in the community revitalization plan.

(2) A consenting local agency may advance funds to the authority. The authority shall use those advanced funds solely for the purposes specified in the community revitalization plan and shall repay the consenting local agency with revenue from the taxes received pursuant to this subdivision.

(b) For purposes of this section, the following definitions apply:

(1) "Taxing agency" means a local agency as defined by subdivision (a) of Section 95 of the Revenue and Taxation Code, and does not include any school entity as defined in subdivision (f) of Section 95 of the Revenue and Taxation Code.

(2) "Consenting local agency" means a local agency that has adopted a resolution of its governing body consenting to the annexation development plan.

(3) "Territory" means the land that is contained within the community revitalization plan.

(c) The provision for the receipt of tax increment funds shall become effective in the tax year that begins after the December 1 first following the adoption of the plan.

(d) At any time prior to or after adoption of the plan, any city, county, or special district, other than a school entity as defined in subdivision (n) of Section 95 of the Revenue and Taxation Code or a successor agency as defined in subdivision (j) of Section 34171, that receives ad valorem property taxes from property located within an area may adopt a resolution directing the county auditor-controller to allocate its share of tax increment funds

within the area covered by the plan according to subdivision (a) to the authority. The resolution adopted pursuant to this subdivision may direct the county auditor-controller to allocate less than the full amount of the tax increment, establish a maximum amount of time in years that the allocation takes place, or limit the use of the funds by the authority for specific purposes or programs. A resolution adopted pursuant to this subdivision may be repealed and be of no further effect by giving the county auditor-controller 60 days' notice; provided, however, that the county auditor-controller shall continue to allocate to the authority the taxing entity's share of ad valorem property taxes that have been pledged to the repayment of debt issued by the authority until the debt has been fully repaid. Prior to adopting a resolution pursuant to this subdivision a city, county, or special district shall approve a memorandum of understanding with the authority governing the authority's use of tax increment funds for administrative and overhead expenses pursuant to subdivision (g) of Section 62001.

(e) Upon adoption of a plan that includes a provision for the receipt of tax increment funds according to subdivision (a), the county auditor-controller shall allocate tax increment revenue to the authority as follows:

(1) If the authority was formed pursuant to subparagraph (A) of paragraph (1) of subdivision (b) of Section 62001, the authority shall be allocated each year specified in the plan that portion of the taxes levied for each city, county, city and county, and special district that has adopted a resolution pursuant to subdivision (d), in excess of the amount specified in paragraph (1) of subdivision (a).

(2) If the authority was formed pursuant to subparagraph (B) of paragraph (1) of subdivision (b) of Section 62001, the authority shall be allocated each year specified in the plan that portion of the taxes levied for each jurisdiction as provided in the joint powers agreement in excess of the amount specified in paragraph (1) of subdivision (a).

(f) If an area includes, in whole or in part, land formerly or currently designated as a part of a redevelopment project area, as defined in Section 33320.1 of the Health and Safety Code, any plan adopted pursuant to this part that includes a provision for the receipt of tax increment revenues according to subdivision (a) shall include a provision that tax increment amounts collected and

received by an authority are subject and subordinate to any preexisting enforceable obligation as that term is defined by Section 34171 of the Health and Safety Code.

62006. (a) The authority shall review the plan at least annually and make any amendments that are necessary and appropriate in accordance with the procedures set forth in Section 62004 and shall require the preparation of an annual independent financial audit paid for from revenues of the authority.

(b) An authority shall adopt an annual report on or before June 30 of each year after holding a public hearing. Written copies of the draft report shall be made available to the public 30 days prior to the public hearing. The authority shall cause the draft report to be posted in an easily identifiable and accessible location on the authority's Internet Web site and shall mail a written notice of the availability of the draft report on the Internet Web site to each owner of land and each resident within the area covered by the plan and to each taxing entity that has adopted a resolution pursuant to subdivision (d) of Section 62005. The notice shall be mailed by first-class mail, but may be addressed to "occupant."

(c) The annual report shall contain all of the following:

(1) A description of the projects undertaken in the fiscal year, including any rehabilitation of structures, and a comparison of the progress expected to be made on those projects compared to the actual progress.

(2) A chart comparing the actual revenues and expenses, including administrative costs, of the authority to the budgeted revenues and expenses.

(3) The amount of tax increment revenues received.

(4) The amount of revenues expended for low- and moderate-income housing.

(5) An assessment of the status regarding completion of the authority's projects.

(6) The amount of revenues expended to assist private businesses.

(d) If the authority fails to provide the annual report required by subdivision (a), the authority shall not spend any funds received pursuant to a resolution adopted pursuant to subdivision (d) of Section 62005.

(e) Every 10 years, at the public hearing held pursuant to subdivision (b), the authority shall conduct a protest proceeding

to consider whether the property owners and residents within the plan area wish to present oral or written protests against the authority. Notice of this protest proceeding shall be included in the written notice of the hearing on the annual report and shall inform the property owner and resident of his or her right to submit an oral or written protest before the close of the public hearing. The protest may state that the property owner or resident objects to the authority taking action to implement the plan on and after the date of the election described in subdivision (f). The authority shall consider all written and oral protests received prior to the close of the public hearing.

(f) If there is a majority protest, the authority shall not take any further action to implement the plan on and after the date the existence of a majority protest is determined. If between 25 percent and 50 percent of the property owners and residents file protests, then the authority shall call an election of the property owners and residents in the area covered by the plan, and shall not initiate or authorize any new projects until the election is held. A majority protest exists if protests have been filed representing over 50 percent of the combined number of property owners and residents, at least 18 years of age or older, in the area.

(g) An election required pursuant to subdivision (f) shall be held within 90 days of the public hearing and may be held by mail-in ballot. The authority shall adopt, at a duly noticed public hearing, procedures for holding this election.

(h) If a majority of the property owners and residents vote against the authority, then the authority shall not take any further action to implement the plan on and after the date of the election held pursuant to subdivision (e). This section shall not prevent the authority from taking any and all actions and appropriating and expending funds, including, but not limited to, any and all payments on bonded or contractual indebtedness, to carry out and complete projects for which expenditures of any kind had been made prior to the date of the election.

62007. (a) Every five years, beginning in the calendar year in which the authority has allocated a cumulative total of more than one million dollars ($1,000,000) in tax increment revenues, including any proceeds of a debt issuance, for the purposes of subdivision (c) or Section 62003, the authority shall contract for an independent audit to determine compliance with the affordable

housing set-aside, maintenance and replacement requirements of Chapter 1 (commencing with Section 62100) and Chapter 2 (commencing with Section 62115) of Part 2, including provisions to ensure that the requirements are met within each five-year period covered by the audit. The audit shall be conducted according to guidelines established by the Controller, which shall be established on or before December 31, 2021. A copy of the completed audit shall be provided to the Controller. The Controller shall not be required to review and approve the completed audits.

(b) Where the audit demonstrates a failure to comply with the requirements of Chapter 1 (commencing with Section 62100) and Chapter 2 (commencing with Section 62115) of Part 2, the authority shall adopt and submit to the Controller, as part of the audit, a plan to achieve compliance with those provisions as soon as feasible, but in not less than two years following the audit findings. The Controller shall review and approve the plan, and require the plan to stay in effect until compliance is achieved. The Controller shall ensure that the plan includes one or more of the following means of achieving compliance:

(1) The expenditure of an additional 10 percent of gross tax increment revenue on increasing, preserving, and improving the supply of low-income housing.

(2) An increase in the production, by an additional 10 percent, of housing for very low income households as required by paragraph (2) of subdivision (b) of Section 62120.

(3) The targeting of expenditures pursuant to Section 62100 exclusively to rental housing affordable to, and occupied by, persons of very low and extremely low income.

(c) If an authority is required to conduct an audit pursuant to subdivision (a) in advance of the issuance of the Controller's guidelines, then it shall prepare an updated audit pursuant to the Controller's guidelines on or before January 1, 2023.

62008. (a) If an authority fails to provide a copy of the completed audit to the Controller as required by paragraph (2) of subdivision (c) within 20 days following receipt of a written notice of the failure from the Controller, the authority shall forfeit to the state:

(1) Two thousand five hundred dollars ($2,500) in the case of an authority with a total revenue, in the prior year, of less than

one hundred thousand dollars ($100,000), as reported in the Controller's annual financial reports.

(2) Five thousand five hundred dollars ($5,500) in the case of an authority with a total revenue, in the prior year, of at least one hundred thousand dollars ($100,000) but less than two hundred fifty thousand dollars ($250,000), as reported in the Controller's annual financial reports.

(3) Ten thousand dollars ($10,000) in the case of an authority with a total revenue, in the prior year, of at least two hundred fifty thousand dollars ($250,000), as reported in the Controller's annual financial reports.

(b) If an authority fails to provide a copy of the completed audit to the Controller as required by paragraph (2) of subdivision (c) within 20 days after receipt of a written notice pursuant to subdivision (a) for two consecutive years, the authority shall forfeit an amount that is double the amount of the forfeiture assessed pursuant to subdivision (a).

(c) (1) If an authority fails to provide a copy of the completed audit to the Controller as required by paragraph (2) of subdivision (c) within 20 days after receipt of a written notice pursuant to subdivision (a) for three or more consecutive years, the authority shall forfeit an amount that is triple the amount of the forfeiture assessed pursuant to subdivision (a).

(2) The Controller shall conduct, or cause to be conducted, an independent financial audit report.

(3) The authority shall reimburse the Controller for the cost of complying with this subdivision.

(d) Upon the request of the Controller, the Attorney General shall bring an action for the forfeiture in the name of the people of the State of California.

(e) Upon satisfactory showing of good cause, the Controller shall waive the forfeiture requirements of this section.

PART 2. HOUSING

Chapter 1. Housing for Persons of Low and Moderate Income

62100. (a) Not less than 25 percent of all taxes that are allocated to the authority pursuant to Section 62006 shall be

deposited into a separate Low and Moderate Income Housing Fund pursuant to Section 62101 and used by the authority for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing available at affordable housing cost, as defined by the following sections of the Health and Safety Code: Section 50052.5, to persons and families of low or moderate income, as defined in Section 50093, lower income households, as defined by Section 50079.5, very low income households, as defined in Section 50105, and extremely low income households, as defined by Section 50106, that is occupied by these persons and families unless the authority makes a finding that combining funding received under this program with other funding for the same purpose shall reduce administrative costs or expedite the construction of affordable housing. If the authority makes such a finding, then (1) an authority may transfer funding from the program adopted pursuant to subdivision (c) of Section 62003 to the housing authority within the territorial jurisdiction of the local jurisdiction that created the authority or to the entity that received the housing assets of the former redevelopment agency pursuant to Section 34176 of the Health and Safety Code, and (2) Section 34176.1 of the Health and Safety Code shall not apply to funds transferred. Funding shall be spent within the project area in which the funds were generated. Any recipient of funds transferred pursuant to this subdivision shall comply with all applicable provisions of this part.

(b) In carrying out the purposes of this section, the authority may exercise any or all of its powers for the construction, rehabilitation, or preservation of affordable housing for extremely low, very low, low- and moderate-income persons or families, including the following:

(1) Acquire real property or building sites subject to Section 62112.

(2) (A) Improve real property or building sites with onsite or offsite improvements, but only if both (i) the improvements are part of the new construction or rehabilitation of affordable housing units for low- or moderate-income persons that are directly benefited by the improvements, and are a reasonable and fundamental component of the housing units, and (ii) the authority requires that the units remain available at affordable housing cost to, and occupied by, persons and families of extremely low, very

low, low, or moderate income for the same time period and in the same manner as provided in subdivision (c) and paragraph (2) of subdivision (f) of Section 62101.

(B) If the newly constructed or rehabilitated housing units are part of a larger project and the agency improves or pays for onsite or offsite improvements pursuant to the authority in this subdivision, the authority shall pay only a portion of the total cost of the onsite or offsite improvement. The maximum percentage of the total cost of the improvement paid for by the authority shall be determined by dividing the number of housing units that are affordable to low- or moderate-income persons by the total number of housing units, if the project is a housing project, or by dividing the cost of the affordable housing units by the total cost of the project, if the project is not a housing project.

(3) Donate real property to private or public persons or entities.

(4) Finance insurance premiums necessary for the provision of insurance during the construction or rehabilitation of properties that are administered by governmental entities or nonprofit organizations to provide housing for lower income households, as defined in Section 50079.5 of the Health and Safety Code, including rental properties, emergency shelters, transitional housing, or special residential care facilities.

(5) Construct buildings or structures.

(6) Acquire buildings or structures.

(7) Rehabilitate buildings or structures.

(8) Provide subsidies to, or for the benefit of, extremely low income households, as defined by Section 50106 of the Health and Safety Code, very low income households, as defined by Section 50105 of the Health and Safety Code, lower income households, as defined by Section 50079.5 of the Health and Safety Code, or persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code, to the extent those households cannot obtain housing at affordable costs on the open market. Housing units available on the open market are those units developed without direct government subsidies.

(9) Develop plans, pay principal and interest on bonds, loans, advances, or other indebtedness, or pay financing or carrying charges.

(10) Maintain the community's supply of mobilehomes.

(11) Preserve the availability to lower income households of affordable housing units in housing developments that are assisted or subsidized by public entities and that are threatened with imminent conversion to market rates.

(c) The authority may use these funds to meet, in whole or in part, the replacement housing provisions in Section 62120. However, this section shall not be construed as limiting in any way the requirements of that section.

(d) The authority may use these funds inside or outside the plan area. The authority may only use these funds outside the plan area upon a resolution of the authority that the use will be of benefit to the plan. The determination by the authority shall be final and conclusive as to the issue of benefit to the plan area. The Legislature finds and declares that the provision of replacement housing pursuant to Section 62120 is always of benefit to a plan. Unless the authority finds, before the plan is adopted, that the provision of low- and moderate-income housing outside the plan area will be of benefit to the plan, the plan area shall include property suitable for low- and moderate-income housing.

(e) (1) (A) An action to compel compliance with the requirement of this section to deposit not less than 25 percent of all taxes that are allocated to the authority pursuant to Section 62005 in the Low and Moderate Income Housing Fund shall be commenced within 10 years of the alleged violation. A cause of action for a violation accrues on the last day of the fiscal year in which the funds were required to be deposited in the Low and Moderate Income Housing Fund.

(B) An action to compel compliance with the requirement of this section that money deposited in the Low and Moderate Income Housing Fund be used by the agency for purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing available at affordable housing cost shall be commenced within 10 years of the alleged violation. A cause of action for a violation accrues on the date of the actual expenditure of the funds.

(C) An agency found to have deposited less into the Low and Moderate Income Housing Fund than mandated by Section 62101 or to have spent money from the Low and Moderate Income Housing Fund for purposes other than increasing, improving, and preserving the community's supply of low- and moderate-income

housing, as mandated by this section, shall repay the funds with interest in one lump sum pursuant to Section 970.4 or 970.5 or may do either of the following:

(i) Petition the court under Section 970.6 for repayment in installments.

(ii) Repay the portion of the judgment due to the Low and Moderate Income Housing Fund in equal installments over a period of five years following the judgment.

(2) Repayment shall not be made from the funds required to be set aside or used for low- and moderate-income housing pursuant to this section.

(3) Notwithstanding clauses (i) and (ii) of subparagraph (C) of paragraph (1), all costs, including reasonable attorney's fees if included in the judgment, are due and shall be paid upon entry of judgment or order.

(4) Except as otherwise provided in this subdivision, Chapter 2 (commencing with Section 970) of Part 5 of Division 3.6 of Title 1 for the enforcement of a judgment against a local public entity applies to a judgment against a local public entity that violates this section.

(5) This subdivision applies to actions filed on and after January 1, 2016.

(6) The limitations period specified in subparagraphs (A) and (B) of paragraph (1) does not apply to a cause of action brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

62101. (a) The funds that are required by Section 62100 or 62103 to be used for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing shall be held in a separate Low and Moderate Income Housing Fund until used.

(b) Any interest earned by the Low and Moderate Income Housing Fund and any repayments or other income to the authority for loans, advances, or grants, of any kind from the Low and Moderate Income Housing Fund, shall accrue to and be deposited in, the fund and may only be used in the manner prescribed for the Low and Moderate Income Housing Fund.

(c) The moneys in the Low and Moderate Income Housing Fund shall be used to increase, improve, and preserve the supply of low-

and moderate-income housing within the territorial jurisdiction of the authority.

(d) It is the intent of the Legislature that the Low and Moderate Income Housing Fund be used to the maximum extent possible to defray the costs of production, improvement, and preservation of low- and moderate-income housing and that the amount of money spent for planning and general administrative activities associated with the development, improvement, and preservation of that housing not be disproportionate to the amount actually spent for the costs of production, improvement, or preservation of that housing. The authority shall determine annually that the planning and administrative expenses are necessary for the production, improvement, or preservation of low- and moderate-income housing.

(e) (1) Planning and general administrative costs which may be paid with moneys from the Low and Moderate Income Housing Fund are those expenses incurred by the authority which are directly related to the programs and activities authorized under subdivision (e) of Section 62100 and are limited to the following:

(A) Costs incurred for salaries, wages, and related costs of the authority's staff or for services provided through interagency agreements, and agreements with contractors, including usual indirect costs related thereto.

(B) Costs incurred by a nonprofit corporation which are not directly attributable to a specific project.

(2) Legal, architectural, and engineering costs and other salaries, wages, and costs directly related to the planning and execution of a specific project that are authorized under subdivision (e) of Section 62100 and that are incurred by a nonprofit housing sponsor are not planning and administrative costs for the purposes of this section, but are instead project costs.

(f) (1) The requirements of this subdivision apply to all new or substantially rehabilitated housing units developed or otherwise assisted with moneys from the Low and Moderate Income Housing Fund. Except to the extent that a longer period of time may be required by other provisions of law, the authority shall require that housing units subject to this subdivision shall remain available at affordable housing cost to, and occupied by, persons and families of low or moderate income and very low income and

extremely low income households for the longest feasible time, but for not less than the following periods of time:

(A) Fifty-five years for rental units. However, the authority may replace rental units with equally affordable and comparable rental units in another location within the community if (i) the replacement units are available for occupancy prior to the displacement of any persons and families of low or moderate income residing in the units to be replaced, and (ii) the comparable replacement units are not developed with moneys from the Low and Moderate Income Housing Fund.

(B) Forty-five years for owner-occupied units. However, the authority may permit sales of owner-occupied units prior to the expiration of the 45-year period for a price in excess of that otherwise permitted under this subdivision pursuant to an adopted program which protects the agency's investment of moneys from the Low and Moderate Income Housing Fund, including, but not limited to, an equity sharing program which establishes a schedule of equity sharing that permits retention by the seller of a portion of those excess proceeds based on the length of occupancy. The remainder of the excess proceeds of the sale shall be allocated to the authority and deposited in the Low and Moderate Income Housing Fund. Only the units originally assisted by the authority shall be counted towards the agency's obligations under Section 62102.

(C) Fifteen years for mutual self-help housing units that are occupied by and affordable to very low and low-income households. However, the authority may permit sales of mutual self-help housing units prior to expiration of the 15-year period for a price in excess of that otherwise permitted under this subdivision pursuant to an adopted program that (i) protects the agency's investment of moneys from the Low and Moderate Income Housing Fund, including, but not limited to, an equity sharing program that establishes a schedule of equity sharing that permits retention by the seller of a portion of those excess proceeds based on the length of occupancy, and (ii) ensures through a recorded regulatory agreement, deed of trust, or similar recorded instrument that if a mutual self-help housing unit is sold at any time after expiration of the 15-year period and prior to 45 years after the date of recording of the covenants or restrictions required pursuant to paragraph (2), the authority recovers, at a minimum, its original

principal from the Low and Moderate Income Housing Fund from the proceeds of the sale and deposits those funds into the Low and Moderate Income Housing Fund. The remainder of the excess proceeds of the sale not retained by the seller shall be allocated to the agency and deposited in the Low and Moderate Income Housing Fund. For the purposes of this subparagraph, "mutual self-help housing unit" means an owner-occupied housing unit for which persons and families of very low and low income contribute no fewer than 500 hours of their own labor in individual or group efforts to provide a decent, safe, and sanitary ownership housing unit for themselves, their families, and others authorized to occupy that unit. This subparagraph shall not preclude the authority and the developer of the mutual self-help housing units from agreeing to 45-year deed restrictions.

(2) If land on which those dwelling units are located is deleted from the plan area, the authority shall continue to require that those units remain affordable as specified in this subdivision.

(3) The authority shall require the recording in the office of the county recorder of the following documents:

(A) The covenants or restrictions implementing this subdivision for each parcel or unit of real property subject to this subdivision. The authority shall obtain and maintain a copy of the recorded covenants or restrictions for not less than the life of the covenant or restriction.

(B) For all new or substantially rehabilitated units developed or otherwise assisted with moneys from the Low and Moderate Income Housing Fund, a separate document called "Notice of Affordability Restrictions on Transfer of Property," set forth in 14-point type or larger. This document shall contain all of the following information:

(i) A recitation of the affordability covenants or restrictions. If the document recorded under this subparagraph is recorded concurrently with the covenants or restrictions recorded under subparagraph (A), the recitation of the affordability covenants or restrictions shall also reference the concurrently recorded document. If the document recorded under this subparagraph is not recorded concurrently with the covenants or restrictions recorded under subparagraph (A), the recitation of the affordability covenants or restrictions shall also reference the recorder's

identification number of the document recorded under subparagraph (A).

(ii) The date the covenants or restrictions expire.

(iii) The street address of the property, including, if applicable, the unit number, unless the property is used to confidentially house victims of domestic violence.

(iv) The assessor's parcel number for the property.

(v) The legal description of the property.

(4) The authority shall require the recording of the document required under subparagraph (B) of paragraph (3) not more than 30 days after the date of recordation of the covenants or restrictions required under subparagraph (A) of paragraph (3).

(5) The county recorder shall index the documents required to be recorded under paragraph (3) by the authority and current owner.

(6) Notwithstanding Section 27383, a county recorder may charge all authorized recording fees to any party, including a public agency, for recording the document specified in subparagraph (B) of paragraph (3).

(7) Notwithstanding any other law, the covenants or restrictions implementing this subdivision shall run with the land and shall be enforceable against any owner who violates a covenant or restriction and each successor in interest who continues the violation, by any of the following:

(A) The authority.

(B) The city or county that established the authority.

(C) A resident of a unit subject to this subdivision.

(D) A residents' association with members who reside in units subject to this subdivision.

(E) A former resident of a unit subject to this subdivision who last resided in that unit.

(F) An applicant seeking to enforce the covenants or restrictions for a particular unit that is subject to this subdivision, if the applicant conforms to all of the following:

(i) Is of low or moderate income, as defined in Section 50093 of the Health and Safety Code.

(ii) Is able and willing to occupy that particular unit.

(iii) Was denied occupancy of that particular unit due to an alleged breach of a covenant or restriction implementing this subdivision.

(G) A person on an affordable housing waiting list who is of low or moderate income, as defined in Section 50093, and who is able and willing to occupy a unit subject to this subdivision.

(8) A dwelling unit shall not be counted as satisfying the affordable housing requirements of this part, unless covenants for that dwelling unit are recorded in compliance with subparagraph (A) of paragraph (3).

(9) Failure to comply with the requirements of subparagraph (B) of paragraph (3) shall not invalidate any covenants or restrictions recorded pursuant to subparagraph (A) of paragraph (3).

(g) "Housing," as used in this section, includes residential hotels, as defined in subdivision (k) of Section 37912 of the Health and Safety Code. The definitions of "lower income households," "very low income households," and "extremely low income households" in Sections 50079.5, 50105, and 50106 of the Health and Safety Code shall apply to this section. "Longest feasible time," as used in this section, includes, but is not limited to, unlimited duration.

(h) "Increasing, improving, and preserving the community's supply of low- and moderate-income housing," as used in this section and in Section 62100, includes the preservation of rental housing units assisted by federal, state, or local government on the condition that units remain affordable to, and occupied by, low- and moderate-income households, including extremely low and very low income households, for the longest feasible time, but not less than 55 years, beyond the date the subsidies and use restrictions could be terminated and the assisted housing units converted to market rate rentals. In preserving these units the authority shall require that the units remain affordable to, and occupied by, persons and families of low- and moderate-income and extremely low and very low income households for the longest feasible time, but not less than 55 years. However, the authority may replace rental units with equally affordable and comparable rental units in another location within the community if (1) the replacement units in another location are available for occupancy prior to the displacement of any persons and families of low or moderate income residing in the units to be replaced and (2) the comparable replacement units are not developed with moneys from the Low and Moderate Income Housing Fund.

(i) Funds from the Low and Moderate Income Housing Fund shall not be used to the extent that other reasonable means of private or commercial financing of the new or substantially rehabilitated units at the same level of affordability and quantity are reasonably available to the agency or to the owner of the units. Prior to the expenditure of funds from the Low and Moderate Income Housing Fund for new or substantially rehabilitated housing units, where those funds will exceed 50 percent of the cost of producing the units, the authority shall find, based on substantial evidence, that the use of the funds is necessary because the authority or owner of the units has made a good faith attempt but has been unable to obtain commercial or private means of financing the units at the same level of affordability and quantity.

62102. (a) Except as specified in subdivision (d), each authority shall expend over each 10-year period of the community revitalization plan the moneys in the Low and Moderate Income Housing Fund to assist housing for persons of low income and housing for persons of very low income in at least the same proportion as the total number of housing units needed that each of those income groups bears to the total number of units needed for persons of moderate, low, and very low income within the community, as those needs have been determined for the community pursuant to Section 65584. In determining compliance with this obligation, the authority may adjust the proportion by subtracting from the need identified for each income category, the number of units for persons of that income category that are newly constructed over the duration of the implementation plan with other locally controlled government assistance and without agency assistance and that are required to be affordable to, and occupied by, persons of the income category for at least 55 years for rental housing and 45 years for ownership housing, except that in making an adjustment the agency may not subtract units developed pursuant to a replacement housing obligation under state or federal law.

(b) Each authority shall expend over the duration of each implementation plan, the moneys in the Low and Moderate Income Housing Fund to assist housing that is available to all persons regardless of age in at least the same proportion as the number of low-income households with a member under 65 years of age bears to the total number of low-income households of the

community as reported in the most recent census of the United States Census Bureau.

(c) An authority that has deposited in the Low and Moderate Income Housing Fund over the first five years of the period of an implementation plan an aggregate that is less than two million dollars ($2,000,000) shall have an extra five years to meet the requirements of this section.

(d) For the purposes of this section, "locally controlled" means government assistance where the city or county that created the authority or other local government entity has the discretion and the authority to determine the recipient and the amount of the assistance, whether or not the source of the funds or other assistance is from the state or federal government. Examples of locally controlled government assistance include, but are not limited to, the Community Development Block Grant Program (42 U.S.C. Sec. 5301 et seq.) funds allocated to a city or county, the Home Investment Partnership Program (42 U.S.C. Sec. 12721 et seq.) funds allocated to a city or county, fees or funds received by a city or county pursuant to a city or county authorized program, and the waiver or deferral of city or other charges.

62103. Every community revitalization plan shall contain a provision that whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as part of a revitalization project the authority shall, within two years of such destruction or removal, rehabilitate, develop, or construct, or cause to be rehabilitated, developed, or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable housing costs, as defined by Section 50052.5 of the Health and Safety Code, within the territorial jurisdiction of the authority, in accordance with all of the provisions of Sections 62120 and 62120.5.

62104. Programs to assist or develop low- and moderate-income housing pursuant to this part shall be entitled to priority consideration for assistance in housing programs administered by the California Housing Finance Agency, the Department of Housing and Community Development, and other state agencies and departments, if those agencies or departments determine that the housing is otherwise eligible for assistance under a particular program.

62105. The same notice requirements as specified in Section 65863.10 shall apply to multifamily rental housing that receives financial assistance pursuant to Sections 62100 and 62101.

62106. Notwithstanding Sections 62100 and 62101, assistance provided by an authority to preserve the availability to lower income households of affordable housing units which are assisted or subsidized by public entities and which are threatened with imminent conversion to market rates may be credited and offset against an agency's obligations under Section 62100.

62107. (a) Except as otherwise provided in this subdivision, not later than six months following the close of any fiscal year of an authority in which excess surplus accumulates in the authority's Low and Moderate Income Housing Fund, the authority may adopt a plan pursuant to this section for expenditure of all moneys in the Low and Moderate Income Housing Fund within five years from the end of that fiscal year. The plan may be general and need not be site-specific, but shall include objectives respecting the number and type of housing to be assisted, identification of the entities, which will administer the plan, alternative means of ensuring the affordability of housing units for the longest feasible time, as specified in subdivision (e) of Section 62101 the income groups to be assisted, and a schedule by fiscal year for expenditure of the excess surplus.

(b) The authority shall separately account for each excess surplus either as part of or in addition to a Low and Moderate Income Housing Fund.

(c) If the authority develops a plan for expenditure of excess surplus or other moneys in the Low and Moderate Income Housing Fund, a copy of that plan and any amendments to that plan shall be included in the authority's annual report pursuant to Section 62006.

62108. (a) (1) Upon failure of the authority to expend or encumber excess surplus in the Low and Moderate Income Housing Fund within one year from the date the moneys become excess surplus, as defined in paragraph (1) of subdivision (g), the authority shall do either of the following:

(A) Disburse voluntarily its excess surplus to the county housing authority or to another public agency exercising housing development powers within the territorial jurisdiction of the agency in accordance with subdivision (b).

(B) Expend or encumber its excess surplus within two additional years.

(2) If an authority, after three years has elapsed from the date that the moneys become excess surplus, has not expended or encumbered its excess surplus, the authority shall be subject to sanctions pursuant to subdivision (e), until the authority has expended or encumbered its excess surplus plus an additional amount, equal to 50 percent of the amount of the excess surplus that remains at the end of the three-year period. The additional expenditure shall not be from the authority's Low and Moderate Income Housing Fund, but shall be used in a manner that meets all requirements for expenditures from that fund.

(b) The housing authority or other public agency to which the money is transferred shall utilize the moneys for the purposes of, and subject to the same restrictions that are applicable to, the authority under this part, and for that purpose may exercise all of the powers of a housing authority under Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code to an extent not inconsistent with these limitations.

(c) Notwithstanding Section 34209 of the Health and Safety Code or any other law, for the purpose of accepting a transfer of, and using, moneys pursuant to this section, the housing authority of a county or other public agency may exercise its powers within the territorial jurisdiction of an authority located in that county.

(d) The amount of excess surplus that shall be transferred to the housing authority or other public agency because of a failure of the authority to expend or encumber excess surplus within one year shall be the amount of the excess surplus that is not so expended or encumbered. The housing authority or other public agency to which the moneys are transferred shall expend or encumber these moneys for authorized purposes not later than three years after the date these moneys were transferred from the Low and Moderate Income Housing Fund.

(e) (1) Until a time when the authority has expended or encumbered excess surplus moneys pursuant to subdivision (a), the authority shall be prohibited from encumbering any funds or expending any moneys derived from any source, except that the authority may encumber funds and expend moneys to pay the following obligations, if any, that were incurred by the authority

prior to three years from the date the moneys became excess surplus:

(A) Bonds, notes, interim certificates, debentures, or other obligations issued by an authority, whether funded, refunded, assumed, or otherwise, pursuant to subdivision (f) of Section 62003.

(B) Loans or moneys advanced to the authority, including, but not limited to, loans from federal, state, or local agencies, or a private entity.

(C) Contractual obligations which, if breached, could subject the authority to damages or other liabilities or remedies.

(D) Indebtedness incurred pursuant to Section 62100 or 62104.

(E) An amount, to be expended for the operation and administration of the authority, that may not exceed 75 percent of the amount spent for those purposes in the preceding fiscal year.

(2) This subdivision shall not be construed to prohibit the expenditure of excess surplus funds or other funds to meet the requirement in paragraph (2) of subdivision (a) that the agency spend or encumber excess surplus funds, plus an amount equal to 50 percent of excess surplus, prior to spending or encumbering funds for any other purpose.

(f) This section shall not be construed to limit any authority an authority may have under other provisions of this part to contract with a housing authority for increasing or improving the community's supply of low- and moderate-income housing.

(g) For purposes of this section:

(1) "Excess surplus" means any unexpended and unencumbered amount in an authority's Low and Moderate Income Housing Fund that exceeds the greater of one million dollars ($1,000,000) or the aggregate amount deposited into the Low and Moderate Income Housing Fund pursuant to Sections 62100 and 62104 during the authority's preceding four fiscal years. The first fiscal year to be included in this computation is the 2016–17 fiscal year, and the first date on which an excess surplus may exist is July 1, 2021.

(2) Moneys shall be deemed encumbered if committed pursuant to a legally enforceable contract or agreement for expenditure for purposes specified in Sections 62100 and 62101.

(3) (A) For purposes of determining whether an excess surplus exists, it is the intent of the Legislature to give credit to authorities which convey land for less than fair market value, on which low- and moderate-income housing is built or is to be built if at least

49 percent of the units developed on the land are available at an affordable housing cost to lower income households for at least the time specified in subdivision (e) of Section 62101, and otherwise comply with all of the provisions of this division applicable to expenditures of moneys from a low- and moderate-income housing fund established pursuant to Section 62101. Therefore, for the sole purpose of determining the amount, if any, of an excess surplus, an authority may make the following calculation: if an authority sells, leases, or grants land acquired with moneys from the Low and Moderate Income Housing Fund, established pursuant to Section 62101, for an amount which is below fair market value, and if at least 49 percent of the units constructed or rehabilitated on the land are affordable to lower income households, as defined in Section 50079.5 of the Health and Safety Code, the difference between the fair market value of the land and the amount the authority receives may be subtracted from the amount of moneys in an agency's Low and Moderate Income Housing Fund.

(B) If taxes that are deposited in the Low and Moderate Income Housing Fund are used as security for bonds or other indebtedness, the proceeds of the bonds or other indebtedness, and income and expenditures related to those proceeds, shall not be counted in determining whether an excess surplus exists. The unspent portion of the proceeds of bonds or other indebtedness, and income related thereto, shall be excluded from the calculation of the unexpended and unencumbered amount in the Low and Moderate Income Housing Fund when determining whether an excess surplus exists.

(C) This subdivision shall not be construed to restrict the authority of an authority provided in any other provision of this part to expend funds from the Low and Moderate Income Housing Fund.

(D) The Department of Housing and Community Development shall develop and periodically revise the methodology to be used in the calculation of excess surplus as required by this section. The director shall appoint an advisory committee to advise in the development of this methodology. The advisory committee shall include department staff, affordable housing advocates, and representatives of the League of California Cities, the California Society of Certified Public Accountants, the Controller, and any

other authorities or persons interested in the field that the director deems necessary and appropriate.

(h) Communities in which an agency has disbursed excess surplus funds pursuant to this section shall not disapprove a low- or moderate-income housing project funded in whole or in part by the excess surplus funds if the project is consistent with applicable building codes and the land use designation specified in any element of the general plan as it existed on the date the application was deemed complete. A local agency may require compliance with local development standards and policies appropriate to and consistent with meeting the quantified objectives relative to the development of housing, as required in housing elements of the community pursuant to subdivision (b) of Section 65583.

62109. (a) Notwithstanding Sections 50079.5, 50093, and 50105 of the Health and Safety Code, for purposes of providing assistance to mortgagors participating in a homeownership residential mortgage revenue bond program pursuant to Section 33750 of the Health and Safety Code, or a home financing program pursuant to Section 52020 of the Health and Safety Code, or a California Housing Finance Agency home financing program, "area median income" means the highest of the following:

(1) Statewide median household income.

(2) Countywide median household income.

(3) Median family income for the area, as determined by the United States Department of Housing and Urban Development with respect to either a standard metropolitan statistical area or an area outside of a standard metropolitan statistical area.

Nothing in Section 50093 of the Health and Safety Code shall prevent the agency from adopting separate family size adjustment factors or programmatic definitions of income to qualify households, persons, and families for the programs of the agency.

(b) To the extent that any portion of the Low and Moderate Income Housing Fund is expended to provide assistance to mortgagors participating in programs whose income exceeds that of persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, the authority shall, within two years, expend or enter into a legally enforceable agreement to expend twice that sum exclusively to increase and improve the community's supply of housing available at an

affordable housing cost, as defined in Section 50052.5, to lower income households, as defined in Section 50079.5 of the Health and Safety Code, of which at least 50 percent shall be very low income households, as defined in Section 50105 of the Health and Safety Code.

(c) In addition to the requirements of subdivision (c) of Section 33413 of the Health and Safety Code, the authority shall require that the lower and very low income dwelling units developed pursuant to this subdivision remain available at an affordable housing cost to lower and very low income households for at least 30 years, except as to dwelling units developed with the assistance of federal or state subsidy programs which terminate in a shorter period and cannot be extended or renewed.

(d) The authority shall include within the report required by Section 62008 information with respect to compliance by the agency with the requirements of this subdivision.

62110. The covenants or restrictions imposed by the authority pursuant to subdivision (f) of Section 62101 may be subordinated under any of the following alternatives:

(a) To a lien, encumbrance, or regulatory agreement under a federal or state program when a federal or state agency is providing financing, refinancing, or other assistance to the housing units or parcels, if the federal or state agency refuses to consent to the seniority of the agency's covenant or restriction on the basis that it is required to maintain its lien, encumbrance, or regulatory agreement or restrictions due to statutory or regulatory requirements, adopted or approved policies, or other guidelines pertaining to the financing, refinancing, or other assistance of the housing units or parcels.

(b) To a lien, encumbrance, or regulatory agreement of a lender other than the authority or from a bond issuance providing financing, refinancing, or other assistance of owner-occupied units or parcels where the agency makes a finding that an economically feasible alternative method of financing, refinancing, or assisting the units or parcels on substantially comparable terms and conditions, but without subordination, is not reasonably available.

(c) To an existing lien, encumbrance, or regulatory agreement of a lender other than the authority or from a bond issuance providing financing, refinancing, or other assistance of rental

units, where the agency's funds are utilized for rehabilitation of the rental units.

(d) To a lien, encumbrance, or regulatory agreement of a lender other than the authority or from a bond issuance providing financing, refinancing, or other assistance of rental units or parcels where the agency makes a finding that an economically feasible alternative method of financing, refinancing, or assisting the units or parcels on substantially comparable terms and conditions, but without subordination, is not reasonably available, and where the agency obtains written commitments reasonably designed to protect the agency's investment in the event of default, including, but not limited to, any of the following:

(1) A right of the authority to cure a default on the loan.

(2) A right of the authority to negotiate with the lender after notice of default from the lender.

(3) An agreement that if prior to foreclosure of the loan, the authority takes title to the property and cures the default on the loan, the lender will not exercise any right it may have to accelerate the loan by reason of the transfer of title to the agency.

(4) A right of the authority to purchase property from the owner at any time after a default on the loan.

62111. Subsidies provided pursuant to subdivision (e) of Section 62100 may include payment of a portion of the principal and interest on bonds issued by a public agency to finance housing for persons and families specified in that paragraph if the authority ensures by contract that the benefit of the subsidy will be passed on to those persons and families in the form of lower housing costs.

62112. For each interest in real property acquired using moneys from the Low and Moderate Income Housing Fund, the authority shall, within five years from the date it first acquires the property interest for the development of housing affordable to persons and families of low and moderate income, initiate activities consistent with the development of the property for that purpose. These activities may include, but are not limited to, zoning changes or agreements entered into for the development and disposition of the property. If these activities have not been initiated within this period, the city or county that created the authority may, by resolution, extend the period during which the authority may retain the property for one additional period not to exceed five years. The resolution of extension shall affirm the intention of the city or

county that the property be used for the development of housing affordable to persons and families of low and moderate income. In the event that physical development of the property for this purpose has not begun by the end of the extended period, or if the authority does not comply with this requirement, the property shall be sold and the moneys from the sale, less reimbursement to the agency for the cost of the sale, shall be deposited in the agency's Low and Moderate Income Housing Fund.

Chapter 2. Replacement and Location

62115. The authority shall prepare a feasible method or plan for relocation of all of the following:

(a) Families and persons to be temporarily or permanently displaced from housing facilities in the plan area.

(b) Nonprofit local community institutions to be temporarily or permanently displaced from facilities actually used for institutional purposes in the project area.

62116. The city, county, or city and county that created the authority shall insure that the method or plan of the authority for the relocation of families or single persons to be displaced by a revitalization project shall provide that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by the displaced person or family at rents comparable to those at the time of their displacement. The housing units shall be suitable to the needs of those displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwellings. The authority shall not displace the person or family until the housing units are available and ready for occupancy.

62117. Whenever all or any portion of a revitalization project is developed with low- or moderate-income housing units and whenever any low- or moderate-income housing units are developed with any authority assistance or pursuant to Section 62120, the authority shall require by contract or other appropriate means that the housing be made available for rent or purchase to the persons and families of low or moderate income displaced by the revitalization project. Those persons and families shall be given priority in renting or buying that housing. However, failure to give that priority shall not affect the validity of title to real

property. The authority shall keep a list of persons and families of low and moderate income displaced by the revitalization project who are to be given priority, and may establish reasonable rules for determining the order or priority on the list.

62118. If insufficient suitable housing units are available in the community for low- and moderate-income persons and families to be displaced from a community revitalization area, the city council or board of supervisors that created the authority shall assure that sufficient land be made available for suitable housing for rental or purchase by low- and moderate-income persons and families. If insufficient suitable housing units are available in the community for use by persons and families of low and moderate income displaced by the revitalization project, the authority may, to the extent of that deficiency, direct or cause the development, rehabilitation, or construction of housing units within the community, both inside and outside of revitalization project areas.

62119. Permanent housing facilities shall be made available within two years from the time occupants are displaced and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

62120. (a) Whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as part of a revitalization project that is subject to a written agreement with the authority or where financial assistance has been provided by the authority, the authority shall, within two years of the destruction or removal, rehabilitate, develop, or construct, or cause to be rehabilitated, developed, or constructed, for rental or sale to persons and families of low or moderate income, an equal number of replacement dwelling units that have an equal or greater number of bedrooms as those destroyed or removed units at affordable housing costs within the territorial jurisdiction of the agency. One hundred percent of the replacement dwelling units shall be available at an affordable housing cost to persons in the same or a lower income category (low, very low, or moderate), as the persons displaced from those destroyed or removed units.

(b) (1) Prior to the time limit on the effectiveness of the community revitalization plan established pursuant to subdivision

(f) of Section 62004 at least 30 percent of all new and substantially rehabilitated dwelling units developed by an authority shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income. Not less than 50 percent of the dwelling units required to be available at affordable housing cost to, and occupied by, persons and families of low or moderate income shall be available at affordable housing cost to, and occupied by, very low income households.

(2) (A) (i) Prior to the time limit on the effectiveness of the revitalization plan established pursuant to subdivision (f) of Section 62003 at least 15 percent of all new and substantially rehabilitated dwelling units developed within a plan area under the jurisdiction of an authority by public or private entities or persons other than the agency shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income. Not less than 40 percent of the dwelling units required to be available at affordable housing cost to, and occupied by, persons and families of low or moderate income shall be available at affordable housing cost to, and occupied by, very low income households.

(ii) To satisfy this paragraph, in whole or in part, the authority may cause, by regulation or agreement, to be available, at an affordable housing cost, to, and occupied by, persons and families of low or moderate income or to very low income households, as applicable, two units outside a project area for each unit that otherwise would have been required to be available inside a project area.

(iii) "Substantially rehabilitated dwelling units" means all units substantially rehabilitated, with authority assistance.

(iv) As used in this paragraph and in paragraph (1), "substantial rehabilitation" means rehabilitation, the value of which constitutes 25 percent of the after rehabilitation value of the dwelling, inclusive of the land value.

(v) To satisfy this paragraph, the authority may aggregate new or substantially rehabilitated dwelling units in one or more project areas, if the authority finds, based on substantial evidence, after a public hearing, that the aggregation will not cause or exacerbate racial, ethnic, or economic segregation.

(B) To satisfy the requirements of paragraph (1) and subparagraph (A), the authority may purchase, or otherwise acquire or cause by regulation or agreement the purchase or other

acquisition of, long-term affordability covenants on multifamily units that restrict the cost of renting or purchasing those units that either: (i) are not presently available at affordable housing cost to persons and families of low- or very low income households, as applicable; or (ii) are units that are presently available at affordable housing cost to this same group of persons or families, but are units that the authority finds, based upon substantial evidence, after a public hearing, cannot reasonably be expected to remain affordable to this same group of persons or families.

(C) To satisfy the requirements of paragraph (1) and subparagraph (A), the long-term affordability covenants purchased or otherwise acquired pursuant to subparagraph (B) shall be required to be maintained on dwelling units at affordable housing cost to, and occupied by, persons and families of low or very low income, for the longest feasible time but not less than 55 years for rental units and 45 years for owner-occupied units. Not more than 50 percent of the units made available pursuant to paragraph (1) and subparagraph (A) may be assisted through the purchase or acquisition of long-term affordability covenants pursuant to subparagraph (B). Not less than 50 percent of the units made available through the purchase or acquisition of long-term affordability covenants pursuant to subparagraph (B) shall be available at affordable housing cost to, and occupied by, very low income households.

(D) To satisfy the requirements of paragraph (1) and subparagraph (A), each mutual self-help housing unit, as defined in subparagraph (C) of paragraph (1) of subdivision (f) of Section 62101, that is subject to a 15-year deed restriction shall count as one-third of a unit.

(3) The requirements of this subdivision shall apply independently of the requirements of subdivision (a). The requirements of this subdivision shall apply, in the aggregate, to housing made available pursuant to paragraphs (1) and (2), respectively, and not to each individual case of rehabilitation, development, or construction of dwelling units, unless an agency determines otherwise.

(4) Each authority, as part of the implementation plan required by Section 62003, shall adopt a plan to comply with the requirements of this subdivision. The plan shall be consistent with, and may be included within, the community's housing element.

The plan shall be reviewed and, if necessary, amended at least in conjunction with either the housing element cycle or the plan implementation cycle. The plan shall ensure that the requirements of this subdivision are met every 10 years. If the requirements of this subdivision are not met by the end of each 10-year period, the agency shall meet these goals on an annual basis until the requirements for the 10-year period are met. If the agency has exceeded the requirements within the 10-year period, the agency may count the units that exceed the requirement in order to meet the requirements during the next 10-year period.

(c) (1) The authority shall require that the aggregate number of replacement dwelling units and other dwelling units rehabilitated, developed, constructed, or price restricted pursuant to subdivision (a) or (b) remain available at affordable housing cost to, and occupied by, persons and families of low-income, moderate-income, and very low income households, respectively, for the longest feasible time, but for not less than 55 years for rental units, 45 years for home ownership units, and 15 years for mutual self-help housing units, as defined in subparagraph (C) of paragraph (1) of subdivision (f) of Section 62101, except as set forth in paragraph (2). Nothing in this paragraph precludes the agency and the developer of the mutual self-help housing units from agreeing to 45-year deed restrictions.

(2) Notwithstanding paragraph (1), the authority may permit sales of owner-occupied units prior to the expiration of the 45-year period, and mutual self-help housing units prior to the expiration of the 15-year period, established by the agency for a price in excess of that otherwise permitted under this subdivision pursuant to an adopted program that protects the agency's investment of moneys from the Low and Moderate Income Housing Fund, including, but not limited to, an equity sharing program that establishes a schedule of equity sharing that permits retention by the seller of a portion of those excess proceeds, based on the length of occupancy. The remainder of the excess proceeds of the sale shall be allocated to the agency, and deposited into the Low and Moderate Income Housing Fund. The agency shall, within three years from the date of sale pursuant to this paragraph of each home ownership or mutual self-help housing unit subject to a 45-year deed restriction, and every third mutual self-help housing unit subject to a 15-year deed restriction, expend funds to make

affordable an equal number of units at the same or lowest income level as the unit or units sold pursuant to this paragraph, for a period not less than the duration of the original deed restrictions. Only the units originally assisted by the agency shall be counted towards the authority's obligations under Section 62120.

(3) The requirements of this section shall be made enforceable in the same manner as provided in paragraph (7) of subdivision (f) of Section 62101.

(4) If land on which the dwelling units required by this section are located is deleted from the plan area, the agency shall continue to require that those units remain affordable as specified in this subdivision.

(5) For each unit counted towards the requirements of subdivisions (a) and (b), the authority shall require the recording in the office of the county recorder of covenants or restrictions that ensure compliance with this subdivision and shall comply with the requirements of paragraphs (3) and (4) of subdivision (f) of Section 62101.

(d) Except as otherwise authorized by law, this section does not authorize an authority to operate a rental housing development beyond the period reasonably necessary to sell or lease the housing development.

(e) Notwithstanding subdivision (a), the authority may replace destroy or remove dwelling units with a fewer number of replacement dwelling units if the replacement dwelling units meet both of the following criteria:

(1) The total number of bedrooms in the replacement dwelling units equals or exceeds the number of bedrooms in the destroyed or removed units. Destroyed or removed units having one or no bedroom are deemed for this purpose to have one bedroom.

(2) The replacement units are affordable to, and occupied by, the same income level of households as the destroyed or removed units.

(f) "Longest feasible time," as used in this section, includes, but is not limited to, unlimited duration.

62120.5. Not less than 30 days prior to the execution of an agreement for acquisition of real property, or the execution of an agreement for the disposition and development of property, or the execution of an owner participation agreement, which agreement would lead to the destruction or removal of dwelling units from

the low- and moderate-income housing market, the authority shall adopt by resolution a replacement housing plan. For a reasonable time prior to adopting a replacement housing plan by resolution, the authority shall make available a draft of the proposed replacement housing plan for review and comment by property owners and residents within the plan area, any persons who have requested notice of that replacement housing plan, other public agencies, and the general public.

The replacement housing plan shall include: (1) the general location of housing to be rehabilitated, developed, or constructed pursuant to Section 62120; (2) an adequate means of financing such as rehabilitation, development, or construction; (3) a finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained; (4) the number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation; and (5) the timetable for meeting the plan's relocation, rehabilitation, and replacement housing objectives. A dwelling unit whose replacement is required by Section 62120 but for which no replacement housing plan has been prepared, shall not be destroyed or removed from the low- and moderate-income housing market until the agency has by resolution adopted a replacement housing plan.

Nothing in this section shall prevent an authority from destroying or removing from the low- and moderate-income housing market a dwelling unit which the authority owns and which is an immediate danger to health and safety. The authority shall, as soon as practicable, adopt by resolution a replacement housing plan with respect to that dwelling unit.

62120.7. An authority causing the rehabilitation, development, or construction of replacement dwelling units, other than single-family residences, pursuant to Section 62120, or pursuant to a replacement housing plan as required by Section 62120.5, or pursuant to provisions of a revitalization plan required by Section 62103, primarily for persons of low income, as defined in Section 50093 of the Health and Safety Code, shall give preference to those developments that are proposed to be organized as limited-equity housing cooperatives, when so requested as part of the public review, provided the project is achievable in an efficient and timely manner.

The limited-equity housing cooperatives shall, in addition to the provisions of Section 817 of the Civil Code, be organized so that the consideration paid for memberships or shares by the first occupants following construction or acquisition by the corporation, including the principal amount of obligations incurred to finance the share or membership purchase, does not exceed 3 percent of the development cost or acquisition cost, or of the fair market value appraisal by the permanent lender, whichever is greater.

62121. An authority shall provide relocation assistance and shall make all of the payments required by Chapter 16 (commencing with Section 7260) of Division 7 of Title 1, including the making of those payments financed by the federal government.

This section shall not be construed to limit any other authority which an authority may have to make other relocation assistance payments, or to make any relocation assistance payment in an amount which exceeds the maximum amount for that payment authorized by Chapter 16 (commencing with Section 7260) of Division 7 of Title 1.

62122. In order to facilitate the rehousing of families and single persons displaced by any governmental action, an authority, at the request of the city council or board of supervisors that created the authority, may dispose of the real property acquired under the provisions of subdivision (b) of section 62201, by sale or long-term lease, for use as, or development of, housing for those displaced persons.

62123. (a) An authority shall monitor, on an ongoing basis, any housing affordable to persons and families of low or moderate income developed or otherwise made available pursuant to any provisions of this part. As part of this monitoring, an authority shall require owners or managers of the housing to submit an annual report to the authority. The annual reports shall include for each rental unit the rental rate and the income and family size of the occupants, and for each owner-occupied unit whether there was a change in ownership from the prior year and, if so, the income and family size of the new owners. The income information required by this section shall be supplied by the tenant in a certified statement on a form provided by the agency.

(b) The data specified in subdivision (a) shall be obtained by the authority from owners and managers of the housing specified therein and current data shall be included in any reports required

by law to be submitted to the Department of Housing and Community Development or the Controller. The information on income and family size that is required to be reported by the owner or manager shall be supplied by the tenant and shall be the only information on income or family size that the owner or manager shall be required to submit on his or her annual report to the agency.

(c) (1) The authority shall compile and maintain a database of existing, new, and substantially rehabilitated, housing units developed or otherwise assisted with moneys from the Low and Moderate Income Housing Fund, or otherwise counted towards the requirements of subdivision (a) or (b) of Section 62120. The database shall be made available to the public on the Internet and updated on an annual basis and shall include the date the database was last updated. The database shall require all of the following information for each owner-occupied unit or rental unit, or for each group of units, if more than one unit is subject to the same covenant:

(A) The street address and the assessor's parcel number of the property.

(B) The size of each unit, measured by the number of bedrooms.

(C) The year in which the construction or substantial rehabilitation of the unit was completed.

(D) The date of recordation and document number of the affordability covenants or restrictions required under subdivision (f) of Section 33334.3 of the Health and Safety Code.

(E) The date on which the covenants or restrictions expire.

(F) For owner-occupied units that have changed ownership during the reporting year, as described in subdivision (a), the date and document number of the new affordability covenants or other documents recorded to assure that the affordability restriction is enforceable and continues to run with the land.

(G) Whether occupancy in the unit or units is restricted to any special population, including senior citizens.

(2) Notwithstanding subparagraphs (A) and (D) of paragraph (1), the database shall omit any property used to confidentially house victims of domestic violence.

(3) Upon establishment of a database under this section, the authority shall provide reasonable notice to the community regarding the existence of the database.

(d) The authority shall adequately fund its monitoring activities as needed to insure compliance of applicable laws and agreements in relation to affordable units. For purposes of defraying the cost of complying with the requirements of this section and the changes in reporting requirements enacted by the act enacting this section, an authority may establish and impose fees upon owners of properties monitored pursuant to this section.

PART 3. PROPERTY ACQUISITION

62200. "Real property" means any of the following:

(a) Land, including land under water and waterfront property.

(b) Buildings, structures, fixtures, and improvements on the land.

(c) Any property appurtenant to or used in connection with the land.

(d) Every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage, or otherwise and the indebtedness secured by those liens.

62201. Within the plan area or for purposes of revitalization an authority may:

(a) Purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, any interest in property, and any improvements on it, including repurchase of developed property previously owned by the authority. An authority shall obtain an appraisal from a qualified independent appraiser to determine the fair market value of property before the authority acquires or purchases real property.

(b) Accept, at the request of the legislative body of the community, a conveyance of real property (located either within or outside the plan area) owned by a public entity and declared surplus by the public entity, or owned by a private entity. The authority may dispose of that property to private persons or to public or private entities, by sale or long-term lease for development. All or any part of the funds derived from the sale or lease of that property may, at the discretion of the legislative body of the community, be paid to the community, or to the public entity from which any that property was acquired.

(c) Sell, lease, grant, or donate real property owned or acquired by the agency in a survey area to a housing authority or to any public agency for public housing projects.

(d) Offer for resale property acquired by an authority for rehabilitation and resale within one year after completion of rehabilitation. Properties held by the authority in excess of one-year period shall be listed in the authority's annual report with information conveying the reasons that property remains unsold and indicating plans for its disposition.

(e) Acquire real property by eminent domain, provided that authority is exercised within 12 years from the adoption of the plan.

(1) Every plan adopted by an authority which contemplates property owner participation in the revitalization of the area shall contain alternative provisions for revitalization of the property if the owners fail to participate in the revitalization as agreed. Prior to the adoption of a plan, each property owner whose property would be subject to acquisition by purchase or condemnation under the plan shall be sent a statement in nontechnical language and in a clear and coherent manner using words with common and everyday meaning to that effect attached to the notice of the hearing. Alternatively, a list or map of all properties which would be subject to acquisition by purchase or condemnation under the plan may be mailed to affected property owners with the notices of hearing pursuant to Section 62004.

(2) Without the consent of an owner, an authority shall not acquire any real property on which an existing building is to be continued on its present site and in its present form and use unless that building requires structural alteration, improvement, modernization, or rehabilitation, or the site or lot on which the building is situated requires modification in size, shape, or use, or it is necessary to impose upon that property any of the standards, restrictions, and controls of the plan and the owner fails or refuses to agree to participate in the plan.

(3) Property already devoted to a public use may be acquired by the agency through eminent domain, but property of a public body shall not be acquired without its consent.

(4) An authority shall not acquire from any of its members or officers any property or interest in property except through eminent domain proceedings.

62202. An authority shall not provide any form of direct assistance to:

(a) An automobile dealership that will be or is on a parcel of land which has not previously been developed for urban use.

(b) A development that will be or is on a parcel of land of five acres or more which has not previously been developed for urban use and that will, when developed, generate sales or use tax pursuant to Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code, unless the principal permitted use of the development is office, hotel, manufacturing, or industrial. For the purposes of this subdivision, a parcel shall include land on an adjacent or nearby parcel on which a use exists that is necessary for the legal development of the parcel.

(c) A development or business, either directly or indirectly, for the acquisition, construction, improvement, rehabilitation, or replacement of property that is or would be used for gambling or gaming of any kind whatsoever, including, but not limited to, casinos, gaming clubs, bingo operations, or any facility wherein banked or percentage games, any form of gambling device, or lotteries, other than the California State Lottery, are or will be played.

(d) The prohibition in subdivision (c) is not intended to prohibit an authority from acquiring property on or in which an existing gambling enterprise is located, for the purpose of selling or leasing the property for uses other than gambling, provided that the agency acquires the property for fair market value.

(e) This section shall not be construed to apply to an authority's assistance in the construction of public improvements that serve all or a portion of a project area and that are not required to be constructed as a condition of approval of a development described in subdivision (a), (b), or (c), or to prohibit assistance in the construction of public improvements that are being constructed for a development that is not described in subdivision (a), (b), or (c).

62203. (a) Any covenants, conditions, or restrictions existing on any real property within a plan area prior to the time the authority acquires title to that property, which covenants, conditions, or restrictions restrict or purport to restrict the use of, or building upon, that real property, shall be void and unenforceable as to the authority and any other subsequent owners,

tenants, lessees, easement holders, mortgagees, trustees, beneficiaries under a deed of trust, or any other persons or entities acquiring an interest in that real property from that time as title to the real property is acquired by an authority whether acquisition is by gift, purchase, eminent domain, or otherwise.

(b) Thirty days prior to the acquisition of real property other than by eminent domain, the authority shall provide notice of that acquisition and the provisions of this section to holders of interests which would be made void and unenforceable pursuant to this section, as follows:

(1) The authority shall publish notice once in a newspaper of general circulation in the community in which the agency is functioning.

(2) The authority shall mail notice to holders of those interests if those holders appear of record 60 days prior to the date of acquisition.

The authority may accept any release by written instrument from the holder of any interest or may commence action to acquire that interest after the date of acquisition of the real property.

(c) This section shall not apply to covenants, conditions, or restrictions imposed by an authority pursuant to a plan. This section also shall not apply to covenants, conditions, or restrictions where an authority in writing expressly acquires or holds property subject to those covenants, conditions, or restrictions.

This section shall not limit or preclude any rights of reversion of owners, assignees, or beneficiaries of those covenants, conditions, or restrictions limiting the use of land in gifts of land to cities, counties, or other governmental entities. This section shall not limit or preclude the rights of owners or assignees of any land benefited by any covenants, conditions, or restrictions to recover damages against the agency if under law that owner or assignee has any right to damages. No right to damages shall exist against any purchaser from the authority or his or her successors or assignees, or any other persons or entities.

62204. (a) If an authority has adopted a plan but has not commenced an eminent domain proceeding to acquire any particular parcel of property subject to eminent domain thereunder within three years after the date of adoption of the plan, the owner or owners of the entire fee at any time thereafter may offer in writing to sell the property to the authority for its fair market value.

If the authority does not, within 18 months from the date of receipt of the original offer, acquire or institute eminent domain proceedings to acquire the property, the property owner or owners may file an action against the authority in inverse condemnation to recover damages from the authority for any interference with the possession and use of the real property resulting from the plan, provided that this section shall not be construed as establishing or creating a presumption to any right to damages or relief solely by reason of the failure of the authority to acquire the property within the time set forth in this section.

(b) No claim need be presented against an authority under Part 3 (commencing with Section 900) of Division 3.6 of Title 1 as a prerequisite to commencement or maintenance of an action under subdivision (a), but any action shall be commenced within one year and six months after the expiration of the 18 months period.

(c) An authority may commence an eminent domain proceeding or designate the property to be exempt from eminent domain under the plan at any time before the property owner commences an action under this section. If the authority commences an eminent domain proceeding or designates the property to be exempt from acquisition by eminent domain before the property owner commences an action under this section, the property owner may not thereafter bring an action under this section.

(d) After a property owner has commenced an action under this section, the authority may declare the property to be exempt from acquisition by eminent domain and abandon the taking of the property only under the same circumstances and subject to the same conditions and consequences as abandonment of an eminent domain proceeding.

(e) Commencement of an action under this section does not affect any authority an authority may have to commence an eminent domain proceeding, take possession of the property pursuant to Article 3 (commencing with Section 1255.410) of Chapter 6 of Title 7 of the Code of Civil Procedure, or abandon the eminent domain proceeding.

(f) In lieu of bringing an action under subdivision (a) or if the limitations period provided in subdivision (b) has run, the property owner may obtain a writ of mandate to compel the authority, within that time as the court deems appropriate, to declare the property

acquisition exempt or to commence an eminent domain proceeding to acquire the property.

(g) A declaration that property is exempt from acquisition by eminent domain shall be by resolution and shall be recordable. It shall exempt the property from eminent domain under the plan, and the authority shall have no power of eminent domain as to the property.

62205. Section 1245.260 of the Code of Civil Procedure shall not apply to any resolution or ordinance adopting, approving, or amending the amendment of plan. Section 1245.260 of the Code of Civil Procedure shall apply to a resolution adopted by an authority pursuant to Section 1245.220 of the Code of Civil Procedure with respect to a particular parcel or parcels of real property.

62206. (a) Authorities shall obligate lessees and purchasers of real property acquired in revitalization projects undertaken or assisted by the authority and owners of property improved as a part of a revitalization project to refrain from restricting the rental, sale, or lease of the property on any basis listed in subdivision (a) or (d) of Section 12955, as those basis are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2. All deeds, leases, or contracts for the sale, lease, sublease, or other transfer of any land in a revitalization project shall contain or be subject to the nondiscrimination or nonsegregation clauses hereafter prescribed.

(b) Notwithstanding subdivision (a), with respect to familial status, subdivision (a) shall not be construed to apply to housing for older persons, as defined in Section 12955.9. With respect to familial status, nothing in subdivision (a) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51, Section 4760, and Section 6714 of the Civil Code, and subdivisions (n), (o), and (p) of Section 12955 shall apply to subdivision (a).

62207. Express provisions shall be included in all deeds, leases, and contracts that the authority proposes to enter into with respect to the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of any land in a revitalization project in substantially the following form:

(a) (1) In deeds the following language shall appear:

"The grantee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those basis are defined in Sections 12926, 12926.1 of, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955 of, and Section 12955.2 of, the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall the grantee or any person claiming under or through him or her, establish or permit any practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land."

(2) Notwithstanding paragraph (1), with respect to familial status, paragraph (1) shall not be construed to apply to housing for older persons, as defined in Section 12955.9. With respect to familial status, nothing in paragraph (1) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 of, and Sections 4760 and 6714 of, the Civil Code, and subdivisions (n), (o), and (p) of Section 12955 shall apply to paragraph (1).

(b) (1) In leases the following language shall appear:

"The lessee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through him or her, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against or segregation of any person or group of persons, on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those basis are defined in Sections 12926, 12926.1 of, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955 of, and Section 12955.2 of, the Government Code, in the leasing, subleasing, transferring, use, occupancy, tenure, or

enjoyment of the premises herein leased nor shall the lessee himself or herself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased.”

(2) Notwithstanding paragraph (1), with respect to familial status, paragraph (1) shall not be construed to apply to housing for older persons, as defined in Section 12955.9. With respect to familial status, nothing in paragraph (1) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 of, and Sections 4760 and 6714 of, the Civil Code, and subdivisions (n), (o), and (p) of Section 12955 shall apply to paragraph (1).

(c) In contracts entered into by the agency relating to the sale, transfer, or leasing of land or any interest therein acquired by the agency within any survey area or redevelopment project the foregoing provisions in substantially the forms set forth shall be included and the contracts shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument.

62208. (a) The authority shall retain controls and establish restrictions or covenants running with land sold or leased for private use for those periods of time and under those conditions as are provided in the plan. The establishment of those controls is a public purpose under this division.

(b) An authority shall obligate lessees or purchasers of property acquired in a revitalization project to:

(1) Use the property for the purpose designated in the revitalization plans.

(2) Begin the revitalization of the project area within a period of time which the authority fixes as reasonable.

(3) Comply with the covenants, conditions, or restrictions that the authority deems necessary to prevent speculation or excess profittaking in undeveloped land, including right of reverter to the agency. Covenants, conditions, and restrictions imposed by an authority may provide for the reasonable protection of lenders.

(4) Comply with other conditions which the authority deems necessary to carry out the purposes of this part.

~~SECTION 1. It is the intent of the Legislature to enact legislation that would authorize certain local agencies to form a community revitalization authority within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization, and to provide for the financing of these activities by, among other things, the issuance of bonds serviced by tax increment revenues.~~

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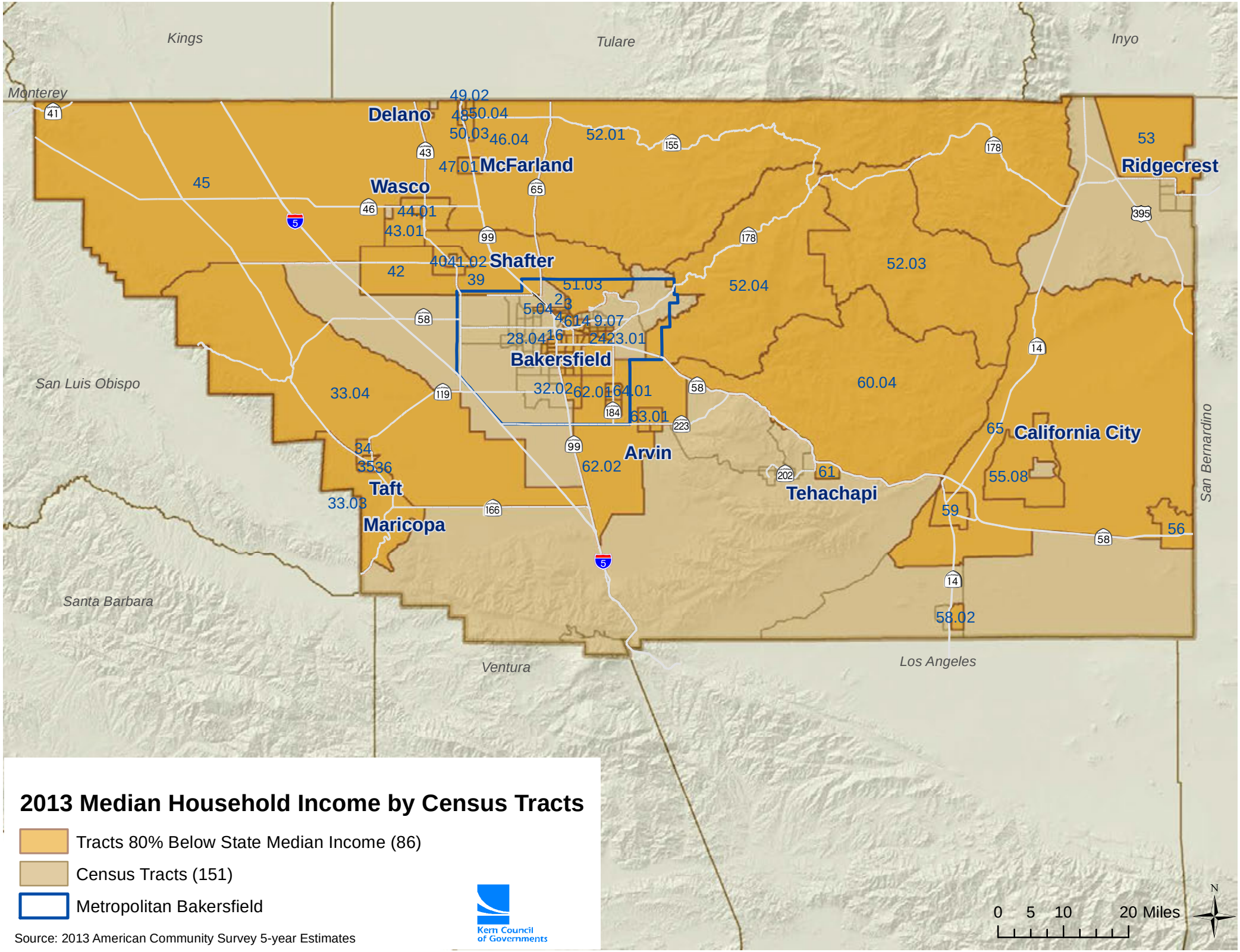

2013 Median Household Income by Census Tracts

- Tracts 80% Below State Median Income (86)
- Census Tracts (151)
- Metropolitan Bakersfield

Source: 2013 American Community Survey 5-year Estimates

Kern Council of Governments

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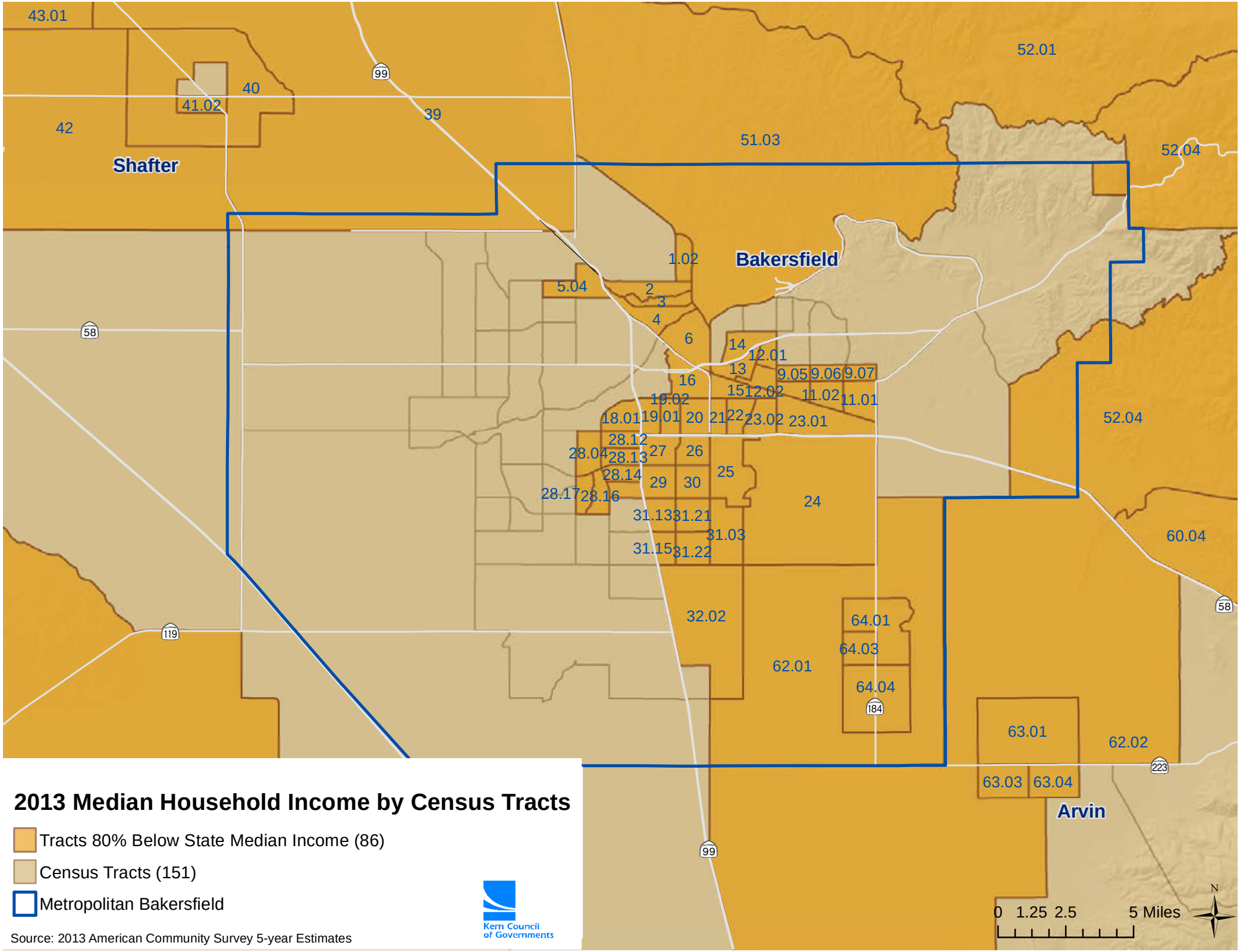
2013 Median Household Income by Census Tracts
Tracts 80% Below State Median Income (86)
Census Tracts (151)
Metropolitan Bakersfield
Source: 2013 American Community Survey 5-year Estimates
Kern Council of Governments
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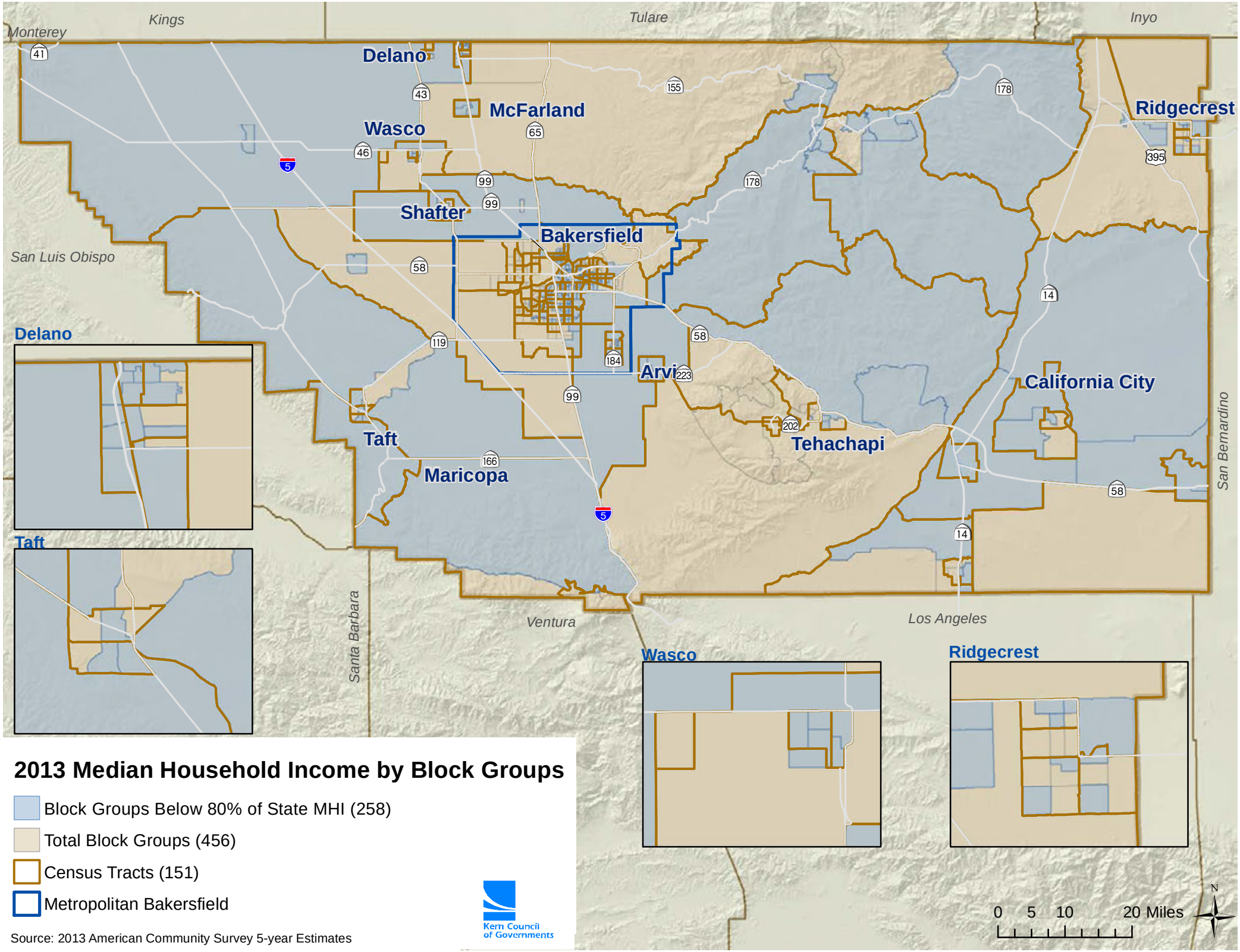
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2013 Median Household Income by Block Groups
Block Groups Below 80% of State MHI (258)
Total Block Groups (456)
Census Tracts (151)
Metropolitan Bakersfield
Source: 2013 American Community Survey 5-year Estimates
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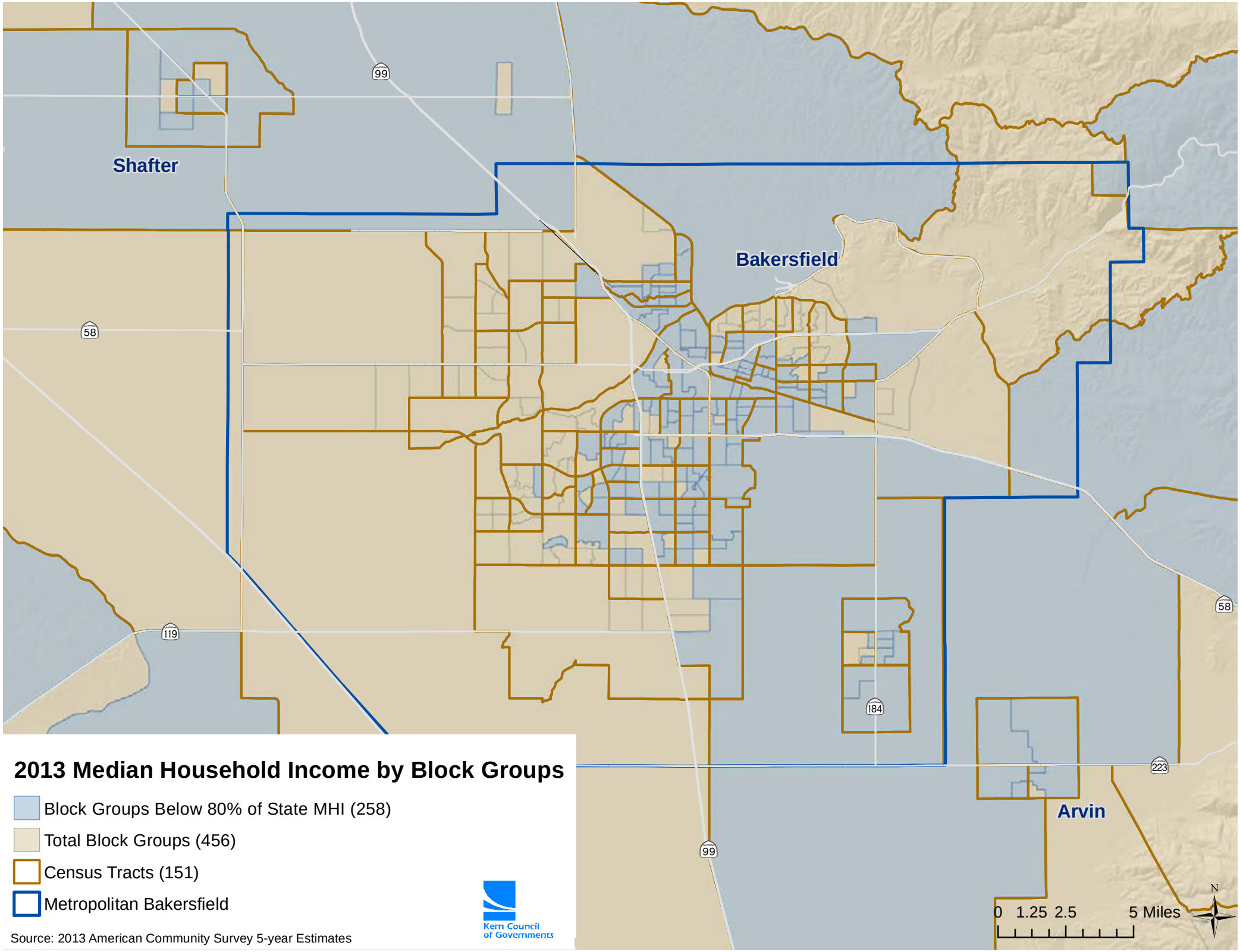


Source: 2013 American Community Survey 5-year Estimates

Kern Council of Governments

June 3, 2015

TO: Kern Council of Governments

FROM: Ahron Hakimi,
Executive Director

BY: Michael Heimer,
Regional Planner

SUBJECT: RPAC AGENDA ITEM: VII
SAN JOAQUIN VALLEY GREENPRINT REPORT

DESCRIPTION:

San Joaquin Valley Greenprint Phase Two Report

DISCUSSION:

As an effort to address resource management opportunities and challenges, the San Joaquin Valley Greenprint has assembled the perspectives of the residents of the region into a shared vision to identify a series of strategies for the conservation and management of the region's land, water and living resources. The Greenprint project was inaugurated by San Joaquin Valley Regional Policy Council, and is supported by a grant from the California Strategic Growth. The Fresno Council of Governments is responsible for managing the Greenprint project and has created a steering committee comprised of individuals representing the public and private sector, and a diverse range of interests in the Valley's resources to assist in this process.

Phase Two of the Greenprint process is now underway and is starting with an Expert Panels Approach. The purpose of the Expert Panels is to convene recognized technical specialists to develop and document the current and perceived future issues and challenges facing Valley resources, and explore innovations and solutions to address these resource challenges.

ACTION:

Information.

Draft Expert Panels Approach

Overview

The purpose of the Expert Panels is to convene recognized technical specialists to develop and document the current and perceived future issues and challenges facing Valley resources, and explore innovations and solutions to address these resource challenges.

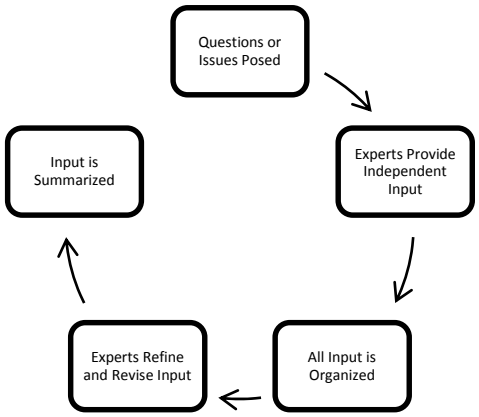
Who is an Expert?

An Expert is a person who has a comprehensive and authoritative knowledge about agriculture, biodiversity, energy, or water – and the economics of these topics in the San Joaquin Valley. Experts are widely recognized by their peers and the public and have a reputation for offering fair and balanced information and analysis on a given topic. Experts have a history of offering opinions and advice that are relied upon for making decisions. An Expert may have long experience or intense training in a particular field or extensive educational or research background with a given subject. Individuals who are experts may be academics, technical agency staff, or technical consultants. Examples of Experts may include:

- Agriculture: soil scientist (productivity, salinity), agronomist (crop water and fertilizer needs v. actual application rates, microclimates), climatologist
- Water: hydrologist (surface & groundwater supplies), climatologist (impact of climate change on water supplies), aquatic biologist (water quality impacts)
- Biodiversity: wildlife ecologist, forest ecologist, aquatic biologist, climatologist, conservation scientist
- Energy: petroleum geologist, groundwater hydrologist, solar energy specialist
- Climate Change: climatologist [TBD]
- Economics: ????? [TBD]

How will Experts be engaged?

The Expert Panels will be facilitated as a series of information gathering rounds using an approach similar to the Delphi Method, which is then followed by an all-hands symposium. For each round of information gathering, we will pose a question or issue to the Experts and ask them to independently provide responses and supporting comments/data. We will gather and organize the Experts' input and distribute the summary back to the Experts. The Experts will then refine or revise their input based on the contributions of the other Experts. In some cases, we will also ask that the input be prioritized or ranked by importance or relevance. We will then prepare a summary that will inform the next round of Expert input.



Following the independent rounds of information gathering, we will facilitate an all hands symposium with the Experts to present the information, discuss major findings and implications, and confirm and prioritize solutions and recommendations.

What topics will Experts address?

The Experts will address issues within four major topic areas, including: Agriculture, Biodiversity, Energy, and Water. Within these major topic areas, subtopics may be defined by the Experts as they conduct their research and analysis. In addition to the four major topics, Experts will be asked to address cross-cutting issue areas, such as economics and climate change.

How much time will Experts be asked to commit?

The process used to engage the Experts is designed to provide flexibility in the amount of time individuals commit to reviewing information and providing feedback. Experts will likely spend a total of 10 to 20 hours reviewing materials and providing feedback during the four rounds of information gathering, and spend half a day at the symposium. Experts will be compensated for travel costs to the symposium.

How many Experts will be involved?

A total of 20 to 40 Experts will be engaged in the process. Five to ten Experts each will be engaged for Agriculture, Biodiversity, Energy, and Water. Additional experts will be identified to address cross-cutting issues of economics and climate change.

What is the Outcome?

The Expert Panels are intended to produce three main outcomes: 1) an Expert Panel Summary that documents and prioritizes resource issues, challenges, solutions and recommendations for protection; 2) a better understanding of Valley resource challenges and opportunities and how they are related or in conflict; and 3) greater awareness of the Greenprint mapping tool, its applicability to resource planning and management, and ways it can be improved or enhanced.

The Expert Panel Summary will be general in nature, and will not attribute comments or recommendations to specific individuals. The summary and other results from the Experts will be used as the basis for working with Valley planners and other stakeholders. Subsequent Community Workshops will focus on translating Expert recommendations into policies, programs, and other tools that can be implemented at the local level. The Expert Panel Summary will also be used to inform the preparation of the Existing Conditions, Conflicts, and Opportunities Report, Greenprint Implementation Pilot Program evaluation criteria, and the Greenprint Resource Management Guide.

Steps and Schedule

The following outlines the steps and timing for the Expert Panels effort.

Step 1: Prepare Introductory/Background Materials – due April 10, 2015

The Consultants will develop introductory and background materials for the Experts. The materials will introduce the overall Greenprint Project and provide materials that were generated during Phase I, present the purpose and objectives of Phase II, and summarize the role of the Experts and the Expert Panel process and schedule.

Step 2: Identify and Solicit Experts – by April 30, 2015

The Management Committee will contact key individuals and potential experts and ask them to nominate potential experts to participate in the process. Once potential Experts are identified, the key individuals will contact the potential experts to request their participation the process. The introductory/background materials will be available to the potential experts at this point. The Management Committee and Consultants will follow-up individually with the Experts to answer any questions and confirm their participation in the process. As part of the introduction to the Greenprint, we will ask the Experts to familiarize themselves with the Phase I materials/milestones and the online Greenprint mapping tool.

Step 3: Consult the Experts/Gather Ideas – April 15 through August 30, 2015

The Consultants will facilitate three information gathering rounds with the Experts using the Delphi Method. Each round will take about four weeks. During each round the Experts will work independently. We will define a schedule for providing input in each round, but the Experts will determine the extent of their involvement through their responses. The result will be a whitepaper from each round that summarizes the Experts input.

The following provides a general overview of the process and schedule for each round. The extent possible, we will overlap these steps or modify the timing to expedite the process.

1. Questions/assignments are posed and the Experts analyze questions/assignments and prepare responses (2 weeks)
2. Consultants (and others?) review and organize Expert responses and return the responses to the Experts (1 week)
3. Experts revise and refine responses (2 weeks)
4. Consultants (and others?) prepare a summary of responses (1 week)

Round 1: Identifying the Key Questions – April 15 - May 15, 2015

The Experts will be provided with the list of consideration questions from the San Joaquin Valley Greenprint State of the Valley Report for reference. Experts will be asked to weigh in on the following questions:

- Within your area of expertise, what are the right questions to ask in identifying and considering agriculture, biodiversity, energy, and water issues and opportunities in the Valley?
- Are there other cross-cutting topic areas beyond economics and climate change that should be considered? If so, what questions would be most appropriate for any new topics as well?

Round 2: Defining the Issues and Challenges – May 15 - June 2015

Based on the questions developed in Round 1, the Experts will be asked to characterize the key issues and challenges facing Valley resources using data from the Greenprint or other sources. Experts will be asked to prepare a brief issues paper defining the major issues and challenges based on the following questions:

- What do the data and facts tell us are the key issues and challenges facing the Valley? What does the data provided by the online Greenprint mapping tool tell us? Using all the collected data, what issues or challenges are identified? How does the data support the identification of these issues or challenges?
- What major impacts to resource protection are the result of regulations, policies, or government actions? Which regulations, policies, or actions related to resource protection conflict with one another?
- How serious are the identified issues or challenges and regulatory conflicts (e.g., rank the identified issues/conflicts from most to least important)? What is the impact or cost of not addressing or resolves the issue/challenge/conflict? What are the most pressing issues, challenges, and regulatory conflicts? How does the data support these findings and conclusions?
- Which issues should be considered together due to major conflicts or potential synergies?

Round 3: Developing Solutions and Recommendations – July – August 15, 2015

Based on the identified issues and challenges in Round 2, Experts will be asked to identify solutions and recommendations that would reverse adverse trends or address conflicts. Experts will be asked to to prepare a brief solutions paper recommending key solutions based on the following questions:

- What should be done to address/resolve the identified issues, challenges, and conflicts? What solutions could/should be explored or implemented to address the issues? Between solutions, what are their potential conflicts or synergies?
- Which solutions are the most important? Which solutions are the most efficient, effective, realistic, cost effective, and/or politically acceptable?
- Who should be responsible for carrying out the solutions?

Step 4: Convene the Experts – September 2015

The Consultants will organize and facilitate a symposium with the Experts to present the information developed in Step 3, identify or address any outstanding issues, identify relationships between the issues, and build consensus around priority solutions and recommendations. The symposium would be hosted in the Valley (e.g., Fresno).

- *Should the symposium be open to others (e.g., planners, stakeholders, elected officials)?*

Kern Council of Governments

June 3, 2015

TO: Kern Council of Governments

FROM: Ahron Hakimi,
Executive Director

BY: Becky Napier
Regional Planner

SUBJECT: RPAC AGENDA ITEM: VIII
CALIFORNIA TRANSPORTATION PLAN 2040 UPDATE

DESCRIPTION:

The California Transportation Plan 2040 is a statewide, long-range transportation plan developed to meet the State's future travel needs while reducing greenhouse gas emissions.

DISCUSSION:

The vision of the California's Transportation Plan (CTP) 2040 is:

"California's transportation system is safe, sustainable, universally accessible, and globally competitive. It provides reliable and efficient mobility for people, goods, and services, while meeting the State's greenhouse gas emission reduction goals and preserving the unique character of California's communities."

The CTP 2040 articulates six goals to attain the vision:

1. Improve multimodal mobility and accessibility for all people;
2. Preserve the multimodal transportation system;
3. Support a vibrant economy;
4. Improve public safety and security;
5. Foster livable and healthy communities and promote social equity; and
6. Practice environmental stewardship.

The goals, strategies, policies and recommendations for the CTP 2040 respond to the rapidly changing demands of transportation services and the transportation system in California. The CTP 2040 is a plan for all of California and seeks to provide a unified approach to statewide transportation planning and policy. The recommendations give the people of California a guide for how Caltrans, along with other State, regional and local agencies, and individuals contribute to transportation planning in a way that meets greenhouse gas emissions reduction targets and that meet the vision for a transportation system that is safe, sustainable and globally competitive.

CALCOG commented on the CTP 2040 during the public comment period. Attached is the letter provided by CALCOG.

To review the CTP 2040 please go to the following link:

http://www.dot.ca.gov/hq/tpp/californiatransportationplan2040/index.shtml

ACTION:

Information.

Transmitted Electronically

April 17, 2015

Gabriel Corley,
CTP 2040 Project Manager Division of Planning, MS-32
California Department of Transportation
P.O. Box 942874
Sacramento, CA 94274-0001

RE: Comments on the Draft California Transportation Plan 2040

Dear Mr. Corley:

Thank you for the opportunity to comment on the California Transportation Plan 2040 (CTP 2040). There are many elements of the draft plan that represent a step forward for mobility and transportation in California. The Department did well to design a collaborative and well-facilitated process that included an inclusive group of stakeholders. The feedback of the working group was largely incorporated into the scenario modeling process. This produced elements that contain good information. The plan also acknowledges the important role that different modes of transportation play in moving goods and people.

While we appreciate what the plan represents, there are several areas where the final draft can be improved.

A. GENERAL POLICY COMMENTS

A-1. More Clearly Distinguish CTP 2040 from Regional Transportation Plans

The regional agencies in California have developed transformative regional transportation plans (RTPs) that are multi-modal and provide benefits beyond the transportation system. While CTP 2040 is a closely related document insofar as it provides a vision for the future of the transportation system goals, it does not provide the same programmic direction for transportation network.

The short description of the relationship between RTPs and CTP 2040 on Page 9 is not sufficient. This discussion should make the following points so that the public will understand why some things may be included in the CTP 2040 that are difficult to include in an RTP.

- A regional transportation plan is a fiscally constrained document, meaning that it cannot include more projects and programs than what could reasonably be expected from realistic revenue forecasts

- In non-attainment areas, RTPs (including all of its forecasts relating to revenue, population, job growth, and development), must be reviewed by the U.S Environmental Protection Agency for reasonableness, which assures consistency with air quality conformity requirements.
- In Metropolitan Planning Organization, the plans are further reviewed to determine whether they will achieve a greenhouse gas reduction target.
- All RTPs are subject to the California Environmental Quality Act.
- RTPs have a defined programmic effect insofar as expenditures in transportation improvement programs (TIPs) and the annual overall work program (OWP) must be consistent with the RTP.

None of these constraints apply to the CTP 2040. None. The CTP 2040 is an aspirational document. As such, it may include very aggressive goals and assumptions that cannot be included in an RTP. As pointed out in the letter by the Riverside County Transportation Commission, the CTP 2040 plan includes aggressive assumptions that include road pricing, transit service, and bus rapid transit. Further analysis in the plan shows that the transportation sector will not achieve GHG reduction goals without applying the plan's most aggressive recommendations, including an assumption that nearly all cars and trucks will become zero emission vehicles.

Many of the aggressive CTP 2040 assumptions would not even be permissible in a RTP for two reasons. First, the regional agency would have to show the funding sources that could be used to implement the strategies. As the Funding Chapter helps document, it is unrealistic to that all of the strategies could be achieved in a fiscally constrained plan. Second, many of the assumptions (road pricing, transit, and electric vehicle) would be rejected in a conformity analysis. We would expect the US EPA would require the region to revise the forecasted result to something more certain to assure that appropriate policies were in place to protect air quality.

The CTP 2040 serves a parallel but very different purpose to the RTP. It is a visionary document that highlights what we can become as a state that need not be grounded in the rigors of reality. Such documents are important to developing policy. But given the relationship between the two documents and the potential for public confusion in their comparison, the CTP 2040 should take the time to describe this relationship more clearly. Our members would gladly assist in drafting this language to assure that the roles of the two documents are clear.

A-2. Partnership and Collaboration with Local and Regional Governments

The CTP 2040 should clearly embrace existing partnerships with local and regional government. For example, the Air Resources Board specifically recognized local and regional governments in the Scoping Plan as "essential partners" in the achievement of the AB 32 goals. But CTP 2040 only recognizes these relationships inconsistently.

Here is an illustration. The CTP 2040 raises several issues that are not within the Department's direct authority. While it is appropriate for the plan to note these relationships, it should frame policies in a way that recognizes the agency's authority (state, regional, or local) that has primary responsibility. Take, for example, the recommendation in the first column on page 111 to "*promote efficient infill housing development and redevelopment opportunities to reduce urban sprawl*." The policy itself is fine (although the choice of the word "redevelopment" is ironic), but that the recommendation does not acknowledge that the Department must partner with local government in order to achieve the goal. Is so doing an opportunity to build partnership is lost.

Fortunately, we need not look far for an appropriate model. The policy immediately to the right of the above example, in the second column on page 111, recommends that the Department "*work with local and regional agencies to apply considerations of health, equity, and sustainability to transportation decision-making*." This is a better statement of what is needed and will appropriately focus the Department's efforts to work with the appropriate lead agency.

Phrasing that respects the authority of other agencies should be applied consistently throughout the document. Accordingly, all the goals and polices should be reviewed to determine whether the overlapping partnerships that the Department has with fellow agencies and local and regional governments are identified. Having the direction at the outset to cooperate with appropriate partners should greatly improve the success for all involved.

A-3. Road Capacity May Be A Strategic Investment.

As a member of the Advisory Committee, we were more than a little taken aback at the breadth of the recommendation on page 122 to "*avoid funding projects that add road capacity and increased maintenance costs.*" It may be fair to consider the impacts of increased capacity and maintenance costs of a project, but "avoid" goes much too far.

Many good projects that are consistent with the plans goals will be capacity increasing: High Occupancy Toll (HOT) lane projects anticipate increasing capacity to fund the additional lane; freight projects may increase road capacity by addressing critical freight needs; bridge repair may increase road capacity if bike lanes and other "complete street" facilities are added; and autonomous vehicle investment may increase the capacity and maintenance costs of the current network by allowing more cars to drive on the same roadway more efficiently. Is the intention for the CTIP to limit capacity increasing projects in all these instances?

Road enhancing projects may induce some travel—but the goal should be to reduce GHG system-wide. As California continues to grow, there will be instances when other goals, such as safety and mobility, suggest that some capacity increasing projects should proceed. A better approach, which conflicts with the language above, can be found on page 59: which acknowledges that "*investments are needed for capacity enhancements, and to manage the system and demand efficiently, provide viable transportation choices, and increase connectivity among all modes*." The language on Page 122 should be amended to reflect the intent on Page 59.

A-4 Performance Metrics Will Need Support.

The performance framework used for CTP 2040 recognizes the benefits associated with building upon the well-vetted set of performance measures drafted by SANDAG for the Strategic Growth Council. In particular, the inclusion of measures related to non-auto mode share, accessibility to destinations, and land use impacts are valuable metrics. A number of MPOs have used either these exact performance measures or closely related measures to evaluate the RTP/SCS. At the same time, several rural agencies lack the resources, data, and capacity to apply a robust performance system.

Given the different capacities and fiscal resources of individual agencies, the CTP 2040 should commit to funding at every level of performance measurement. The infrastructure of a performance metric system—including the collection and maintenance of data and the processing systems to make the data accessible and understandable—is costly. For example, on page 110 includes a policy to "improve data" without a mention of funding. However, the reference in relation to modeling on page 125 calls for "secure stable funding." The CTP 2040 should include policies for properly resourced performance evaluation consistently throughout in the document.

A-5 Several Trends are Not Sufficiently Considered in the CTP 2040

The plan should consider including more emerging technologies and programs that support the plan's goals for expanding multi-modal transportation. Some of the items to consider incorporating include:

- *Expansion of Shared Mobility Services.* The plan addresses car sharing but this should be expanded to support all forms of shared mobility (car sharing, bike sharing, real-time ridesharing, Transportation Network Companies, scooter share, shared neighborhood electric vehicles, and on-demand shuttle and jitney services). Given the recent market expansion of these strategies, including car-pooling features that allows trips to be combined, and the very real possibility that such services will become part of the fabric of the transportation system (if they are not already), their exclusion is a glaring omission. The CTP 2040 could include a short-range recommendation such as: "Create supportive policies and secure funding for the promotion of shared mobility." Additionally, the plan touches on autonomous vehicles but should consider the opportunities for shared autonomous vehicles.

- *High-occupancy toll (HOT) lanes.* HOT lanes as a strategy for reducing greenhouse gas emissions does not appear to have been included in modeling the alternatives. HOT lanes should be considered a viable strategy.

- *Active Traffic and Demand Management (ATDM).* The CTP 2040 deals with TSM and TDM separately but should consider bringing these concepts together (ATDM). ATDM builds on Integrated Corridor Management to dynamically monitor, control, and influence travel demand, traffic demand, and traffic flow of key highway corridors.

ATDM facilitates the use of transportation alternatives through real time traveler information at the corridor level, dynamic ridesharing, dynamic pricing, etc.

- *Unified Transportation Payment Account.* A unified or universal transportation account combines all forms of public transportation payments including transit fares, municipal parking and toll collection into a single user-friendly system. By offering rewards based on frequent use, toll discounts and other incentives, the system can lead to a shift from driving alone to using public transit or ridesharing.

- *Mobility Hubs.* The plan references Transit Oriented Development but could expand on this to incorporate support for the Mobility Hub concept. Mobility hubs provide an integrated suite of transportation services, amenities, and urban design enhancements that bridge the distance between transit and an individual's origin or destination. Mobility hubs are places of connectivity, where different modes of travel come together seamlessly, and where there is a concentration of employment, housing, shopping, and/or recreation. Mobility hubs feature a range of coordinated transportation services including: bike share, car share, neighborhood electric vehicles, bike parking, dynamic parking management strategies, real-time traveler information, real-time ridesharing, demand-based shuttle or jitney services, bicycle and pedestrian improvements, way finding, urban design enhancements, and supporting systems like mobile applications, electric vehicle charging, smart intersections, and a universal payment system to make it easy to access a wide range of travel choices.

- *Parking Management:* The plan mentions parking but could expand on this to encourage parking policies and management strategies that support transit oriented development and alternative transportation choices.

- *Autonomous Vehicles.* The focus by the State on connected vehicles should be placed on following and supporting the U.S. Department of Transportation Connected Vehicle Model Deployment Programs to prepare for connected vehicle deployment applications, only because over the next several years there will be significant activity and new developments by the State and by the US DOT on connected vehicles. Thus, we suggest a strategy recommendation under Chapter 8 also be added to demonstrate/continued support for coordinated connected vehicle efforts and perhaps leave the long-term recommendation as is which focuses on actual deployment "exploration" activities.

B. FUNDING & FUNDING NEEDS FOR RTP IMPLEMENTATION

B-1 at Pg. 9: Suggest expanding to reflect local funding sources that help accomplish regional planning activities (in addition to only state and federal).

B-2 at Pg. 26: Figure 1 should also add revenues to the graph to show the historical reduction in available revenues.

B-3 at Pg. 27: First paragraph – discussion should go into a bit more detail about how over time the state has passed several bond measures to fund transportation, but that these measures are one-time only; that there is a need for sustainable and predictable funding stream that keeps up with inflation, changes to driving behavior, and vehicle efficiencies. It also might help to quantify the deficit as a whole and/or for certain categories. For instance Caltrans' 2015 Mile Marker report shows that there is a $19 billion 10-year unfunded need for bridge work.

B-4 at Pg. 48: Should update the proposed decreased level in state excise tax for FY 2016. May also note how the volatility of ups and downs is causing potential for disruption in the transportation planning and implementation process.

B-5 at Pg. 49: Second paragraph on bonding…not sure if this is supposed to be an example or one highlight. The state also uses TIFIA to fund transportation projects – maybe say state uses other funding mechanisms such as GARVEE or TIFIA.

B-6 at Pg. 50: Cap & Trade paragraph and table 15 – although true, should be updated as the call for projects for some of these programs are done for a 2-year timeframe.

B-7 at Pg. 52: The threshold to pass local sales tax measures is two thirds, not 65 percent.

B-8 at Pg. 52: Under Highways, there should be a more up to date expenditure period than 2001-2011.

B-9 at Pg 54. Under "Funding Challenges: Decreasing Revenue" (page 54), there is some discussion on declining revenue due to better fuel efficiency and economic downturns. Additional points to add include: (1) price-based excise tax (former sales tax on gasoline) fluctuates with price, and with no floor, can (and has) cause significant swings in revenue; and (2) a stable revenue source is necessary to keep awarded projects under construction and planned projects on track for delivery.

B-10 at Pg. 55. The "Strategies to Reduce the Funding Gap" section focuses mainly on existing use and sales taxes. There should be a discussion on other potential sources of revenue, such as goods movement fees, container fees, and tolling.

B-11 at Pg. 108: Investing in public awareness for safety is good strategy, but often there are no funds for those activities – funding has been specific to capital projects and not for outreach or operations. We did not read in the above funding chapter anything about including those as eligible activities.

B- 12 at Pg. 113: The short-term recommendation seems more general when compared against the long term that is more specific. Creating a tax increment district would lead to disparity among jurisdictions, the state may want to advocate for consistent infrastructure conditions not varying differences like we have today in "self help" and non "self help" counties.

B- 13 at Pg. 113: The recommendations under the Permanent Funding section could be enhanced. The report itself identifies a lack of indexation of fuel taxes as a cause of the lack of funds in today's environment, and yet, an indexation of fuel taxes is not included in the proposal. Likewise, the Road Usage Charge is discussed in the report, but no mention of it in the recommendation. Perhaps it is being included obliquely under the first bullet "Support efforts of a pricing strategy". If the state feels inhibited to be more specific about funding options, it should include all strategies, including indexation and mileage-based fees as options to be explored with policy makers leading to eventual adoption of one or more of them, not as recommendations to be implemented. Should VLF's and Speaker Atkins' idea be included in the report? Putting TIF as a strategy for long-term financing as a fund source is not adequate or reliable for future needs. The recommendations for this section should be strengthened to meaningfully address what the focus groups identified as one of the important challenges: the lack of funds.

B-14 at p.122, Invest Strategically. [SHOPP] funding levels are not sufficient to meet all maintenance and rehabilitation needs." Agreed, would be good to mention some alternative revenue source ideas in this section

C. OTHER TECHNICAL & IMPLEMANTATION RECOMMENDATIONS

C-1 at Chapter 1: Purpose and Context: CTP 2040 Goals. The six goals do not align 100% with the five new Caltrans and CalSTA goals (developed in response to the SSTI findings, 2014). Should they be aligned? For example, CTP 2040's sixth goal is "Practice environmental *stewardship*" whereas the second Caltrans/CalSTA goal is "Stewardship and efficiency" (Responsibly manage California's transportation assets). The use of similar terms for different goals in these two documents can be confusing.

C-2 at Pg. 5, Table 5: Consider including some data for miles of transit service operated (perhaps separated by heavy rail, light rail, bus). Is there any bike information available at a statewide level, perhaps miles of Class I facilities?

C-3 at Pg. 11: Although the statement that "eventually, the (HSR) system will extend to Sacramento and San Diego" is consistent with the CHSRA's business plan, we'd like to see CTP 2040 address the Phase 2 HSR corridors. Phase 2 is only briefly mentioned in the CHSRA business and only focuses on the implementation of Phase 1 which will be complete in 2028. It is reasonable to assume Phase 2 could be built by 2040. We recommend that CTP 2040 include Phase 2 of the HSR system in Alternative 1 or at least in a minimum in Alternative 2.

C-4 at Pg. 15. We are the California Association of Councils of Governments, not the California Council of Governments.

C-5 at Pg. 19. Similarly as the Seaports are highlighted, there should be a section for Land Ports of Entry (POEs) naming all the commercial land POEs: San Ysidro (rail), Otay Mesa and Tecate (trucks), Calexico (rail), and Calexico East and Andrade (trucks). Additionally, please consider using the US Bureau of Transportation Statistics data for trucks/truckloads and/or trade value for these

C-6 at Pg.101: Under "Greenhouse Gas Emissions section," the sentence reads, "AB32 requires that the 2020 total GHG inventory be the same as the 1990 GHG inventory, then 80 percent below the 1990 GHG inventory by 2050." This needs to be clarified. AB 32 does not require the 80 percent below 1990 level by 2050. It is the Executive Order – EO S-3-05 that included the 80 percent below 1990 goal.

C-7 at Pg. 103 We read Alternative 1 in Figure 12 (Statewide GHG Emission Changes Relative to 2020) to show that greenhouse gas emissions will increase by approximately 11 percent between 2040 and 2050. Please help us understand to what we can attribute this increase (e.g. population growth).

C-8 at Pg. 30: Table 10: Freight Forecast and Trends – "Total shipments by weight (into, out of, and within CA) are projected to grow approx. 180% statewide between 2012 and 2040." The SANDAG Freight Gateway Study Update utilizes the Freight Analysis Framework (FAF) Version 3.5 Tool. Considering the time period for the state of California, the total growth would be 55% according to FAF. This is most likely due to the fact that in FAF domestic inbound, outbound and internal is projected to grow near 1% per year; these moves by tonnage are highly substantial when compared to exports/imports. Lastly, "tonnage" is more appropriate rather than "weight."

C-9 at Pg. 60: Traffic Management System: The title and reference throughout the text in this section seems to infer continued focus on "traffic," which seems to be in conflict with overall theme of this goal where focus should be multi-modal mobility.

C-10 at Pg. 60: A key point that could be referenced here, to assure consistency with regional plans or assure that this plan maintains its support for moving forward with G1 - is that improving multimodal mobility and accessibility is based on the foundation of multi-modal system performance and optimization for all modes. These can include multi-modal network efficiencies that cut across multi-jurisdictional operational improvements that do not require significant funding for major capital intensive infrastructure needs. TSM strategies are among the most cost effective strategies for achieving immediate mobility benefits but that will require the State to work in partnership with local and regional agencies.

C-11 at p 67. The Goal 2 discussion of *Preservation of the Multimodal Transportation System* mainly discusses road infrastructure. While the recommended strategies include a process for transit asset maintenance (Strategy P2-S4), public transit investments should be included in additional strategies, such as "include transit as a recipient of a "sustainable funding for maintenance and preservation". (The example of the SHOPP program in P1-S3 reinforces the roadway focus of the goal).

C-12 at Pg. 61: "The concept of Integrated Corridor Management (ICM) is also in development to improve traffic flow from highways to surface streets. Together, these technologies should pave the way for widespread deployment of fully automated vehicles." Would like to suggest that clarification or distinction should be made to express that ICM can be considered as a near to midterm recommendation strategy under Chapter 8 recommendations.

C-13 at Pg. 120: See generally, comments made under for ICM and Connected Vehicles under Chapter 6 page 61. Additionally, and this may seem more of an observation for internal discussion, overall it is not clear on how the recommendations laid out under this Chapter translate to actual funding commitments as they seem to denote general and guiding activities or efforts and not project/program level efforts. That said, even the specific recommendations need improvement:

C-14 at p.120-121, Systemize Traffic Management: The CTP 2040 only includes mid- and long-range TMS investments. TMS should also be a short term investment. Adaptive traffic signals listed under the "mid to long-range" timeframe are already being installed and should also be a short term strategy. Likewise for connected cehicle and vehicle platooning, in which exploration is already under way.

C-15 at Pg. 124: The "Reduce VMT" recommendations are worded in a way that unnecessarily limits their scope to certain strategies. Generally they should be broadened to allow more flexibility. Here are three suggestions: First, expand the recommendation so that it reads: "*create policies to incentivize employers to develop commuter benefit programs that encourage transportation alternatives. Encourage parking management strategies at the workplace, such as parking cash-out or priority parking for HOVs that discourage drive-alone commuting to work. Provide greater telecommuting options, and alternative work schedules designed to reduce the number of daily commute trips*" and add "*create policies that incentivize developers to provide TDM programs and services that mitigate the traffic impacts of developments.*" Second, consider expanding recommendation to "*secure additional funding to implement significant transit improvement strategies, including, but not limited to, increasing speeds, decreasing fares, increasing BRT, and improving transfer times*" to include improved access/connections to transit as well as improving the technologies (real-time traveler information, universal transportation account) that increase the convenience and competitiveness of public transit thereby creating more a positive attitude towards public transit for choice riders. Third, consider expanding recommendation to "*implement substantial public outreach to publicize the GHG benefit of eco-driving, car sharing and telecommuting*" to include transit and ridesharing.

D. CONCLUSION

Thank you once again for the inclusion of so many of our members in the CTP 2040 process and providing this further opportunity to comment. Please contact me if you have any questions or desire to follow up with any of our members that have expertise in the issues raised in this letter.

Best Regards,

Bill Higgins
Executive Director

Kern Council of Governments

June 24, 2015

TO: REGIONAL PLANNING ADVISORY COMMITTEE

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

SUBJECT: MEETING CANCELLATION NOTICE – July 1, 2015

The meeting of the Regional Planning Advisory Committee (RPAC) scheduled for Wednesday, July 1st has been cancelled. The next scheduled meeting will be held on Wednesday, August 5th. Agenda material will be mailed approximately one week prior to that date.

Thank you.

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Kern Council of Governments

I

RPAC

July 1, 2015

TO: Regional Planning Advisory Committee

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

By: Ben Raymond, Regional Planner

SUBJECT: RPAC AGENDA ITEM: I
REGIONAL GROWTH FORECAST UPDATE

DESCRIPTION:

The Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG board in October 2015. The initial draft report will be made available.

DISCUSSION:

Background

The Regional Growth Forecast Defined - The Kern COG regional growth forecast is a long-range projection for countywide total population. The population total is used to develop housing, employment, school enrollment, and income forecasts. The forecast is used for local transportation and air quality planning as well as by the member agencies for a variety of long range planning activities. This forecast revision will serve as the growth assumption for the 2018 Regional Transportation Plan/Sustainable Communities Strategy. The forecast is used as a control target by the modeling committee and RPAC for distribution of socio-economic data throughout the county sub areas. The forecast is based on Census Data and California Department of Finance (DOF) estimates for the base year. If forecast determines future growth to be more than 3% outside of DOF projections, Kern COG will need to provide a detailed explanation why the forecasts differs and work with DOF to agree on the forecast methodology.

Review Requirements – The Kern COG Policy and Procedure Manual states:

> "Socio-Economic Forecast Data – Countywide forecasts for households, employment and other socio-economic data shall be updated not less than 3 years from the time of the Socio-economic forecast. A minimum of three years between Countywide forecast revisions is needed to allow responsible state and federal agencies time to complete their review of large environmental documents without major changes to transportation circulation modeling results..."

The Kern COG adopted Public Policy and Procedure manual requires a 30-day advertised notice of public meetings/workshops regarding the regional growth forecast. Additional, extensive opportunities for public comment on the forecast will be provided as part of the 2018 Regional Transportation Plan adoption.

Committee Oversight – The Kern COG Transportation Modeling sub-committee and the Regional Planning Advisory Committee (RPAC) will provide oversight during the growth forecast update. The committees currently meet together and are also responsible for sub-area distribution of the growth forecast following the adoption. The regional growth forecast will be presented to the Transportation Technical Advisory Committee (TTAC) concurrently, and then to the Transportation Planning Policy Committee/Kern COG Board for final adoption.

Initial Draft Regional Growth Forecast Report – The Initial Draft Report will be available at www.kerncog.org/tmp/RegionalGrowthInitialDraft.pdf by June 26th, 2015 for the RPAC and TTAC review. Any initial comments received from the RPAC and TTAC at their July meetings may be incorporated into the public draft scheduled to be available by July 20th.

Revised Growth Forecast Timeline – The following schedule is anticipated for forecast adoption:

- ~~May 6th, 2015 – RPAC growth forecast project status update~~
- ~~June 3rd, 2015 – RPAC review initial data inputs and status update~~
- July 1st, 2015 – TTAC reviews draft report for information and comments
- July 1st, 2015 – RPAC reviews draft report for information and comments
- July 20th, 2015 - 30-day public comment period notification (display adds/flyers/draft report to be available at www.kerncog.org)
- August 5th, 2015 – TTAC reviews draft report for information and comments
- August 5th, 2015 – RPAC reviews draft report for information and comments
- August 20th, 2015 – Televised Public Workshop on Forecast
- August 20th, 2015 – Kern COG Board reviews draft forecast for information and comments
- August 20th , 2015 – Close of 30-day public review period
- September 2nd, 2015 – RPAC reviews report and public comments and makes recommendation to Kern COG board.
- September 30th, 2015 -- TTAC reviews report and public comments and makes recommendation to Kern COG board.
- October 15th, 2015 – Kern COG Board Considers Public Comments, recommendations and considers adoption of the regional growth forecast.

ACTION: Information

Kern Council of Governments

II
RPAC

July 1, 2015

TO: Regional Planning Advisory Committee

FROM: AHRON HAKAMI,
EXECUTIVE DIRECTOR

By: Rob Ball, Director of Planning
Ben Raymond, Regional Transportation Planner

SUBJECT: RPAC AGENDA ITEM: II
2018 RTP/SCS PROCESS TIMELINE AND REGIONAL GROWTH FORECAST UPDATE

DESCRIPTION:

Status of the 4 year update to the 20+ year Regional Transportation Plan (RTP) development scheduled for adoption in 2018.

DISCUSSION:

Background – The regular 4-year update to the long range plan RTP and Sustainable Community Strategy (SCS) started in 2014. This update is a required step in the transportation planning process to deliver projects in the region. Some of the first steps include revisiting the regional growth forecast assumptions.

Federal regulations (diagramed in figure 1) require the development of a long range plan using the 3-Cs – Cooperative, Comprehensive and Continuous process. As required, upon completion of 2014 RTP, work on the 2018 RTP had already begun.

Figure 1: The Federal Transportation Planning Process
http://www.planning.dot.gov/documents/briefingbook/bbook.htm

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RTP Timeline - Attachment 1 is a summary timeline of the many tasks involved in the update of the RTP. The timeline is broken into 8 major work areas including – oversight, conformity modeling (air quality), RTP, environmental compliance, transportation improvement program (TIP), outreach, modeling, and planning studies. These activities account for a little more than half of Kern COG annual work program adopted each May.

In addition, the timeline indicates that with the adoption of the 2014 RTP, **local government general plan housing elements are required to be completed by December 2015**, 18 months after the adoption of the 2014 RTP and the concurrent Regional Housing Needs Allocation (RHNA).

ARB Timeline – The Air Resource Board is responsible for reviewing Kern COG's SCS and Kern's modeling methodology to determine that if implemented the SCS would meet the Green House Gas (GHG) reductions set by ARB. ARB staff is reviewing the Valley MPO's SCSs is scheduled to consider the Kern COG 2014 RTP/SCS methodology July 23rd, 2015 in Sacramento http://www.arb.ca.gov/board/meetings.htm .

The ARB Board will also consider when and how to update GHG reduction targets. ARB staff released an initial draft staff report discussing the many factors and issues that they will be looking at for updating targets. The following is an initial timeline from this staff report:

- Early 2015 through mid-2015: ARB is using the information provided on the SJV SCSs as consultation to inform new target setting.
- Early 2016: Board action to establish new targets effective for SCS's approved in 2018.

Regional Growth Forecast Update Timeline - The 2014/2015 Regional Growth Forecast Update will forecast population, housing & employment data out to year 2050. The update is underway and a public workshop will be scheduled for this summer and Kern COG Board adoption is scheduled for October 2015.

ACTION: Information

Attachments:

A. 2014 RTP/EIR/TIP Conformity Timeline – 3/21/11 – from Kern COG

Attachment - A

2018 RTP/EIR/TIP Conformity Timeline

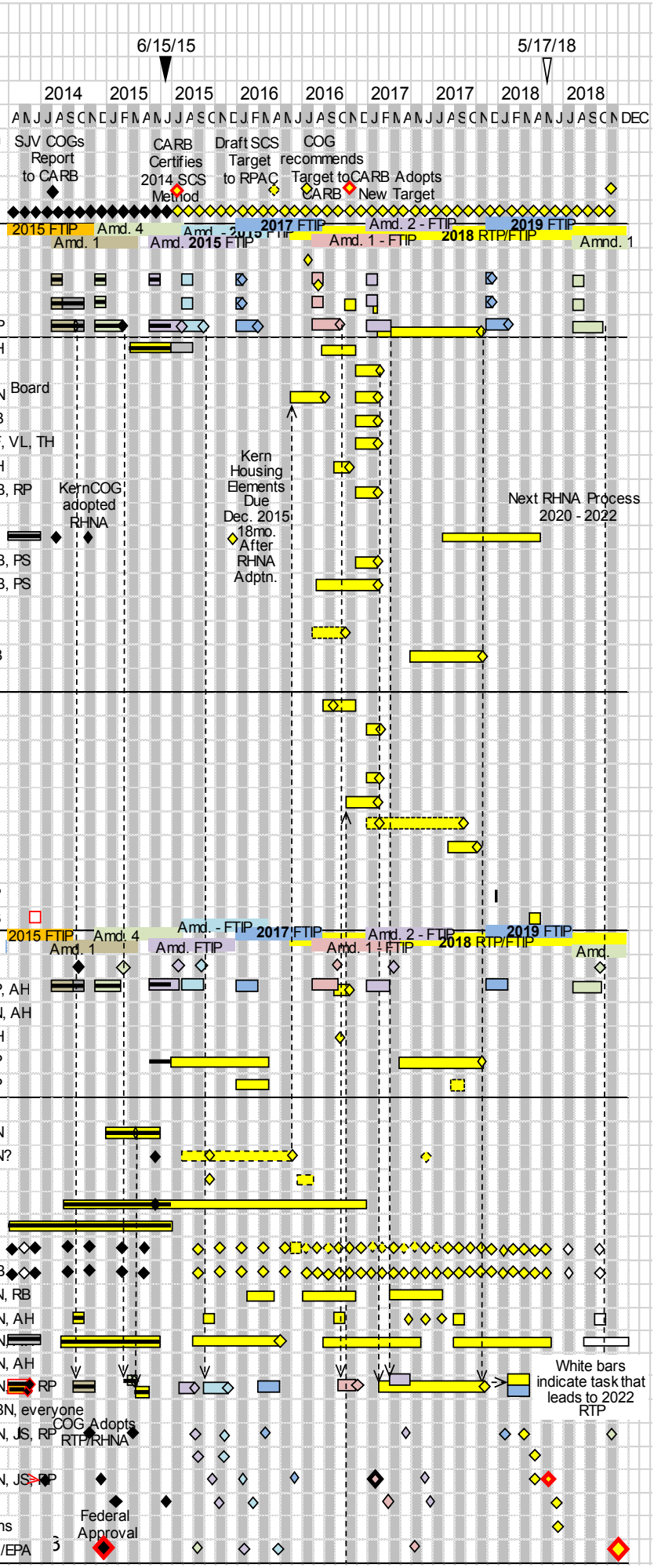
KEY - Milestone ◇ ◆ ◆ **Accomplished**
Planned Activity **Progress (black)**
Slippage (grey) Critical Path
Optional Activity

6/15/15 5/17/18

2014 2015 2015 2016 2016 2017 2017 2018 2018

A N J J A S O N D J F M A M J J A S O N D J F M A M J J A S O N D J F M A M J J A S O N D J F M A M J J A S O N DEC

TASK	red lettered items are adopted Kern COG procedure	Primary W.E.	Team
1.0	a. Begin RTP process (January-odd numbered year)	601.1	
1.2	CARB SB375 Target Deadlines	204.1	TH,RB
1.3	RTP Team status meetings (Mondays 9AM)	601.1	RB
2.0	d. **Conformity Modeling** RTP/CIP/TIP (June-odd yr)	101.1	VL
2.1	Draft Conformity Procedures and Documentation	101.1	CA
2.2	Interagency Consultation Review	101.1	CA
2.3	Model Network Dev./Survey/Latest Planning Asmp.	101.1	VL
2.4	Regional est. procedure, TID, Boilerplate, Analysis	101.1	VL, RP
3.0	c. RTP/Capital Improvement Program (CIP) list of projects	601.2	JS, AH
3.1	e. **RTP** Elements/Maps Update (December-odd yr.)	601.1	MH
3.2	Update RTP Goals/objectives/Performance Measures/EJ	601.1	RB, BN
3.2.1	Establish baseline measures/assumptions	604.3	RP, RB
3.2.2	Environmental Justice Meas. Scenarios Modeling	601.5	RP, EF, VL, TH
3.4	Update RTP Financial Plan/Revenue projects (YOE)	601.2	JS, AH
3.5	Update RTP CMP/ITS/FSP/Demand Management	601.1	BN, RB, RP
3.6	Regional Housing Needs Allocation (RHNA)	203.4!	PS, RI
3.6.1	Kern Housing Data Report	203.4!	PS, RI
3.7	Update Sustainable Communities Element SCE/RHNA	601.1	BN, RB, PS
3.8.1	Update RTP Freight goods movement/non-motorized	601.1	BN, RB, PS
3.8.2	Update Transit Security Plan Chptr. To the RTP	601.1	BS
3.9	Update Valleywide Chapter to RTP - Aviation, Rail, Tribal	601.1	RB
3.10	Write RTP/Executive Summary	601.1	JS, RB
3.11	f. Complete draft RTP released (February-even yr.)	601.1	
4.0	**RTP EIR** RFP -- Award Contract/Scoping Mtg.	103.1	BN
4.1	Prepare/Issue Notice of Preparation (30 days)	601.1	BN
4.15	Prepare Initial Study (not needed if EIR)	103.1	BN
4.2	Review document and need changes to EIR	601.1	BN
4.3	EIR Scenarios Conformity Modeling	604.3	VL
4.4	GIS maps, workshops, document illustrations	201.1	MH
4.5	Write RTP EIR, Analysis, Mitigation Measures	601.1	BN
4.6	Confirm Latest Plan. Assump. consistent w/conformity	604.3	RB
4.7	Attorney Review	601.1	BN RP
4.8	Response to Comments/Monitoring	601.1	BN RB
5.0	**RTIP/FTIP** (regionally significant amendments/updates)	602.1	RP
5.1	Update document text / tables	602.1	RP
5.2	Update Project list and Financial Constraint (YOE)	602.1	JS, RP, AH
5.2.1	Regional Transportation Impact Fee Study	605.2	JS, BN, AH
5.3	RTIP Project Selection Criteria/Ranking Policy Update	602.1	JS, AH
5.4	Issue Call For, Rank, Select CMAQ Projects	602.1	JS, RP
5.6	Identify funding subject to CMAQ Cost-effective policy	602.1	JS, RP
6.0	**Public/Agency Outreach Adoption Processes**	601.1	
6.1	Update Public Participation Plan (45 day PR, as needed)	601.3	RP, BN
6.2	Envronmental Justice Task Force Update	601.5	RP, BN?
6.2.1	SCS/Blueprint Hispanic Outreach Collaboration	601.5	BN
6.2.2	Tejon Tribe South Kern Colaborative Grant	601.5	TH
6.2.3	Inter-Agency Coordination/Greenprint Phase 2	201.1	MH
6.3	**TMC - SCS/RHNA Dev.** - Latest Planning Asmpt.	601.3	TH,RB
6.3.1	RPAC - Oversight	204.1	BN, RB
6.3.2	SCS/REAP Outreach RFP/Contract Oversight	601.3	RP, BN, RB
6.4	RTP/SCS Outreach Workshops, Town Halls, Fairs	601.3	RB, BN, AH
6.5	Regional Issues Phone Survey	601.3	RB, BN
6.6	Select Preferred SCS Scenario/B-print Summit	601.1	RB, BN, AH
6.7	g. RTP Public review (PR) period	601.1	RB, BN, RP
6.8	b.,h. Public workshops - Bprint SCS/RTP(April-even yrs)	601.3	RRP, BN, everyone
6.9	i. TTAC and TPPC review (June-even year)	601.1	RB, BN, JS, RP
6.10	Public Hearing/meeting	601.1	RB
6.11	◆ COG Board adopts Conformity, RTP, EIR, FTIP, etc.	601.1	RB, BN, JS, RP
6.12	TPAs submit Conformity Demonstration to FHWA	601.1	RB
6.13	k. Caltrans review of RTP/TIP/Conformity (Aug-even yrs	n.a.	Caltrans
6.14	l. Federal review of RTP/FTIP/Confomity (Oct.-even yrs)	n.a.	FHWA/EPA



2018 RTP/EIR/TIP Conformity Timeline

KEY - Milestone ◇ ◆ ◆ **Accomplished**
Planned Activity **Progress (black)**
Slippage (grey) Critical Path
Optional Activity

6/15/15 5/17/18

red lettered items are adopted Kern COG procedure

a. Begin RTP process (January odd-numbered year)
b. CARB SB375 Target Deadlines
c. RTP Team status meetings (Mondays 9AM)
d. **Conformity Modeling** HB/CIP/HR (June odd yr)
e. Draft Conformity Procedures and Documentation
f. Interagency Consultation Review
g. model Network Dev. (Survey/Latest Planning Asmp.
h. Regional est. procedure, TDL Boilerplate, Analysis
i. RTP/Capital improvement Program (CIP) list of projects
j. **RTP** Elements/Maps Update (December-odd yr.)
k. Update RTP Goals/objectives/Performance Measures/EJ
l. Establish baseline measures/assumptions
m. Environmental Justice Meas. Scenarios Modeling
n. Update RTP Financial Plan/Revenue projects (YOE)
o. Update RTP CMP/ITS/ESP/Demand Management
p. Regional Housing Needs Allocation (RHNA)
q. Kern Housing Data Report
r. Complete draft RTP released (February even yr.)

TASK		WE	Team
7.0	**Model Improvement Pgrm**: Oversight/Training	604.1	
7.1	RTP Model Maintenance Contract / Peer Review (DKS)	604.1	EF, BR
7.2	2014 Supplemental Model Validation Contract - (F&P)	604.1	BR, EF
7.3	SJV Greenprint - Conservation Plan Modeling	601.1	MH
7.4	LU Forecast Model Update/CubeLand/QuickResponse	604.2	BR, TH
7.5	Local Transportation Model Improvements	604.1	MP Consult
7.5.1	Socio-Economic Update - Employment Conversion, etc.	604.2	BR, RI, VL
7.5.2	New Model Components/performance measures, etc.	604.1	MP Consult, VL, TH, EF
7.5.3	Update Networks/Attributes/Speed Data	604.1	MP Consult,
7.5.4	Travel Model Estimation	604.1	MP Con
7.5.5	Calibrate/Validate Model	604.1	MP Consult
7.5.6	Reports/Documentation	604.1	MP Consult
7.6	Interregional Travel Coordination (statewide model)	604.1	MP Con
7.7	SJV MPO Implementation Long Range Plan (F&P)	604.1	BR, RB
7.8	2010 Census Releases - Am. Community Survey (ACS)	903.2	Census
7.9	DOF Estimates(E), Projections(P) Release dates	604.2	DOF
7.10	Traffic Count Update - CA Model. Travel Survy. (CHTS)	203.2	EF, TH
7.11	Aerial Imagery Update	201.2	MH
8.0	**Modal Planning**	601.1	BN, RB, F
8.1	GET Transit Centers Study/DBA Downtown Study	605.7	TH, BS
8.2	Fed. Small Starts Feasibility Study - Commuter Rail	605.6	BS, TH
8.3	Complete Streets Metro Impact Fee (on hold)	605.1	EF, VL
8.4	Countywide ATP Plan/Small Cities Bikeways Master	608.1.2	PS, BS
8.6	Kern Transit Corridors - Transit Development Plan	610.4	BS, TH
8.7	Transportation Funding Feasibility Study (Measure,	610.1	BN, PS
8.8	Kern Goods Movement Survey/Longitudinal Study	610.1	BN, BN
8.9	Electric Vehicle Charging Program/EDM	103.1	BN, SC
9.0	Kern Regional Energy Action Plans (REAP) & CAPs	601.1	BN, SC
9.1	TIP Project Coordination/Delivery/Invoicing	604.3	VS, RP
9.2	Implement Mitigation/Monitoring Program	201.1	MH, RB
4.5	Write RTP EIR, Analysis, Mitigation Measures	601.1	BN
4.6	Confirm Latest Plan. Assump. consistent w/conformity	604.3	RB
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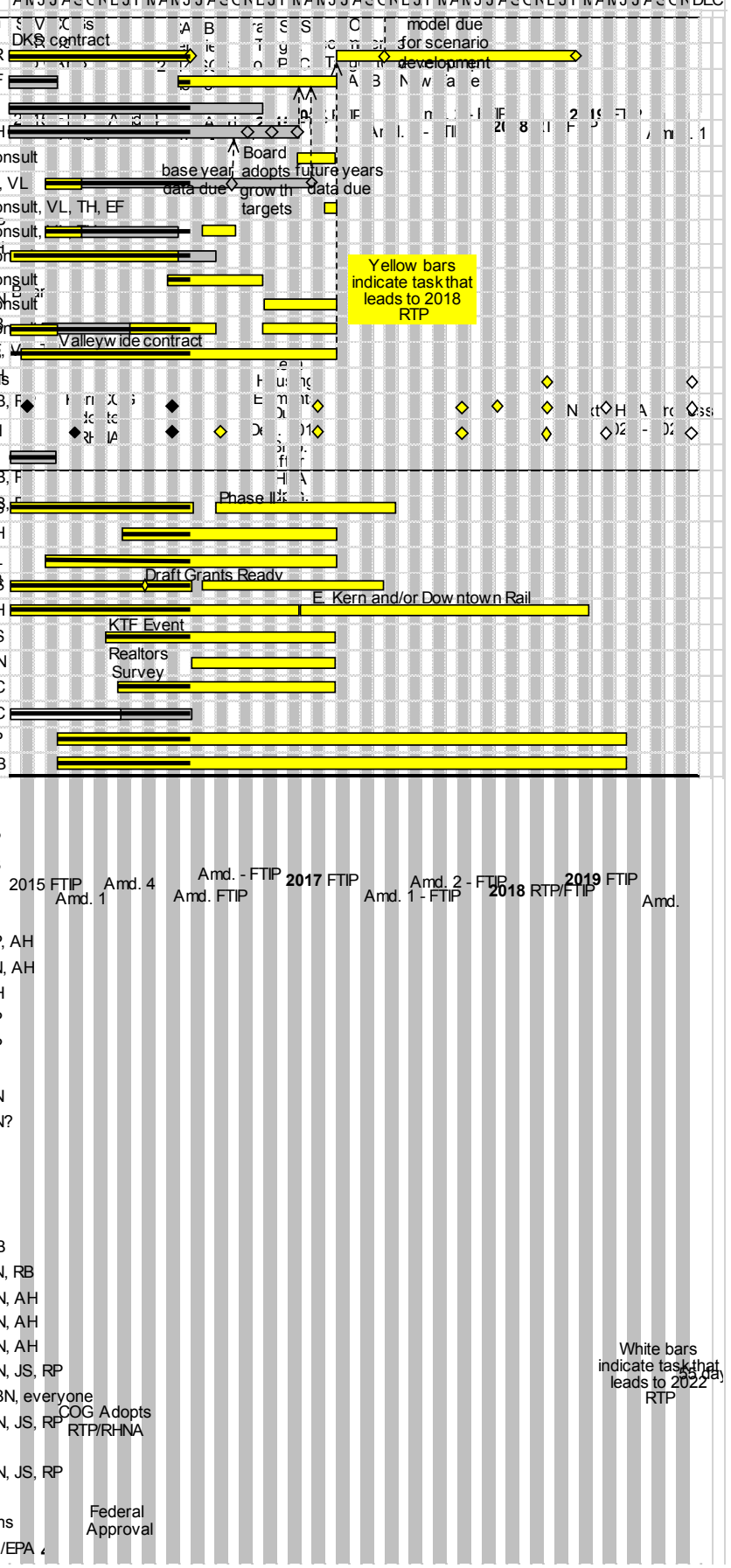
6.5	Regional Issues Phone Survey	601.3	RB, BN, AH
6.6	Select Preferred SCS Scenario/B-print Summit	601.1	RB, BN, AH
6.7	g. RTP Public review (PR) period	601.1	RB, BN, JS, RP
6.8	b.,h. Public workshops - Bprint SCS/RTP(April-even yrs)	601.3	RRP, BN, everyone
6.9	i. TTAC and TPPC review (June-even year)	601.1	RB, BN, JS, RP
6.10	Public Hearing/meeting	601.1	RB
6.11	COG Board adopts Conformity, RTP, EIR, FTIP, etc.	601.1	RB, BN, JS, RP
6.12	TPAs submit Conformity Demonstration to FHWA	601.1	RB
6.13	k. Caltrans review of RTP/TIP/Conformity (Aug-even yrs	n.a.	Caltrans
6.14	l. Federal review of RTP/FTIP/Confomity (Oct.-even yrs)	n.a.	FHWA/EPA



Kern Council of Governments

III
RPAC

July 1, 2015

TO: Regional Planning Advisory Committee

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

BY: Troy Hightower, Regional Planner

SUBJECT: RPAC AGENDA ITEM: III
METROPOLITAN BAKERSFIELD TRANSIT CENTER DRAFT FINAL REPORT

DESCRIPTION:

The Metropolitan Bakersfield Transit Center Study will create a final report to help prioritize planning for potential transit centers and Transit Oriented Development. The Final Report is scheduled to be available by August 2015.

DISCUSSION:

Kern COG and Golden Empire Transit (GET) entered into a Memorandum of Agreement on September 19, 2013 to perform this Study.

The purpose of the Study is to address emerging intra-city transit system needs. This effort will provide assistance to public, transit and social service agencies within the study area and assist with integrating these services to improve efficiency. The Study will also address transit related policies and strategies of the Sustainable Community Strategy and Regional Transportation Plan (SCS/RTP) and help prioritize the planning for transit priority places in metropolitan Bakersfield identified by the SCS/RTP.

The Study provides information documenting the suitable locations for Transit Centers, demographic and economic information related to Transit Oriented Development (TOD) for each location, multi-modal access, ridership projections, visualizations, and other illustrations of Transit Centers. In addition, public workshops were held to get input from the public as well as educate the public on Multi-modal Transit Centers, and TOD.

The Study explores connections to intercity services across Kern County and consider access to future connections with existing passenger rail and the planned high-speed train.

The need for enhanced transit services as expressed through the unmet transit needs public process, is a general use need including commute to work, access to government, social services and medical facilities, and general mobility between the towns, cities, and regions of Kern County. Recent California Climate Change Law SB 375

requires MPO's to develop a SCS/RTP that supports increasing use of transit and non-motorized modes of transportation.

The Draft Final Report (see attachment) is the last of the planned tasks of the Study to provide information on the potential sites and the feasibility of TOD at the sites. The market assessment, the technical memorandum, and input

from public surveys, and workshops were used to evaluate the potential sites. By consensus of the project Stakeholders and the Steering Committee selected the Niles at Mt. Vernon, and Southwest Transit Center (Valley Plaza Mall) as examples of potential TOD sites to be analyzed further. Kern COG staff will develop 3D visualizations of those two sites.

The following is a summary of the project timetable.

May 1, 2014	Kick-Off Meeting with consultant CDM Smith
July 31, 2014	1st Quarterly Steering Committee Meeting
October 9, 2014	Public Scoping Meeting held at the Beale Library.
October 23, 2014	2nd Quarterly Steering Committee Meeting. Presented Draft Proposed Sites Report
December 9, 2014	Potential Transit Center Sites Report Completed
January 2015	Summary project report presented to the Golden Empire Transit Board
January 22, 2015	3rd Quarterly Steering Committee Meeting
February 26, 2015	Transit Center and TOD Public Workshop held at the Beale Library.
April 30, 2015	4th Quarterly Steering Committee Meeting. Market Assessment due.
July 1, 2015	Draft Final Report is due
July 15, 2015	Final Report is due.

Attachments:

1. Metropolitan Bakersfield Transit Center Study – Draft Final Report - Online at: http://www.kerncog.org/public-transit

ACTION: Information.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG BOARD ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
August 5, 2015
1:30 P.M.

Call in Number: (312) 878-3080
Access Code: 586-617-702

I. ROLL CALL:

II. PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Committee at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.**

Disabled individuals who need special assistance to attend or participate in a meeting of the Regional Planning Advisory Committee may request assistance at 1401 19th Street, Suite 300; Bakersfield CA 93301 or by calling (661) 861-2191. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made at least three (3) working days in advance whenever possible.

III. SELECTION OF REGIONAL PLANNING ADVISORY COMMITTEE VICE-CHAIRMAN

Comment: During the April 2015 Regional Planning Advisory Committee meeting, the Committee reappointed Dennis McNamara as Chairman and David James as the Vice Chairman. David James recently retired from the City of Tehachapi; therefore, it is now appropriate to select a new Vice-Chairman.

Action: Select a Vice-Chairman for the Regional Planning Advisory Committee.

IV. APPROVAL OF DISCUSSION SUMMARIES

- RPAC Meeting of Wednesday April 1, 2015
- RPAC Meeting of Wednesday, June 3, 2015

V. REGIONAL GROWTH FORECAST DRAFT REPORT (Raymond)

Comment: The Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG board in November 2015. The draft report is scheduled to be available August 2015.

Action: Information

VI. CALIFORNIA AIR RESOURCES BOARD ACCEPTS KERN'S 2014 SUSTAINABLE COMMUNITIES STRATEGY (Ball/Raymond)

Comment: On July 23, 2015 the California Air Resources Board (ARB) unanimously approved acceptance of the Kern COG Sustainable Community Strategy (SCS) and found that the methodology adequately demonstrates that the plan, if implemented, would meet the state greenhouse gas emission reduction targets for passenger vehicle travel.

Action: Information

VII. STRATEGIC GROWTH COUNCIL FIRST CYCLE GRANTS (Hightower)

Comment: The Strategic Growth Council (SGC) received $120 million from the Greenhouse Gas Reduction Fund referred to as Cap and Trade. SGC is tasked with the responsibility of administering the Affordable Housing and Sustainable Communities Program (AHSC). SGC awarded Kern and San Joaquin Valley $16.2 million in grant funding

Action: Information.

VIII. CALL FOR PROJECTS: CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT PROGRAM SCHEDULE (Snoddy)

Comment: Kern Council of Governments, acting in the capacity of the state-designated Regional Transportation Planning Agency, is alerting eligible agencies regarding Caltrans FY 2015-16 Sustainable Transportation Planning Grants Call for Projects Schedule.

Action: Information.

IX. INFORMATION ITEMS/ANNOUNCEMENTS

X. MEMBER ITEMS

XI. ADJOURNMENT

The next scheduled meeting of the RPAC/TMC meeting will be September 2, 2015.

Kern Council of Governments

August 5, 2015

TO: Regional Planning Advisory Committee

FROM: Becky Napier
Regional Planner

SUBJECT: AGENDA ITEM NUMBER III.
Selection of Regional Planning Advisory Committee Vice-Chairman

DESCRIPTION:

During the April 2015 Regional Planning Advisory Committee meeting, the Committee reappointed Dennis McNamara as Chairman and David James as the Vice Chairman. David James recently retired from the City of Tehachapi; therefore, it is now appropriate to select a new Vice-Chairman.

DISCUSSION:

The Secretary of the RPAC will take nominations for the position of Vice-Chairman. Each voting member of the RPAC is eligible to be nominated as Vice-Chairman.

ACTION

Select a Vice-Chairman for the Regional Planning Advisory Committee.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
April 1, 2015
1:30 P.M.

Chairman McNamara called the meeting to order at 1:30 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Dennis McNamara	City of McFarland
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	David James	City of Tehachapi
	Roger Mobley	City of Wasco
	Patty Poire	Community Member
	Alec Kimmel	Caltrans (phone)
STAFF:	Rochelle Invina	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Pete Smith	Kern COG
OTHERS:	Wanda Lord	Tejon Indian Tribe
	Bobbi Lowe	Tejon Indian Tribe
	Jason Cater	Bike Bakersfield
	Mike McCabe	Public
	Ted James	Consultant
	Cindy Parra	Bike Bakersfield
	Dave Dmohowski	Quad Knopf

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

Wanda Lord, Grant Administrator, Tejon Indian Tribe introduced herself and Bobbi Lowe, Housing Committee Chair, Tejon Indian Tribe. Ms. Lord expressed interest in participating more with the RPAC.

III. APPROVAL OF DISCUSSION SUMMARY: Meeting of February 4, 2015. Committee Member Mobley made a motion to approve the discussion summary, seconded by Committee Member Platt with all in favor.

IV. SELECTION OF A CHAIRMAN AND VICE CHAIRMAN

The Regional Planning Advisory Committee (RPAC) By-Laws specify that the Chairman and Vice-Chairman be elected from among voting members of the Committee at the first meeting of each year. Chairman McNamara opened nominations for Chairman. There were no nominations for Chairman; therefore, Mr. McNamara retained the Chairmanship. Chairman McNamara opened nominations for Vice-Chairman. There were no nominations for Vice-Chairman; therefore, Mr. James retained the Vice-Chairmanship.

V. KERN COUNCIL OF GOVERNMENTS (COG) RESPONSE LETTER TO ENVIRONMENTAL DOCUMENTS (Napier)

Ms. Napier informed the Committee that Kern COG has a responsibility under its Environmental Review Program/Intergovernmental Review process to provide information to lead agencies on various environmental documents. Ms. Napier explained that this letter was placed on the February 2015 agenda for review by the Committee. One comment was received and noted on the draft letter. Ms. Poire noted that a sentence needed to be deleted from the draft.

ACTION: Committee Member Platt made a motion to recommend that the Kern COG Board of Directors approve the letter as amended by Ms. Poire. Committee Member Hellman seconded the motion with all in favor.

VI. DISCUSSION OF SENATE BILL 1077 – ROAD USAGE CHARGE ALTERNATIVES TO THE GAS TAX (Ball)

Mr. Ball provided the Committee with a presentation on Senate Bill 1077. There was a short discussion by the Committee.

This item was for information only.

VII. KERN COUNCIL OF GOVERNMENTS PUBLIC INFORMATION POLICIES AND PROCEDURES (Napier)

Ms. Napier explained that Regional Transportation Plan (RTP) Guidelines require the Metropolitan Planning Organization develop a public participation plan prior to development of each RTP. The forty-five day public comment period on the Draft 2015 Public Information Policies and Procedures began March 19, 2015. Ms. Napier encouraged the Committee to review the information and provide input.

This item was for information only.

VIII. GROWTH FORECAST UPDATE SCHEDULE (Raymond)

Mr. Raymond informed the Committee that Kern COG entered into a contract with PlaceWorks to update Kern's regional growth forecast for 2014-2050. The regional growth forecast is reviewed and revised at a minimum of every three years. The Kern COG Board is scheduled to revisit the regional growth forecast in the summer of 2015. Mr. Raymond went over the schedule for the forecast adoption. The Committee was encouraged to attend the kick-off meeting with PlaceWorks on April 7. After discussion, Mr. Raymond stated that the April 7 date could be changed if that date was not convenient for the members that would like to attend. The meeting date will be finalized by Friday, April 3.

This item was for information only.

IX. HOUSING ELEMENT UPDATE

Ms. Invina provided information to the Committee concerning local housing elements due to the California Department of Housing and Community Development by the end of December 2015, for jurisdictions to qualify for the 8-year update cycle. Ms. Invina requested that each agency provide feedback on the status of local Housing Element updates. Ms. Invina also stated to please contact Kern COG staff if assistance is needed.

This item was for information only.

X. TRANSIT CENTER STUDY UPDATE (Hightower)

Mr. Hightower informed the Committee that Kern COG in partnership with Golden Empire Transit District, the City of Bakersfield and Kern Transit are in the process of developing the Metropolitan Bakersfield Transit Center Study. The consultant CDM Smith was awarded a contract to prepare the study in May 2014. The study is scheduled to be completed by June 2015. There was a short question and answer period.

This item was for information only.

XI. INFORMATION ITEMS/ANNOUNCEMENTS

- California Transportation Plan (CTP) 2040 webinar recording www.californiatransportationplan2040.org
- Active Transportation Projects Workshop Flier (attached)
- Public Information Policies & Procedures Meeting Flier (attached)
- San Joaquin Valley Greenprint Information (attached)
- AHSC Grant Information (Mr. Hightower provided a handout)
- Model Request Update (Mr. Ball provided a brief update)

XII. MEMBER ITEMS

Ms. Poire informed the Committee that the California Legislative Office developed a report concerning the effects of Smart Growth laws passed by the Legislature and the impact on home pricing in California. Ms. Poire indicated that as a result of Smart Growth laws Californians have been priced out of home ownership, especially in the Central Valley.

XIII. ADJOURNMENT

With no further business the meeting was adjourned at 2:25 p.m.

The next meeting will be Wednesday, May 6, 2015 at 1:30 p.m.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
June 3, 2015
1:30 P.M.

Acting Chairman Hellman called the meeting to order at 1:35 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	Roger Mobley	City of Wasco
	Rebecca Moore	LAFCO
	Karen King	GET
	Sandra Scherr	Caltrans
	Richard Rowe	Community Member
STAFF:	Rochelle Invina	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Pete Smith	Kern COG
	Michael Heimer	Kern COG
OTHERS:	Mike McCabe	Public
	Alec Kimmel	Caltrans (phone)
	Steve Gunnells	PlaceWorks
	Dave Dmohowski	Quad Knopf

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

None

III. **APPROVAL OF DISCUSSION SUMMARY:** Meeting of February 4, 2015. Committee Member Mobley made a motion to approve the discussion summary, seconded by Committee Member Platt with all in favor.

A quorum was not attained. This item will be placed on the next agenda.

IV. REGIONAL GROWTH FORECAST UPDATE (Raymond)

The Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG Board in August 2015. Mr. Raymond introduced Steve Gunnells of the consulting firm, PlaceWorks, who gave a presentation of the current status of the development of the growth forecast. The purpose is to develop a countywide forecast through 2050 to feed into the Regional Transportation Plan/Sustainable Communities Strategy and support local planning and transportation modeling. Primary forecasts are developed for households, population, housing and employment.

This item was for information only.

V. METROPOLITAN BAKERSFIELD TRANSIT CENTER MARKET STUDY (Hightower)

The Metropolitan Bakersfield Transit Center Study uses a market assessment and other tools to help prioritize planning for potential transit centers and Transit Oriented Development (TOD). The purpose of the Study is to address emerging intra-city transit system needs. The effort will provide assistance to public, transit and social service agencies within the study area and assist with integrating these services to improve efficiency. The study will provide information documenting the suitable locations for transit centers, demographic and economic information related to TOD for each location, multi-modal access, ridership projections, visualizations and other illustrations of transit centers. The draft report is schedule to be available by June 2015. Committee Member King expressed concern about how the study focuses on the need for TOD to support new transit centers. Ms. King indicated that as Golden Empire Transit moves forward to develop future transit centers she doesn't want this study to impede the development of future transit centers because there is not a TOD adjacent to the proposed site. Mr. Hightower thanked Ms. King for her concern and stated that it would be addressed.

This was an information item only.

VI. ASSEMBLY BILL 2, ALEJO: COMMUNITY REVITALIZATION AUTHORITY (Smith)

Assembly Bill (AB) 2 would resurrect redevelopment agencies in a new form and provide tax increment funding tools to local governments that could incentivize infill and more vibrant communities while advancing Kerns Sustainable Communities Strategy. Mr. Smith explained that there are two provision of the legislation for an authority to carry out a revitalization plan within a prescribed revitalization area. The provisions are:

1. The area as defined by census tracts or census block groups must not have a median household income that is greater than 80% of the California state median household income, and;
2. Three of the following four characteristics:
    a. A non-seasonal unemployment rate that is 3% higher than the state average;
    b. A crime rate that is 5% higher than the state average;
    c. Deteriorated or inadequate infrastructure; and
    d. Deteriorated commercial or residential structures.

This item was for information only.

VII. SAN JOAQUIN VALLEY GREENPRINT REPORT (Heimer)

Mr. Heimer explained that the San Joaquin Valley Greenprint Phase Two is an effort to address resource management opportunities and challenges. Phase two of the Greenprint is now underway and is starting with an expert panel approach. The purpose of the expert panel is to convene recognized technical specialists to develop and document the current and perceived future issues and challenges facing valley resources, and explore innovations and solutions to address these resource challenges.

This item was for information only.

VIII. CALIFORNIA TRANSPORTATION PLAN 2050 UPDATE (Napier)

The California Transportation Plan (CTP) 2040 is a statewide, long-range transportation plan developed to meet the State's future travel needs while reducing greenhouse gas emissions. The CTP 2040 articulates six goals to attain the vision:

1. Improve multimodal mobility and accessibility for all people;
2. Preserve the multimodal transportation system;
3. Support a vibrant economy;
4. Improve public safety and security;
5. Foster livable and healthy communities and promote social equity; and
6. Practice environmental stewardship.

Ms. Napier explained that CALCOG, in coordination with the COG Executive Directors and staffs, provided a comment letter on the CTP 2040 during the public comment period expressing concerns with the CTP 2040.

This item was for information only.

IX. INFORMATION ITEMS/ANNOUNCEMENTS

Mr. Smith provided the following information:

The Active Transportation Program project submittal deadline occurred on Monday, June 1, 2015. Under the rules of the program five (5) printed applications were to be tendered to the California Transportation Commission in Sacramento with an additional printed copy given to Kern COG, as the Metropolitan Planning Organization for this region.

As of the morning of June 3, 2015, Kern COG received 16 applications, requesting over $13 million in funding. Several other applications are believed to be in mail transit.

The applications will be scored by experts recruited by the CTC. The results of the scoring will be released in mid-September 2015.

X. MEMBER ITEMS

None

XI. ADJOURNMENT

With no further business the meeting was adjourned at 2:12 p.m.

The next meeting will be Wednesday, July 1, 2015, at 1:30 p.m.

Kern Council
of Governments

August 5th, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Ben Raymond, Regional Planner

SUBJECT: RPAC AGENDA ITEM: V.
REGIONAL GROWTH FORECAST DRAFT REPORT

DESCRIPTION:

The Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG board in November 2015. The draft report is scheduled to be available August 2015.

DISCUSSION:

Background

The Regional Growth Forecast Defined - The Kern COG regional growth forecast is a long-range projection for countywide total population. The population total is used to develop housing, employment, school enrollment, and income forecasts. The forecast is used for local transportation and air quality planning as well as by the member agencies for a variety of long range planning activities. This forecast revision will serve as the growth assumption for the 2018 Regional Transportation Plan/Sustainable Communities Strategy. The forecast is used as a control target by the modeling committee and RPAC for distribution of socio-economic data throughout the county sub areas. The forecast is based on Census Data and California Department of Finance (DOF) estimates for the base year. If forecast determines future growth to be more than 3% outside of DOF projections, Kern COG will need to provide a detailed explanation why the forecasts differs and work with DOF to agree on the forecast methodology.

Review Requirements – The Kern COG Policy and Procedure Manual states:

> "Socio-Economic Forecast Data – Countywide forecasts for households, employment and other socio-economic data shall be updated not less than 3 years from the time of the Socio-economic forecast. A minimum of three years between Countywide forecast revisions is needed to allow responsible state and

federal agencies time to complete their review of large environmental documents without major changes to transportation circulation modeling results..."

The Kern COG adopted Public Policy and Procedure manual requires a 30-day advertised notice of public meetings/workshops regarding the regional growth forecast. Additional, extensive opportunities for public comment on the forecast will be provided as part of the 2018 Regional Transportation Plan adoption.

Committee Oversight – The Kern COG Transportation Modeling sub-committee and the Regional Planning Advisory Committee (RPAC) will provide oversight during the growth forecast update. The committees currently meet together and are also responsible for sub-area distribution of the growth forecast following the adoption. The regional growth forecast will be presented to the Transportation Technical Advisory Committee (TTAC) concurrently, and then to the Transportation Planning Policy Committee/Kern COG Board for final adoption.

Draft Regional Growth Forecast Report – The Draft Report is scheduled to be available for public review at www.kerncog.org/tmp/RegionalGrowthDraft.pdf by August 12th, 2015.

Revised Growth Forecast Timeline – The following schedule is anticipated for forecast adoption:

- ~~May 6th, 2015 – RPAC growth forecast project status update~~
- ~~June 3rd, 2015 – RPAC review initial data inputs and status update~~
- August 5th, 2015 – TTAC reviews draft report for information and comments
- August 5th, 2015 – RPAC reviews draft report for information and comments
- August 12th, 2015 - 30-day public comment period notification (display adds/flyers/draft report to be available at www.kerncog.org)
- August 20th, 2015 – Televised Public Workshop on Forecast
- August 20th, 2015 – Kern COG Board reviews draft forecast for information and comments
- September 12th, 2015 – Close of 30-day public review period
- September 30th, 2015 – RPAC reviews report and public comments and makes recommendation to Kern COG board.
- September 30th, 2015 -- TTAC reviews report and public comments and makes recommendation to Kern COG board.
- October 15th, 2015 – Kern COG Board reviews draft report and public comments.
- November 19th, 2015 - Kern COG Board considers adoption of the regional growth forecast.

ACTION: Information.

Kern Council of Governments

August 5, 2015

TO: Transportation Technical Advisory Committee and
Regional Planning Advisory Committee

FROM: Ahron Hakami
Executive Director

By: Rob Ball, Director of Planning
Ben Raymond, Regional Transportation Planner

SUBJECT: AGENDA ITEM NO. VI.
California Air Resources Board Accepts Kern's 2014 Sustainable Communities Strategy

DESCRIPTION:

On July 23, 2015 the California Air Resources Board (ARB) unanimously approved acceptance of the Kern COG Sustainable Community Strategy (SCS) and found that the methodology adequately demonstrates that the plan, if implemented, would meet the state greenhouse gas emission reduction targets for passenger vehicle travel.

DISCUSSION:

Background – In June 2014, Kern COG adopted the regular 4-year update to the long-range Regional Transportation Plan (RTP). This was the first plan with the newly required SCS, a new element of the RTP required by Senate Bill (SB) 375. The law requires ARB to set greenhouse gas emission reduction targets for the 18 Metropolitan Planning Organizations (MPOs) in the state, including Kern COG. SB 375 focuses on reducing greenhouse gas emissions from passenger vehicle travel by better coordinating land use planning with transportation expenditures.

ARB Technical Evaluation – A thorough technical evaluation was developed on the SCS by ARB staff and is available online along with the Kern COG SCS at http://www.arb.ca.gov/cc/sb375/sb375.htm. The evaluation recommended acceptance of the Kern COG SCS.

July 23rd ARB Hearing – ARB received one written comment in support from the Greater Bakersfield Chamber of Commerce (http://www.arb.ca.gov/lists/com-attach/1-kerncog-UCNdL1clVFgBZAdo.pdf) and four verbal comments in support were received from the San Joaquin Valley Regional Planning Agencies Directors' Association, the National Resources Defense Council, the American Lung Association, and Climate Plan. No one spoke in opposition to the staff recommendation. Some of the commenters discussed the need for more ambitious targets to be set for the next SCS cycle. The board members also echoed the need to make improvements to the overall process, but were supportive of staff's recommendation to accept the Kern COG SCS. The board unanimously approved acceptance of the SCS after about a 1-hour presentation and discussion. The hearing can be viewed online at: http://www.arb.ca.gov/board/meetings.htm#future starting about 11 minutes into the meeting.

ARB Round Two Target Setting – Last Fall ARB staff released a report discussing the many factors and issues that they will be looking at for updating targets. The following is an initial timeline from this staff report:

- Early 2015 through mid-2015: ARB is using the information provided on the SJV SCSs as consultation to inform new target setting.
- Early 2016: Board action to establish new targets effective for SCS's approved in 2018.

Conversations with ARB staff have indicated that ARB action on new targets may be delayed till late 2016. Kern COG is currently scheduled to release a Preliminary Draft of the Round two SCS possibly in early 2017 pending the

availability of new targets.

Early SCS Success Stories – The strategies in the new Kern COG SCS are voluntary and subject to available funding and local government discretion. However, early successes are providing a good indication that Kern may realize many of the benefits identified in the SCS sooner than anticipated. In the first year of the SCS Kern received over $25 million above and beyond historic funding sources that were used to develop the strategies in the SCS. In addition, we are seeing an increased interest in development in Downtown Bakersfield.

- **$15M in Private Sector Funding for Bike and Ped Facilities** – In 2011, the rural farm community of Lost Hills received $15M in funding from the Wonderful Company (formerly Paramount), a major grower in the region, to provide 700 trees, over 7 miles of sidewalks/bike trails, a community center and an artificial turf soccer field. This project was above and beyond what was anticipated to be delivered in the SCS.
- **$8.2M in Active Transportation Program Funding Bike and Ped Facilities** - The Cities of Arvin, Bakersfield, Delano, Tehachapi, Wasco, and Kern County received $8.2M from the first cycle of the new Caltrans Active Transportation Program (ATP) for bike and pedestrian improvements which is more than 5 times Kern COG anticipated it would receive based on the former Transportation Enhancement (TE) program.
- **$5.8M in New Cap & Trade Funding for Housing, Vanpools, and Transit** – In the first year of Cap & Trade funding Kern COG has received $2.8 million in AHSC funding for the 19th Street Senior Apartments adjacent the Mill Creek pedestrian corridor, and $3 million for the central California CalVan's public vanpool program. An additional $300,000 in the new LCTOP is also going to improve transit operations throughout the County as well.
- **837 New Infill Housing Units in Bakersfield's Core Area** – In the past 5 years, the city of Bakersfield has approved and is seeing constructed 765 subsidized apartments and townhomes in Mill Creek, Old Towne Kern, and the Arts District and an additional 72 market rate townhomes downtown. The core area of Bakersfield has a reduced transportation impact fee that is half what it costs to build on the periphery of the community.
- **$1.1M High Speed Rail Station Area Plan Funding** – The City of Bakersfield has received over $1 Million to plan for development and infrastructure needs around a proposed high speed rail station in downtown Bakersfield.
- **New Emphasis on Work Place Electric Vehicle Charging Stations** – Kern COG has shifted staff to help our member agencies apply for grants and other resources develop electric vehicle charging throughout the County. Work place charging stations for employees and vanpools is seen as a major incentive for conversion of our fleet to electric.

ACTION: **Information**

Kern Council of Governments

August 5, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

BY: Troy Hightower, Regional Planner

SUBJECT: RPAC AGENDA ITEM: VII.
Strategic Growth Council First Cycle Grants

DEESCRIPTION:

The Strategic Growth Council (SGC) received $120 million from the Greenhouse Gas Reduction Fund referred to as Cap and Trade. SGC is tasked with the responsibility of administering the Affordable Housing and Sustainable Communities Program (AHSC). SGC awarded Kern and San Joaquin Valley $16.2 million in grant funding.

DISCUSSION:

Below is a brief highlight of the most relevant Assembly and Senate Bills related to Cap and Trade funding opportunities:

SB 375 (2008)	Sustainable Communities and Climate Protection Act
SB 535 (2012)	Requires that auction proceeds benefit and invest in disadvantaged communities.
SB 862 (2014)	Creates the Affordable Housing and Sustainable Communities Program

To comply with SB 535, the Office of Environmental Health Hazard Assessment (OEHHA), on behalf of the California Environmental Protection Agency (CalEPA), created the California Communities Environmental Health Screening Tool: CalEnviroScreen Version 2.0. CalEnviroScreen is a screening methodology that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution. The press release stated: "The tool will be used to inform the investment of state cap-and-trade funds specifically targeted for Disadvantaged Communities." A large portion of the City of Bakersfield and portions of the county have been designated as Disadvantage Communities.

CalEnviroScreen maps of Bakersfield and Kern County and the methodology/scoring chart are attached. More information on CalEnviroScreen can be found at: http://www.oehha.ca.gov/ej/ces2.html .

The purpose of the AHSC program is to invest in projects that reduce greenhouse gas emissions (GHG) by creating the following:

- More compact infill development patterns
- Integrating affordable housing
- Encouraging active transportation and mass transit usage
- Protecting agricultural land from sprawl development

SGC approved the awards for the first cycle of grant funding at their July 30, 2015 Council meeting. Two awards will benefit Kern. The 19th Street Senior Housing Project adjacent to Mill Creek in downtown Bakersfield was awarded $2.5 million. The CalVans vanpool program for farm workers in Kern and the San Joaquin Valley was awarded $3 million. SGC has prepared a fact sheet on the AHSC program and first cycle awards (see attached).

In preparation for the next cycle of grant funding SGC has held "Lesson Learned" workshops and received public comments. The workshop presentation and details about the first cycle process are available at: http://www.sgc.ca.gov/s_ahscprogram.php

The following is the estimated next steps timeline for the second cycle of grant funding:

July, 2015	"Lessons Learned" Workshops in Sacramento and Los Angeles
August, 2015	Revise Program Guidelines
Fall, 2015	Release Draft Revised Guidelines and hold 3-4 regional workshops
Winter, 2015	SGC Council meeting to vote on approval of Guidelines
Early, 2016	SGC announce call for second cycle project applications
June 30, 2016	SCG Council announce second cycle awards

Information about the SGC programs and guidelines for the Affordable Housing and Sustainable Communities Program can be found at: http://sgc.ca.gov/ and http://www.sgc.ca.gov/s_ahscprogram.php.

Kern COG is available to assist interested jurisdictions prepare applications for the upcoming second cycle of grant funding.

ATTACHMENT:

1. SGC Affordable Housing and Sustainable Communities (AHSC) fact sheet

ACTION: Information.

California Strategic Growth Council

AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM

2014-15 PROGRAM HIGHLIGHTS

- 723,286 METRIC TONS IN AVOIDED GHG EMISSIONS = TAKING 140,000 CARS OFF THE ROAD FOR ONE YEAR
- 28 projects in 21 cities and 19 counties
- 2,003 New Affordable Units near Transit
- $89 million (73%) to affordable housing
- $92 million (75%) to benefit Disadvantaged Communities

AFFORDABLE HOUSING INVESTMENTS

Extremely Low Income (>30% AMI*)	528 units
Very Low Income (30-50% AMI)	1,014 units
Low Income (50-60% AMI)	461 units
TOTAL AFFORDABLE UNITS	**2,003 units**

**Area Median Income*

DISADVANTAGED COMMUNITY INVESTMENTS

BENEFIT	# OF PROJECTS	DOLLARS	% OF TOTAL
Located within a DAC	17	$68,073,396	56%
Within ½ mile walkable of a DAC	4	$23,763,299	19%
TOTAL	21	$91,836,695	75%

COMMON PROJECT CO-BENEFITS

- Decrease in Housing Costs
- Decrease in Transportation Costs
- Decrease Housing Overcrowding
- Decrease Air Pollution
- Decreases in Energy Use & Costs
- Increases Housing in Job-Rich Areas
- Increases Access to Jobs via Transit
- Increasing Active Transportation Options
- Creates Additional Jobs & Increases Access to Parks

CITIES WITH AWARDS

Bakersfield	Hayward	San Francisco (2)
Chula Vista	Long Beach	San Jose
El Cerrito	Los Angeles (6)	Santa Ana
Emeryville	National City	Stockton
Fremont	Oakland (2)	Truckee
Fresno	Richmond	Walnut Creek
Hanford	Riverside	West Sacramento

COUNTIES WITH AWARDS

Alameda (5)	Madera*	San Diego (2)
Contra Costa (3)	Merced*	San Francisco (2)
Fresno (2)*	Monterey *	Riverside
Imperial*	Nevada	San Joaquin
Kern (2)*	Orange	Tulare*
Kings*	Santa Clara	Yolo
Los Angeles (7)		

**Indicates a county that contains a project that serves multiple counties*

RURAL PROJECTS FUNDED

- Vanpool Expansion Project: San Joaquin, Salinas and Imperial Valleys ($3 m)
- Truckee, CA Railyard Downtown Corridor Improvements ($8 m)

CONCEPT, FULL APPLICATION AND FUNDED PROJECT DATA

BY ELIGIBLE USE AND DOLLARS REQUESTED

	Submitted at Concept	%	Invited to Full Application	%	Funded	%
Housing	*$440,651,935	62%	*$190,489,711	70%	$89,003,068	73%
Transportation	$252,104,691	36%	$78,978,926	29%	$31,823,633	26%
Planning	$3,410,733	.5%	$1,137, 220	.4%	$304,000	.2%
Program	$12,793,427	1.8%	$2,578,820	.9%	$824,759	.7%
TOTAL	*$708,960,786		*$272,047,457		$121,955,460	

**Reflects adjusted amounts to account for reduced requests from concept to full application.*

BY REGION AND PROJECTS SUBMITTED

Region	Concepts Submitted	%	Invited to Full Application	%	Funded	%
Bay Area (MTC)	43	29%	21	38%	11	39%
Central Coast (AMBAG, SBCAG, SLOCOG)	6	4%	3	5%	0	0
Multiple MPOs	1	.07%	1	2%	1	4%
Non-MPO	1	.07%	1	2%	1	4%
Sacramento (SACOG)	10	7%	5	9%	1	4%
San Diego (SANDAG)	14	10%	5	9%	2	7%
San Joaquin Valley	21	14%	7	13%	3	11%
Southern CA (SCAG)	51	35%	13	23%	9	32%
TOTAL	**147**		**56**		**28**	

BY REGION AND DOLLARS REQUESTED

Region	Concepts Submitted	%	Invited to Full App	%	Funded	%
Bay Area (MTC)	$210,214,176	29%	$110,453,978	40%	$47,291,464	39%
Central Coast (AMBAG, SBCAG, SLOCOG)	$26,749,892	4%	$10,720,127	4%	0	
Multiple MPOs	$3,000,000	.04%	$3,000,000	1%	$3,000,000	2%
Non-MPO	$8,000,000	.04%	$8,000,000	3%	$8,000,000	7%
Sacramento (SACOG)	$31,747,594	4%	$14,502,423	5%	$6,730,888	6%
San Diego (SANDAG)	$89,244,283	12%	$37,448,741	14%	$16,240,888	13%
San Joaquin Valley	$115,384,896	16%	$41,328,384	15%	$13,216,490	11%
Southern CA (SCAG)	$231,764,382	32%	$47,731,004	17%	$27,475,730	23%
TOTAL	***$716,105,223**		***$273,184,657**		**$121,955,460**	

**Reflects adjusted amounts to account for reduced requests from concept to full application.*

Kern Council of Governments

August 5, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Robert M. Snoddy
Regional Planner

SUBJECT: TTAC AGENDA ITME: VIII.
Call for Projects: Caltrans Sustainable Transportation Planning Grant Program Schedule

DESCRIPTION:

Kern Council of Governments, acting in the capacity of the state-designated Regional Transportation Planning Agency, is alerting eligible agencies regarding Caltrans FY 2015-16 Sustainable Transportation Planning Grants Call for Projects Schedule.

DISCUSSION:

The Grant Program overarching objectives include transportation planning such as:

- Sustainability;
- Preservation;
- Mobility;
- Safety;
- Innovation;
- Economy;
- Health; and
- Equity.

For more project related details, please review the document link to the previous fiscal years' awarded projects: http://www.dot.ca.gov/hq/tpp/documents/AwardList.pdf

The fiscal year 2015-16 Schedule for FY 2016-17 Grant Awards is listed below.

August 17, 2015 – Release Call for Applications
October 30, 2015 at 5:00 p.m. – Application Deadline
November 2015 – District Grant Application Review/Ranking
December/January – HQ Grant Committee Review/Funding Recommendations
February/March – Management Approval of Committee Recommendations
March – Send Preliminary Notifications to All Applicants
April – Send Conditional Award Letters with State Budget Contingency
July 2016 – Grantees May Begin Work, Pending State Budget Approval

More information about each grant's purpose and goal, eligibility, and grant funding can be found in the Office of Regional Planning's grant website: http://www.dot.ca.gov/hq/tpp/grants.html . You may also contact Pricilla Martinez-Velez at (916) 651-8196 or Priscilla.martinez-velez@dot.ca.gov

ACTION: Information

Attachment: Caltrans Sustainable Transportation Planning Grant Program Awards FY 2015-16.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
1	Sustainable Communities	City of Fortuna	Humboldt	Highway 101, Downtown, and Riverwalk Area Complete Streets and Connectivity Planning Study	This study will focus on the 12th Street and Kenmar crossings of Highway 101, and will include an evaluation of the existing conditions, identify design deficiencies, and will include the development of conceptual alternatives to provide multi-modal mobility and accessibility for all users with the goal of improving safety and ensuring the continued commercial viability of the Riverwalk Area. The identification of a recommended alternative from the planning study will allow the City to complete a future initial engineering study and project study report that will result in the implementation of improvement projects at both interchanges.
1	Sustainable Communities	City of Willits *Local Government Commission*	Mendocino	Willits Main Street Corridor Enhancement Project	The City of Willits, with the Local Government Commission and other community partners, will develop a Corridor Enhancement Plan for the three-mile length of Main Street from the southern to the northern city limits in preparation for the impending Caltrans relinquishment of the northerly segment and the conversion of the southerly portion to Highway 20. An extensive community engagement process will be deployed to generate ideas for immediate and future projects following the opening of the Highway 101 bypass. Consultants will translate community input into design concepts, assess their feasibility, and prepare a prioritized plan with cost estimates.
1	Sustainable Communities	Karuk Tribe *Local Government Commission*	Humboldt	Panamnik: Orleans Town Center and Cultural Connectivity Plan	The Karuk Tribe and Local Government Commission will use a community-driven process, including a multi-day design charrette, to develop a plan for a cohesive, active and walkable town core for Orleans residents and visitors. The plan will connect community assets through multi-modal transportation improvements, site concepts for new development, and enhancements to existing community spaces. Located on the Klamath River, at the ancient "Panamnik" Karuk village site, this remote community is economically disadvantaged; it suffers from outdated infrastructure, limited services, and high unemployment. The plan will enhance local resilience, community safety, self-reliance, ecotourism opportunities, and awareness of Karuk Tribal heritage.
1	Sustainable Communities	Lake County/City Area Planning Council *Lake Transit Authority*	Lake	Transit Hub Location Plan	This project will develop the Transit Hub Location Plan for the Lake Transit Authority. The project will involve extensive, interactive community engagement with a broad range of stakeholders to identify locations and options for a new transit hub in the City of Clearlake. A consultant team selected through a competitive process will translate community input into design concepts, assess their feasibility, and prepare a final prioritized plan and cost estimates. The new transit hub will improve inter-regional connectivity, mobility, access and safety as well as help reduce greenhouse gases.
2	Sustainable Communities	Plumas County Transportation Commission	Plumas	Plumas County Non-Motorized Transportation Plan	The purpose of this plan is to: conduct public outreach and coordinate with partner agencies (i.e. U.S. Forest Service, tribal governments, City of Portola, Caltrans and Plumas County Health Department); provide a framework for the coordinated development of non-motorized transportation infrastructure that provides multi-modal access to the workplace, schools, health services, major activity centers, recreation facilities and public transportation; provide guidance on ways to improve and expand upon existing bicycle and pedestrian facilities while preserving and maintaining the functionality of the existing transportation network; provide guidance on the development of programs that educate and encourage residents to walk and bike safely to various destinations; provide guidance on prioritizing and funding of identified non-motorized transportation infrastructure facilities.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
2	Strategic Partnerships	Shasta Regional Transportation Agency	Del Norte Humboldt Lassen Modoc Shasta Siskiyou Tehama Trinity	Far Northern California Consolidated Goods and Freight Hub Study	Public, private, non-profit, and educational stakeholders will identify and analyze barriers and opportunities to the aggregation and distribution of agriculture products in an eight-county area. The objective is to reduce 'food miles traveled' and greenhouse gas emissions generated by more than $1 billion in annual agricultural transactions within the region. In light of funding shortfalls for capacity increasing projects and system maintenance, this project seeks to optimize throughput on existing transportation facilities and leverage private sector investment. Data collection and travel demand modeling will quantify the impact of a regional hub on transportation system performance. Results will feed business models and investment strategies.
2	Sustainable Communities	Susanville Indian Rancheria	Lassen	Susanville Indian Rancheria Long Range Transportation Plan	The Susanville Indian Rancheria (SIR) Long Range Transportation Plan (LRTP) will clearly demonstrate the tribe's transportation needs and fulfill tribal goals by developing strategies to meet these needs. These strategies will address future land use, economic development, traffic demand, public safety, and health and social needs. Some of these needs include a road inventory, pedestrian safety, alternative transportation methods, and road maintenance. It is the SIR's intent that, once completed, the LRTP will lead to implementation and development.
3	Sustainable Communities	Butte County Association of Governments	Butte	"B There" - Butte Regional Transit Application Development and Web Update	The project is to develop the "B There" Butte Regional Transit (B-Line) Mobile Application and update the Butte Regional Transit website in a combined effort to improve information for the public with real time traveler data. The mobile application will provide real time transit route information including location, preferred route to get to transit route and other transit related details in order to make an informed transit riding decision. The project will also update the B-Line website to ensure consistency between the mobile apps and the B Line website and to ensure they are user friendly. Comprehensive public participation will be conducted as the mobile apps and web site are developed. Increased customer satisfaction, safety, accurate real time data and increased ridership are the goals of this project in an effort to enhance the transit riding experiences.
3	Sustainable Communities	City of Orland	Glenn	Walker Street Streetscapes Plan	This project will provide the design and approval of Phase 1 improvements along Walker Street. It will include planning for selected improvements in curbs, gutters, sidewalks, Americans with Disabilities Act-compliant facilities, bike lanes, crosswalks, and landscape improvements along Walker Street between Second and Sixth Streets. A schedule needs to be created to determine and prioritize what needs to be repaired, upgraded or replaced. The plan will target higher priority uses and identify funding sources for implementation of the plan.
3	Sustainable Communities	El Dorado County Transportation Commission	El Dorado	El Dorado County Active Transportation Connections Study	The El Dorado County Active Transportation Connections Study will conduct a detailed analysis of active transportation corridors in each of the supervisorial districts of the western slope of El Dorado County to inform investments in project development, maintenance, wayfinding, safety, and innovative active transportation programs and projects. The study will utilize public outreach, performance measures, origin and destination studies, trip counters, land use, socio-economic, and greenhouse gas emission reduction information to identify projects and corridors that have community support, contribute to the sustainability of the region, are appropriate for rural community character, and are the best use of limited funding.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
3	Strategic Partnerships	Sacramento Area Council of Governments *City of Elk Grove*	Sacramento	Elk Grove Multimodal Station Feasibility Study	The project will consist of a feasibility study that will consider the location of and impacts from a multimodal station in the City of Elk Grove. Specifically, this study will help to quantify potential reductions to commuter automobile traffic traveling in and out of the Sacramento region via the State Route 99 freeway corridor. Also, this study will help to identify how a multimodal station will capitalize on existing transit opportunities, via Amtrak San Joaquin, etrans, and Sacramento Regional Transit, and enhance transit modal choices for the City's residents and commuters traveling to employment and economic centers throughout the region.
3	Strategic Partnerships	Sacramento Area Council of Governments *Metropolitan Transportation Commission*	Alameda Contra Costa El Dorado Imperial Los Angeles Marin Napa Orange Placer Riverside Sacramento San Bernardino San Diego San Francisco Santa Clara San Mateo Solano Sonoma Sutter Ventura Yolo Yuba	Interagency Household Travel Survey Program	The Interagency Household Travel Survey Program is a project of the Sacramento Area Council of Governments, Metropolitan Transportation Commission, Southern California Association of Governments, and San Diego Association of Governments to develop collaboratively a household travel survey instrument and implementation program. The goal is long-standing cooperation to develop and maintain consistency of household travel surveys across regions, take advantage of economies of scale for design, testing, surveying and maintenance costs, assess promising new technologies for surveying, and capitalize on the expertise of the four Metropolitan Planning Organizations and Caltrans toward furthering surveying practice in the state.
3	Sustainable Communities	Sacramento Regional Transit District *WALKSacramento*	Sacramento	Sacramento Gateway Transit Center Project: Master Plan for the Watt and Interstate 80 Transit Center	The Watt/I-80 Transit Center is a multi-modal/multi-story hub and gateway along the northeast Interstate 80 corridor of Sacramento County with plans of eventual service expansion. The project will develop improvements to the pedestrian environment on Watt Avenue and accessing the station, re-think how the multi-modal transit center can be optimized, and evaluate overall bike/pedestrian connectivity. The goal will be to enhance passenger safety, comfort, convenience, health and mobility in order to increase transit ridership. Sacramento Regional Transit will take a context-sensitive approach to create a sustainable vision for this public realm, identify innovative solutions and develop an implementation strategy.
3	Sustainable Communities	Yolo County Transportation District	Yolo	Yolo County Transportation District Transportation Planning Internship Program	This project allows university students to gain important transportation planning experience and knowledge. The experience allows the interns to bridge the gap between classroom theory and real world problem resolution. The program is designed to give students the opportunity to work in a pre-professional position while still actively pursuing their academic goals. The internship program also allows the agency to increase both the quality and depth of the planning and implementation of transportation projects. Interns, with guidance, complete important research and analysis which betters the Sacramento region's transportation system.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
4	Strategic Partnerships	Metropolitan Transportation Commission *San Joaquin Council of Governments; Sacramento Area Council of Governments*	Alameda Contra Costa Marin Napa Sacramento San Francisco Santa Clara San Joaquin San Mateo Sonoma	Improving Goods Movement and Industrial Lands Access and Efficiency in Northern California	The Northern California megaregion is a highly dynamic region comprised of the economically and geographically linked regions of the Bay Area, Sacramento, and Northern San Joaquin Valley. The megaregion is linked to global, national, and local markets economically through commercial and consumer activity, and physically through transportation infrastructure. This study will build off of multiple corridor studies that have been conducted in the megaregion and drill down to identify specific high priority infrastructure needs and operational policies to improve key system bottlenecks and improve the efficiency of first and last mile access to major goods movement facilities and activity centers.
4	Sustainable Communities	Peninsula Corridor Joint Powers Board	San Francisco San Mateo Santa Clara	Caltrain Bicycle Parking Management Plan	The study will develop a management plan for Caltrain's current and future bicycle parking system. Specifically, the project will: identify needs of bicyclists using the Caltrain system and understand the factors that influence them to take their bikes on board the train rather than park at a station; define clear customer service and financial performance measures, goals and targets for Caltrain's bike parking system; analyze the customer service performance, operating and maintenance expense of current, planned and contemplated bicycle parking facilities; identify management strategies and administrative options to improve the performance of Caltrain's bike parking system; recommend an approach to optimize the performance of Caltrain's bike parking system and develop a clear implementation strategy and time line.
4	Sustainable Communities	Sonoma County Regional Parks	Sonoma	Petaluma-Sebastopol Trail Feasibility Study	The Petaluma-Sebastopol Trail concept emerged from community interest in safe inter-city trail connections. Our study will engage the broader community in planning a walking and cycling route connecting these cities. The 13-mile trail study area, along Highway 116, west of 101, and including an abandoned railway, connects to the heavily-used Joe Rodota Trail. This is the remaining link in Sonoma County's inter-city trail network.
4	Sustainable Communities	San Francisco Municipal Transportation Agency	San Francisco	Community Engagement for an Equitable Muni	This project involves extensive community engagement that employs nontraditional outreach strategies. Engagement methodologies would be identified in collaboration with community-based organizations and would consider the communication challenges of minority and low-income neighborhoods. This engagement process would enrich the analysis of neighborhood transit performance, pinpoint service issues that affect specific communities, and reveal how transit improvements affect the experiences of individuals of need. This neighborhood-based project represents a unique and ground-breaking effort that would be one-of-a-kind in California, as it embraces customized utilization of nontraditional engagement techniques. Ultimately, this project aims to enhance mobility and accessibility in target communities while serving to preserve multimodal transportation.
4	Sustainable Communities	Santa Clara Valley Transportation Authority	Santa Clara	Keyes-Story Complete Street Corridor Study	This project is a comprehensive, community-driven complete street study for the Keyes-Story corridor. Keyes-Story Road is an important commercial and transportation corridor connecting multiple low-income and minority neighborhoods in Central San Jose. The goal is to transform Keyes-Story into a high-quality, multi-modal corridor that provides safe accommodation for bicyclists, pedestrians, and transit riders while still serving motorists. Through a highly participatory planning process, the study will examine existing conditions, identify multi-modal priorities for bicycle, pedestrian and transit riders, analyze conceptual design alternatives, and provide recommendations for funding and capital project implementation. The resulting study will help identify complete street priorities for the corridor leading to the funding and implementation of these projects in the future.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
5	Sustainable Communities	City of Arroyo Grande	San Luis Obispo	Halcyon Road Complete Streets Plan	This project will produce a "Complete Streets Blueprint" for the Halcyon Road corridor that lies within the City of Arroyo Grande and the County of San Luis Obispo. Halcyon Road connects U.S. Route 101 and State Route 1, and serves as a City major arterial and a significant County arterial connecting the City of Arroyo Grande and the unincorporated Nipomo Mesa area. Halcyon Road is used by local, regional and interregional travelers. The project will develop a plan to improve safety, mobility and accessibility for all users. The project will include an aggressive public outreach component to actively engage stakeholders in identifying and prioritizing both the deficiencies and needed improvements.
5	Sustainable Communities	Santa Barbara County Association of Governments	Santa Barbara	Goleta Ramp Metering Study	The Goleta Ramp Metering Study would study the potential effectiveness of metering freeway access along U.S. 101 through the City of Goleta and unincorporated Eastern Goleta Valley to address current peak period operational issues and projected future traffic demand. Ramp metering along this corridor will be necessary to address unreliable travel times, increasing peak period congestion and queuing, and to encourage increased transit usage. A comprehensive study would ensure that ramp metering is undertaken systematically, has local agency buy-in and public support, and is done strategically to maximize reduction of congestion and travel times on U.S. 101, while avoiding impacts to local streets and roads.
5	Strategic Partnerships	Santa Barbara County Association of Governments	San Luis Obispo Santa Barbara	Santa Maria - San Luis Obispo Transportation Connectivity Plan	The Santa Maria-San Luis Obispo Transportation Connectivity Plan will evaluate the demand for transit service, carpooling, and vanpooling in the transportation corridor between the cities of south San Luis Obispo County and the Santa Maria\Orcutt area in north Santa Barbara County. The corridor is currently served by transit, but census data shows bi-directional commuting growing significantly over the last decade. The study will determine demand for express transit service, carpooling, and vanpooling, and develop a 10-year implementation plan to protect local and state investments in the recent Santa Maria River Bridge widening and create a shared regional vision for providing transportation services in the corridor.
5	Sustainable Communities	Santa Cruz County Regional Transportation Commission	Santa Cruz	Sustainable Transportation Prioritization Plan for Santa Cruz County	This planning project for Santa Cruz County uses innovative and effective community engagement techniques to help define the benefits of a sustainable transportation system, transportation funding needs, and short/long range priorities. The regional agency will utilize cutting edge outreach techniques -- including focus groups, infographics, citizen ambassadors, and visualization tools -- to involve, collaborate and engage with a broad cross section of community members to develop a multimodal transportation investment prioritization plan that addresses sustainability, preservation, mobility, and safety in Santa Cruz County. This project includes development of a public engagement toolkit that can be used by Caltrans and other communities.
5	Sustainable Communities	Transportation Agency for Monterey County	Monterey	State Route 68 Corridor Plan	The State Route (SR) 68 corridor is a key travel route between Salinas and the Monterey Peninsula and is subject to periods of heavy congestion. SR 68 is designated a scenic highway and is bordered by significant wildlife habitat including the 14,650 acre Fort Ord National Monument and rural low density development in the Sierra de Salinas mountain range connecting to the Ventana Wilderness of the Los Padres National Forest. The SR 68 Corridor Plan will evaluate current and future travel patterns between Salinas and the Monterey Peninsula, the feasibility of SR 68 improvements, and the potential for wildlife connectivity enhancements. The Transportation Agency will actively engage the public in the plan with a program of public meetings and online outreach efforts. The transportation Agency for Monterey County will use the plan to determine operational and capacity improvements affordable over the next five to twenty years that contribute to the long-range sustainability of SR 68.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
6	Sustainable Communities	City of Coalinga	Fresno	Coalinga Citywide Vehicular Traffic Calming and Safety Enhancement Plan	This planning project is to develop a Citywide Vehicular Traffic Calming and Safety Enhancement Plan. The plan will address challenging conditions such as: excessive speeds due to the presence of two state highways that bisect the city; irregular intersections; and, accident prone areas. The proposed plan will include data collection and analysis, identification of the most cost effective countermeasures, community input, and development of a prioritized implementation plan. The plan will be a critical first step in helping Coalinga prepare for projected growth and creating a safer, multi-modal, transportation system.
6	Sustainable Communities	Kings County	Kings	Smart Growth State Route 41 Corridor Improvement Plan	The planning project will study alternatives for improving traffic flow, safety, capacity, and multi-modal travel. State Route (SR) 41, at the Interstate 5 interchange, is an important logistics hub and truck transfer station because of its location halfway between Los Angeles and San Francisco. At the project area, the SR 41 corridor bisects Kettleman City, a small, severely disadvantaged unincorporated community. The current infrastructure is inadequate for existing truck transfer activity, tourist travel to the Central Coast, and future growth. Community input will be key to the planning process.
6	Sustainable Communities	Tulare County Association of Governments	Tulare	Bike and Stride Outreach Program	The Bike and Stride program aims to evaluate, coordinate, and enhance our existing bike and pedestrian outreach efforts to groups that are not normally associated with our current outreach. This program will continue to enhance the success of our existing outreach in the county with our local partners, public, and transit providers. This program would better serve our residents, ensuring that future transportation investments would better reflect the needs of the county.
6	Sustainable Communities	Tule River Tribe	Tulare	A Comprehensive Master Plan for Tule River Native Community	The Tribe will further its long range commitment to land stewardship and community development by creating a vision and implementation plan to allow for long-term natural resource management, economic development, and sustainable growth, while maintaining its role as the Native American cultural leader for tribes throughout the Central San Joaquin Valley. The Tribe, in collaboration with a selected community planning consultant, will prepare a sustainable transportation plan and a GIS mapping system for the entire study area. This first ever plan will look to support the historical and cultural assets while setting the stage for population and employment growth well into the future. The master plan will include an assessment of existing roadways, safety elements and alternative access roads.
7	Sustainable Communities	City of Compton *California Center for Public Health Advocacy*	Los Angeles	Safe Routes to School Plan	This planning project will develop a comprehensive Safe Routes to School Plan with the goal of providing a safe built environment and increasing the number of children that walk and ride their bicycle to school. The City in partnership with the California Center for Public Health Advocacy will work with the school district, individual schools and parents to identify barriers to walking and bicycling and will prepare a plan with detailed recommendations and supportive policies for physical changes to streets, sidewalks and intersections that will support safe and active transportation to all the schools within the City.
7	Sustainable Communities	City of San Fernando *California Center for Public Health Advocacy*	Los Angeles	Safe Routes to School Plan	This planning project will produce an adopted and community supported "Safe Routes to School Plan" for the entire City of San Fernando. The project includes studies of safety hazards and concerns faced by school- age children going to and from school. Extensive outreach will involve meetings and sessions with school officials, parents, community committees, and city staffs. The goal will be to encourage more schools and families to send kids to school by walking or bicycling through their neighborhood schools. The final Plan will list and describe measures, routes, and call for physical improvements to be implemented in the near-term.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
7	Sustainable Communities	Long Beach Transit	Los Angeles	Long Beach Transit Comprehensive Operational Analysis Project	This in-depth comprehensive operational analysis of the transit system will identify Long Beach Transit's strengths and weaknesses as well as potential opportunities to improve bus service efficiency and increase ridership in order to create a better transit network. The transit agency intends to use this analysis in developing a future transit plan for an enhanced, well-performing transit system capable of responding to the demands of a continuously growing region.
7	Sustainable Communities	Southern California Association of Governments *Los Angeles County Bicycle Coalition; TRUST South LA*	Los Angeles	Active Streets Los Angeles - Pedestrian and Bicycle-friendly Streets for South Los Angeles	Active Streets Los Angeles (LA) is a comprehensive, community-based outreach process that empowers residents to create safe walking and bicycling routes to parks, schools and local businesses along their neighborhood streets. The sub-recipients, in partnership with the LA County Department of Transportation, will utilize the proven Active Streets LA process to solicit community input and develop concept plans for bicycle and pedestrian safety improvements consistent with the City's 2010 Bicycle Plan and draft Mobility Plan 2035's neighborhood network. The result will be a technically feasible and thoroughly vetted network of proposed safety improvements throughout targeted neighborhoods in South LA.
7	Sustainable Communities	Southern California Association of Governments *Bike San Gabriel Valley*	Los Angeles	San Gabriel Valley Active Transportation Data Planning Project	This planning project will address a major gap in the realm of active transportation planning in the San Gabriel Valley, the lack of localized bicycle and pedestrian planning data to inform effective project development, design and construction. The project will utilize manual bicycle and pedestrian counts, resident surveys, community street audits (walking and biking), and bicycle parking audits to gather data for streets with planned/proposed bike infrastructure and/or recently installed infrastructure (e.g., Rosemead Boulevard cycletrack, City of Temple City), needed to facilitate and measure the efficacy of future active transit investments.
7	Sustainable Communities	Southern California Association of Governments *City of Vernon*	Los Angeles	Los Angeles River Bikeway Feasibility Study	This is a feasibility study to evaluate a wide range of alternatives, challenges, and presents recommendations for installing a regionally connected bikeway within the City's portion of the Los Angeles River. Overcoming physical obstacles along the River has prevented installing a bikeway in the past, but recent advocacy efforts have made this plan a top priority for the region. The study will assess current conditions, conduct engineering analyses, and present the best supported options for extending the bikeway with input from inter-governmental agencies and outreach to non-profits and communities around the River.
7	Sustainable Communities	Southern California Association of Governments *City of San Marino*	Los Angeles	Huntington Drive Safe Streets Corridor Improvement Plan	This planning project will seek solutions for safe travels of all transportation modes along the Huntington Drive corridor. On an average day, more than 38,000 vehicles travel along this corridor between Los Angeles and the San Gabriel Valley. With more than nine schools and a public library located along this corridor, this convergence of school children and auto commuting makes Huntington Drive for a dangerous corridor. The Huntington Drive Safe Streets Corridor Improvement Plan will: provide policies to increase safety and efficiencies along the corridor and provide policies protecting school-aged children and business patrons along the corridor.
8	Sustainable Communities	City of Fontana	San Bernardino	City of Fontana - Active Transportation Plan	This Active Transportation Plan (ATP) will provide a clear and comprehensive framework for new and safer connectivity of non-motorized transportation options throughout the City. The ATP Plan will identify recommended improvements to existing bicycle and pedestrian pathways; propose new bikeways, pedestrian walkways, and Safe Routes to School networks to close existing gaps; and, establish on-going maintenance programs for these non-motorized pathways. The ATP Plan will become an important component of the City's planning portfolio and it will be compliant with the Complete Streets Act, Assembly Bill 1358. Public participation will be integral.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
8	Sustainable Communities	Southern California Association of Governments *San Bernardino Associated Governments*	San Bernardino	Customer-based Ridesharing and Transit Interconnectivity Study	The purpose of this planning study is to more fully coordinate customer outreach efforts and identify system enhancements that can make transit, ridesharing, and active transportation more convenient and competitive modes of transportation. The study is a customer-focused, multi-modal effort to see San Bernardino County's mobility components as a more integrated, interconnected system and to improve the information disseminated about the system. The study will include an analysis of options for improved fare media compatibility across modes. Lessons learned from this approach will be useful to other counties statewide and will be documented accordingly.
8	Sustainable Communities	Town of Apple Valley	San Bernardino	Apple Valley Safe Routes to Schools Master Plan	This planning project will result in a prioritized Master Plan for improving the highest risk school routes, enabling more students to walk or ride a bike to school. Most streets in Apple Valley, including school routes, do not have sidewalks. The planning process will include: comprehensive evaluation of conditions ten kindergarten through eight grade schools, risk analyses, community workshops, and developing a Safe Routes to Schools Coalition. A qualified planning consultant will oversee the planning process in which the Town and School District will achieve a united vision for addressing the most serious risks and opportunities for improving school routes.
9	Sustainable Communities	Inyo County *City of Bishop*	Inyo	North Sierra Highway Sustainable Corridor Plan	The City of Bishop and Inyo County will develop a Sustainable Corridor Plan for North Sierra Highway to better integrate multi-modal transportation, effectuate the streetscape utilizing community-developed design themes, and improve air quality and safety. The Corridor is developed with a mix of commercial, industrial, and residential uses, and provides an excellent opportunity to energize local transit, walking, and bicycle use for more safe and efficient transportation in the region. The Plan will be developed through extensive public outreach and stakeholder engagement, and will support broader planning in the area, including on the Bishop Paiute Reservation and the Tri-County Fairgrounds.
10	Sustainable Communities	Calaveras Council of Governments *City of Angels Camp*	Calaveras	Angels Camp Main Street Plan	The plan will address a lack of integrated non-motorized transportation facilities, limited parking, disconnected community design along the city's State Route 49 "Main Street," and the need to integrate multiple plans and efforts into a cohesive approach to achieving economic vitality and livability. The Main Street Plan will provide the tools, designs and strategies necessary to facilitate physical and policy changes to enhance multi-modal mobility, accessibility and connectivity along the entire SR 49 Main Street for visitors and residents; improve bicycle and pedestrian safety and security; and enhance community identity and quality of life integrating the region's environmental, recreational, rural, scenic, cultural and historical assets. A strong emphasis will be placed on safety, comfort, and convenience for non-motorized modes of transportation and local transit.
10	Strategic Partnerships	Calaveras Council of Governments *Calaveras County*	Calaveras	State Route 49 Commercial Gateway Corridor Study	Calaveras County and Calaveras Council of Governments will partner with Caltrans and the community of San Andreas to provide a Gateway Corridor Study for the Commercial and Industrial Corridor of State Route (SR) 49. The Study will identify the transportation improvements including local road networks and multi-modal transportation alternatives necessary to accommodate the planned land uses while protecting and advancing the function, design, and economic vitality of the SR 49 corridor. Through a coordinated planning process, the Study will collectively plot future transportation strategies to improve corridor safety, access, aesthetics, and mobility.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
10	Sustainable Communities	City of Oakdale *Local Government Commission*	Stanislaus	City of Oakdale Accessibility Master Plan	This plan will enable the City to address deficiencies in the pedestrian infrastructure by: developing a comprehensive list of obstacles and problems through a City-wide assessment; identifying and prioritizing solutions through extensive interaction with the public, including youth, elderly and the disabled; estimating costs and identifying funding sources to defray those costs; and committing to an action plan to implement solutions. The City will contract a transportation planning firm with expertise in this field to develop the plan and will partner with the nonprofit Local Government Commission which will lead efforts to engage community stakeholders.
10	Sustainable Communities	Merced County Association of Governments	Merced	Short Range Transit Plan Update for Merced County-wide Transit	This plan will objectively and comprehensively evaluate Merced County's "The Bus" system's performance, identify and quantify transit demand, and identify strategies for enhancing community mobility. It will be a comprehensive operational analysis and update to the existing plan which has been almost completely implemented. It will provide policy and financial direction to guide future transit planning, service operation, capital investment, and policy decisions. The plan will provide the Transit Joint Powers Authority and "The Bus" the tools to improve and increase mobility and accessibility of public transportation for transit riders, guidance to continue to preserve and improve the existing systems efficiency (management, finances, and operations), models to continue to improve upon the San Joaquin Valley's air quality, and finally, tools to enhance the integration of other modes of transportation throughout the region. Future policy decisions, operational practices and overall system efficiency will be derived from the Short Range Transit Plan.
10	Sustainable Communities	Merced County Association of Governments *University of California, Davis: Institute of Transportation Studies*	Fresno Kern Kings Madera Merced San Joaquin Stanislaus Tulare	Sustainable Communities Strategy Implementation Alternatives for Meeting Transit Needs in the Rural San Joaquin Valley	The eight-county San Joaquin Valley is a vast geographic area with over four million residents, many of whom live in rural and “fringe” areas. Traditional rural transit options represent an economically unsustainable system and many critical transportation needs of our low-income residents are foregone including health care visits, and access to educational and employment opportunities. The San Joaquin Valley Metropolitan Planning Organizations and the University of California, Davis, Institute of Transportation Studies are partnering to develop a framework for a pilot program utilizing shared access services (car, bike, ridesharing) and other alternatives for meeting transit needs in the less urban areas of the San Joaquin Valley.
10	Strategic Partnerships	Stanislaus Council of Governments *Stanislaus County*	Stanislaus	Crows Landing Corridor Multimodal Visioning Plan	This planning project will create a community vision for inter-jurisdictional, multimodal connectivity improvements along the Crows Landing Road corridor, from Interstate 5 to State Route 99. The final plan will create a vision for sustainable transportation improvements by encouraging economic development, attracting jobs to the Crows Landing Logistics Center, improving regional jobs-to-housing balance, reducing vehicle miles traveled, and reducing chronic unemployment in southwestern Stanislaus County. The plan will focus on facilitating movement of goods and people between job centers and surrounding communities. The project includes extensive outreach, streetscape designs, circulation recommendations, and investment strategies for future project construction.
11	Sustainable Communities	City of Calexico	San Diego	Calexico Bicycle Master Plan Update	The City will update the existing 2003 Calexico Bicycle Master Plan. Calexico Bicycle Master Plan update is a guide that is essential to successfully continue the objective of providing a sustainable, safe, affordable, innovative, healthy, and accessible and viable mode of transport. The update will address existing and future demands of an alternative mode of transportation for all ages, enhance bicycle safety, connect to multi-modal transportation networks, and assist the City in meeting bike related funding requirements when pursuing state and federal grants.

Fiscal Year 2015-2016 Caltrans Sustainable Transportation Planning Grant Awards

Pending State Budget Authority

CT District	Grant Type	Grantee *Sub-recipient*	County	Project Title	Project Description
11	Sustainable Communities	City of Encinitas	San Diego	Encinitas Rail Corridor Vision Plan	The LOSSAN Rail Corridor creates a physical barrier for varied modes of transportation within the City of Encinitas. Existing crossings favor motorized transport; there is a need to address mobility deficiencies, limited accessibility, and safety concerns for multi-modal travel. The Encinitas Rail Corridor Vision Plan will comprehensively assess existing projects; introduce solutions that balance community values with transport safety; conceptualize strategies to expand modal choices and connectivity; and, promote active, innovative public engagement. The resulting plan will be a catalyst to implementing infrastructure that increases accessibility, mobility, safety and economic vitality within this active corridor.
11	Strategic Partnerships	San Diego Association of Governments	San Diego	Statewide Best Practices and Modeling Tool Development for Social Equity Analysis	Regional planning agencies currently use varied approaches when conducting a social equity analysis of regional plans such as Regional Transportation Plans and the Sustainable Communities Strategies required by Senate Bill 375. There is not a widely accepted tool used by regional and local agencies to model the burdens and benefits of regional plans and the projects they encompass to consistently evaluate environmental justice outcomes expected to result from a plan or project. This project calls for identification of best practices being used by regional agencies to analyze proposed plans and covered projects and development of a social equity modeling tool for statewide use.
11	Strategic Partnerships	San Diego Association of Governments *Southern California Tribal Chairmen's Association*	San Diego	Intraregional Tribal Transportation Strategy	The 2050 Regional Transportation Plan/Sustainable Communities Strategy focuses transportation investments in the most urbanized areas, where the majority of the region's residents live and work. At the same time, the system must also support the needs of federally recognized tribal nations located in the sparsely populated rural areas of the region. Using its 'Borders' framework, the San Diego Association of Governments, in partnership with the Southern California Tribal Chairmen's Association, and other agencies that influence tribal transportation will work together to develop an Intraregional Tribal Transportation Strategy that identifies the key multimodal projects that will improve tribal mobility.
11	Sustainable Communities	San Diego Association of Governments	San Diego	Flexible Transportation Services for Seniors	The Flexible Transportation Services for Seniors project will evaluate options for improving social service transportation for seniors by providing same-day or more immediate transportation. The project will determine the mobility needs for San Diego County seniors, particularly in regards to flexibility in scheduling and availability of immediate services within desired service locations. Through collaboration with both seniors and social services transportation providers, the project will explore elements of transportation business models, such as technology usage and scheduling/dispatching procedures that improve the flexibility of transportation options. Innovations employed by transportation network companies will provide a framework in exploring flexible transportation options.
12	Sustainable Communities	City of Fullerton	Orange	Fullerton 2015 Priority Bike Connection Plan	This planning project is the development of the Fullerton 2015 Priority Bike Connection Plan to address challenging bicycle and pedestrian gaps at two priority locations in the City: Malvern Avenue / Brea Creek from North Basque Avenue to the City limit entering Buena Park; and, SR-57 Freeway pedestrian and bicycle crossing between Yorba Linda Boulevard and Nutwood Avenue. The City will hire a consultant to guide the Scope of Work with community and multi-agency involvement.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG BOARD ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
SEPTEMBER 30, 2015
1:30 P.M.

Call in Number: (312) 878-3080
Access Code: 586-617-702

I. ROLL CALL:

II. PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Committee at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.**

Disabled individuals who need special assistance to attend or participate in a meeting of the Regional Planning Advisory Committee may request assistance at 1401 19th Street, Suite 300; Bakersfield CA 93301 or by calling (661) 861-2191. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made at least three (3) working days in advance whenever possible.

III. SELECTION OF REGIONAL PLANNING ADVISORY COMMITTEE VICE-CHAIRMAN

Comment: During the April 2015 Regional Planning Advisory Committee meeting, the Committee reappointed Dennis McNamara as Chairman and David James as the Vice Chairman. David James recently retired from the City of Tehachapi; therefore, it is now appropriate to select a new Vice-Chairman.

Action: Select a Vice-Chairman for the Regional Planning Advisory Committee.

IV. APPROVAL OF DISCUSSION SUMMARIES

- RPAC Meeting of Wednesday April 1, 2015
- RPAC Meeting of Wednesday, June 3, 2015
- RPAC Meeting of Wednesday, August 5, 2015

V. 2015-2050 GROWTH FORECAST DRAFT REPORT (Raymond)

Comment: The public comment period for the 2015-2050 Growth Forecast Draft Report closed September 12, 2015. The forecast is scheduled to be considered by the Kern COG board in November 2015.

Action: Recommend the Transportation Planning Policy Committee adopt 2015-2050 Regional Growth Forecast.

VI. UPLAN LAND USE MODEL – PRESENTATION (Raymond)

Comment: Overview of the Uplan Land Use Model and its role in the development of Kern's 2018 Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS).

Action: Information

VII. SB 375 GREENHOUSE GAS REDUCTION TARGET SETTING TIMELINE (Ball)

Comment: Draft revised targets to reduce greenhouse gas emissions (GHG) from passenger vehicle travel for the Kern region are scheduled for California Air Resources Board approval by late 2016.

Action: Information.

VIII. SAN JOAQUIN VALLEY TRAVEL MODEL IMPROVEMENT PROGRAM II (VMIP2) (Ball)

Comment: The Kern Regional Travel Demand Model is being updated with the help of a state grant awarded to the 8-San Joaquin Valley Councils of Governments (COGs), and will incorporate the latest local government planning assumptions, socio-economic data and travel survey information.

Action: Information.

IX. REGIONAL TRAFFIC COUNT PROGRAM – PILOT STUDY (Flickinger)

Comment: As part of the on-going Regional Traffic Count Program, a pilot study to collect bicycle and pedestrian counts is being performed.

Action: Information – Provide Direction to Staff on the Program and Count Location Changes

X. EPA PROPOSED RULE TO RECLASSIFY EASTERN KERN AS A MODERATE NONATTAINMENT AREA FOR 8-HOUR OZONE (LIU)

Comment: The U.S. Environmental Protection Agency is proposing to change the federal air quality attainment standard for Eastern Kern (excluding the Indian Wells Valley) from a 2015 attainment date to 2017.

Action: Information

XI. INFORMATION ITEMS/ANNOUNCEMENTS

XII. MEMBER ITEMS

XIII. ADJOURNMENT

The next scheduled meeting of the RPAC/TMC meeting will be November 4, 2015.

Kern Council of Governments

September 30, 2015

TO: Regional Planning Advisory Committee

FROM: Becky Napier
Regional Planner

SUBJECT: AGENDA ITEM NUMBER III.
Selection of Regional Planning Advisory Committee Vice-Chairman

DESCRIPTION:

During the April 2015 Regional Planning Advisory Committee meeting, the Committee reappointed Dennis McNamara as Chairman and David James as the Vice Chairman. David James recently retired from the City of Tehachapi; therefore, it is now appropriate to select a new Vice-Chairman.

DISCUSSION:

The Secretary of the RPAC will take nominations for the position of Vice-Chairman. Each voting member of the RPAC is eligible to be nominated as Vice-Chairman.

ACTION

Select a Vice-Chairman for the Regional Planning Advisory Committee.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
April 1, 2015
1:30 P.M.

Chairman McNamara called the meeting to order at 1:30 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Dennis McNamara	City of McFarland
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	David James	City of Tehachapi
	Roger Mobley	City of Wasco
	Patty Poire	Community Member
	Alec Kimmel	Caltrans (phone)
STAFF:	Rochelle Invina	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Pete Smith	Kern COG
OTHERS:	Wanda Lord	Tejon Indian Tribe
	Bobbi Lowe	Tejon Indian Tribe
	Jason Cater	Bike Bakersfield
	Mike McCabe	Public
	Ted James	Consultant
	Cindy Parra	Bike Bakersfield
	Dave Dmohowski	Quad Knopf

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

Wanda Lord, Grant Administrator, Tejon Indian Tribe introduced herself and Bobbi Lowe, Housing Committee Chair, Tejon Indian Tribe. Ms. Lord expressed interest in participating more with the RPAC.

III. APPROVAL OF DISCUSSION SUMMARY: Meeting of February 4, 2015. Committee Member Mobley made a motion to approve the discussion summary, seconded by Committee Member Platt with all in favor.

IV. SELECTION OF A CHAIRMAN AND VICE CHAIRMAN

The Regional Planning Advisory Committee (RPAC) By-Laws specify that the Chairman and Vice-Chairman be elected from among voting members of the Committee at the first meeting of each year. Chairman McNamara opened nominations for Chairman. There were no nominations for Chairman; therefore, Mr. McNamara retained the Chairmanship. Chairman McNamara opened nominations for Vice-Chairman. There were no nominations for Vice-Chairman; therefore, Mr. James retained the Vice-Chairmanship.

V. KERN COUNCIL OF GOVERNMENTS (COG) RESPONSE LETTER TO ENVIRONMENTAL DOCUMENTS (Napier)

Ms. Napier informed the Committee that Kern COG has a responsibility under its Environmental Review Program/Intergovernmental Review process to provide information to lead agencies on various environmental documents. Ms. Napier explained that this letter was placed on the February 2015 agenda for review by the Committee. One comment was received and noted on the draft letter. Ms. Poire noted that a sentence needed to be deleted from the draft.

ACTION: Committee Member Platt made a motion to recommend that the Kern COG Board of Directors approve the letter as amended by Ms. Poire. Committee Member Hellman seconded the motion with all in favor.

VI. DISCUSSION OF SENATE BILL 1077 – ROAD USAGE CHARGE ALTERNATIVES TO THE GAS TAX (Ball)

Mr. Ball provided the Committee with a presentation on Senate Bill 1077. There was a short discussion by the Committee.

This item was for information only.

VII. KERN COUNCIL OF GOVERNMENTS PUBLIC INFORMATION POLICIES AND PROCEDURES (Napier)

Ms. Napier explained that Regional Transportation Plan (RTP) Guidelines require the Metropolitan Planning Organization develop a public participation plan prior to development of each RTP. The forty-five day public comment period on the Draft 2015 Public Information Policies and Procedures began March 19, 2015. Ms. Napier encouraged the Committee to review the information and provide input.

This item was for information only.

VIII. GROWTH FORECAST UPDATE SCHEDULE (Raymond)

Mr. Raymond informed the Committee that Kern COG entered into a contract with PlaceWorks to update Kern's regional growth forecast for 2014-2050. The regional growth forecast is reviewed and revised at a minimum of every three years. The Kern COG Board is scheduled to revisit the regional growth forecast in the summer of 2015. Mr. Raymond went over the schedule for the forecast adoption. The Committee was encouraged to attend the kick-off meeting with PlaceWorks on April 7. After discussion, Mr. Raymond stated that the April 7 date could be changed if that date was not convenient for the members that would like to attend. The meeting date will be finalized by Friday, April 3.

This item was for information only.

IX. HOUSING ELEMENT UPDATE

Ms. Invina provided information to the Committee concerning local housing elements due to the California Department of Housing and Community Development by the end of December 2015, for jurisdictions to qualify for the 8-year update cycle. Ms. Invina requested that each agency provide feedback on the status of local Housing Element updates. Ms. Invina also stated to please contact Kern COG staff if assistance is needed.

This item was for information only.

X. TRANSIT CENTER STUDY UPDATE (Hightower)

Mr. Hightower informed the Committee that Kern COG in partnership with Golden Empire Transit District, the City of Bakersfield and Kern Transit are in the process of developing the Metropolitan Bakersfield Transit Center Study. The consultant CDM Smith was awarded a contract to prepare the study in May 2014. The study is scheduled to be completed by June 2015. There was a short question and answer period.

This item was for information only.

XI. INFORMATION ITEMS/ANNOUNCEMENTS

- California Transportation Plan (CTP) 2040 webinar recording www.californiatransportationplan2040.org
- Active Transportation Projects Workshop Flier (attached)
- Public Information Policies & Procedures Meeting Flier (attached)
- San Joaquin Valley Greenprint Information (attached)
- AHSC Grant Information (Mr. Hightower provided a handout)
- Model Request Update (Mr. Ball provided a brief update)

XII. MEMBER ITEMS

Ms. Poire informed the Committee that the California Legislative Office developed a report concerning the effects of Smart Growth laws passed by the Legislature and the impact on home pricing in California. Ms. Poire indicated that as a result of Smart Growth laws Californians have been priced out of home ownership, especially in the Central Valley.

XIII. ADJOURNMENT

With no further business the meeting was adjourned at 2:25 p.m.

The next meeting will be Wednesday, May 6, 2015 at 1:30 p.m.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
June 3, 2015
1:30 P.M.

Acting Chairman Hellman called the meeting to order at 1:35 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	Roger Mobley	City of Wasco
	Rebecca Moore	LAFCO
	Karen King	GET
	Sandra Scherr	Caltrans
	Richard Rowe	Community Member
STAFF:	Rochelle Invina	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Pete Smith	Kern COG
	Michael Heimer	Kern COG
OTHERS:	Mike McCabe	Public
	Alec Kimmel	Caltrans (phone)
	Steve Gunnells	PlaceWorks
	Dave Dmohowski	Quad Knopf

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

None

III. **APPROVAL OF DISCUSSION SUMMARY:** Meeting of February 4, 2015. Committee Member Mobley made a motion to approve the discussion summary, seconded by Committee Member Platt with all in favor.

A quorum was not attained. This item will be placed on the next agenda.

IV. REGIONAL GROWTH FORECAST UPDATE (Raymond)

The Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG Board in August 2015. Mr. Raymond introduced Steve Gunnells of the consulting firm, PlaceWorks, who gave a presentation of the current status of the development of the growth forecast. The purpose is to develop a countywide forecast through 2050 to feed into the Regional Transportation Plan/Sustainable Communities Strategy and support local planning and transportation modeling. Primary forecasts are developed for households, population, housing and employment.

This item was for information only.

V. METROPOLITAN BAKERSFIELD TRANSIT CENTER MARKET STUDY (Hightower)

The Metropolitan Bakersfield Transit Center Study uses a market assessment and other tools to help prioritize planning for potential transit centers and Transit Oriented Development (TOD). The purpose of the Study is to address emerging intra-city transit system needs. The effort will provide assistance to public, transit and social service agencies within the study area and assist with integrating these services to improve efficiency. The study will provide information documenting the suitable locations for transit centers, demographic and economic information related to TOD for each location, multi-modal access, ridership projections, visualizations and other illustrations of transit centers. The draft report is schedule to be available by June 2015. Committee Member King expressed concern about how the study focuses on the need for TOD to support new transit centers. Ms. King indicated that as Golden Empire Transit moves forward to develop future transit centers she doesn't want this study to impede the development of future transit centers because there is not a TOD adjacent to the proposed site. Mr. Hightower thanked Ms. King for her concern and stated that it would be addressed.

This was an information item only.

VI. ASSEMBLY BILL 2, ALEJO: COMMUNITY REVITALIZATION AUTHORITY (Smith)

Assembly Bill (AB) 2 would resurrect redevelopment agencies in a new form and provide tax increment funding tools to local governments that could incentivize infill and more vibrant communities while advancing Kerns Sustainable Communities Strategy. Mr. Smith explained that there are two provision of the legislation for an authority to carry out a revitalization plan within a prescribed revitalization area. The provisions are:

1. The area as defined by census tracts or census block groups must not have a median household income that is greater than 80% of the California state median household income, and;
2. Three of the following four characteristics:
    a. A non-seasonal unemployment rate that is 3% higher than the state average;
    b. A crime rate that is 5% higher than the state average;
    c. Deteriorated or inadequate infrastructure; and
    d. Deteriorated commercial or residential structures.

This item was for information only.

VII. SAN JOAQUIN VALLEY GREENPRINT REPORT (Heimer)

Mr. Heimer explained that the San Joaquin Valley Greenprint Phase Two is an effort to address resource management opportunities and challenges. Phase two of the Greenprint is now underway and is starting with an expert panel approach. The purpose of the expert panel is to convene recognized technical specialists to develop and document the current and perceived future issues and challenges facing valley resources, and explore innovations and solutions to address these resource challenges.

This item was for information only.

VIII. CALIFORNIA TRANSPORTATION PLAN 2050 UPDATE (Napier)

The California Transportation Plan (CTP) 2040 is a statewide, long-range transportation plan developed to meet the State's future travel needs while reducing greenhouse gas emissions. The CTP 2040 articulates six goals to attain the vision:

1. Improve multimodal mobility and accessibility for all people;
2. Preserve the multimodal transportation system;
3. Support a vibrant economy;
4. Improve public safety and security;
5. Foster livable and healthy communities and promote social equity; and
6. Practice environmental stewardship.

Ms. Napier explained that CALCOG, in coordination with the COG Executive Directors and staffs, provided a comment letter on the CTP 2040 during the public comment period expressing concerns with the CTP 2040.

This item was for information only.

IX. INFORMATION ITEMS/ANNOUNCEMENTS

Mr. Smith provided the following information:

The Active Transportation Program project submittal deadline occurred on Monday, June 1, 2015. Under the rules of the program five (5) printed applications were to be tendered to the California Transportation Commission in Sacramento with an additional printed copy given to Kern COG, as the Metropolitan Planning Organization for this region.

As of the morning of June 3, 2015, Kern COG received 16 applications, requesting over $13 million in funding. Several other applications are believed to be in mail transit.

The applications will be scored by experts recruited by the CTC. The results of the scoring will be released in mid-September 2015.

X. MEMBER ITEMS

None

XI. ADJOURNMENT

With no further business the meeting was adjourned at 2:12 p.m.

The next meeting will be Wednesday, July 1, 2015, at 1:30 p.m.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
August 5, 2015
1:30 P.M.

Acting Chairman Hellman called the meeting to order at 1:35 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Dennis McNamara	McFarland
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	Alec Kimmel	Caltrans
	Patty Poire	Community Member
STAFF:	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Bob Snoddy	Kern COG
OTHERS:	Ted James	Consultant
	Phil Rudnick	Airport Valet Express

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

- Phil Rudnick of Airport Valet Express gave an update on his service to Los Angeles International Airport. Mr. Rudnick stated that the bus service is in a profitable position and has the capacity to provide over 12 million passenger miles toward the Rideshare contribution. Mr. Rudnick is interested in any funds that might be available for Rideshare program. Committee members thanked Mr. Rudnick for his service to the community.

III. **SELECTION OF REGIONAL PLANNING ADVISORY COMMITTEE VICE-CHAIRMAN**

A quorum was not attained. This item will be placed on the next agenda.

IV. **APPROVAL OF DISCUSSION SUMMARY:**

- RPAC Meeting of Wednesday, April 1, 2015
- RPAC Meeting of Wednesday, June 3, 2015

A quorum was not attained. This item will be placed on the next agenda.

V. REGIONAL GROWTH FORECAST DRAFT REPORT (Raymond)

Mr. Raymond informed the Committee that the Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG Board in November 2015. The draft report is scheduled to be available in August 2015. Mr. Raymond reviewed the schedule with the Committee.

Committee Member Poire stated that the schedule indicates that the RPAC reviewed the draft report for information and comment and that the report is not currently available. Ms. Poire requested that the schedule be revised to state the RPAC was given a status update on the Regional Growth Forecast and that there was no report provided at this time.

Mr. James asked when the Draft Report would be available for review and Mr. Raymond indicated that the document would be sent to all the stakeholders for public review on August 12, 2015

This was an information item.

VI. CALIFORNIA AIR RESOURCES BOARD ACCEPTS KERN'S 2014 SUSTAINABLE COMMUNITIES STRATEGY (Ball)

Mr. Ball reported to the Committee that on July 23, 2015, the California Air Resources Board (ARB) unanimously approved acceptance of the Kern COG Sustainable Community Strategy (SCS) and found that the methodology adequately demonstrates that the plan, if implemented, would meet the state greenhouse gas emission reduction targets for passenger vehicle travel. Mr. Ball thanked the RPAC members and stakeholders for all the hard work and dedication they had to bring the first Sustainable Communities Strategy to a successful end.

Committee Member Staples asked what the status was of the San Diego litigation on their first SCS. Mr. Ball provided an update.

This item was for information.

VII. STRATEGIC GROWTH COUNCIL FIRST CYCLE GRANTS (Ball)

Mr. Ball informed the Committee that the Strategic Growth Council received $120 million from the Greenhouse Gas Reduction Fund referred to as Cap and Trade. The SGC is tasked with the responsibility of administering the Affordable Housing and sustainable Communities Program (AHSC). SGC awarded Kern and the San Joaquin Valley $16.2 million in grant funding during the first cycle. A timeline of the estimated next steps for the second cycle of grant funding was provided to the Committee.

This item was for information.

VIII. CALL FOR PROJECTS: CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT PROGRAM SCHEDULE (Snoddy)

Mr. Snoddy reported to the Committee that the Caltrans will issue a Call for Projects for the FY 2016-17 Sustainable Transportation Planning Grants on August 17, 2015. Mr. Snoddy reviewed the schedule with the Committee.

This item was for information.

IX. INFORMATION ITEMS/ANNOUNCEMENTS

None

X. MEMBER ITEMS

Committee Member Staples reported that Taft was issuing an RFP for Architectural and Engineering for the Taft Transit Center this weekend. The funds are from PTMISEA.

XI. ADJOURNMENT

With no further business the meeting was adjourned at 2:08 p.m.

The next meeting will be Wednesday, September 2, 2015, at 1:30 p.m.

Kern Council of Governments

V.
RPAC

September 30th, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Ben Raymond,
Regional Planner

SUBJECT: RPAC AGENDA ITEM: V
2015-2050 GROWTH FORECAST DRAFT REPORT

DESCRIPTION:

The public comment period for the 2015-2050 Growth Forecast Draft Report closed September 12, 2015. The forecast is scheduled to be considered by the Kern COG board in November 2015.

DISCUSSION:

Background

The Regional Growth Forecast Defined - The Kern COG regional growth forecast is a long-range projection for countywide total population. The population total is used to develop housing, employment, school enrollment, and income forecasts. The forecast is used for local transportation and air quality planning as well as by the member agencies for a variety of long range planning activities. This forecast revision will serve as the growth assumption for the 2018 Regional Transportation Plan/Sustainable Communities Strategy. The forecast is used as a control target by the modeling committee and RPAC for distribution of socio-economic data throughout the county sub areas. The forecast is based on Census Data and California Department of Finance (DOF) estimates for the base year. If the growth forecast is more than 3% outside of DOF projections, Kern COG will need to provide a detailed explanation why the forecasts differs and work with DOF to agree on the forecast methodology.

Review Requirements – The Kern COG Policy and Procedure Manual states:

> "Socio-Economic Forecast Data – Countywide forecasts for households, employment and other socio-economic data shall be updated not less than 3 years from the time of the Socio-economic forecast. A minimum of three years between Countywide forecast revisions is needed to allow responsible state and federal agencies time to complete their review of large environmental documents without major changes to transportation circulation modeling results..."

The Kern COG adopted Public Policy and Procedure manual requires an advertised notice of public meetings/workshops regarding the regional growth forecast and 30-day public comment period. Additional, extensive opportunities for public comment on the forecast will be provided as part of the 2018 Regional Transportation Plan adoption.

Committee Oversight – The Kern COG Transportation Modeling sub-committee and the Regional Planning Advisory Committee (RPAC) will provide oversight during the growth forecast update. The committees currently meet together and are also responsible for sub-area distribution of the growth forecast following the adoption. The regional growth forecast will be presented to the Transportation Technical Advisory Committee (TTAC) concurrently, and then to the Transportation Planning Policy Committee/Kern COG Board for final adoption.

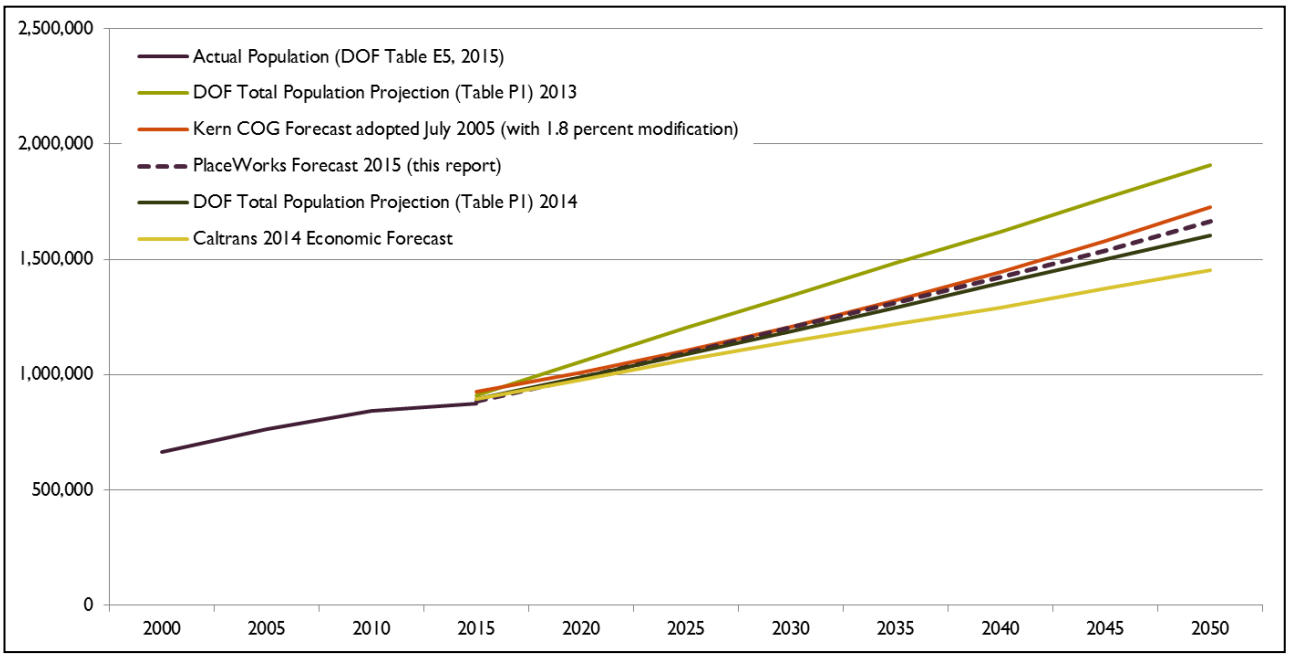
Draft Regional Growth Forecast Report – The Draft Report was made available beginning August 12, 2015 for public review and comment at www.kerncog.org/tmp/RegionalGrowthDraft.pdf . The draft was made available online and an electronic notice was sent out to the master notification database of 1,500 recipients as well as the provision of a staff report with a link to the TTAC, RPAC and TPPC in August. In addition a press release was sent out which received TV and newspaper media coverage. The public comment period closed September 12th, 2015 and no comments were received.

The primary forecasts of the regional growth forecast are for the number of households, population, housing units, and employment. The report also provides forecast data demographic characteristics including: age distribution, housing units by type, average household size, household income, race and ethnicity.

The draft report shows Kern's total population reaching 1 million by 2022 and by 2050 the population will almost double, from 874,000 in 2015 to 1.6 million. Likewise, the number of households are expected to almost double by 2050 from 263,000 in 2015 to about 512,000 in 2050. Total employment is forecasted to grow from 274,000 in 2015 to 540,000 in 2050.

The report compares the forecasts with other forecasts, projections and trends. The total population forecast stays within 3% of the latest DOF projections. The graph below depicts how the forecast for total population compares to other forecasts and projections.

Draft 2015-2050 Regional Growth Forecast



Kern Regional Growth Forecast 2015-2050			
	Total Number of Households	Total Population	Total Number of Jobs
2010	255,000	840,000	274,000
2015	263,000	874,000	322,000
2020	289,000	978,000	347,000
2025	318,000	1,084,000	374,000
2030	350,000	1,192,000	402,000
2035	385,000	1,302,000	433,000
2040	423,000	1,413,000	466,000
2045	465,000	1,526,000	502,000
2050	512,000	1,641,000	540,000
2015 to 2035			
- Increase	122,000	428,000	111,000
- Annual Growth Rate	1.9%	2.0%	1.5%
2015 to 2050			
- Increase	249,000	767,000	218,000
- Annual Growth Rate	1.9%	1.8%	1.5%

Revised Growth Forecast Timeline – The following schedule is anticipated for forecast adoption:

- ~~May 6th, 2015 – RPAC growth forecast project status update~~
- ~~June 3rd, 2015 – RPAC review initial data inputs and status update~~
- ~~August 10th, 2015 – Draft report sent to TTAC & RPAC members for review and comments.~~
- ~~August 12th, 2015 - 30-day public comment period notification (display adds/flyers/draft report to be available at www.kerncog.org)~~
- ~~August 20th, 2015 – Televised Public Workshop on Forecast~~
- ~~August 20th, 2015 – Kern COG Board reviews draft forecast for information and comments~~
- ~~September 12th, 2015 – Close of 30-day public review period~~
- September 30th, 2015 – RPAC and TTAC review report and public comments and make recommendation to Kern COG board.
- October 15th, 2015 – Kern COG Board reviews draft report and public comments.
- November 19th, 2015 - Kern COG Board considers adoption of the regional growth forecast.

ACTION: Recommend the Transportation Planning Policy Committee adopt 2015-2050 Regional Growth Forecast.

Kern Council of Governments

VI.
RPAC

September 30, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi
Executive Director

BY: Ben Raymond,
Regional Planner

SUBJECT: RPAC AGENDA ITEM: VI
UPLAN LAND USE MODEL - PRESENTATION

DESCRIPTION:

Overview of the Uplan Land Use Model and its role in the development of Kern's 2018 Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS).

DISCUSSION:

Background

The 2014 RTP was Kern's first RTP to contain a SCS as required by the state Climate Protection Act of 2008 (SB-375). In 2008, Kern COG began work with the Transportation Modeling Committee and the former Kern Climate Change Task Force now the Regional Planning Advisory Committee (RPAC) developing scenarios to illustrate future land use patterns projected to meet the greenhouse gas (GHG) emissions targets set by the Air Resources Board (ARB). All 18 Metropolitan Planning Organizations (MPO) in California, are required by SB 375 to analyze land use pattern scenarios and provide performance indicators for ARB's evaluation and analysis of the SCS.

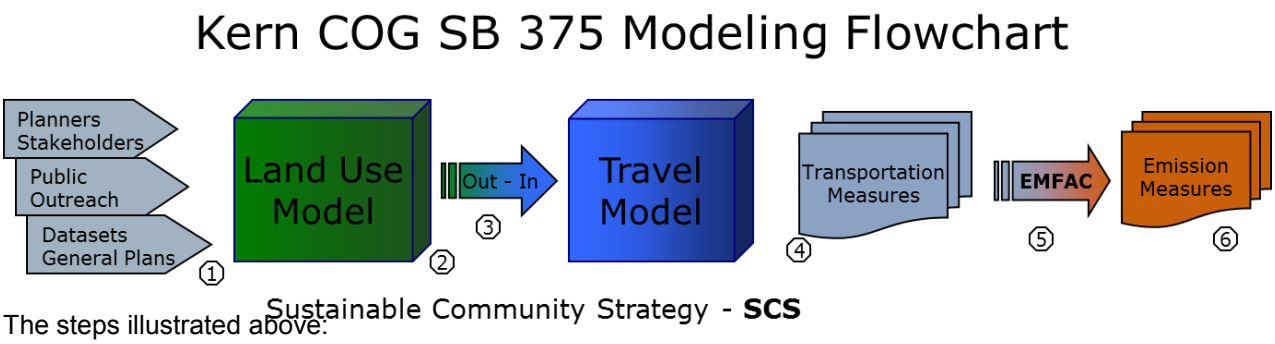
The 2014 RTP/SCS public outreach process analyzed over two dozen scenarios through four iterations using the Uplan land use model software. The model requires extensive set-up and modifications, but making changes for multiple scenario analysis are considerably easier to develop than public involvement tools such as Envision Tomorrow, and CommunityViz. Kern COG continues to evaluate other land use modeling tools such as Uplan 3.0, Cube Land and Urban Footprint as part of our ongoing model improvement program and we may provide a revised land use model for consideration by the RPAC at some point in the future using these new tools. According to Kern COG adopted policy the forecast distribution is delegated to the Transportation Modeling Committee which currently meets jointly with the RPAC. The forecast distribution can be revised by the RPAC up to four times per year.

Uplan Model - Overview

Kern COG began testing the Uplan Urban Growth Model developed by UC Davis in 2008. Uplan 2.68 is a raster or grid cell based urban growth model. It uses existing general plans, projected population/employment growth, and planning assumptions to allocate future growth. Future planning assumptions are incorporated into the model attraction layers and mask layers. These input layers provide an important economic/market based component to the growth forecast distribution.

Attraction layers include: existing urban development, tentative projects, urban cores, freeway ramps, transit stations, sewer lines, enterprise zones, etc. Mask layers include hill side slope areas and existing urban development.

The following diagram illustrates the scenario process of generating emission measures to evaluate if the scenario meets the emission targets set by ARB.



The steps illustrated above:

1. Inputs from planners, stakeholders, public outreach, environmental datasets, and current general plans go into the Uplan land use model.
2. UPlan allocates growth based on parameters, attractions like freeway interchanges, and discouragements like steep slope. It creates a GIS based conceptual growth map.
3. Uplan also outputs socioeconomic data by TAZ used as the input data for the Travel Model (Cube).
4. Cube generates LOS maps, VMT, and other transportation measures.
5. Cube output data is also used in EMFAC to generate emission measures.
6. The measures generated are reviewed, and relative comparisons between scenarios can be made.

Uplan Model – 2018 RTP

Kern COG staff are currently working to update the socio-economic data, general plan land use data, attraction layers and mask layers for the 2018 RTP/SCS. Staff are also updating uplan processes to integrate better with the latest travel demand model.

Next Steps

Staff will present updated inputs to the RPAC for their review and recommendations.

Anticipated schedule:
Updated Combined General Plan Layer – November 2015 RPAC
Updated Socio-economic Input Data – December 2015 RPAC
Updated Attraction Layers and Masks – January 2016 RPAC
Draft Scenario Model Run – March 2016 - RPAC

ACTION: Information

Kern Council of Governments

VII.
RPAC

September 30, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi
Executive Director

By: Rob Ball,
Director of Planning

SUBJECT: RPAC AGENDA ITEM: VII
SB 375 GREENHOUSE GAS REDUCTION TARGET SETTING TIMELINE

DESCRIPTION:

Draft revised targets to reduce greenhouse gas emissions (GHG) from passenger vehicle travel for the Kern region are scheduled for California Air Resources Board approval by late 2016.

DISCUSSION:

Background – In June 2014, Kern COG adopted the regular 4-year update to the long-range Regional Transportation Plan (RTP). This was the first plan with the Sustainable Community Strategy (SCS) element as required by Senate Bill (SB) 375. The law requires California Air Resources Board (ARB) to set GHG emission reduction targets for the 18 Metropolitan Planning Organizations (MPOs) in the state, including Kern COG. SB 375 focuses on reducing greenhouse gas emissions (GHG) from passenger vehicle travel by better coordinating land use planning with transportation expenditures. On July 23, 2015 ARB unanimously approved acceptance of the Kern COG Sustainable Community Strategy (SCS) and found that the methodology adequately demonstrates that the plan, if implemented, would meet the state greenhouse gas emission reduction targets for passenger vehicle travel. A thorough technical evaluation was developed on the SCS by ARB staff and is available online along with the Kern COG SCS at http://www.arb.ca.gov/cc/sb375/sb375.htm .

ARB Cycle Two GHG Target Setting Timeline as of September 16, 2015

1. Fall/Winter 2015: ARB-MPO meetings and collaboration.
2. Spring 2016 (April): MPOs provide their recommendations formally or informally so that ARB staff can review and evaluate the recommended targets before incorporating them into an ARB staff proposal.
3. Late Spring 2016 (May): ARB staff provides a progress report to our Board on MPO target recommendations.
4. Summer 2016: ARB staff holds public workshops, develops a staff proposal, and prepares and circulates a draft environmental document.
5. Fall 2016: ARB staff reviews and responds to public input on the staff proposal, and responds to comments on and finalizes the environmental document.
6. Late 2016: ARB Board considers approval of updated targets, which would become effective for RTP/SCSs that will be adopted by MPOs after January 1, 2018.

ACTION: Information

Kern Council of Governments

VIII.
RPAC

September 30, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi
Executive Director

By: Rob Ball,
Director of Planning

SUBJECT: RPAC AGENDA ITEM: VIII
SAN JOAQUIN VALLEY TRAVEL MODEL IMPROVEMENT PROGRAM II (VMIP2)

DESCRIPTION:

The Kern Regional Travel Demand Model is being updated with the help of a state grant awarded to the 8-San Joaquin Valley Councils of Governments (COGs), and will incorporate the latest local government planning assumptions, socio-economic data and travel survey information.

DISCUSSION:

Background – The California Transportation Commission 2010 Regional Transportation Plan Guidelines http://www.catc.ca.gov/programs/rtp/2010_RTP_Guidelines.pdf contain travel modeling requirements and recommendations. The guidelines include for state and federal regulations related to travel demand modeling.

The 8-San Joaquin Valley COGs received a grant from the California Strategic Growth Council to update the travel models and are scheduled to be completed by 2016.

Regional Travel Model Demand Model Update – Primary Features

1. Validate a 2014 base year for socio-economic, travel survey data and observed counts
2. Use observed cell phone data for incorporating speed information
3. Refine network with controlled access features (medians, left turn pockets, etc.)
4. Real estate market based land use forecasting tool (Cube Land)
5. Static and dynamic model validation
6. Integration of post processors for various data output requests from ARB and others
7. Incorporate recommendations from the ARB SCS Technical Evaluation
8. Documentation

ACTION: Information

Kern Council of Governments

IX. RPAC

September 30, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi
Executive Director

By: Ed Flickinger,
Regional Planner III

SUBJECT: RPAC AGENDA ITEM: IX
REGIONAL TRAFFIC COUNT PROGRAM – PILOT STUDY

DESCRIPTION:

As part of the on-going Regional Traffic Count Program, a pilot study to collect bicycle and pedestrian counts is being performed.

DISCUSSION:

Background – Traffic monitoring and pavement management are mandated under Federal Title 23 Part 500 Management and Monitoring Systems. In addition to traffic monitoring, traffic volume data obtained by traffic counters is used to validate the regional transportation model and used for engineering and planning purposes by local agencies. Traffic counts are used in the annual pavement management report that provides technical data on road samples throughout Kern County. From 2006 through the Fiscal Year ending June 2015, over 9,100 daily counts, 4,600 classification counts, and 96 control station counts have been acquired and are available online at http://www.kerncog.org/data-center/regional-traffic-count-data-map . To use all the features, please **login** as *kernguest* and for **password** use *traffic123*. A Quick Help Guide can be found at http://kerncog.ms2soft.com/tcds/nethelp/QRG-TCDS.pdf .

In January 2004, A Memorandum of Understanding (MOU) establishing the Kern Regional Traffic Count program was approved by the Kern COG Board between Caltrans, the County, the City of Bakersfield and Kern COG representing the outlying communities. The program is funded through the Federal Transportation Improvement Program (FTIP) per the requirements of the MOU. The program is funded at $79,677 per year for traffic count consulting services. COG staff time for administration is funded by federal planning (PL) and/or local Transportation Development Act (TDA) matching funds.

In 2008 a transportation monitoring system plan was completed with the help of a consultant and extensive input from member agencies. A link to the final report can be found at http://www.kerncog.org/publications/general-transportation-reports titled *Regional Transportation Monitoring Improvement Plan Final Report 1-4-08 with TOC*. The program has provided more consistent and frequent traffic count, vehicle mix, and other transportation monitoring data. The regional program eliminates potential duplication of effort in counting programs between Kern COG member agencies and Caltrans. The plan includes a provision to periodically review the traffic count program.

Regional Traffic Count Program Update – Staff is in the process of developing an update to the Transportation Monitoring Improvement Plan. The focus of the update is the addition of a regional bicycle and pedestrian traffic count program. The goal of this program is to provide a consistent, comprehensive data on bicycle and pedestrian activity for analysis of the need/benefit of investment in these modes for consideration by local decision makers. Recent changes in federal and state law such as SB 375 are

creating the need for this program and are putting a greater emphasis on measuring performance, creating more of a “if you can measure it, you can fund it” environment. Providing bike and pedestrian data should make our region more competitive for state resources, while ensuring that limited resources are focused on areas with the greatest need.

Phase I – Bicycle and Pedestrian Count Pilot Study - Kern COG has completed a literature review of similar bike and pedestrian count programs and found that this is still an emerging practice. To inform the development of the new program, a Bicycle and Pedestrian Count Program Pilot study was included as part of the 2015-16 overall work program. The pilot and eventually the program is anticipated to be funded with the existing traffic count program by reducing a corresponding number of vehicle counts.

The pilot study will gather 19 bicycle and pedestrian count locations in Metropolitan Bakersfield. The current traffic count consultant has agreed to amend their existing contract to count bike and pedestrian locations at $354 per 24 hour location for a total $6,726. They plan to use video technology for the counts. The existing funding will come from reducing the number of vehicle counts locations about 13%. The 274 locations that are not being counted will be will be reduced from two counts per year to one per year. These locations have been chosen based on 1) volume, and 2) they were a supplemental traffic added in 2013 when the bid for the traffic counts came in lower than expected, allowing for the temporary addition of these location while the exceptionally good rate lasted.

Phase II – Regional Bicycle and Pedestrian Count Plan – This plan will be included as an appendix to the existing regional traffic count program. The plan will be brought back to the RPAC and TTAC for approval. It is anticipated that the plan will be funded using existing resources.

Phase III – Request For Proposals for the Regional Traffic Count Program – This program is re-bid every 5 years and subject to annual renewal. The current consultant contract with Pacific Data Services is scheduled to be completed by June 30, 2016.

Timeline

EXHIBIT "B" - SCHEDULE

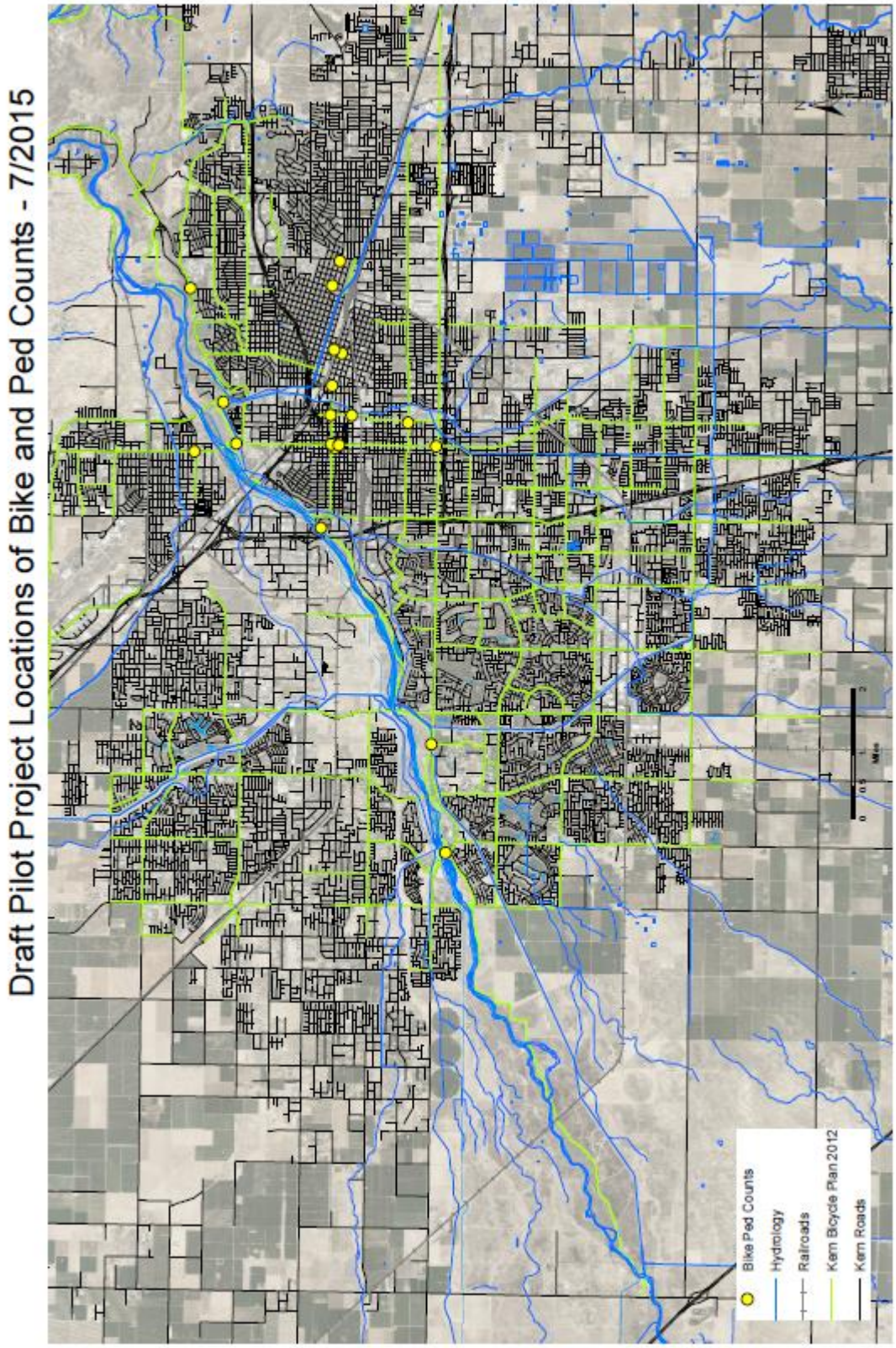
KERN COG TRANSPORTATION MONITORING

			2015												2016											
Task No.	**Responsible**	**Task Description**	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N
Phase I – Bicycle and Pedestrian Count Pilot Study																									
1	Kern COG	Bike/Ped Pilot Study																							
Phase II – Regional Bicycle and Pedestrian Count Plan																									
2	Kern COG	Prepare Bike/Ped Plan																							
3	Kern COG	Review Draft Bike/Ped Plan																							
4	Kern COG	Update Draft Plan																							
5	Kern COG	Bike/Ped Monitoring plan																							
Phase III – Request For Proposals for the Regional Traffic Count Program																									
6	Kern COG	Monitoring RFP Advertised																							
7	Kern COG	RFP Due																							
8	Kern COG	Contract Awarded																							

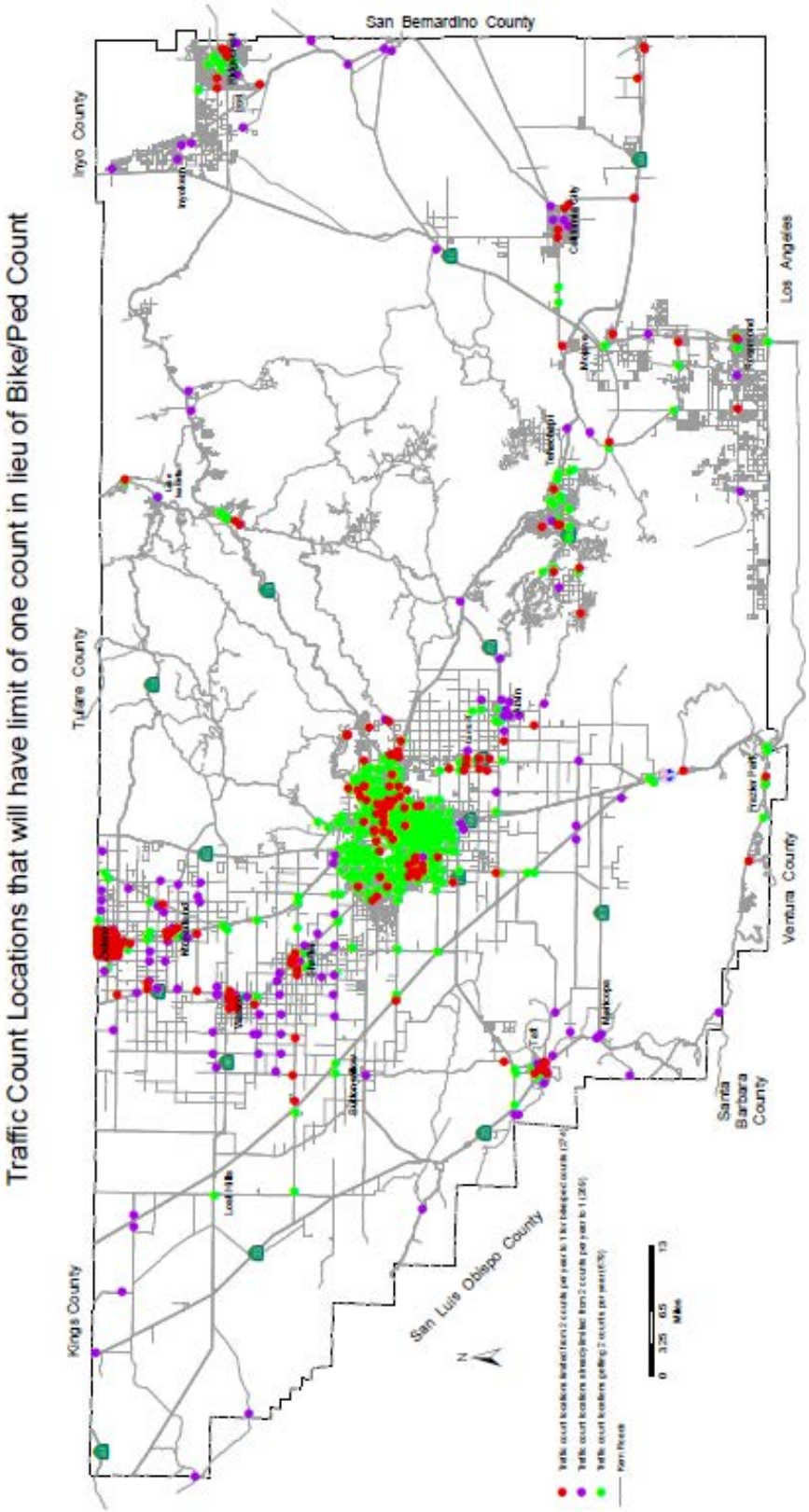
Attachments –
1. Map of Pilot Study Bicycle/Pedestrian Count Locations.
2. Map of the additional 274 locations limited to one count per year.

ACTION: Information – Provide Direction to Staff on the Program and Count Location Changes

Attachment 1 - Map of Pilot Study Bicycle/Pedestrian Count Locations.



Attachment 2 - Map of the additional 274 locations limited to one count per year.



Kern Council of Governments

X. RPAC

September 21, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

BY: Vincent Liu,
Regional Planner

SUBJECT: EPA PROPOSED RULE TO RECLASSIFY EASTERN KERN AS A MODERATE NONATTAINMENT AREA FOR 8-HOUR OZONE

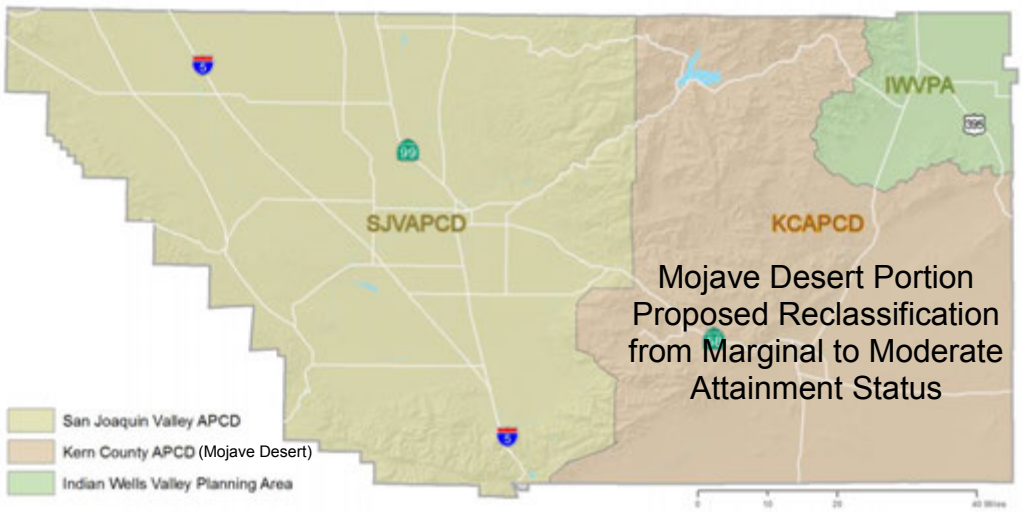
DESCRIPTION:

The U.S. Environmental Protection Agency is proposing to change the federal air quality attainment standard for Eastern Kern (excluding the Indian Wells Valley) from a 2015 attainment date to 2017.

DISCUSSION:

The Eastern Kern (Mojave Desert, Kern County APCD) area is currently designated as nonattainment for the National Ambient Air Quality Standards (NAAQS) for 8-hour ozone. According to the notice published in the Federal Register (http://www.gpo.gov/fdsys/pkg/FR-2015-08-27/pdf/2015-21196.pdf) Eastern Kern did not attain the 2008 ozone national standard by the July 20, 2015, attainment date, and will be reclassified as "Moderate" by the EPA. Once Eastern Kern is reclassified as moderate, the State of California will be required to submit a revised State Implementation Plan (SIP) that addresses the nonattainment classification. The Kern COG regional air quality conformity analysis for transportation projects in the region should be easily updated to include the new attainment year.

ACTION: Information



Kern Council of Governments
1401 19th Streets, Suite 300 Bakersfield CA 93301 661-861-2191 Facsimile 661-324-8215 TTY 661-832-7433 www.kerncog.org

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG BOARD ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
November 4, 2015
1:30 P.M.

Call in Number: (312) 878-3080
Access Code: 586-617-702

I. ROLL CALL:

II. PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Committee at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.**

Disabled individuals who need special assistance to attend or participate in a meeting of the Regional Planning Advisory Committee may request assistance at 1401 19th Street, Suite 300; Bakersfield CA 93301 or by calling (661) 861-2191. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made at least three (3) working days in advance whenever possible.

III. SELECTION OF REGIONAL PLANNING ADVISORY COMMITTEE VICE-CHAIRMAN (Napier)

Comment: During the April 2015 Regional Planning Advisory Committee meeting, the Committee reappointed Dennis McNamara as Chairman and David James as the Vice Chairman. David James recently retired from the City of Tehachapi; therefore, it is now appropriate to select a new Vice-Chairman.

Action: Select a Vice-Chairman for the Regional Planning Advisory Committee.

IV. APPROVAL OF DISCUSSION SUMMARIES

- RPAC Meeting of Wednesday April 1, 2015
- RPAC Meeting of Wednesday, June 3, 2015
- RPAC Meeting of Wednesday, August 5, 2015
- RPAC Meeting of Wednesday, September 30, 2015

V. 2015-2050 GROWTH FORECAST DRAFT REPORT (Raymond)

Comment: The public comment period for the 2015-2050 Growth Forecast Draft Report closed September 12, 2015. The forecast is scheduled to be considered by the Kern COG board in November 2015.

Action: Recommend the Transportation Planning Policy Committee adopt 2015-2050 Regional Growth Forecast.

VI. FY 2016-17 OVERALL WORK PROGRAM (Phipps)

Comment: Kern COG is developing its 2016-17 Overall Work Program and is soliciting eligible projects for possible inclusion.

Action: Information

VII. TIMELINE FOR ENVIRONMENTAL AND SOCIAL EQUITY (Napier)

Comment: To prepare for development of the 2018 Regional Transportation Plan (RTP), Kern COG is planning to reactivate the Environmental and Social Equity Roundtable (Roundtable).

Action: Information

VIII. KERN COG OFFERS GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES AND MAPPING SUPPORT AGREEMENTS TO MEMBER AGENCIES (Liu)

Comment: Maricopa, Wasco, Shafter, the East Kern Resource Conservation District and the Kern Water Agency have on-going agreements with Kern COG to provide on call, priority GIS mapping and technical support on an as needed basis for a fixed hourly rate in addition to Kern COG normal level of technical assistance at no charge as resources are available.

Action: Information

IX. DRAFT REGIONAL TRANSPORTATION MONITORING SYSTEM PROGRAM UPDATE (Flickinger)

Comment: Kern COG is updating the Regional Traffic Count Program to include bicycle and pedestrian counts locations.

Action: Information

X. INFORMATION ITEMS/ANNOUNCEMENTS

XI. MEMBER ITEMS

XII. ADJOURNMENT

The December 2, 2015 RPAC meeting is scheduled to be dark. The next scheduled meeting of the RPAC/TMC meeting will be January 6, 2016.

Kern Council of Governments

III.
RPAC

November 4, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

Becky Napier,
Regional Planner

SUBJECT: RPAC AGENDA ITEM: III
SELECTION OF REGIONAL PLANNING ADVISORY COMMITTEE VICE-CHAIRMAN

DESCRIPTION:

During the April 2015 Regional Planning Advisory Committee meeting, the Committee reappointed Dennis McNamara as Chairman and David James as the Vice Chairman. David James recently retired from the City of Tehachapi; therefore, it is now appropriate to select a new Vice-Chairman.

DISCUSSION:

The Secretary of the RPAC will take nominations for the position of Vice-Chairman. Each voting member of the RPAC is eligible to be nominated as Vice-Chairman.

ACTION

Select a Vice-Chairman for the Regional Planning Advisory Committee.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
April 1, 2015
1:30 P.M.

Chairman McNamara called the meeting to order at 1:30 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Dennis McNamara	City of McFarland
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	David James	City of Tehachapi
	Roger Mobley	City of Wasco
	Patty Poire	Community Member
	Alec Kimmel	Caltrans (phone)
STAFF:	Rochelle Invina	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Pete Smith	Kern COG
OTHERS:	Wanda Lord	Tejon Indian Tribe
	Bobbi Lowe	Tejon Indian Tribe
	Jason Cater	Bike Bakersfield
	Mike McCabe	Public
	Ted James	Consultant
	Cindy Parra	Bike Bakersfield
	Dave Dmohowski	Quad Knopf

II. **PUBLIC COMMENTS:** This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.

Wanda Lord, Grant Administrator, Tejon Indian Tribe introduced herself and Bobbi Lowe, Housing Committee Chair, Tejon Indian Tribe. Ms. Lord expressed interest in participating more with the RPAC.

III. APPROVAL OF DISCUSSION SUMMARY: Meeting of February 4, 2015. Committee Member Mobley made a motion to approve the discussion summary, seconded by Committee Member Platt with all in favor.

IV. SELECTION OF A CHAIRMAN AND VICE CHAIRMAN

The Regional Planning Advisory Committee (RPAC) By-Laws specify that the Chairman and Vice-Chairman be elected from among voting members of the Committee at the first meeting of each year. Chairman McNamara opened nominations for Chairman. There were no nominations for Chairman; therefore, Mr. McNamara retained the Chairmanship. Chairman McNamara opened nominations for Vice-Chairman. There were no nominations for Vice-Chairman; therefore, Mr. James retained the Vice-Chairmanship.

V. KERN COUNCIL OF GOVERNMENTS (COG) RESPONSE LETTER TO ENVIRONMENTAL DOCUMENTS (Napier)

Ms. Napier informed the Committee that Kern COG has a responsibility under its Environmental Review Program/Intergovernmental Review process to provide information to lead agencies on various environmental documents. Ms. Napier explained that this letter was placed on the February 2015 agenda for review by the Committee. One comment was received and noted on the draft letter. Ms. Poire noted that a sentence needed to be deleted from the draft.

ACTION: Committee Member Platt made a motion to recommend that the Kern COG Board of Directors approve the letter as amended by Ms. Poire. Committee Member Hellman seconded the motion with all in favor.

VI. DISCUSSION OF SENATE BILL 1077 – ROAD USAGE CHARGE ALTERNATIVES TO THE GAS TAX (Ball)

Mr. Ball provided the Committee with a presentation on Senate Bill 1077. There was a short discussion by the Committee.

This item was for information only.

VII. KERN COUNCIL OF GOVERNMENTS PUBLIC INFORMATION POLICIES AND PROCEDURES (Napier)

Ms. Napier explained that Regional Transportation Plan (RTP) Guidelines require the Metropolitan Planning Organization develop a public participation plan prior to development of each RTP. The forty-five day public comment period on the Draft 2015 Public Information Policies and Procedures began March 19, 2015. Ms. Napier encouraged the Committee to review the information and provide input.

This item was for information only.

VIII. GROWTH FORECAST UPDATE SCHEDULE (Raymond)

Mr. Raymond informed the Committee that Kern COG entered into a contract with PlaceWorks to update Kern's regional growth forecast for 2014-2050. The regional growth forecast is reviewed and revised at a minimum of every three years. The Kern COG Board is scheduled to revisit the regional growth forecast in the summer of 2015. Mr. Raymond went over the schedule for the forecast adoption. The Committee was encouraged to attend the kick-off meeting with PlaceWorks on April 7. After discussion, Mr. Raymond stated that the April 7 date could be changed if that date was not convenient for the members that would like to attend. The meeting date will be finalized by Friday, April 3.

This item was for information only.

IX. HOUSING ELEMENT UPDATE

Ms. Invina provided information to the Committee concerning local housing elements due to the California Department of Housing and Community Development by the end of December 2015, for jurisdictions to qualify for the 8-year update cycle. Ms. Invina requested that each agency provide feedback on the status of local Housing Element updates. Ms. Invina also stated to please contact Kern COG staff if assistance is needed.

This item was for information only.

X. TRANSIT CENTER STUDY UPDATE (Hightower)

Mr. Hightower informed the Committee that Kern COG in partnership with Golden Empire Transit District, the City of Bakersfield and Kern Transit are in the process of developing the Metropolitan Bakersfield Transit Center Study. The consultant CDM Smith was awarded a contract to prepare the study in May 2014. The study is scheduled to be completed by June 2015. There was a short question and answer period.

This item was for information only.

XI. INFORMATION ITEMS/ANNOUNCEMENTS

- California Transportation Plan (CTP) 2040 webinar recording www.californiatransportationplan2040.org
- Active Transportation Projects Workshop Flier (attached)
- Public Information Policies & Procedures Meeting Flier (attached)
- San Joaquin Valley Greenprint Information (attached)
- AHSC Grant Information (Mr. Hightower provided a handout)
- Model Request Update (Mr. Ball provided a brief update)

XII. MEMBER ITEMS

Ms. Poire informed the Committee that the California Legislative Office developed a report concerning the effects of Smart Growth laws passed by the Legislature and the impact on home pricing in California. Ms. Poire indicated that as a result of Smart Growth laws Californians have been priced out of home ownership, especially in the Central Valley.

XIII. ADJOURNMENT

With no further business the meeting was adjourned at 2:25 p.m.

The next meeting will be Wednesday, May 6, 2015 at 1:30 p.m.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
June 3, 2015
1:30 P.M.

Acting Chairman Hellman called the meeting to order at 1:35 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Paul Hellman	City of Bakersfield
	Craig Platt	California City
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	Roger Mobley	City of Wasco
	Rebecca Moore	LAFCO
	Karen King	GET
	Sandra Scherr	Caltrans
	Richard Rowe	Community Member
STAFF:	Rochelle Invina	Kern COG
	Troy Hightower	Kern COG
	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Pete Smith	Kern COG
	Michael Heimer	Kern COG
OTHERS:	Mike McCabe	Public
	Alec Kimmel	Caltrans (phone)
	Steve Gunnells	PlaceWorks
	Dave Dmohowski	Quad Knopf

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None

III. **APPROVAL OF DISCUSSION SUMMARY:** Meeting of February 4, 2015. Committee Member Mobley made a motion to approve the discussion summary, seconded by Committee Member Platt with all in favor.

A quorum was not attained. This item will be placed on the next agenda.

IV. REGIONAL GROWTH FORECAST UPDATE (Raymond)

The Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG Board in August 2015. Mr. Raymond introduced Steve Gunnells of the consulting firm, PlaceWorks, who gave a presentation of the current status of the development of the growth forecast. The purpose is to develop a countywide forecast through 2050 to feed into the Regional Transportation Plan/Sustainable Communities Strategy and support local planning and transportation modeling. Primary forecasts are developed for households, population, housing and employment.

This item was for information only.

V. METROPOLITAN BAKERSFIELD TRANSIT CENTER MARKET STUDY (Hightower)

The Metropolitan Bakersfield Transit Center Study uses a market assessment and other tools to help prioritize planning for potential transit centers and Transit Oriented Development (TOD). The purpose of the Study is to address emerging intra-city transit system needs. The effort will provide assistance to public, transit and social service agencies within the study area and assist with integrating these services to improve efficiency. The study will provide information documenting the suitable locations for transit centers, demographic and economic information related to TOD for each location, multi-modal access, ridership projections, visualizations and other illustrations of transit centers. The draft report is schedule to be available by June 2015. Committee Member King expressed concern about how the study focuses on the need for TOD to support new transit centers. Ms. King indicated that as Golden Empire Transit moves forward to develop future transit centers she doesn't want this study to impede the development of future transit centers because there is not a TOD adjacent to the proposed site. Mr. Hightower thanked Ms. King for her concern and stated that it would be addressed.

This was an information item only.

VI. ASSEMBLY BILL 2, ALEJO: COMMUNITY REVITALIZATION AUTHORITY (Smith)

Assembly Bill (AB) 2 would resurrect redevelopment agencies in a new form and provide tax increment funding tools to local governments that could incentivize infill and more vibrant communities while advancing Kerns Sustainable Communities Strategy. Mr. Smith explained that there are two provision of the legislation for an authority to carry out a revitalization plan within a prescribed revitalization area. The provisions are:

1. The area as defined by census tracts or census block groups must not have a median household income that is greater than 80% of the California state median household income, and;
2. Three of the following four characteristics:
    a. A non-seasonal unemployment rate that is 3% higher than the state average;
    b. A crime rate that is 5% higher than the state average;
    c. Deteriorated or inadequate infrastructure; and
    d. Deteriorated commercial or residential structures.

This item was for information only.

VII. SAN JOAQUIN VALLEY GREENPRINT REPORT (Heimer)

Mr. Heimer explained that the San Joaquin Valley Greenprint Phase Two is an effort to address resource management opportunities and challenges. Phase two of the Greenprint is now underway and is starting with an expert panel approach. The purpose of the expert panel is to convene recognized technical specialists to develop and document the current and perceived future issues and challenges facing valley resources, and explore innovations and solutions to address these resource challenges.

This item was for information only.

VIII. CALIFORNIA TRANSPORTATION PLAN 2050 UPDATE (Napier)

The California Transportation Plan (CTP) 2040 is a statewide, long-range transportation plan developed to meet the State's future travel needs while reducing greenhouse gas emissions. The CTP 2040 articulates six goals to attain the vision:

1. Improve multimodal mobility and accessibility for all people;
2. Preserve the multimodal transportation system;
3. Support a vibrant economy;
4. Improve public safety and security;
5. Foster livable and healthy communities and promote social equity; and
6. Practice environmental stewardship.

Ms. Napier explained that CALCOG, in coordination with the COG Executive Directors and staffs, provided a comment letter on the CTP 2040 during the public comment period expressing concerns with the CTP 2040.

This item was for information only.

IX. INFORMATION ITEMS/ANNOUNCEMENTS

Mr. Smith provided the following information:

The Active Transportation Program project submittal deadline occurred on Monday, June 1, 2015. Under the rules of the program five (5) printed applications were to be tendered to the California Transportation Commission in Sacramento with an additional printed copy given to Kern COG, as the Metropolitan Planning Organization for this region.

As of the morning of June 3, 2015, Kern COG received 16 applications, requesting over $13 million in funding. Several other applications are believed to be in mail transit.

The applications will be scored by experts recruited by the CTC. The results of the scoring will be released in mid-September 2015.

X. MEMBER ITEMS

None

XI. ADJOURNMENT

With no further business the meeting was adjourned at 2:12 p.m.

The next meeting will be Wednesday, July 1, 2015, at 1:30 p.m.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
August 5, 2015
1:30 P.M.

Acting Chairman Hellman called the meeting to order at 1:35 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Dennis McNamara	McFarland
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	Alec Kimmel	Caltrans
	Patty Poire	Community Member
STAFF:	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Bob Snoddy	Kern COG
OTHERS:	Ted James	Consultant
	Phil Rudnick	Airport Valet Express

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- Phil Rudnick of Airport Valet Express gave an update on his service to Los Angeles International Airport. Mr. Rudnick stated that the bus service is in a profitable position and has the capacity to provide over 12 million passenger miles toward the Rideshare contribution. Mr. Rudnick is interested in any funds that might be available for Rideshare program. Committee members thanked Mr. Rudnick for his service to the community.

III. **SELECTION OF REGIONAL PLANNING ADVISORY COMMITTEE VICE-CHAIRMAN**

A quorum was not attained. This item will be placed on the next agenda.

IV. **APPROVAL OF DISCUSSION SUMMARY:**

- RPAC Meeting of Wednesday, April 1, 2015
- RPAC Meeting of Wednesday, June 3, 2015

A quorum was not attained. This item will be placed on the next agenda.

V. REGIONAL GROWTH FORECAST DRAFT REPORT (Raymond)

Mr. Raymond informed the Committee that the Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG Board in November 2015. The draft report is scheduled to be available in August 2015. Mr. Raymond reviewed the schedule with the Committee.

Committee Member Poire stated that the schedule indicates that the RPAC reviewed the draft report for information and comment and that the report is not currently available. Ms. Poire requested that the schedule be revised to state the RPAC was given a status update on the Regional Growth Forecast and that there was no report provided at this time.

Mr. James asked when the Draft Report would be available for review and Mr. Raymond indicated that the document would be sent to all the stakeholders for public review on August 12, 2015

This was an information item.

VI. CALIFORNIA AIR RESOURCES BOARD ACCEPTS KERN'S 2014 SUSTAINABLE COMMUNITIES STRATEGY (Ball)

Mr. Ball reported to the Committee that on July 23, 2015, the California Air Resources Board (ARB) unanimously approved acceptance of the Kern COG Sustainable Community Strategy (SCS) and found that the methodology adequately demonstrates that the plan, if implemented, would meet the state greenhouse gas emission reduction targets for passenger vehicle travel. Mr. Ball thanked the RPAC members and stakeholders for all the hard work and dedication they had to bring the first Sustainable Communities Strategy to a successful end.

Committee Member Staples asked what the status was of the San Diego litigation on their first SCS. Mr. Ball provided an update.

This item was for information.

VII. STRATEGIC GROWTH COUNCIL FIRST CYCLE GRANTS (Ball)

Mr. Ball informed the Committee that the Strategic Growth Council received $120 million from the Greenhouse Gas Reduction Fund referred to as Cap and Trade. The SGC is tasked with the responsibility of administering the Affordable Housing and sustainable Communities Program (AHSC). SGC awarded Kern and the San Joaquin Valley $16.2 million in grant funding during the first cycle. A timeline of the estimated next steps for the second cycle of grant funding was provided to the Committee.

This item was for information.

VIII. CALL FOR PROJECTS: CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT PROGRAM SCHEDULE (Snoddy)

Mr. Snoddy reported to the Committee that the Caltrans will issue a Call for Projects for the FY 2016-17 Sustainable Transportation Planning Grants on August 17, 2015. Mr. Snoddy reviewed the schedule with the Committee.

This item was for information.

IX. INFORMATION ITEMS/ANNOUNCEMENTS

None

X. MEMBER ITEMS

Committee Member Staples reported that Taft was issuing an RFP for Architectural and Engineering for the Taft Transit Center this weekend. The funds are from PTMISEA.

XI. ADJOURNMENT

With no further business the meeting was adjourned at 2:08 p.m.

The next meeting will be Wednesday, September 2, 2015, at 1:30 p.m.

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
Sept. 30, 2015
1:30 P.M.

Chairman McNamara called the meeting to order at 1:35 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Dennis McNamara	City of McFarland
	Paul Hellman	City of Bakersfield
	Suzanne Forrest	City of Shafter
	Mark Staples	City of Taft (phone)
	Karen King	GET
	Paul Marquez	Caltrans
	Patty Poire	Community Member (phone)
STAFF:	Rob Ball	Kern COG
	Ben Raymond	Kern COG
	Becky Napier	Kern COG
	Vincent Liu	Kern COG
	Ed Flickinger	Kern COG
	Troy Hightower	Kern COG
OTHERS:	Ted James	Consultant
	Dave Dmohowski	Consultant
	Jim Appodaca	Tejon Indian Tribe
	Alec Kimmel	Caltrans District 6 (phone)
	Caltrans	Caltrans District 9 (phone)

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- Phil Rudnick of Airport Valet Express gave an update on his service to Los Angeles International Airport. Mr. Rudnick stated that the bus service is in a profitable position and has the capacity to provide over 12 million passenger miles toward the Rideshare contribution. Mr. Rudnick is interested in any funds that might be available for Rideshare program. Committee members thanked Mr. Rudnick for his service to the community.

III. **SELECTION OF REGIONAL PLANNING ADVISORY COMMITTEE VICE-CHAIRMAN**

A quorum was not attained. This item will be placed on the next agenda.

IV. APPROVAL OF DISCUSSION SUMMARY:

- RPAC Meeting of Wednesday, April 1, 2015
- RPAC Meeting of Wednesday, June 3, 2015
- RPAC Meeting of Wednesday, August 5, 2015

A quorum was not attained. This item will be placed on the next agenda.

V. 2015 – 2050 GROWTH FORECAST DRAFT REPORT (Raymond)

Mr. Raymond informed the Committee that the Regional Growth Forecast for total countywide population is scheduled to be considered by the Kern COG Board in November 2015. The Draft Report was made available beginning august 12, 2015, for public review and comment. The public comment period closed September 12, 2015.

Mr. Raymond informed the Committee that the Draft Report shows Kern's total population reaching 1 million by 2022 and by 2050 the population will almost double to 1.6 million from 874,000 in 2015. The number of households is expected to almost double by 2050 from 263,000 in 2015 to about 512,000 in 2050. Total employment is forecasted to grow from 274,000 to 540,000 during that same time period.

This was an information item.

VI. UPLAN LAND USE MODEL – PRESENTATION (Raymond)

Mr. Raymond presented an overview of the UPLAN Urban Growth Model. Mr. Raymond stated that UPLAN uses existing general plans, projected population/employment growth and planning assumptions to allocate future growth. Mr. Raymond stated that staff would present updated input information to the RPAC for its review and recommendation beginning in November 2015.

This item was for information.

VII. SB 375 GREENHOUSE GAS REDUCTION TARGET SETTING TIMELINE (Ball)

Mr. Ball informed the Committee that revised targets to reduce greenhouse gas emissions from passenger vehicle travel for the Kern region are scheduled for California Air Resources Board approval by late 2016. Mr. Ball informed the Committee that Kern COG staff will be working with and providing information to the Air Resources Board for use during the target setting.

This item was for information.

VIII. SAN JOAQIN VALLEY TRAVEL MODEL IMPROVEMENT PROGRAM II (VMIP II) (Ball)

Mr. Ball reported that the Kern Regional Travel Demand Model is being updated with the help of a state grant awarded to the 8-San Joaquin Valley Councils of Governments. The Travel Demand Model will incorporate the latest local government planning assumptions, socio-economic data and travel survey information. The primary features of the Regional Travel Demand Model are:

1. Validate a 2014 base year for socio-economic, travel survey data and observed counts.
2. Use observed cell phone date for incorporating speed information.
3. Refine network with controlled access features (medians, left turn pockets, etc.).
4. Real estate market based land use forecasting tool (Cube Land).
5. Static and dynamic model validation.
6. Integration of post processors for various data output requests form ARB and others.

7. Incorporate recommendations from ARB SCS technical evaluation.
8. Documentation.

This item was for information.

IX. REGIONAL TRAFFIC COUNT PROGRAM – PILOT STUDY (Flickinger)

Mr. Flickinger reported to the Committee that part of the on-going Regional Traffic Count Program will include a pilot study to collect bicycle and pedestrian counts. The goal of the program is to provide consistent, comprehensive data on bicycle and pedestrian activity for analysis of the need/benefit of investment in these modes. Mr. Flickinger provided a map of the count locations and a map showing the 274 locations that will be limited to one count per year instead of two.

Committee Member Poire requested that Kern COG staff coordinate with GET and Kern Transit to obtain bicycle usage and location information before committing to any specific locations. Mr. Ball indicated that this would be accomplished.

This was an information item.

X. EPA PROPOSED RULE TO RECLASSIFY EASTERN KERN AS A MODERATE NONATTAINMENT AREA FOR 8-HOUR OZONE (Liu)

Mr. Liu explained to the Committee that Eastern Kern is currently designated as nonattainment for the National Ambient Air Quality Standards for 8-hour ozone. According to the notice published in the Federal Register in August, Eastern Kern did not attain the 2008 ozone standard by the required July 20, 2015 attainment date. Therefore, Eastern Kern is being reclassified as “moderate” by the EPA. Once Eastern Kern is reclassified as moderate, the State of California will be required to submit a revised State Implementation Plan (SIP) that addresses the nonattainment classification.

This was an information item.

XI. INFORMATION ITEMS/ANNOUNCEMENTS

1. Mr. Ball introduced Jim Appodaca of the Tejon Indian Tribe to the Committee
2. Mr. Ball presented a leaflet he created concerning road maintenance funding.

XII. MEMBER ITEMS

None

XIII. ADJOURNMENT

With no further business the meeting was adjourned at 2:18 p.m.

The next meeting will be Wednesday, November 4, 2015, at 1:30 p.m.

Kern Council of Governments

V.
RPAC

September 30th, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Ben Raymond,
Regional Planner

SUBJECT: RPAC AGENDA ITEM: V
2015-2050 GROWTH FORECAST DRAFT REPORT

DESCRIPTION:

The public comment period for the 2015-2050 Growth Forecast Draft Report closed September 12, 2015. The forecast is scheduled to be considered by the Kern COG board in November 2015.

DISCUSSION:

Background

The Regional Growth Forecast Defined - The Kern COG regional growth forecast is a long-range projection for countywide total population. The population total is used to develop housing, employment, school enrollment, and income forecasts. The forecast is used for local transportation and air quality planning as well as by the member agencies for a variety of long range planning activities. This forecast revision will serve as the growth assumption for the 2018 Regional Transportation Plan/Sustainable Communities Strategy. The forecast is used as a control target by the modeling committee and RPAC for distribution of socio-economic data throughout the county sub areas. The forecast is based on Census Data and California Department of Finance (DOF) estimates for the base year. If the growth forecast is more than 3% outside of DOF projections, Kern COG will need to provide a detailed explanation why the forecasts differs and work with DOF to agree on the forecast methodology.

Review Requirements – The Kern COG Policy and Procedure Manual states:

> "Socio-Economic Forecast Data – Countywide forecasts for households, employment and other socio-economic data shall be updated not less than 3 years from the time of the Socio-economic forecast. A minimum of three years between Countywide forecast revisions is needed to allow responsible state and federal agencies time to complete their review of large environmental documents without major changes to transportation circulation modeling results..."

The Kern COG adopted Public Policy and Procedure manual requires an advertised notice of public meetings/workshops regarding the regional growth forecast and 30-day public comment period. Additional, extensive opportunities for public comment on the forecast will be provided as part of the 2018 Regional Transportation Plan adoption.

Committee Oversight – The Kern COG Transportation Modeling sub-committee and the Regional Planning Advisory Committee (RPAC) will provide oversight during the growth forecast update. The committees currently meet together and are also responsible for sub-area distribution of the growth forecast following the adoption. The regional growth forecast will be presented to the Transportation Technical Advisory Committee (TTAC) concurrently, and then to the Transportation Planning Policy Committee/Kern COG Board for final adoption.

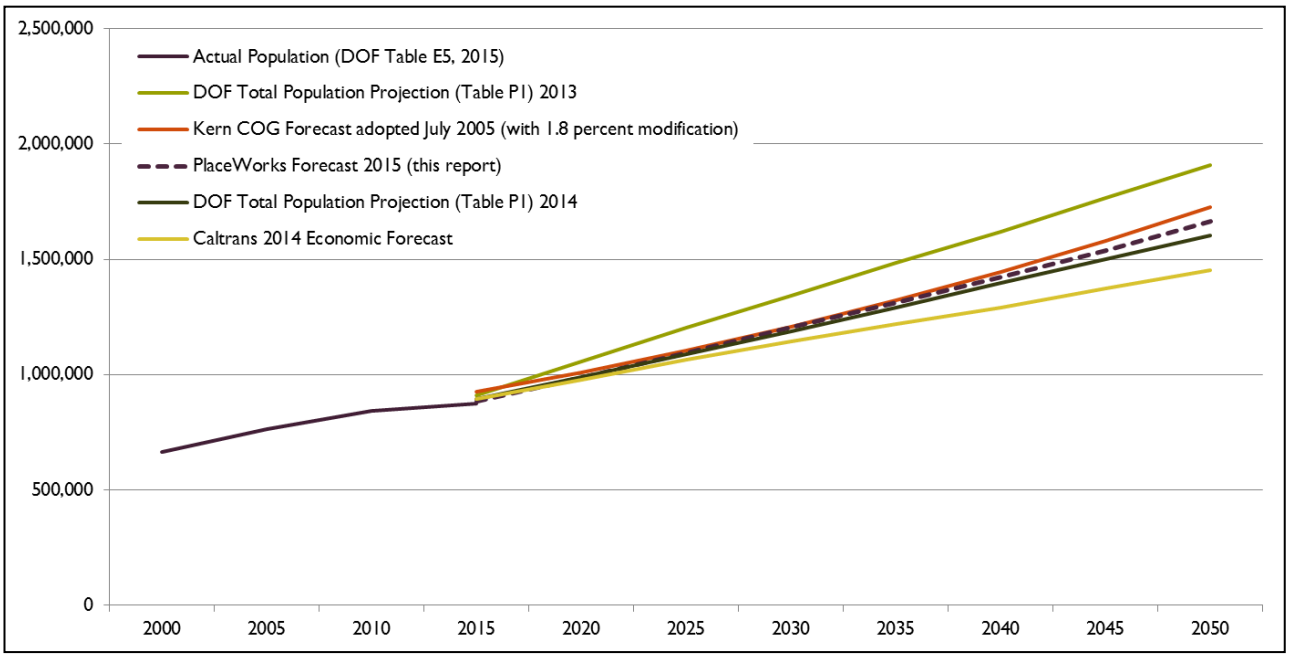
Draft Regional Growth Forecast Report – The Draft Report was made available beginning August 12, 2015 for public review and comment at www.kerncog.org/tmp/RegionalGrowthDraft.pdf . The draft was made available online and an electronic notice was sent out to the master notification database of 1,500 recipients as well as the provision of a staff report with a link to the TTAC, RPAC and TPPC in August. In addition a press release was sent out which received TV and newspaper media coverage. The public comment period closed September 12th, 2015 and no comments were received.

The primary forecasts of the regional growth forecast are for the number of households, population, housing units, and employment. The report also provides forecast data demographic characteristics including: age distribution, housing units by type, average household size, household income, race and ethnicity.

The draft report shows Kern's total population reaching 1 million by 2022 and by 2050 the population will almost double, from 874,000 in 2015 to 1.6 million. Likewise, the number of households are expected to almost double by 2050 from 263,000 in 2015 to about 512,000 in 2050. Total employment is forecasted to grow from 274,000 in 2015 to 540,000 in 2050.

The report compares the forecasts with other forecasts, projections and trends. The total population forecast stays within 3% of the latest DOF projections. The graph below depicts how the forecast for total population compares to other forecasts and projections.

Draft 2015-2050 Regional Growth Forecast



Kern Regional Growth Forecast 2015-2050			
	Total Number of Households	Total Population	Total Number of Jobs
2010	255,000	840,000	274,000
2015	263,000	874,000	322,000
2020	289,000	978,000	347,000
2025	318,000	1,084,000	374,000
2030	350,000	1,192,000	402,000
2035	385,000	1,302,000	433,000
2040	423,000	1,413,000	466,000
2045	465,000	1,526,000	502,000
2050	512,000	1,641,000	540,000
2015 to 2035			
- Increase	122,000	428,000	111,000
- Annual Growth Rate	1.9%	2.0%	1.5%
2015 to 2050			
- Increase	249,000	767,000	218,000
- Annual Growth Rate	1.9%	1.8%	1.5%

Revised Growth Forecast Timeline – The following schedule is anticipated for forecast adoption:

- ~~May 6th, 2015 – RPAC growth forecast project status update~~
- ~~June 3rd, 2015 – RPAC review initial data inputs and status update~~
- ~~August 10th, 2015 – Draft report sent to TTAC & RPAC members for review and comments.~~
- ~~August 12th, 2015 - 30-day public comment period notification (display adds/flyers/draft report to be available at www.kerncog.org)~~
- ~~August 20th, 2015 – Televised Public Workshop on Forecast~~
- ~~August 20th, 2015 – Kern COG Board reviews draft forecast for information and comments~~
- ~~September 12th, 2015 – Close of 30-day public review period~~
- ~~September 30th, 2015 – RPAC and TTAC review report and public comments and make recommendation to Kern COG board.~~
- ~~October 15th, 2015 – Kern COG Board reviews draft report and public comments.~~
- November 4th, 2015 – RPAC reviews and makes recommendation to Kern COG Board.
- November 19th, 2015 - Kern COG Board considers adoption of the regional growth forecast.

ACTION: Recommend the Transportation Planning Policy Committee adopt 2015-2050 Regional Growth Forecast.

Kern Council of Governments

VI.
RPAC

November 4, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Robert Phipps,
Administrative Services Director

SUBJECT: RPAC AGENDA ITEM: VI
FY 2016-17 OVERALL WORK PROGRAM

DESCRIPTION:

Kern COG is developing its 2016-17 Overall Work Program and is soliciting eligible projects for possible inclusion.

DISCUSSION:

The Overall Work Program (OWP) is an annual administrative document developed to meet state and federal guidelines. Projects requested by local, state and federal agencies that address regional issues and concerns are included in order to provide a comprehensive overview of the annual Kern COG program. Project scope is limited by available funding.

Agencies are encouraged to submit appropriate projects to Kern COG staff for possible inclusion in the FY 2016-17 Overall Work Program. These proposals may include but are not limited to:

- Freight and rail studies;
- Corridor or interchange studies;
- Transit studies or plans and;
- Requests for technical assistance.

Requests should be submitted in writing to the Executive Director no later than December 4, 2015. All requests will be reviewed for project eligibility and budgetary impacts. Eligible projects will be included in the draft Overall Work Program that will be presented to Kern COG's Board by February 2016.

ACTION:

Information.

Kern Council of Governments

VII.
RPAC

November 4, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi,
Executive Director

By: Becky Napier
Regional Planner

SUBJECT: RPAC AGENDA ITEM: VII
TIMELINE FOR ENVIRONMENTAL AND SOCIAL EQUITY ROUNDTABLE

DESCRIPTION:

To prepare for development of the 2018 Regional Transportation Plan (RTP), Kern COG is planning to reactivate the Environmental and Social Equity Roundtable (Roundtable).

DISCUSSION:

The purpose of the Roundtable is to consult with Environmental Justice and Social Equity groups as required by the California Regional Transportation Plan Guidelines and federal and state law. The Roundtable with review the methods used by Kern COG to designate Environmental Justice areas among other things.

The first Roundtable meeting is being planned for early December 2015, and if needed a meeting will be held in the spring of 2016. Dates and times will be announced at a later date.

ACTION

Information.

Kern Council of Governments

VIII.
RPAC

November 4, 2015

TO: Regional Planning

FROM: Ahron Hakimi,
Executive Director

BY: Vincent Liu
Regional Planner

SUBJECT: RPAC AGENDA ITEM: VIII
KERN COG OFFERS GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES AND MAPPING SUPPORT AGREEMENTS TO MEMBER AGENCIES

DESCRIPTION:

Maricopa, Wasco, Shafter, the East Kern Resource Conservation District and the Kern Water Agency have on-going agreements with Kern COG to provide on call, priority GIS mapping and technical support on an as needed basis for a fixed hourly rate in addition to Kern COG normal level of technical assistance at no charge as resources are available.

DISCUSSION:

Kern COG provides technical services and support to member agencies on a variety transportation related modeling and data requests at no charge. However, the resources for these services are limited. In an effort to supplement this service the Kern COG Board has entered into agreements to provide support, primarily to our smaller members and other local government agencies.

Since year 2001, Kern Council of Governments (Kern COG) has provided for agreements with our member agencies to provide Geographic Information System (GIS) and mapping services and technical support. Under the agreements, Kern COG provides priority data and technical support for the agency for assistance with grant applications, research and analysis on an on-call, first-come-first-serve basis. Services are provided at the current average staff rate of 75$ per hour with overhead. The member agency is only billed for actual hours worked in an amount not to exceed the annual amount budgeted. Kern COG will use the agreement to program staff time to support member agency agreements. Interested member agencies can contact Rob Ball or Vincent Liu for further information.

Work Element -- 201.3 Mapping Services and Technical Support -- offers on-call services to our member agencies. The objective of the new Work Element is to provide specialized mapping services and technical support for local agencies and to provide an incubator service to assist in the efficient development and implementation of GIS technology in the region. The goal of this work element is that each agency will eventually develop the expertise in-house to maintain their GIS mapping needs.

Through this agreement the contracted member agency will be provided with an update of the GIS data and an arrangement for future maintenance and support. The GIS services to be provided will include: mapping, creation and maintenance of GIS files for zoning or general plan, resource data, cultural data, and census data. Other services to be provided include creation of an on-line Internet repository and training and technical support.

The agreement is open ended; requiring the contracted member agencies to compensate Kern COG certain amount annually for any future requested maintenance, training, or support to be billed on an hourly basis as needed in an amount not to exceed the annual budget.

Kern COG currently maintains similar mapping service agreements with the Cities of Maricopa, Delano, Shafter, and Wasco, the East Kern Resource Conservation District and the Kern Water Agency. Other member agencies are encouraged will have interest in this member agency service.

ATTACHMENT:

Sample Kern COG GIS service agreement.

ACTION: Information

PROFESSIONAL SERVICES AGREEMENT

(CITY OF _____ - KERN COUNCIL OF GOVERNMENTS)

THIS AGREEMENT is made and entered into this _____ day of _____, 20__, by and between the CITY OF_____ (hereinafter "City"), with its principal location at _____, _____, CA 93____ and the Kern Council of Governments, (hereinafter "Kern COG") whose principal place of business is at 1401 19th Street, Suite 300, Bakersfield, CA 93301;

W I T N E S S E T H :

WHEREAS:

(A) Kern COG has developed the Kern Geographic Information Network to coordinate development of Geographic Information in the region and to eliminate duplication of effort; and

(B) City desires to engage Kern COG to provide said services and Kern COG, by reason of its qualifications, experience, and facilities for doing the type of work herein contemplated, has offered to provide the required services on the terms set forth herein.

NOW, THEREFORE, IT IS AGREED between the parties hereto as follows:

1. **Services to be Rendered**. A description of the services to be provided is contained in Exhibit "A", attached hereto and incorporated herein by this reference. All services required pursuant to this Agreement shall be completed and delivered to the City no later than June 30, 20__.

2. **Compensation to Kern COG**. City shall compensate Kern COG, and Kern COG shall complete all the services required pursuant to Exhibit "A", in an aggregate amount not to exceed six-thousand three-hundred dollars ($6,300).

Beginning in Fiscal Year 2001-2002 the City shall compensate Kern COG on an hourly basis at a rate adopted by the Kern COG board in the Kern COG Policy and Procedure Manual, Appendix B, Schedule of Fees, Charges and Memberships, under the category of Planning and Information Management Fees (currently $60.00 per hour). Services and/or product provided by Kern COG shall include but are not limited to updates of various data layers including parcels, zoning, and general plan, on-going technical support, and training. The aggregate amount of services rendered shall not to exceed five-thousand four-hundred dollars ($5,400) per year, unless approved by the City Council. This amount shall include all of Kern COG's necessary and reasonable costs incurred on behalf of the City. The City shall only be billed for services requested by the City.

3. **Billing Requirements**. Following the completion of the services identified in Exhibit "A" to City's satisfaction, Kern COG shall submit a verified written invoice to the City. Additionally, Kern COG agrees to maintain records of time and attendance and other items which will result in costs to City and which are in support of services specified herein. The invoice shall be sent to the City Manager's Office for review and processing. Payment will be made to Kern COG within thirty (30) days of receipt and approval of the invoice by the City Manager.

4. **Term**. This Agreement shall remain in effect until terminated by either party as provided in Section 9 below.

5. **Representations**. Kern COG makes the following representations which are agreed to be material to and form a part of the inducement for this Agreement:

a. Kern COG has the expertise, support staff and facilities necessary to provide the services described in this Agreement; and

b. Kern COG does not have any actual or potential interests adverse to City nor does Kern COG represent a person or firm with an interest adverse to City with reference to the subject of this Agreement; and

c. Kern COG shall diligently provide all required services in a timely and professional manner in accordance with the terms and conditions stated in this Agreement.

6. **Assignment**. Kern COG shall not assign, sublet or transfer this Agreement, or any part hereof. Kern COG shall not assign any monies due or which become due to Kern COG under this Agreement without the prior express and written approval by the City.

7. **Negation of Partnership**. In the performance of all services under this Agreement, Kern COG shall be, and acknowledges that Kern COG is, in fact and law, an independent contractor and not an agent or employee of City. Kern COG has and retains the right to exercise full supervision and control of the manner and methods of providing services to City under this Agreement. Kern COG retains full supervision and control over the employment, direction, compensation and discharge of all persons assisting Kern COG in the provision of services under this Agreement. With respect to Kern COG's employees, Kern COG shall be solely responsible for payment of wages, benefits and other compensation, compliance with all occupational safety, welfare and civil rights laws, tax withholding and payment of employee taxes, whether federal, state or local, and compliance with any and all other laws regulating employment.

8. **Indemnification**. Kern COG agrees to indemnify, defend and hold harmless City and their agents, board members, elected and appointed officials and officers, employees, volunteers and authorized representatives from any and all losses, liabilities, charges, damages, claims, liens, causes of action, awards, judgments, costs, and expenses (including, but not limited to, reasonable attorneys' fees of the City Attorney, expert fees, costs of staff time, and investigation costs) of whatever kind or nature, which arise out of or are in any way connected with any act or omission of Kern COG or Kern COG's officers, agents, employees, independent contractors, sub-contractors of any tier, or authorized representatives. Without limiting the generality of the foregoing, the same shall include injury or death to any person or persons; damage to any property, regardless of where located, including the property of City; and any workers' compensation claim or suit arising from or connected with any services performed pursuant to this Agreement on behalf of Kern COG by any person or entity.

9. **Termination**. Both City and Kern COG may terminate this Agreement on ninety (90) days written notice to the other party. The ninety (90) day notice period will be deemed to begin immediately after personal delivery, or five (5) days after mailing by regular U.S. Mail, postage prepaid. In addition, either party may immediately terminate this Agreement should the other party fail to substantially perform in accordance with the terms and conditions of this Agreement through no fault of the party initiating the termination. In the event this Agreement is terminated by either Kern COG or the City, Kern COG shall submit to the City all files, memoranda, documents, correspondence and other items generated in the course of performing this Agreement, within fifteen (15) days after the effective date of any written Notice of Termination. Should either party terminate this Agreement as provided herein, City shall pay Kern COG

for all satisfactory services rendered by Kern COG prior to the effective date of termination in an amount not to exceed the maximum dollar amount indicated in Section 2 herein.

10. **Ownership of Documents**. All reports, documents and other items generated or gathered in the course of providing services to the City under this Agreement are and shall remain the property of the City, and shall be returned to City upon full completion of all services by Kern COG or termination of this Agreement, whichever first occurs. Kern COG may retain copies of all reports, documents and other items generated or gathered in the course of providing services to the City under this Agreement and may use and distribute said documents in any manner it may wish.

11. **Notices**. All notices required or provided for in this Agreement shall be provided to the parties at the following addresses, by personal delivery or deposit in the U.S. Mail, postage prepaid, registered or certified mail, addressed as specified below. Notices delivered personally shall be deemed received upon receipt; mailed or expressed notices shall be deemed received five (5) days after deposit. A party may change the address to which notice is to be given by giving notice as provided above.

To City: City of
[mailing address]

To Kern COG: Kern Council of Governments
1401 19th Street, Suite 300
Bakersfield, CA 93301

Nothing in this Agreement shall be construed to prevent or render ineffective delivery of notices required or permitted under this Agreement by leaving such notice with the receptionist or other person of like capacity employed in Kern COG's office, or the City Clerk of the City of _____.

12. **Conflict of Interest**. Kern COG has read and is aware of the provisions of Section 1090 et seq. and Section 87100 et seq. of the Government Code relating to conflict of interest of public officers and employees. Kern COG agrees that they are unaware of any financial or economic interest of any public officer or employee of the City relating to this Agreement. It is further understood and agreed that if such a financial interest does exist at the inception of this Agreement, the City may immediately terminate this Agreement by giving written notice thereof. Kern COG shall comply with the requirements of Government Code section 87100 et seq. during the term of this Agreement.

13. **Sole Agreement**. This document contains the entire agreement of the parties relating to the services, rights, obligations and covenants contained herein and assumed by the parties respectively. No inducements, representations or promises have been made, other than those recited in this Agreement. No oral promise, modification, change or inducement shall be effective or given any force or effect.

14. **Authority to Bind City**. It is understood that Kern COG, in Kern COG's performance of any and all duties under this Agreement, except as otherwise provided in this Agreement, has no authority to bind City to any agreements or undertakings.

15. **Modifications of Agreement**. This Agreement may be modified in writing only, signed by the parties in interest at the time of the modification.

16. **Nonwaiver**. No covenant or condition of this Agreement can be waived except by the written consent of City and Kern COG. Forbearance or indulgence by either party in any regard

whatsoever shall not constitute a waiver of the covenant or condition to be performed by the other party. City and Kern COG shall be entitled to invoke any remedy available to them under this Agreement or by law or in equity despite said forbearance or indulgence.

17. **Choice of Law/Venue**. The parties hereto agree that the provisions of this Agreement will be construed pursuant to the laws of the State of California. This Agreement has been entered into and is to be performed in Kern County. Accordingly, the parties agree that the venue of any action relating to this Agreement shall be in the County of Kern.

18. **Confidentiality**. Kern COG shall not, without the written consent of City, communicate confidential information, designated in writing or identified in this Agreement as such, to any third party and shall protect such information from inadvertent disclosure to any third party in the same manner that they protect their own confidential information, unless such disclosure is required in response to a validly issued subpoena or other process of law. Upon completion of this Agreement, the provisions of this paragraph shall continue to survive.

19. **Enforcement of Remedies**. No right or remedy herein conferred on or reserved to City or Kern COG is exclusive of any other right or remedy herein or by law or equity provided or permitted, but each shall be cumulative of every other right or remedy given hereunder or now or hereafter existing by law or in equity or by statute or otherwise, and may be enforced concurrently or from time to time.

20. **Severability**. Should any part, term, portion or provision of this Agreement be decided finally to be in conflict with any law of the United States or the State of California, or otherwise be unenforceable or ineffectual, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to constitute the agreement which the parties intended to enter into in the first instance.

21. **Compliance with Law**. Kern COG and City shall observe and comply with all applicable local, state and federal laws, ordinances, rules and regulations now in effect or hereafter enacted, each of which are hereby made a part hereof and incorporated herein by reference.

22. **Captions and Interpretation**. Paragraph headings in this Agreement are used solely for convenience, and shall be wholly disregarded in the construction of this Agreement. No provision of this Agreement shall be interpreted for or against a party because that party or its legal representative drafted such provision, and this Agreement shall be construed as if jointly prepared by the parties.

23. **Time of Essence**. Time is hereby expressly declared to be of the essence of this Agreement and of each and every provision hereof, and each such provision is hereby made and declared to be a material, necessary and essential part of this Agreement.

24. **Nondiscrimination**. Neither Kern COG, nor any officer, agent, employee, servant or subcontractor of Kern COG shall discriminate in the treatment or employment of any individual or groups of individuals on the grounds of race, color, religion, national origin, age, or sex, either directly, indirectly or through contractual or other arrangements.

25. **Audit, Inspection and Retention of Records**. Kern COG agrees to maintain and make available to City accurate books and records relative to all its activities under this Agreement. Kern COG shall permit City to audit, examine and make excerpts and transcripts from such records, and to conduct audits of all invoices, materials, records of personnel or other data related to all other matters covered by this Agreement. Kern COG shall maintain such data and records in an accessible location and condition for a

period of not less than three (3) years from the date of final payment under this Agreement, or until after the conclusion of any audit, whichever occurs last. The State of California and/or any federal agency having an interest in the subject of this Agreement shall have the same rights conferred upon City herein.

Kern COG shall maintain a financial management system which complies with the applicable regulations found at 24 CFR Part 85.20, "Standards for Financial Management Systems," and which is in conformance with OMB Circular A-87, "Cost Principles for State and Local Governments".

26. **Non-Collusion Covenant**. Kern COG represents and agrees that it has in no way entered into any contingent fee arrangement with any firm or person concerning the obtaining of this Agreement with City. Kern COG has received from City no incentive or special payments, nor considerations not related to the provision of services under this Agreement.

27. **Signature Authority**. Each party has full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement.

N WITNESS WHEREOF, each party to this Agreement has signed this Agreement upon the date indicated, and agrees, for itself, its employees, officers, partners and successors, to be fully bound by all terms and conditions of this Agreement.

CITY OF

Dated: _____ By _____
, City Manager

"City"

Kern Council of Governments

Dated: _____ By _____
Jennifer Wood, Chairperson
Federal Tax Id. No. 69-0933834

"Kern COG"

APPROVED AS TO FORM:

Dated: _____ By _____
, City Attorney

APPROVED AS TO FORM:
Office of County Counsel on behalf of Kern COG

Dated: _____ By _____
, Deputy

City of _____ Geographic Information Systems Maintenance Agreement
Scope of Work
Exhibit "A"

Task Description	Hours	Cost ($75/hr.)
1. Convert, correct and bring up-to-date a digital version of city's zoning, general plan, included outlying areas and integrate with neighboring county plan/zoning areas.	20	1500
2. Provide copies of available map data for the city and surrounding county including assessor parcel data, sphere of influence, recent and historic aerial imagery, and resource layers.	16	1200
3. Provide on-call mapping services and support for member agency needs	20	1500
4. Create an on-line repository for digital data	8	600
5. Training/Support	24	1800
6. Final Product delivered on CD ROM June 30, 20___ ($40 supplies)	2	150
7. Supplies		50
Sub Total	90	6800
	-	
Totals	83	$6800

Kern Council of Governments
1401 19th Streets, Suite 300 Bakersfield CA 93301 661-861-2191 Facsimile 661-324-8215 TTY 661-832-7433 www.kerncog.org

Kern Council of Governments

IX. RPAC

November 4, 2015

TO: Regional Planning Advisory Committee

FROM: Ahron Hakimi
Executive Director

By: Ed Flickinger,
Regional Planner

SUBJECT: RPAC AGENDA ITEM: IX
DRAFT REGIONAL TRANSPORTATION MONITORING SYSTEM PROGRAM UPDATE

DESCRIPTION:

Kern COG is updating the Regional Traffic Count Program to include bicycle and pedestrian counts locations.

DISCUSSION:

Background – Traffic monitoring and pavement management are mandated under Federal Title 23 Part 500 Management and Monitoring Systems. In addition to traffic monitoring, traffic volume data obtained by traffic counters is used to validate the regional transportation model and used for engineering and planning purposes by local agencies. Traffic counts are used in the annual pavement management report that provides technical data on road samples throughout Kern County. From 2006 through the Fiscal Year ending June 2015, over 9,100 daily counts, 4,600 classification counts, and 96 control station counts have been acquired and are available online on the Kern COG website.

In January 2004, A Memorandum of Understanding (MOU) between Caltrans, the County of Kern, the City of Bakersfield and Kern COG representing the outlying communities, established the Kern Regional Traffic Count program.

In 2008, with the assistance of a consultant and input from member agencies, a transportation monitoring system program was completed. The program provides more consistent and frequent traffic count, vehicle mix, and other transportation monitoring data. The regional program eliminates potential duplication of effort in counting programs between Kern COG member agencies and Caltrans. The program includes a provision for periodic review.

Regional Traffic Count Program Update – Staff is in the process of developing an update to the Regional Transportation Monitoring Improvement Program (RTMIP). The focus of the update is the addition of a regional bicycle and pedestrian traffic count program. The goal of this program is to provide consistent, comprehensive data on bicycle and pedestrian activity for analysis of the need/benefit of investment in these modes. Recent changes in federal and state law have created the need for this program and are putting a greater emphasis on measuring performance. Providing bike and pedestrian data should make our region more competitive for state resources, while ensuring that limited resources are focused on areas with the greatest need.

Phase I – Bicycle and Pedestrian Count Pilot Study - To inform the development of the new program Kern COG, in coordination with Golden Empire Transit and Kern Transit, selected bicycle and pedestrian count locations in metropolitan Bakersfield to be a part of a pilot study. The pilot study is currently in process.

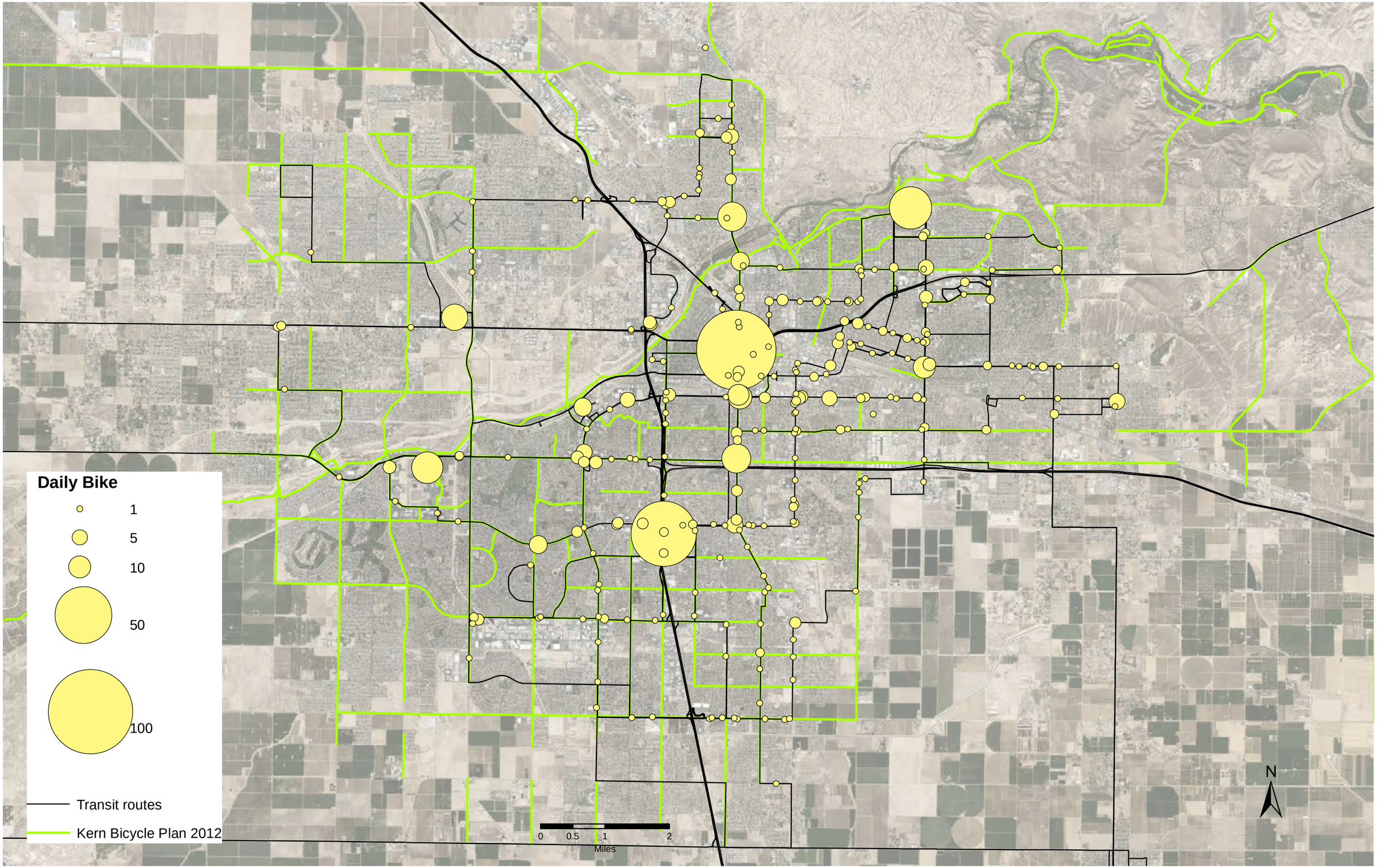
Phase II – Regional Bicycle and Pedestrian Count Program – Chapter 3 of the RTMIP will be amended to include provisions for a bicycle and pedestrian count program.

Phase III – Request for Proposals for the Regional Traffic Count Program – The program is re-bid every 5 years and subject to annual renewal. The current consultant contract with Pacific Data Services is scheduled expire on June 30, 2016.

ACTION: Information

Attachments –

GET Daily Average Bike Rack Activity - January - August 2015



Kern Council of Governments

Regional Transportation Monitoring Improvement Plan (RTMIP)

Final Report

Meyer, Mohaddes Associates

a business unit of Iteris, Inc

January 2008

Table of Contents

1.0 Introduction 1
2.0 Survey of Existing Transportation Data Collection 2
- 2.1 Methodology 2
- 2.2 Summary of Findings 2
- 2.3 Inventory Methods and Equipment 13
- 2.4 Computer Based/Electronic Data Collection 14
- 2.5 Traffic Monitoring and Performance Measures 14
- 2.6 Data Needs 15
- 2.7 Conclusions 15

3.0 Needs Assessment 16
- 3.1 Uniform Traffic Count Program 16
- 3.2 Additional Transportation Data 41
- 3.3 Addendum to Chapter 3 ..... 42 - 61

4.0 Call Box/Motorist Aid Integration Assessment 62
- 4.1 The Existing Call Box System 62
- 4.2 System Needs 64
- 4.3 Experiences of Other Jurisdictions 65
- 4.4 Recommendations 68

5.0 Technology and System Integration Options 69
- 5.1 Traffic Count Technology Options 69
- 5.2 ITS Strategies and Solutions 72
- 5.3 Existing and Future Assets 73
- 5.4 Integration of Permanent Count Locations with Call Boxes 74
- 5.5 Integration with TOCs and Traffic Signal Cameras 75
- 5.6 Opportunities to Combine Data Collection Efforts 76

6.0 Uniform Traffic Count Program Implementation Plan 79
- 6.1 Traffic Count Schedule 79
- 6.2 Traffic Count Standardization 80
- 6.3 Traffic Count Reporting Procedures 80
- 6.4 Performance Monitoring Program Recommended Applications 81
- 6.5 System Update Recommendations 82

7.0 Funding Sources 83

8.0 Implementation Matrix 86

Appendix A Survey Instrument

Appendix B Recommended Count Locations

Appendix C Statewide Call Box Guidelines

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List of Tables

Table 2.1 Data Coverage and Reporting 12
Table 2.2 Permanent Count Stations (Existing and Desired) 13
Table 2.3 Traffic Data Collection Costs and Funding Sources 14
Table 2.4 Kern COG Jurisdictions' Data Needs 15
Table 3.1 Count Location Selection Criteria..... 17
Table 3.2 Control Station Locations..... 20

List of Figures

Figure 2.1 Average Daily Link/Segment Volume Counts..... 3
Figure 2.2 Peak Hour Segment Volumes..... 4
Figure 2.3 Peak Hour Intersection Turning Movements..... 5
Figure 2.4 Vehicle Classification Data 6
Figure 2.5 Speed Surveys/Travel Time Data 7
Figure 2.6 Vehicle Delay..... 8
Figure 2.7 Queue Length..... 9
Figure 2.8 Accident Data 10
Figure 2.9 Pavement Conditions..... 11
Figure 3.1 Proposed Delano Count Locations 21
Figure 3.2 Proposed Lake Isabella Count Locations 22
Figure 3.3 Proposed McFarland Count Locations 23
Figure 3.4 Proposed Ridgecrest Count Locations..... 24
Figure 3.5 Proposed Wasco Count Locations..... 25
Figure 3.6 Proposed Shafter Count Locations (West)..... 26
Figure 3.7 Proposed Shafter Count Locations (East)..... 27
Figure 3.8 Proposed Bakersfield Count Locations (NW) 28
Figure 3.9 Proposed Bakersfield Count Locations (NE)..... 29
Figure 3.10 Proposed Bakersfield Count Locations (SW)..... 30
Figure 3.11 Proposed Bakersfield Count Locations (SE) 31
Figure 3.12 Proposed Taft and Maricopa Count Locations..... 32
Figure 3.13 Proposed Mettler Count Locations 33
Figure 3.14 Proposed Arvin Count Locations..... 34
Figure 3.15 Proposed Tehachapi Count Locations 35

Figure 3.16 Proposed California City Count Locations 36
Figure 3.17 Proposed Rosamond Count Locations 37
Figure 3.18 Proposed Kern County Count Locations (36 x 72)..... CD
Figure 3.19 Proposed Bakersfield Count Locations (36 x 60)..... CD
Figure 3.20 Proposed Master Station Locations..... 40
Figure 4.1 Call Box Locations..... 63
Figure 4.2 Operational Status of San Diego County Smart Call Box Sites 66

1.0 Introduction

This report presents the findings and recommendations of an effort undertaken by the Kern Council of Governments (Kern COG) and its member agencies to develop a Regional Transportation Monitoring Improvement Plan (RTMIP). The purpose of the RTMIP is to increase consistency, cooperation, and efficiency across transportation data collection and distribution efforts within Kern County. To that end, the RTMIP described here consists of a unified system of traffic data collection and a methodology to maintain and utilize that system for transportation planning purposes. Included as part of the RTMIP is an electronic database of transportation data that will be maintained by Kern COG and made available to its member agencies, as well as a web-based interface for viewing the data.

The first step in developing the RTMIP was to understand the existing transportation data collection activities taking place in the County. Therefore, the process began with the distribution of a survey to Kern COG's member agencies, in addition to other transportation agencies serving Kern County. The survey instrument asked about current transportation data collection efforts by the agencies, as well as perceived needs for improved or additional data collection and management. The survey results are summarized in the first section of this report.

The results of the survey were used to formulate a Needs Assessment for data collection within the County. This Needs Assessment evaluated the availability of various types of transportation data, the uses to which different types of data are put, and the merits of making such data more widely available. The results of the Needs Assessment were recommendations concerning priorities for incorporating various types of transportation data into the RTMIP. The Needs Assessment also included the creation of a set of criteria for establishing locations to be included in an ongoing traffic volume data collection effort, as well as the application of those criteria to identify 1,043 count locations throughout the County. The Needs Assessment is presented in the second section of this report.

Also included in the development of the RTMIP was an assessment of the feasibility and desirability of integrating traffic data collection with the County's Motorist Aid Call Boxes using "smart call boxes." This assessment evaluated the status of the Kern County motorist aid call box system, including existing and potential future capabilities. The assessment was based on a review of existing system capabilities, historical usage patterns, and discussions with Kern Motorist Aid Authority (KMAA) staff. The assessment also included a review of the experiences of other jurisdictions with smart call boxes. The assessment of smart call boxes is presented in the third section of this report.

After review and discussion by Kern COG and the jurisdictions within the County of the Needs Assessment and the call box integration analysis, a draft Action Plan was developed to address the identified priorities related to transportation data collection and distribution. The draft Action Plan was again reviewed, including a revisiting of the traffic data collection program. The resulting Action Plan is presented in the final section of this report.

2.0 Survey of Existing Transportation Data Collection

One of the main goals of the RTMIP is to coordinate, centralize and effectively manage traffic data across Kern County. A vast body of traffic data has been collected since the 1970s, and it has been stored in various formats and media in diverse databases at Kern COG and/or its member jurisdictions. An inventory of traffic count/survey methods and reporting formats currently utilized in Kern County was necessary to assess the County's data collection needs. The inventory was conducted through a written questionnaire sent to each of the Kern COG jurisdictions.

2.1 Methodology

A total of 13 written questionnaires was distributed: one to each of the appropriate staff of all local jurisdictions, as identified by Kern GOG staff; one to the Kern County Department of Roads; and one to Caltrans District 6. The questionnaire consisted of twenty questions intended to elicit information regarding each jurisdiction's traffic count methods and reporting capabilities. A sample of the questionnaire can be found in **Appendix A**. A total of eight questionnaires were completed and returned (response rate of 62.8%).

The following jurisdictions returned completed questionnaires:

- City Of Bakersfield
- City Of California City
- City Of Ridgecrest
- City Of Shafter
- City Of Taft
- City Of Tehachapi
- City Of Wasco
- Kern County

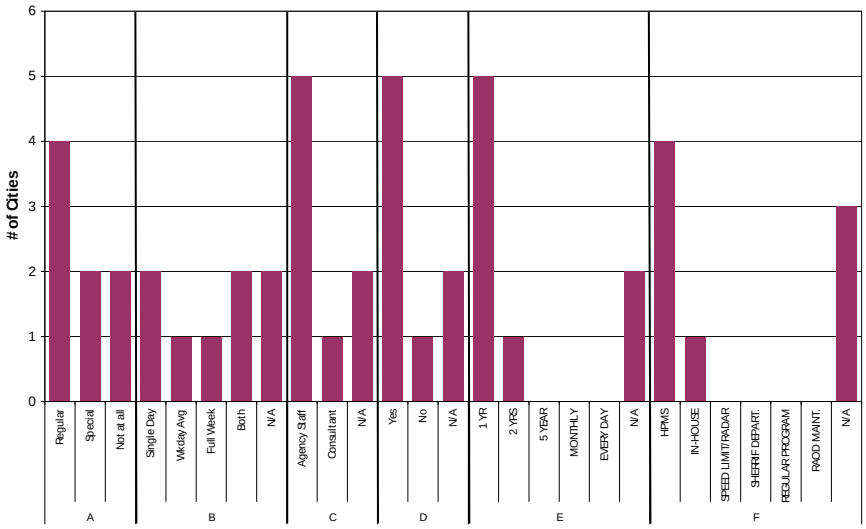
2.2 Summary of Findings

2.2.1 Types of Data Collected

The first section of the questionnaire dealt with the types of traffic data currently being collected by each jurisdiction. The purpose of this section was to determine what types of data are available within the County, the regularity with which it is collected, and whether it is available in an electronic format.

Figure 2.1 presents a tabulation of the survey responses concerning **Average Daily Link/Segment Volume Counts**. These data are the most common type of traffic volume data collected on a regular basis by the jurisdictions. Key points related to daily link/segment volume counts are as follows:

Figure 2.1: Average Daily Link/Segment Volume Counts



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

Regularity of Collection. Half of the jurisdictions perform these counts on a regular basis; two of them do not perform them at all (Ridgecrest and Wasco), and another two perform them only for special studies.

Duration. Tehachapi and California City do week-based counts; Bakersfield and Shafter do single-day counts; Taft and Kern County do both week-based and single-day counts.

Staff Employed. The counts are done by in-house staff in five out of the six jurisdictions that do these counts.

Electronic Availability. Tehachapi is the only jurisdiction that does not have its counts in electronic format.

Count Cycle. All jurisdictions except for Taft do these counts annually. Taft does them every two years.

External Reporting Capability. Four out of the six jurisdictions that collect this data have it in HPMS format.

Figure 2.2 presents a tabulation of the survey responses concerning **Peak Hour Segment Volume Counts.** These data are collected by the greatest number of jurisdictions, but they are not collected as regularly as daily volume counts. Key points related to peak hour segment volume counts are as follows:

Regularity of Collection. All but one (Wasco) of the jurisdictions perform these counts, but only two jurisdictions perform them on a regular basis (Shafter and Taft).

Duration. Three jurisdictions conduct single-day counts; California City conducts full-week counts. Taft is the only jurisdiction that conducts both types of counts.

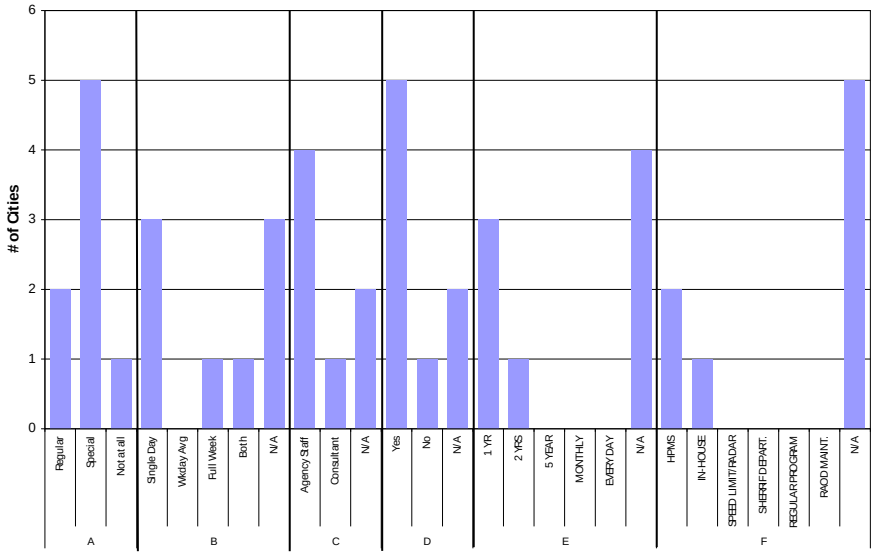
Staff Employed. Half of the jurisdictions have in-house staff conduct the counts.

Electronic Availability. Kern County is the only jurisdiction that does not have these counts in electronic format.

Count Cycle. Three jurisdictions perform these counts annually, and one does so every two years.

External Reporting Capability. Ridgecrest and Shafter have these counts in HPMS format.

Figure 2.2: Peak Hour Segment Volumes



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

Figure 2.3 presents a tabulation of the survey responses concerning **Peak Hour Intersection Turning Movements Counts**. None of the jurisdictions collect this type of data on a regular basis, and only three jurisdictions report collecting intersection turning movement counts at all. Key points related to peak hour turning movement counts are as follows:

Regularity of Collection. Only Kern County, Bakersfield, and California City conduct these counts and they all do them for special studies only.

Duration. Bakersfield performs these counts for a single day; California City gathers full-week counts.

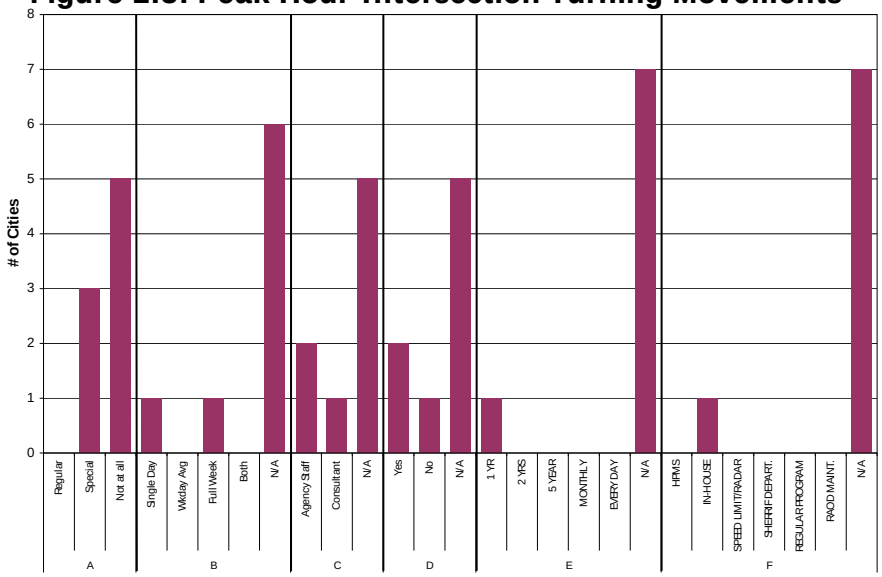
Staff Employed. Kern County uses consultants to do these counts; the other jurisdictions use in-house staff.

Electronic Availability. Kern County does not have these counts in electronic format. The other two do have them in electronic format.

Count Cycle. Only California City reported doing these counts once a year.

External Reporting Capability. None of the jurisdictions has the counts in an external reporting format.

Figure 2.3: Peak Hour Intersection Turning Movements



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

Figure 2.4 presents a tabulation of the survey responses concerning **Vehicle Class Data.** Only one jurisdiction collects this type of data on a regular basis. Key points related to vehicle class counts are as follows:

Regularity of Collection. Only Taft performs these counts on a regular basis. Half of the jurisdictions do them for special studies only.

Duration. Most jurisdictions did not report the duration of their vehicle class counts.

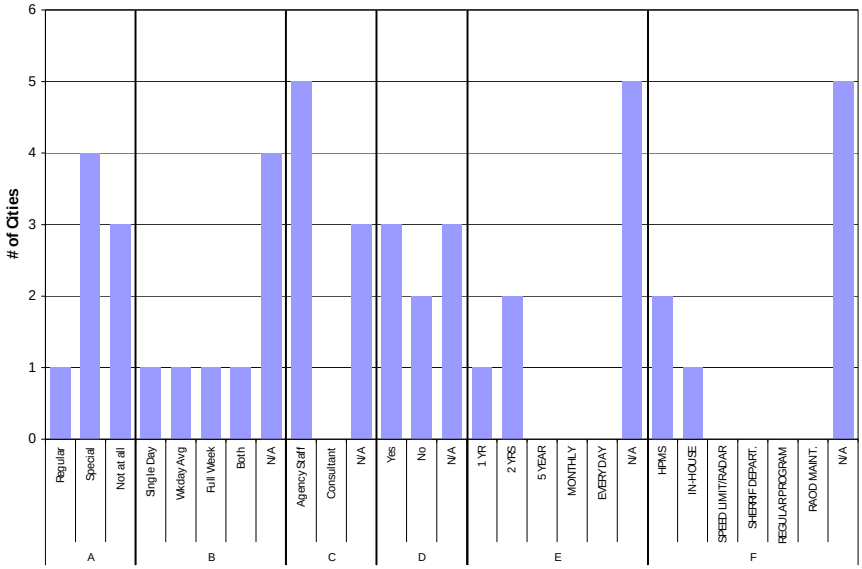
Staff Employed. All the jurisdictions that reported the type of staff use to conduct these counts indicated that they used in-house staff.

Electronic Availability. Three of the five jurisdictions that conduct these counts have them in electronic format.

Count Cycle. Tehachapi conducts these counts every year; California City and Taft conduct them every two years.

External Reporting Capability. Only Ridgecrest and Tehachapi have these counts in HPMS format.

Figure 2.4: Vehicle Classification Data



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

Figure 2.5 presents a tabulation of the survey responses concerning **Speed Survey/Travel Time Data.** The survey found that these data are generally collected only for special studies. Key points related to speed survey data are as follows:

Regularity of Collection. Half of the jurisdictions conduct these surveys only for special studies. Only two of the jurisdictions conduct the surveys on a regular basis.

Duration. Three jurisdictions conduct these surveys for a single day; California City conducts them for a full-week. Taft is the only jurisdiction that conducts both types of surveys.

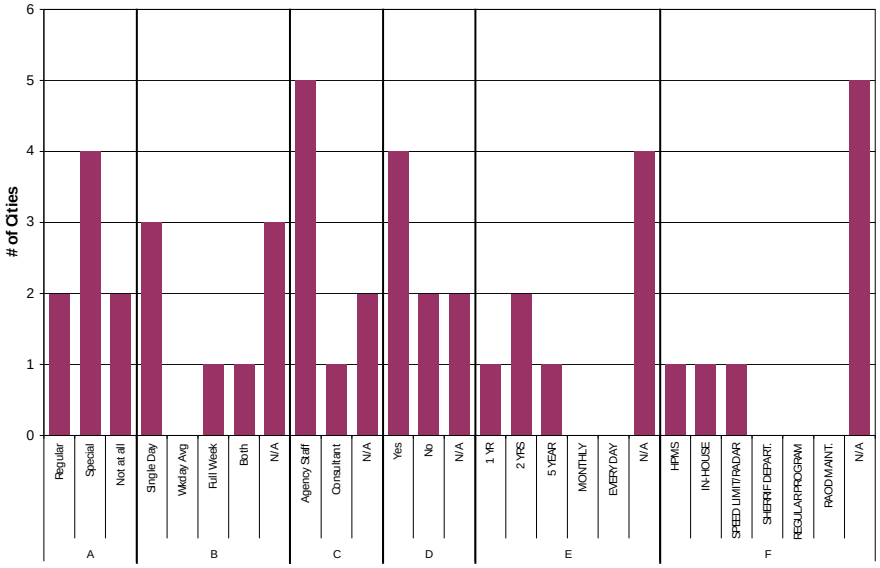
Staff Employed. Only Shafter uses consultants to conduct these surveys. The rest of the jurisdictions use their own staff.

Electronic Availability. Half of the jurisdictions have the survey results in electronic format.

Count Cycle. Ridgecrest conducts these surveys every year, California City and Taft every two years, and Bakersfield every five years.

External Reporting Capability. Only Ridgecrest keeps the information in HPMS format.

Figure 2.5: Speed Surveys/Travel Time Data



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

None of the jurisdictions reported collecting data concerning **Vehicle Occupancy**.

Figure 2.6 presents a tabulation of the survey responses concerning **Vehicle Delay.** The survey found that these data are collected only for special studies. Key points related to vehicle delay data are as follows:

Regularity of Collection. Half of the jurisdictions have this type of data, but it is collected only for special studies.

Duration. California City has full-week data; the others have single-day data.

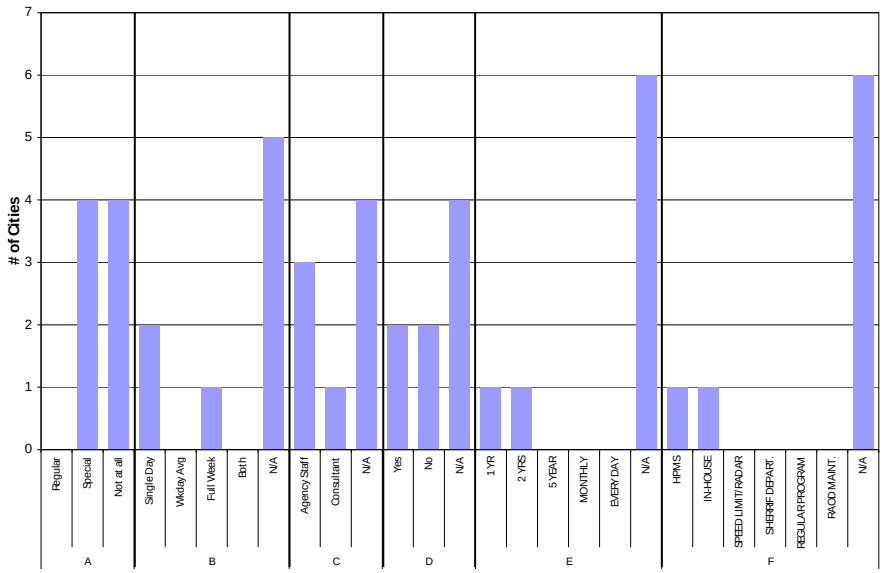
Staff Employed. Only Kern County uses consultants to collect this type of data, the other three jurisdictions that have these data use their own staff to collect it.

Electronic Availability. Only Bakersfield and California City have this type of data in electronic format.

Count Cycle. California City collects this type of data every two years and Ridgecrest does so every year.

External Reporting Capability. Only Ridgecrest has the data in HPMS format.

Figure 2.6: Vehicle Delay



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

Figure 2.7 presents a tabulation of the survey responses concerning **Queue Length**. The survey found that most jurisdictions do not collect this type of data, and those that do collect it only for special studies. Key points related to queue length data are as follows:

Regularity of Collection. Only Ridgecrest and California City have this type of data, and it is collected only for special studies.

Duration. Ridgecrest has this type of data in single-day format, and California City has it in full-week format.

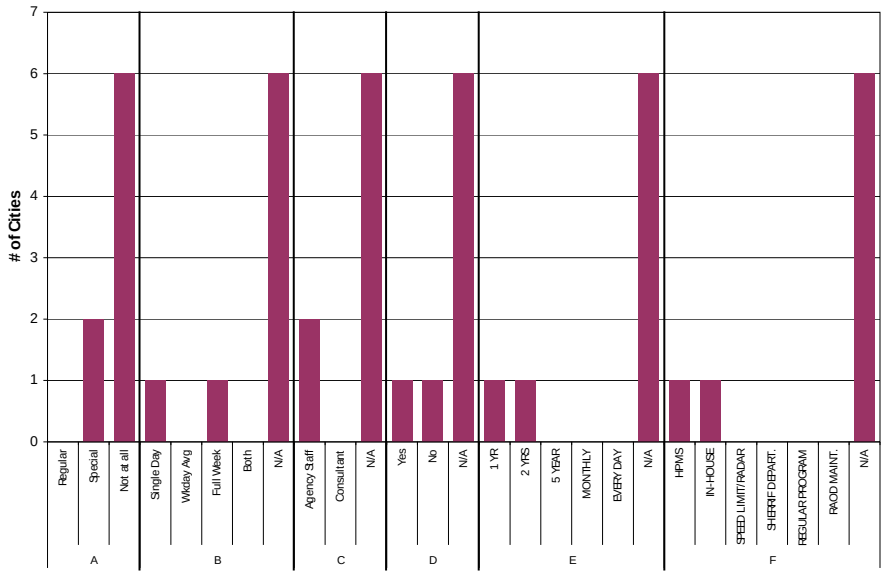
Staff Employed. The type of data is collected by in-house staff in all cases.

Electronic Availability. Only California City has this type of data in electronic format.

Count Cycle. California City collects this type of data every two years; Ridgecrest does so every year.

External Reporting Capability. Only Ridgecrest has the data available in HPMS format.

Figure 2.7: Queue Length



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

Figure 2.8 presents a tabulation of the survey responses concerning **Accident Data**. The survey found that most jurisdictions collect this type of data regularly. Key points related to accident data are as follows:

Regularity of Collection. Six of the eight jurisdictions collect accident data on a regular basis.

Duration. Two of the jurisdictions reported having this type of data in full-week format. Most jurisdictions did not indicate a reporting period.

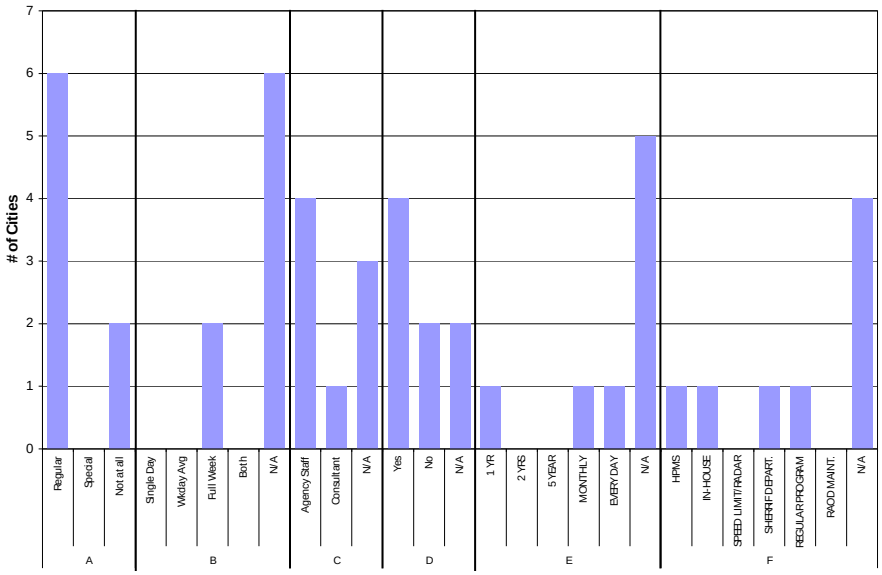
Staff Employed. Only Tehachapi uses consultants to collect this type of data. The rest of the jurisdictions use in-house staff.

Electronic Availability. Only Ridgecrest and Shafter do not have this type of data in electronic format; the rest of the jurisdictions do.

Count Cycle. Bakersfield collects this data daily; Tehachapi collects it monthly; and California City annually.

External Reporting Capability. Only Ridgecrest has this data available in HPMS format.

Figure 2.8: Accident Data



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

Figure 2.9 presents a tabulation of the survey responses concerning **Pavement Conditions**. The survey found that most jurisdictions collect this type of data regularly. Key points related to pavement condition data are as follows:

Regularity of Collection. Five of the eight jurisdictions collect this type of data on a regular basis. Ridgecrest and Taft collect it only for special studies.

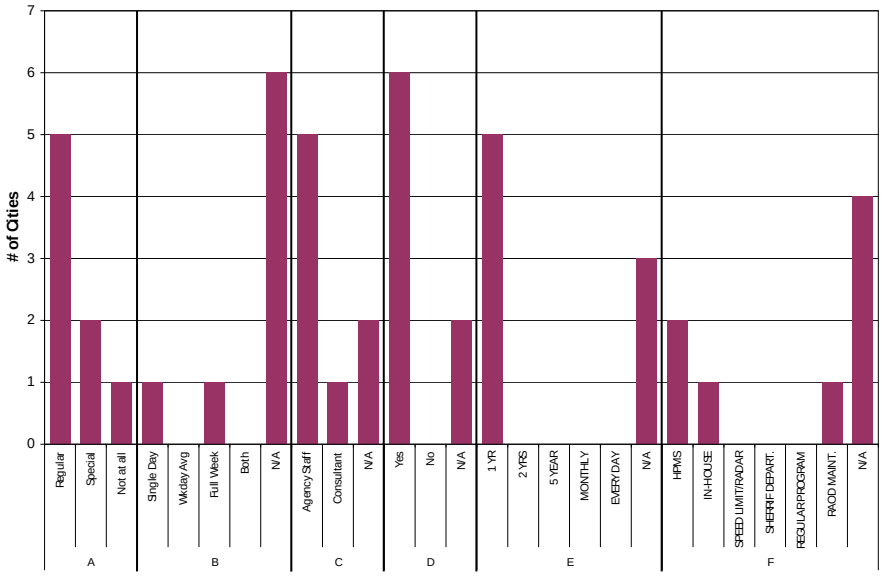
Staff Employed. Only Wasco uses consultants to collect this type of data. The rest of the jurisdictions use in-house staff.

Electronic Availability. All jurisdictions that have this type of data have it in electronic format.

Count Cycle. All jurisdictions that have this type of data collect it on an annual basis.

External Reporting Capability. Only Ridgecrest keeps this type of data in HPMS format. The rest maintain it in various other formats.

Figure 2.9: Pavement Conditions



Question Key
(A) Is the data collection done on a regular basis, for special studies, or no collected at all?
(B) Are the counts, single day, average of 5-day, weekdays or full 7-day weekdays, or both?
(C) Are the data collected by agency staff, or consultants?
(D) Are the data maintained in electronic format?
(E) On average, what is the cycle time between counts?
(F) Is the data collected to satisfy external reporting needs, which one?

2.2.2 Data Coverage and Reporting

On average, the Kern COG jurisdictions cover about 33% of their arterials with Daily Traffic Counts that are 3 years old or less. Bakersfield and Kern County have the highest coverage both with 90%. Tehachapi covers only 2%. **Table 1** summarizes the data coverage for each jurisdiction.

Table 2.1
Data Coverage and Reporting

Jurisdiction	% of Arterials covered with Counts 3 years old or less		
	ADT Counts	Peak Hour Volume Counts	Class Counts
City Of Bakersfield	90%	90%	1%
City Of California City	50%	25%	25%
City Of Ridgecrest	10%	10%	0%
City Of Shafter	20%	20%	0%
City Of Taft	0%	0%	0%
City Of Tehachapi	2%	2%	0%
City Of Wasco	0%	0%	0%
Kern County Roads Dept.	90%	5%	2%

On average, the Kern COG jurisdictions cover about 19% of their arterials with Peak Hour Counts that are 3 years old or less. Bakersfield has the highest coverage with 90%. California City has the highest coverage of Class Counts, with 25% of its arterials covered. Only two other jurisdictions have class counts, and their coverage is minimal.

Identification of Count Locations

Six of the jurisdictions identify the location of their collected traffic volume information with the main street name and nearest cross street name. Bakersfield uses a unique Link ID number. California City uses the distance from the nearest intersection.

Publication of Data

Only Bakersfield and Kern County publish a periodic traffic volume map. Bakersfield has its volumes available in GIS format; Kern County publishes its data in table format only.

Availability of Data

Six of the eight jurisdictions make collected data available to the public (only Shafter and Wasco do not have it publicly available). All but one (Wasco) of the jurisdictions has the data available for other jurisdictions upon their request. Only Bakersfield and Kern County have counts available on the Internet. Both Bakersfield and California City have their counts available by e-mail. Five of the eight jurisdictions have the counts available in person at their premises.

2.3 Inventory Methods and Equipment

Count Stations

Only Ridgecrest and Bakersfield have established permanent count stations. Bakersfield indicated the specific locations of their existing permanent stations. Three other jurisdictions indicated the location of their desired permanent count stations. **Table 2.2** describes each of the jurisdiction's existing or desired count station locations.

Table 2.2
Permanent Count Stations (Existing and Desired)

Jurisdiction	Status	Roadway Segment
Bakersfield	Existing	Gosford n/o Westwood Dr. H St. n/o Wilson Rd. H St. n/o 14th St. California Ave. e/o King St. Columbus St. sw/o Auburn St. Calloway n/o Meacham
Shafter	Desired	Lerdo Hwy Santa Fe Wy. Seventh Standard Rd. Shafter Ave. Zerker Rd. Poplar Ave. Beech Ave. Los Angeles Ave.
Taft	Desired	10th St. n/o Kern St. 10th St. s/o Kern St. Main St. 4th St. s/o of Kern St. Gardenfield Rd. e/o 119 Airport Rd. near E. Woodrow Center St. e/o 6th St. Cadet Rd. e/o Petroleum Club Rd. Church St. n/o Pilgrim Ave. Hillard St. s/o Kern St.
California City	Desired	3 miles w/o Baron Blvd. on California City Blvd.. California City Blvd. s/o the city boundary Neuralia Rd. at Neuralia Rd. and Lindbergh

Seasonal Variation Control Counts

Only Bakersfield and Kern County perform control counts to adjust for seasonal variations in traffic volumes. California City and Tehachapi do counts to measure long-weekend travel.

Traffic Counting Equipment Availability

Half the jurisdictions have traffic counting equipment. Bakersfield has Jamar pneumatic tube equipment. California City uses Jamar Trax 1 Counters. Shafter uses Numetrics Model Series 90. Kern County uses Jamar/Timemark.

Data Collection Costs

The average annual cost to the jurisdictions to collect traffic data is $30,000. Most jurisdictions use their general fund to collect routine traffic data. **Table 2.3** summarizes the cost to each jurisdiction.

Table 2.3
Traffic Data Collection Costs and Funding Sources

Jurisdiction	Average Annual Cost	Source of Funding for Routine Data Collection	Source of Funding for Special Data Collection
City Of Bakersfield	$25,000	General Fund	General Fund
City Of California City	$60,000	State Funds	State Funds
City Of Ridgecrest	$10,000	General Fund	Private Sector
City Of Shafter	$5,000	General Fund	Development Fees
City Of Taft	$500	Street Dept. Budget	N/A
City Of Tehachapi	$4,000	General Fund	General Fund
City Of Wasco	N/A	N/A	N/A
Kern County Roads Dept.	$100,000	Road Fund	Road Fund

2.4 Computer Based/Electronic Data Collection

Signal System

Only Bakersfield and Kern County have a computer-controlled signal system (BITRANS). Neither jurisdiction can capture and store traffic volume data from their systems, but they both have plans to develop the capability do so in the future.

Traffic Management

Only Bakersfield has a traffic management center, and only Tehachapi has a Variable Message Sign system (two movable pieces of equipment).

No other technologies are being used to assist in traffic data collection in the County.

2.5 Traffic Monitoring and Performance Measures

Performance Measure Utilization

California City, Shafter, and Taft utilize performance measures to monitor traffic conditions or trends on a regular basis. All three jurisdictions use Peak Hour V/C ratios, Daily V/C ratios, and Average Speed. California City also uses Level of Service.

Radar Speed Surveys
Bakersfield, Shafter and Kern County perform periodic radar speed surveys for setting speed limits.

Accident Record Reporting
Five of the eight jurisdictions have their local police accident records periodically reported to the State. Shafter reports them every week, and Ridgecrest does so annually.

2.6 Data Needs

Six of the jurisdictions described what their most pressing data needs were. **Table 2.4** contains each of the jurisdictions' responses.

Table 2.4
Kern COG Jurisdictions' Traffic Data Needs

Jurisdiction	Jurisdictions most pressing Data needs
City Of Bakersfield	Volume data
City Of California City	Main road, volume, speed counts
City Of Ridgecrest	N/A
City Of Shafter	Pavement conditions, number of lanes, AADT, road classification
City Of Taft	N/A
City Of Tehachapi	Circulation
City Of Wasco	N/A
Kern County Roads	Integrate our counts into the Kern County model more easily

2.7 Conclusions

Jurisdictions in Kern County have varying degrees of traffic data collection capabilities. Therefore, the amount, quantity and quality of traffic data they posses and can produce vary significantly. Also, there are no county-wide traffic data collection standards that they can follow. For the purpose of the RTMIP, traffic data should be available in electronic formats. Only 35-40% of the data is currently available in electronic format. Standardization and digitalization of traffic data are the two most pressing needs in the County.

3.0 Needs Assessment

The results of the surveys of current data collection practices provided a perspective on what level of data collection activities were currently being conducted by the County's local jurisdictions and to what extent this process could be used for a potential countywide traffic monitoring system. The lack of county-wide traffic data collection standards for the jurisdictions to follow was one of the most striking results of the survey. Based on the results of the survey and discussions with agency staff, it became clear that the most immediate data collection need in the County was for a thorough and consistent program to gather and distribute traffic volume data, including vehicle classification data, for a geographically dispersed set of locations throughout the County.

Kern COG and its member agencies emphasized that consistency with and incorporation of historical count locations was important for the count program to be developed. As a result, a traffic count program consisting of 14 control stations and 598 total count locations, was outlined in the Draft Needs Assessment report of February 2007. Based on further discussions with Kern COG and the local jurisdictions, the count program was refined to a system with 22 control stations and 1,043 total count locations. As the basis of this program, a GIS database was created that included approximately 1,600 historical traffic counts collected by Kern County, the City of Bakersfield, and other agencies.

This section describes the development of the Uniform Traffic Count program to meet the needs identified within the County. A later section, the Action Plan, describes in detail the implementation of the program.

3.1 Uniform Traffic Count Program

3.1.1 Need for the Program

Currently, traffic counts are conducted by or on behalf of each of the jurisdictions with the County. Coverage varies widely throughout the County and depends on the resources of each jurisdiction. Many counts are conducted on a one-time basis for special studies, so it is difficult to discern historical patterns. In addition, the data have been collected by different agencies and/or consultants, and are generally not available in a digital format. Kern COG has recently compiled an electronic "count book" of approximately 1,600 count locations throughout the County. For each count location, the count book includes only bidirectional total daily traffic volume. Peak hour, vehicle classification, or other types of data are not available electronically.

A uniform count program will accomplish the following goals:

- Improve coverage throughout the County
- Conserve resources by eliminating redundant count locations
- Facilitate analysis of historical trends

- Provide data on goods movement
- Allow for regional extrapolation through the establishment of control stations
- Create an understanding of seasonal variation

3.1.2 Scope of the Program

Kern County and the local jurisdictions within the County are responsible for collecting traffic data on roadways within their jurisdiction. Caltrans is responsible for collecting traffic data on State highways, and does so on a schedule and under procedures set at the State level. Traffic counts on State highways conducted by the County or a city would require encroachment permits from Caltrans. Therefore, based on discussions with Kern COG staff, it was determined that this Count program should be limited to roadways under local jurisdiction. Nonetheless, it is recommended that efforts be made to make Caltrans traffic count data available in conjunction with data collected under this program.

3.1.3 Development of Count Location Selection Criteria

A set of criteria for proposed, count locations as part of a uniform, on-going count program to accomplish the goals listed above was established. The criteria are summarized in **Table 3.1**. The criteria are intended to achieve coverage throughout the County, satisfy Federal reporting requirements, assist in travel demand model development and refinement, and provide data to assist local agencies, while avoiding redundancy.

Table 3.1. Count Location Selection Criteria

	Criteria	Data Source	Discussion/Example	# Added
1	HPMS Sample Segments	Caltrans	Federal requirement	249
2	Model Screenlines	Kern COG		91
3	County Entry Points	County Limits	"Cordon"	52
4	Community Entry Points	City/Built Area/ SOI Limits	"Cordon"; entry points includes freeway ramps	130
5	Regional Significance	GIS-Roadway Network		12
6	Local Significance	GIS-Roadway Network Needs Assessment Survey	Includes high growth areas	39
7	Goods Movements	GIS-Industrial Uses		25

Descriptions of the criteria and the role each plays in the proposed count program are as follows:

HPMS Sample Segments. Traffic volume data on these segments are required as part of the Federal Highway Performance Monitoring System. Counts at these locations are used by Federal agencies to estimate systemwide travel characteristics, such as total vehicle miles traveled.

Model Screenlines. Traffic volume data from these locations are used in the calibration of the Kern COG regional travel demand model. The model is used to forecast future traffic volumes throughout the County. The screenlines are a set of hypothetical lines drawn across the roadway network; the total volume of traffic crossing these lines in the model is compared to the actual volume data.

County Entry Points. County entry point locations occur wherever roadways enter the County from neighboring Counties. Traffic volume data from these locations are useful in assessing growth in traffic volumes generated outside of the Kern COG region, as well as in determining the general source of the growth. They can also be useful in calibrating the travel demand model with regard to external generators.

Community Entry Points. Community entry point locations are intended to create a rough "cordon" around each of the major communities within the County. Because of the greater interconnectedness within the County, it is not feasible to identify every roadway that a vehicle might use to enter a community. The intent of the community entry point locations is to capture the significant entry points. Because of the rapid geographic growth of many of the communities, the "entry points" have often been set at a considerable distance from the existing developed area, so that the points will continue to represent the geographical extents of the community into the future.

Regional Significance. Roadway segments of regional significance were identified as segments that connect two or more areas within the County, but that do not constitute an entry point to a particular community. In practice, this category is limited because most regionally significant roadways also create entry points to one or more communities.

Local Significance. Roadway segments of local significance represent locations that are important to the circulation within one community, but that generally do not play a large role in regional circulation. Together with community entry points, these locations collectively provide coverage of an individual community. Locations of local significance also include areas currently experience a high rate of growth.

Goods Movement. Roadway segments significant for goods movement provide access to industrial and warehousing hubs within the County. Traffic volume data at these locations are useful because they represent activity within an important and growing section of the County's economy.

An additional criterion of **Mountain Locations** was initially developed to represent both entry points to the mountain areas of the County, similar to community entry points, as well as destinations within the mountains. Traffic volume data at these locations are useful because they represent tourist and recreational activity. However, in the processing of implementing the criteria, it was determined that all of the identified mountain locations were included within the other criteria. Therefore, this criterion is not included in the final list of selection criteria.

3.1.4 Identification of Count Locations

Before identifying proposed count locations, the approximately 1,600 count locations in the Kern COG count book were geocoded and incorporated into a GIS database. The geocoding of the "historical" count locations allows them to be used to the greatest extent possible in the proposed count program. Using historical count locations as the basis for the count program will provide the greatest degree of continuity and facilitate analysis of trends over the longest time periods possible.

The criteria listed in Table 3.1 were applied in a sequential process, with all locations satisfying each criterion being identified before moving onto the next criterion. For example, all HPMS sample segments were identified in the first step. After HMPS count locations were identified, model screenline count locations were identified. If an HPMS sample segment was also a model screenline, the previously identified count location for the HPMS segment was also used for the model screenline. It should be emphasized that due to the "additive" nature of the analysis, at each step a substantial portion of the proposed locations that met each criterion was already selected through the previous criteria.

The application of the criteria resulted in a total of 598 proposed count locations. The final column of Table 3.1 shows the number of count locations added to the initial recommendations by the application of each criterion.

The recommended count locations were distributed to Kern COG and the local jurisdictions. Based on feedback from these agencies, additional count locations of particular concern to the jurisdictions were added to the recommended count locations, and some potentially duplicative locations were consolidated. The resulting recommend count program included a total of 1,043 count locations.

3.1.5 Vehicle Classification Count Locations

Vehicle classification counts provided additional data beyond total vehicle counts. These data are useful for identifying locations where traffic operations and/or pavement conditions may be affected by high levels of truck traffic. They are also useful for planning purposes as a measure of changes in industrial and warehousing activity. However, vehicle classification counts are more expensive to conduct than simple vehicle counts, so in the interest of economy, their application should be limited to locations at which the data they provide will be most useful.

The proposed count locations were reviewed to determine appropriate locations for vehicle classification counts. All locations satisfying criteria 1, 2, and 8 (HPMS, model screenline, and goods movement) were designated as locations for conducting vehicle classification counts. Additional locations for classification counts were selected from the remaining count locations to ensure coverage throughout all regions of the County.

Figures 3.1 to 3.17 show the locations of the proposed count locations in the vicinity of each of the major communities within the County. These figures indicate which locations are proposed for vehicle classification counts, as well as whether each location is a historical count location. In addition, **Figure 3.18** on the enclosed CD shows the same information for the entire County, and **Figure 3.19** on the CD shows an enlargement of the Bakersfield area. **Appendix B** includes detailed information on each proposed count location in a tabular format.

3.1.6 Control Station Locations

Control station locations are locations whose traffic volume characteristics are taken to be indicative of a larger region within the County. Data will be collected on a more frequent basis at these locations in order to understand day-of-week, seasonal, or holiday traffic patterns. Factors expressing these variation patterns will be derived from the counts at these locations and applied to typical weekday counts at other locations in order to derive traffic volumes at times other than the typical weekday. The draft Needs Assessment included 14 proposed control station locations. Based on discussion with agency staff, these proposed control station locations have been replaced with the existing 6 control stations within the City of Bakersfield and 16 existing control stations elsewhere in the County. **Figure 3.20** shows the locations of these control station locations. Descriptions of the locations are provided in **Table 3.2**.

Table 3.2. Control Station Locations

	Roadway		Cross Street	Community
1	Gosford Road	North of	Westwold Drive	Bakersfield
2	H Street	North of	Wilson Road	Bakersfield
3	H Street	North of	14th Street	Bakersfield
4	California Avenue	East of	King Street	Bakersfield
5	Columbus Street	South of	Auburn Street	Bakersfield
6	Calloway Drive	North of	Meacham	Bakersfield
7	Granite Road	South of	Woody Road	Kern County
8	Lerdo Highway	East of	Lost Hills Road	Kern County
9	Cecil Avenue	West of	Famoso Porterville Highway	Kern County
10	Elizabeth Norris Road	West of	Lake Isabella Blvd.	Kern County
11	Santa Fe Way	South of	S.R. 43	Kern County
12	Panama Road	East of	Fairfax Road	Kern County
13	Frazier Mtn. Park Road	East of	Monteray Trail	Kern County
14	Old River Road.	South of	S.R. 119	Kern County
15	Rosamond Blvd.	West of	Eagle Way	Kern County
16	Highline Road	West of	Tehachapi Willow Springs Road	Kern County
17	Midway Road	East of	S.R. 43	Kern County
18	South Union Avenue	South of	Ming Avenue	Kern County
19	North Chester Avenue	South of	Roberts Lane	Kern County
20	Mt. Vernon Avenue	South of	College Avenue	Kern County
21	Airport Drive	North of	Roberts Lane	Kern County
22	Olive Drive	West of	Fruitvale Avenue	Kern County

Insert Figures 3.1 to 3.17

[Figure 3.18 on CD]

[Figure 3.19 on CD]

Insert Figure 3.20

3.2 Additional Transportation Data

In addition to traffic volume data, the jurisdictions in Kern County collect a variety of other transportation data. The needs assessment survey also asked about these data collection efforts in order to develop an understanding of what programs may be useful to the Kern COG jurisdictions. The following sections summarize the findings and conclusions regarding these additional types of data.

3.2.1 Speed Survey Data

Most of the jurisdictions in the County collect speed data, and most use their own staff to do so. Follow-up discussions revealed that speed data are generally collected for the purposes of establishing speed limits under State law. Since the legislative body of each jurisdiction must make findings to establish speed limits, it is appropriate that the responsibility for collecting the relevant data remain at the local level. Therefore, it is not recommended that speed survey data be incorporated into the RTMIP.

3.2.2 Pavement Conditions

Most of the jurisdictions in the County collect pavement condition data. However, the data are stored in a variety of formats and are not generally readily available for inclusion in the HPMS reporting system. One jurisdiction (Shafter) stated that pavement condition data was one of their most pressing needs. With the ongoing urbanization of the County, traffic volumes are increasing on what were formerly rural roads. In addition, the growth of the warehousing industry in the County will likely result in a continued increase in heavy truck traffic throughout the region. Therefore, pavement condition data will become increasingly important for jurisdictions as they plan their capital improvement budgets.

In addition, reliable, quantitative pavement condition data are best collected by means of specialized equipment. This equipment is expensive and will not typically be cost-effective for small or even medium-sized jurisdictions to own. Therefore, the collection of pavement condition data is a logical effort to centralize through the RTMIP. It is of region-wide importance, and often not easily collected at the local level. Therefore, it is recommended that the RTMIP incorporate a program for the collection of these data.

3.2.3 Accident Data

Accident data are collected throughout the County by local police departments, the County Sheriff, and the California Highway Patrol (CHP). However, the tabulation and reporting of such data vary from jurisdiction to jurisdiction. Most of the jurisdictions in the County report the data on a regular basis, although some do not.

A statewide reporting system for accident data, the Statewide Integrated Traffic Records System (SWITRS), has been established and is maintained by the CHP. In order to ensure the most complete and accurate data at the statewide level, it is important to encourage jurisdictions to report data to SWITRS. Once data have been reported to SWITRS, county-wide data can be extracted and incorporated into Kern COG's GIS system for local use. Therefore, to avoid duplicative reporting requirements, it is recommended that the RTMIP itself not include reporting of accident data, but that Kern COG work with the local jurisdictions to improve reporting of accident data to SWITRS. These data will then ultimately be available for use by Kern COG and its member agencies.

Addendum to Chapter 3 of the Regional Transportation Monitoring Improvement Program (RTMIP)

Annual Bicycle and Pedestrian Count Program Goal

Bicycle and pedestrian evaluation programs measure and evaluate the impact of projects, policies and promotional programs. Typical evaluation programs range from a simple year-over-year comparison of US Census Journey to Work data, to bicycle counts and community surveys. Bicycle counts and community surveys act as methods to evaluate not only the impacts of specific bicycle improvement projects, but can also function as a way to measure progress towards reaching regional goals such as increased bicycle and pedestrian travel for trips. The goal of this program is to provide a consistent, comprehensive data on bicycle and pedestrian activity for analysis of the need/benefit of investment in these modes for consideration by local decision makers.

Bicycle and Pedestrian Count Program Development

A systematic approach is beneficial in developing an efficient and useful pedestrian and bicycle count program. Although it is possible to relatively quickly collect manual counts or to purchase and install automated counting technologies, this course of action may not produce useful, long-term data. Planning a count program typically involves the following steps:

- Specifying the general data collection purpose,
- Identifying data collection resources,
- Selecting count locations and determining the count timeframe, and
- Considering available counting methods.

The following sections present each of these steps, but they are often used iteratively. For example, count managers may reconsider the resources needed for data collection after they realize that they would like to count additional locations. Similarly, managers

may revisit the number of count locations after recognizing that they would like to gather continuous counts over a long time period (which may require purchasing additional counting devices for more locations, or rotating existing devices among locations).

Organizations planning a pedestrian and bicycle count program for the first time should expect that their program will be modified in the future. Although most programs benefit from having some core data that have been collected consistently from start, many programs revisit their stated purposes, reassess resources, consider new or different count locations and time periods, and integrate new counting methods. Successful count programs result from experimenting and refining the approach over time. Like the vehicle traffic count program, this program will be revisited every 5 years as necessary.

Specifying the General Data Collection Purpose

Reasons why transportation agencies and other organizations collect pedestrian and bicycle counts include:

- Measuring changes in pedestrian and bicycle activity relative to baseline levels;
- Documenting changes in activity levels after projects are implemented;
- Informing the general public about pedestrian and bicycle activity and trends;
- Monitoring variations in pedestrian and bicycle activity levels by time of day, day of week, or season of the year, and under different weather conditions;
- Identifying variations in activity in different types of locations (e.g., considering land uses and/or facility types) and calculating context-specific expansion factors;
- Assessing local and system wide activity to prioritize locations for new pedestrian and bicycle facilities;
- Quantifying exposure, as part of an analysis of pedestrian or bicycle crash risk at specific locations; and
- Developing models to predict future pedestrian or bicycle volumes at different locations throughout a community.

All of these purposes can be achieved—at least in part—by collecting continuous pedestrian or bicycle volume data over time. The ability to collect counts over an extended period of time is one of the most important benefits of automated pedestrian and bicycle counting technologies.
In turn, the broad availability of non-motorized count data is an important part of ensuring a multimodal (or “complete streets”) approach to transportation issues within a community.

Selecting General Count Locations

Resource limitations often prevent counting at every desired location, so particular locations must be chosen based on the primary purposes of the data collection program. A meeting of stakeholders should be arranged. Four approaches, described in more detail below, have been used for determining count locations:

• **Random locations.** Sites are selected randomly. This approach may not capture strategic locations, nor select sites appropriate for automated counting. Selecting randomly from within categories of desired characteristics (*stratified random sampling*) is an alternative.

• **Representative locations.** This approach balances available resources with spatial coverage. Identified sites, in aggregate, are representative of the community as a whole.

• **Targeted locations.** Sites are selected on the basis of being associated with particular projects, facility types, or locations with particular characteristics (e.g., safety concerns).

• **Control locations.** This approach compares sites affected by a project with unaltered sites (*control locations*) to determine how much of the observed change in demand can be attributed to the project.

Random Locations

Count locations can be selected randomly. For example, an agency can assign unique identification numbers to each of its intersections and use a random number generator to select which intersections to count. However, this *simple random sampling* approach may not capture strategic locations for counting. Additionally, random sampling may not identify locations suitable for automated technologies, because numerous site-specific factors ultimately determine suitability for a count location (e.g., opportunities to install equipment and patterns of pedestrian and bicycle movements). Random sampling can also result in selecting locations with very low volumes, which tend to have higher levels of variation over time than higher volume locations. High variability produces more error when estimating long-term (e.g., annual) volumes from short-duration counts.

There are alternatives to simple random sampling. Potential count locations can be stratified into categories according to particular characteristics, such as commuting versus recreational route, land use type, income category, or proximity to attractors (e.g., schools, parks, and transit stops). Analysts consider each category separately and select locations within each category randomly. This process, called *stratified random sampling*, can be used to ensure that there are at least a few count locations with each key characteristic of interest. This strategy has been used to select count locations when developing predictive pedestrian and bicycle volume models and safety performance functions.

Representative Locations

Most communities would like to measure how pedestrian and bicycle activity changes over time in the community as a whole. This objective requires counting at representative sites throughout the community. Representative locations could be identified using a random sampling process. However, it is more common to select

representative sites using a systematic approach guided by a count manager or advisory group.

In order to be representative, count locations should be

• Located in different geographic parts of the community;
• Surrounded by different types of land uses;
• Found on different types of facilities (e.g., multi-use trails, bicycle lanes, sidewalks); and
• Reflective of the range of socioeconomic characteristics in the community as a whole.

Limiting count sites to locations that are convenient, have the highest pedestrian or bicycle volumes,
or are expected to have the greatest increases in walking and bicycling does not produce a representative sample.

A set of representative sites can be used to compare changes in the number of reported pedestrian and bicycle crashes with changes in overall pedestrian and bicycle activity levels throughout the community. This approach allows analysts to track the relative risk of pedestrian or bicycle crashes (per pedestrian crossing, per trail user, per bicyclist, etc.). In other words, representative counts control for exposure across the community as a whole.

Targeted Locations

Specific locations can be targeted for counting, recognizing that the count locations, in aggregate, will not be representative of the community as a whole. These locations are often related to particular projects, particular facility types, or locations with particular characteristics.
For example, some communities choose to count in specific locations with a high number of crashes (i.e., “hot spots”). If the community is interested in identifying the relative risk of one specific roadway segment versus another specific roadway segment, the agency may target counts at these two locations. After using the counts to control for exposure, the agency can determine which locations have the greatest crash risk and evaluate the roadway design and behavioral characteristics that might be making those sites dangerous.

Communities also target counts at locations where specific projects have been or will be implemented, to document changes in walking and bicycling after project completion. For this purpose, it is important to count at locations at or near the project, and to select *control locations* for comparison, described next.

Finally, “pinch points,” or locations where pedestrians and bicyclists must converge to cross a barrier (e.g., river crossings, freeway crossings, railroad crossings), are good locations to document large portions of a community’s pedestrians and bicyclists. One sampling strategy is to count at a series of pinch points (e.g., all bridges crossing a river

that bisects a community or all pedestrian and bicycle crossings of a freeway loop around the CBD).

Control Locations

To get a true understanding of the effect of a specific project on pedestrian or bicycle activity or safety, it is also necessary to count at similar locations not directly affected by the project (e.g., at a location with the same number of roadway lanes and a similar surrounding neighborhood on the other side of town). These other locations are called *control sites.* Control sites account for broader influences on walking and bicycling (e.g., an increase in gas prices or a community level pedestrian and bicycle promotion program), making it possible to quantify the change in walking and bicycling activity or safety actually due to the project of interest.

Some of the users of a new or improved pedestrian or bicycle facilities may have shifted from nearby parallel routes. Counts can be taken on these streets and corridors to help distinguish between new (or more frequent) non-motorized travel generated by the project and existing non-motorized travelers who have diverted to the new or improved facility.

The following helps minimize the error in the volume estimates, especially if it is not feasible to conduct counts longer than a few hours at a time,:

- Count at times with high activity levels (e.g., summer).
- Count during good weather.
- Eliminate potholes (Potholes are a big danger to bicyclists)
- Eliminate Puncturevines (a.k.a. Goatheads), as they are the biggest enemy to bicycle tires. This might take an organized volunteer effort within the bicycle community.
- Eliminate other miscellaneous road debris

Kern COG staff uses a 2 step process for development of the Bicycle and Pedestrian County Program. The first step was to develop a draft set of maps based on a blending of the above criteria. The second step was to solicit local input from member agencies on the proposed sites. Critical to the development of the count locations is prioritization. Resources are limited so the factors listed above are used to rank the priority of count locations, should funding be limited.

Bicycle and Pedestrian Count Program Methodology

The following criteria was collected on each proposed site based on the count location attributes listed in the preceding section.

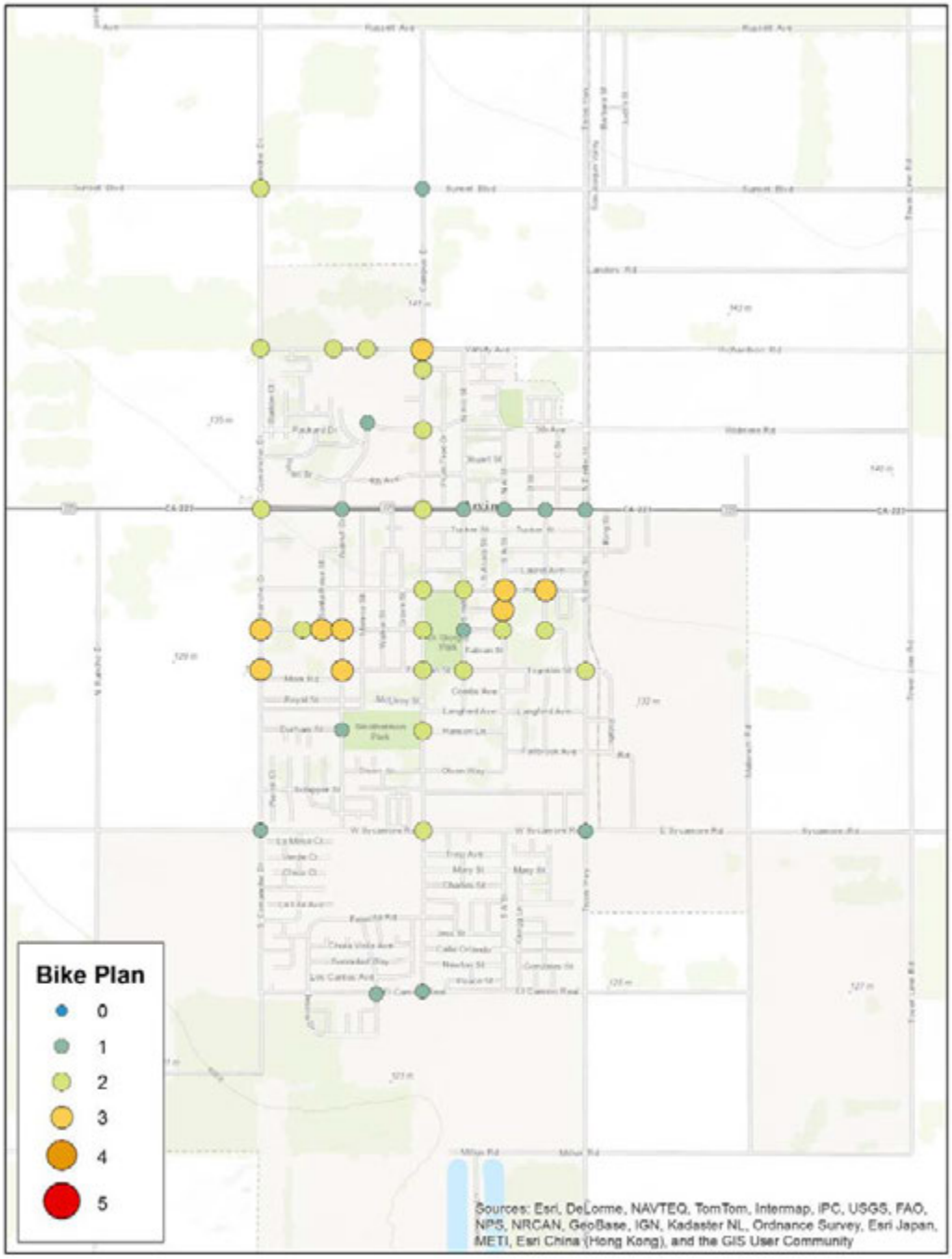
Bicycle and Pedestrian Count Location Data Dictionary

Bike Plan Data Dictionary

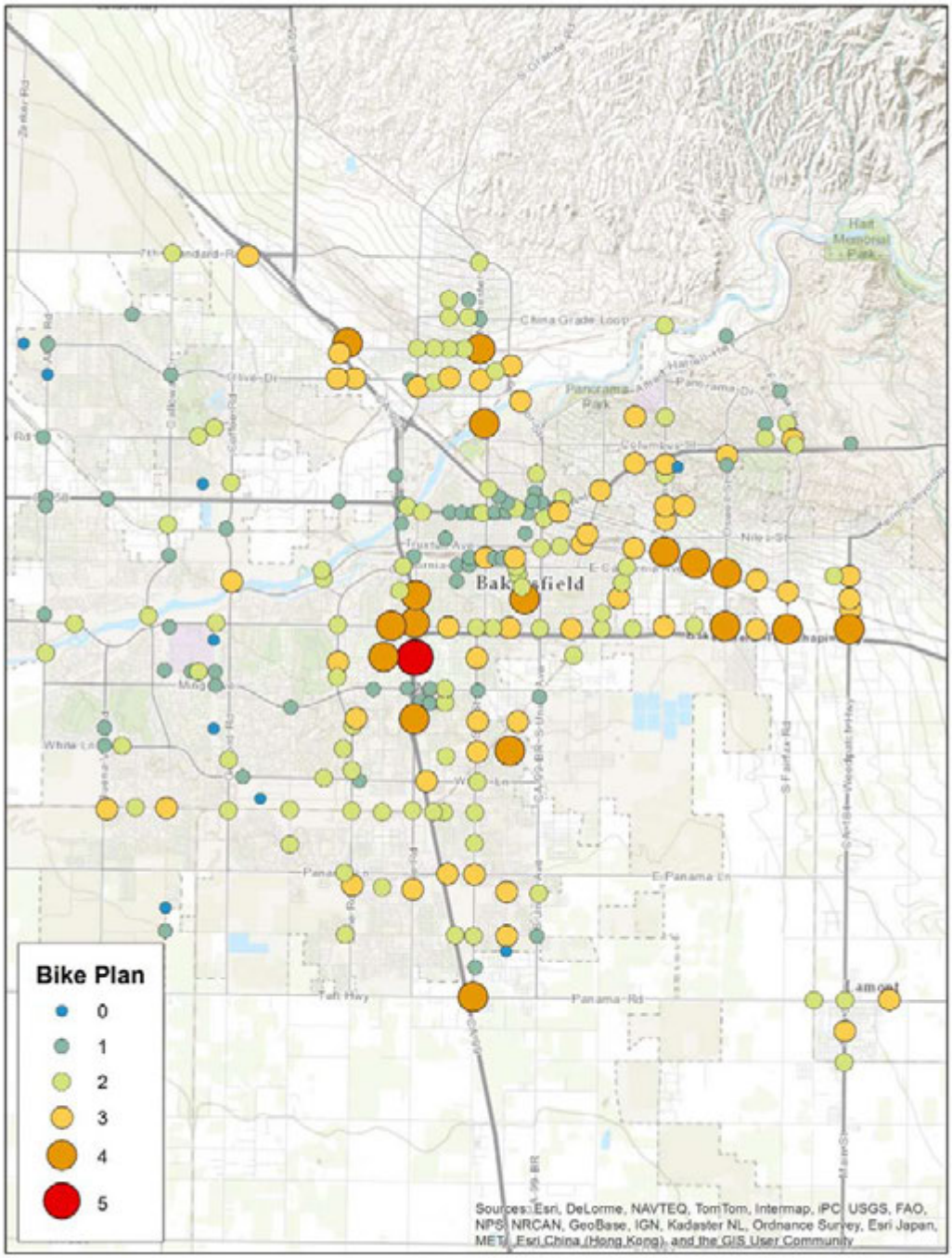
Criteria	Data Type	Description
Community	Text	Name of Community; Unincorporated Example "County Lamont"
Pinch Points	Integer	1=Yes 0=No
Schools	Integer	1=Yes 0=No
Transit Stops	Integer	1=Yes 0=No
Class 1 Bike	Integer	1=Yes 0=No
Class 2 Bike	Integer	1=Yes 0=No
Class 3 Bike	Integer	1=Yes 0=No
Commuting Route	Integer	1=Yes 0=No Routes used for commuting
Recreational Route	Integer	1=Yes 0=No
Land Use Type	Text	Residential, Commercial, Industrial, Recreational, Other
Income Category	Text	High, Medium, Low
Parks	Integer	1=Yes 0=No
Sidewalks	Integer	1=Yes 0=No
Pedestrian Crashes	Integer	Number of Incidents
Bicycle crashes	Integer	1=Yes 0=No
Bike/Ped Projects	Integer	1=Yes 0=No
Control Locations	Integer	1=Yes 0=No

In addition, the data and local government member agency input was used to develop the following rankings, weighting each factor equally (locations with multiple attributes receive priority). At a minimum each community receives station counts.

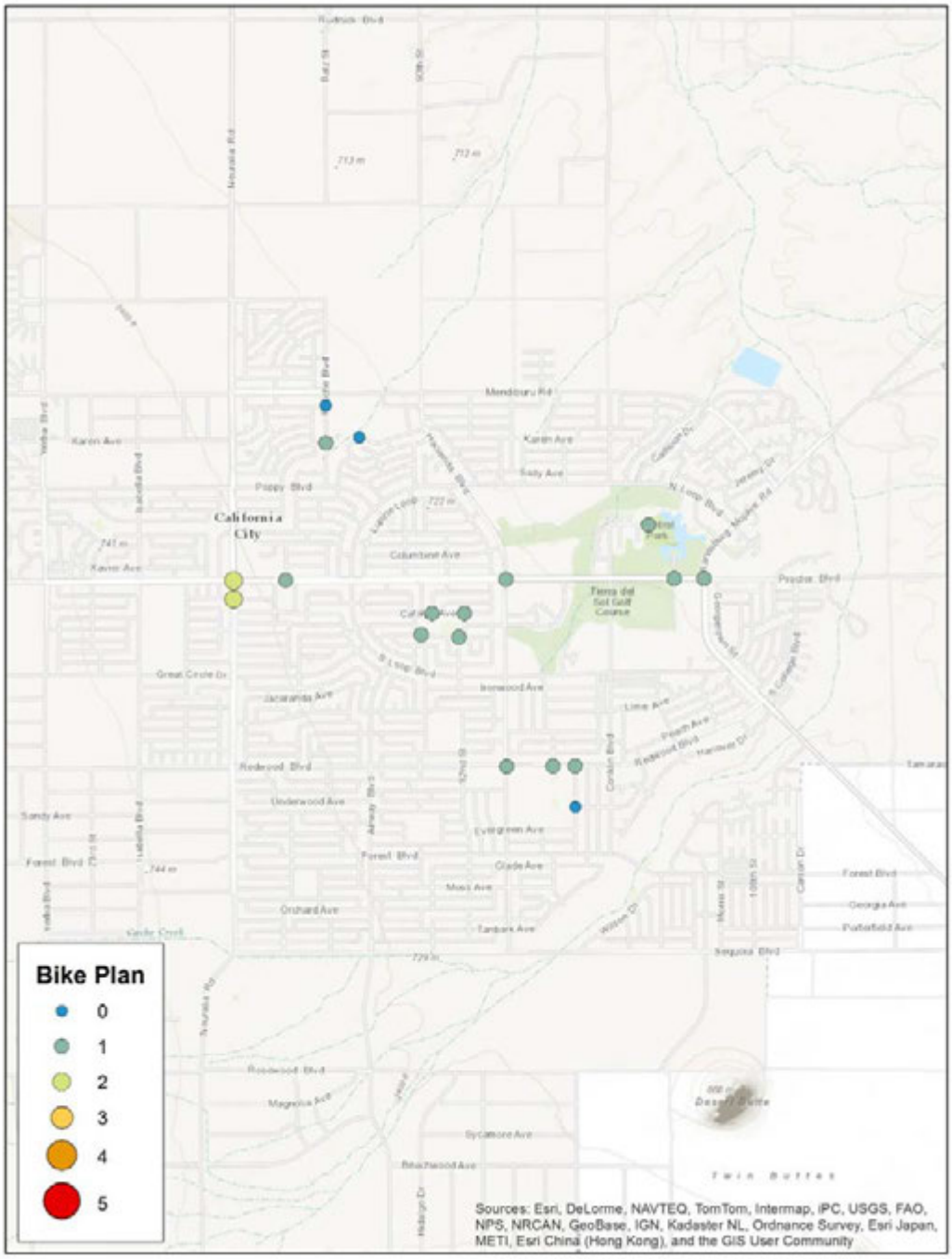
Candidate Bike/Ped Locations – Arvin



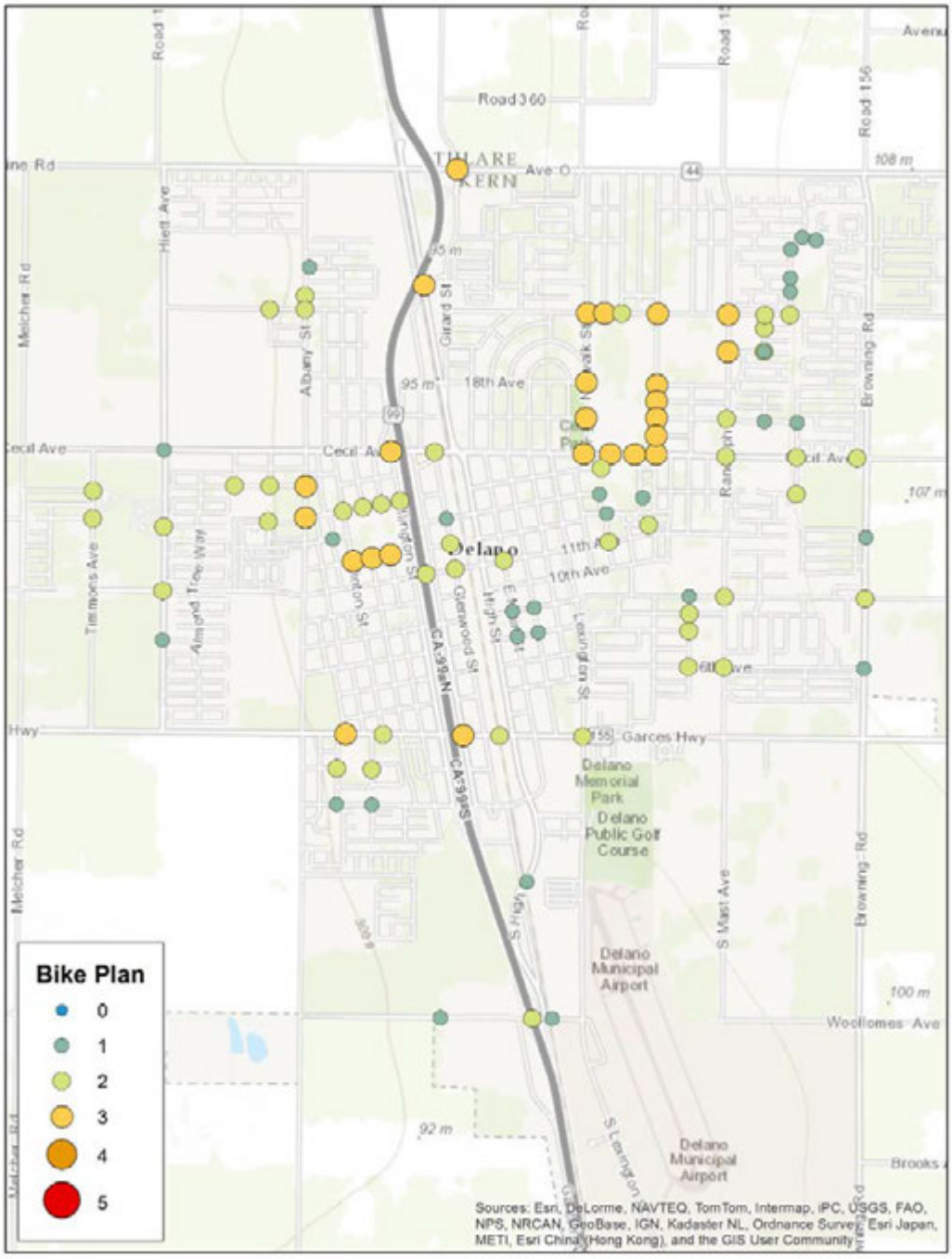
Candidate Bike/Ped Locations – Bakersfield



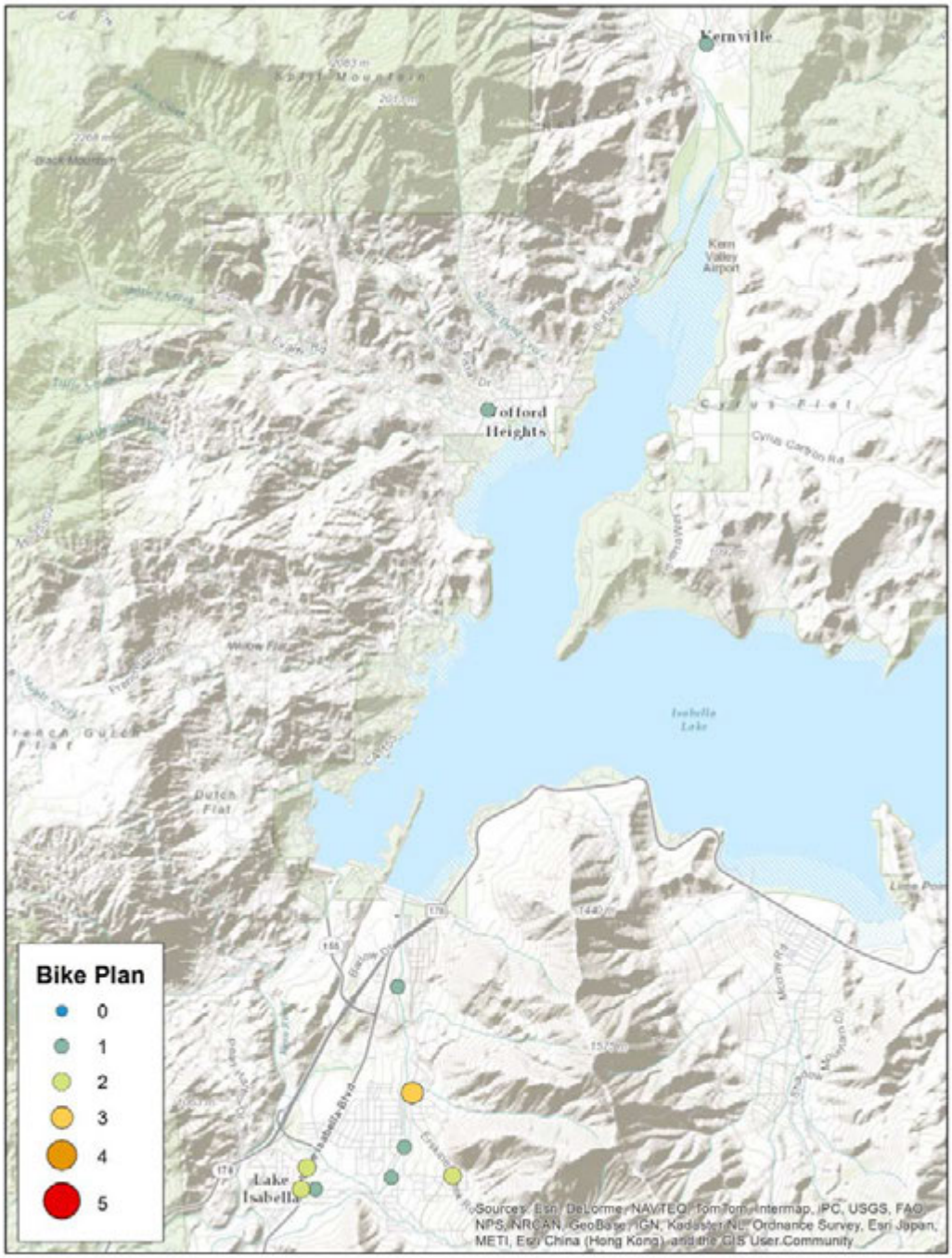
Candidate Bike/Ped Locations – California City


Bike Plan
0
1
2
3
4
5
California City
Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, iPC, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), and the GIS User Community

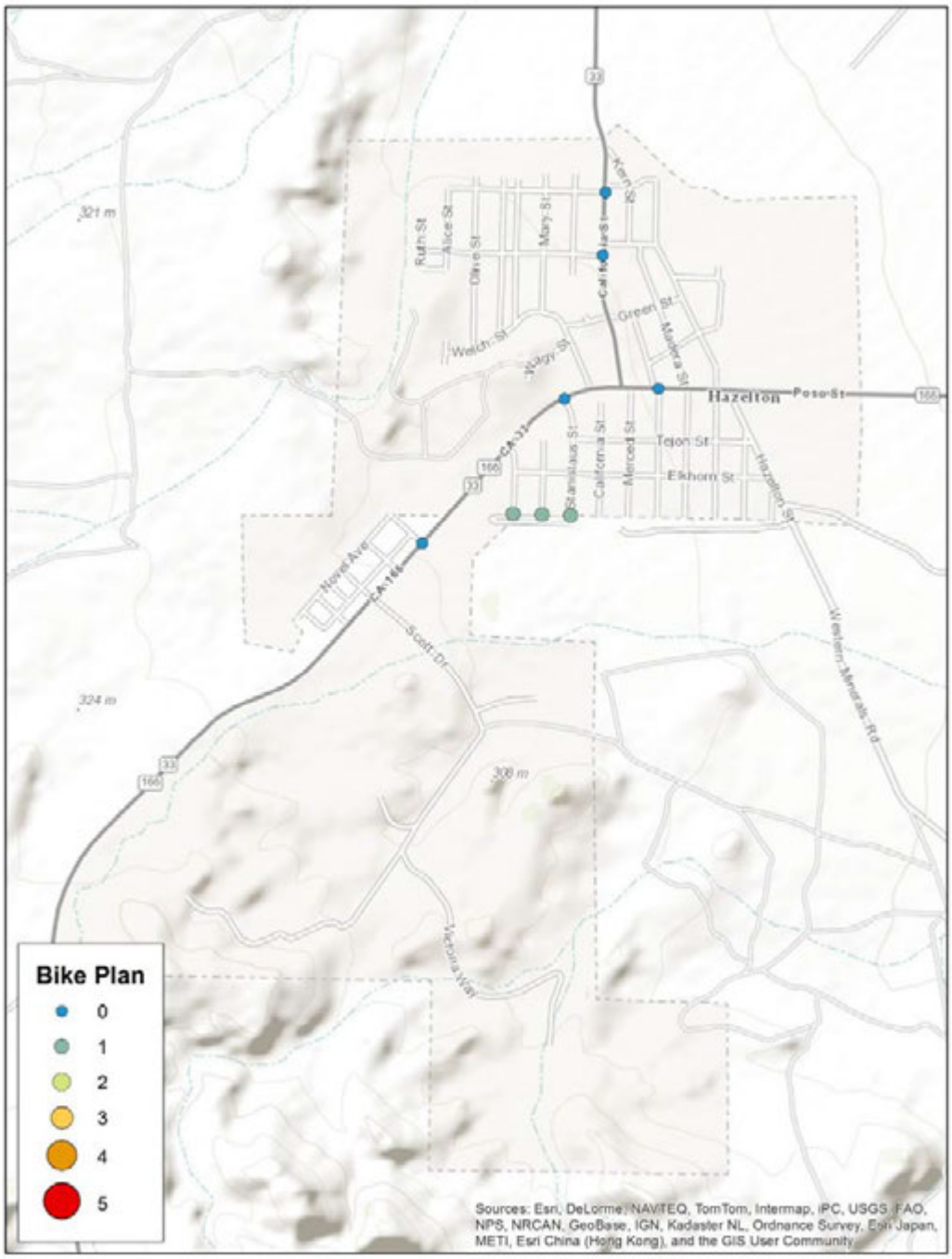
Candidate Bike/Ped Locations – Delano



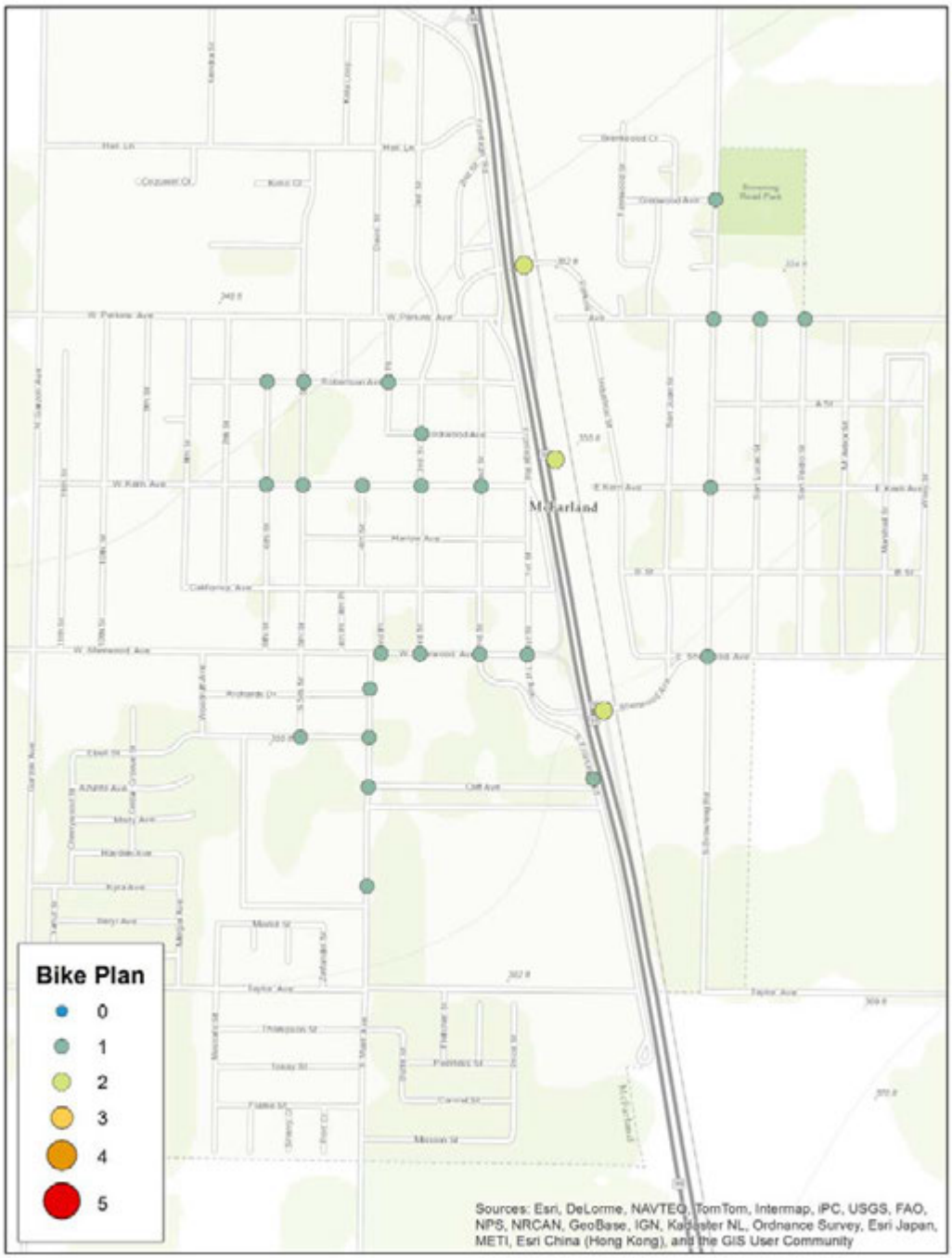
Candidate Bike/Ped Locations – Lake Isabella Communities



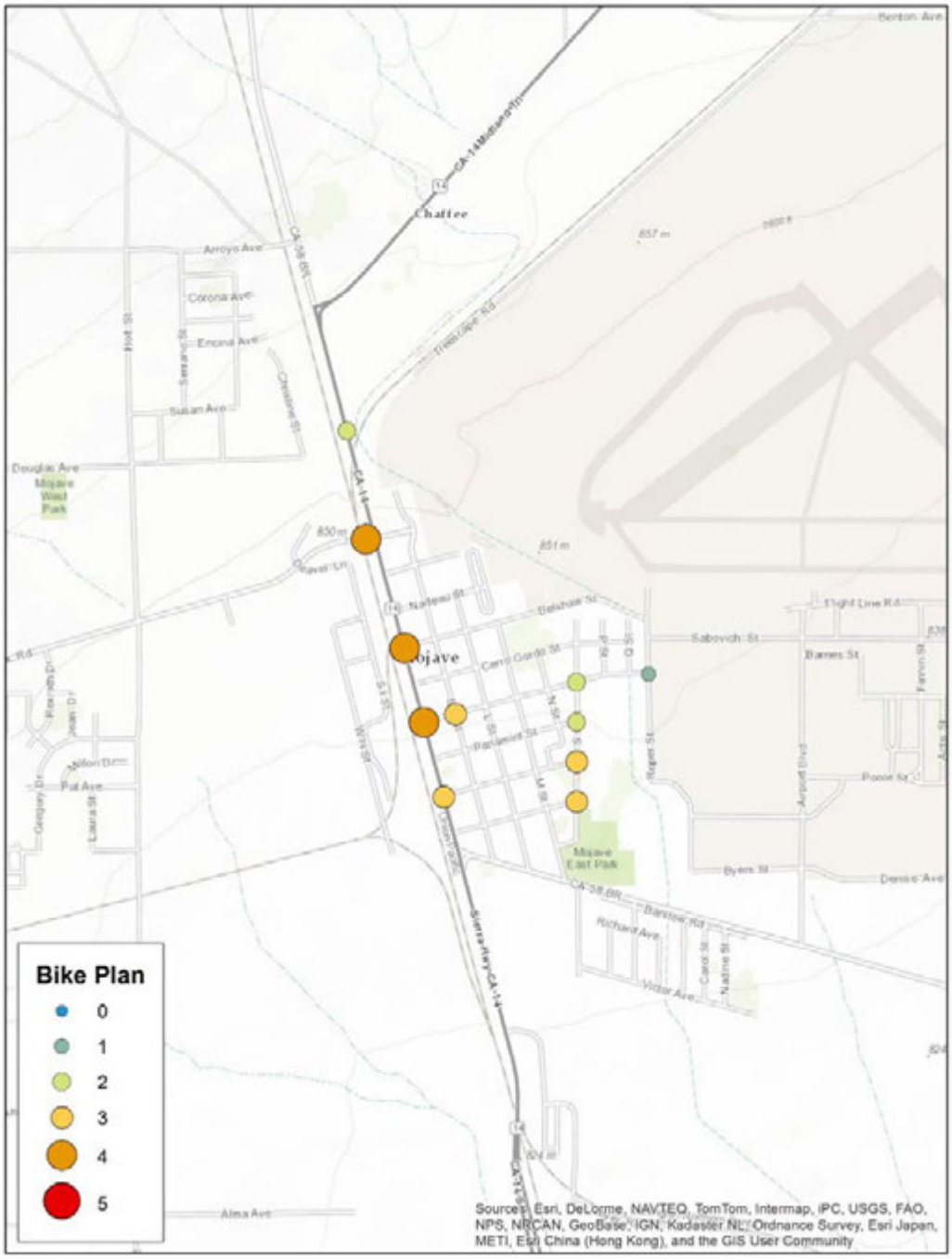
Candidate Bike/Ped Locations – Maricopa



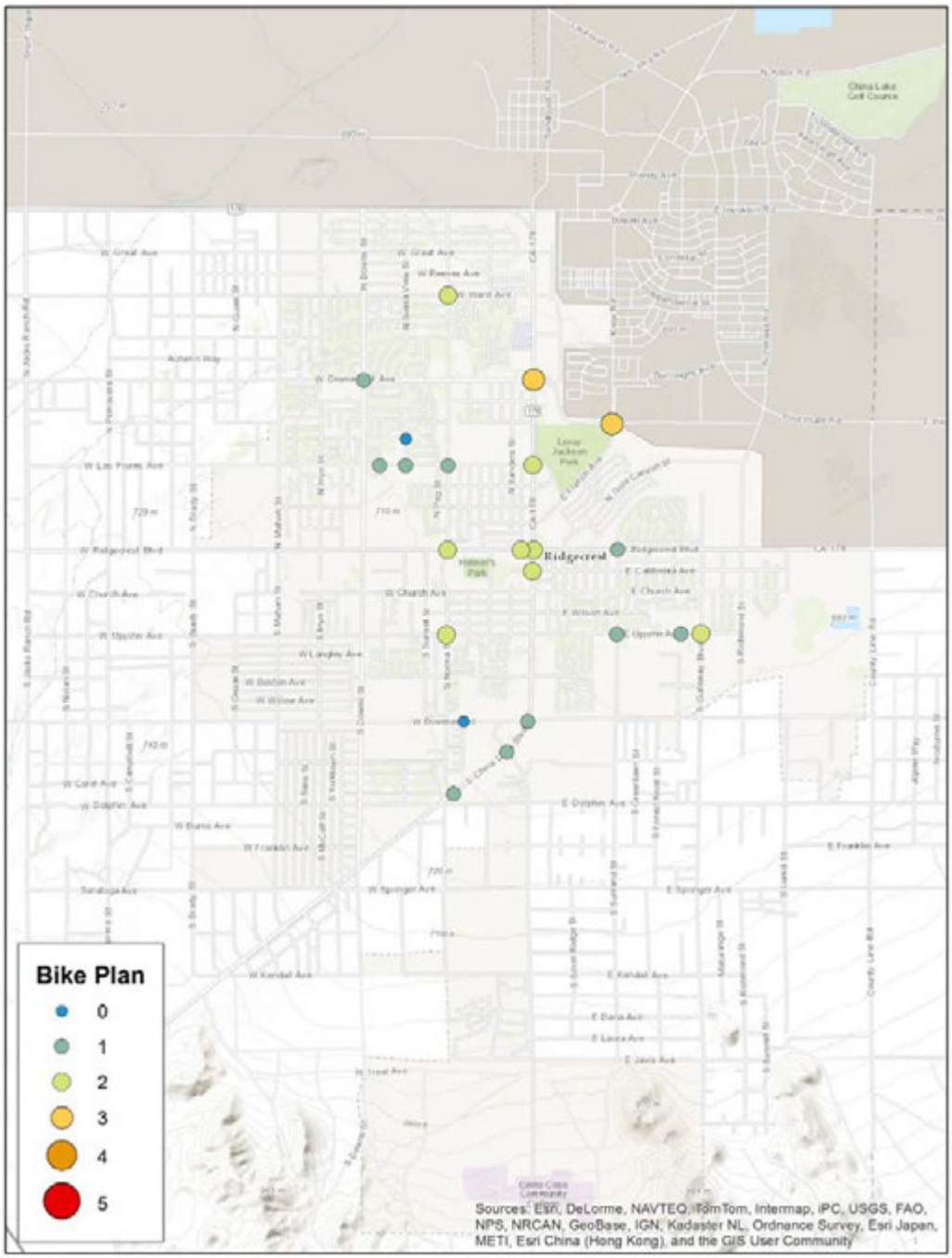
Candidate Bike/Ped Locations – McFarland



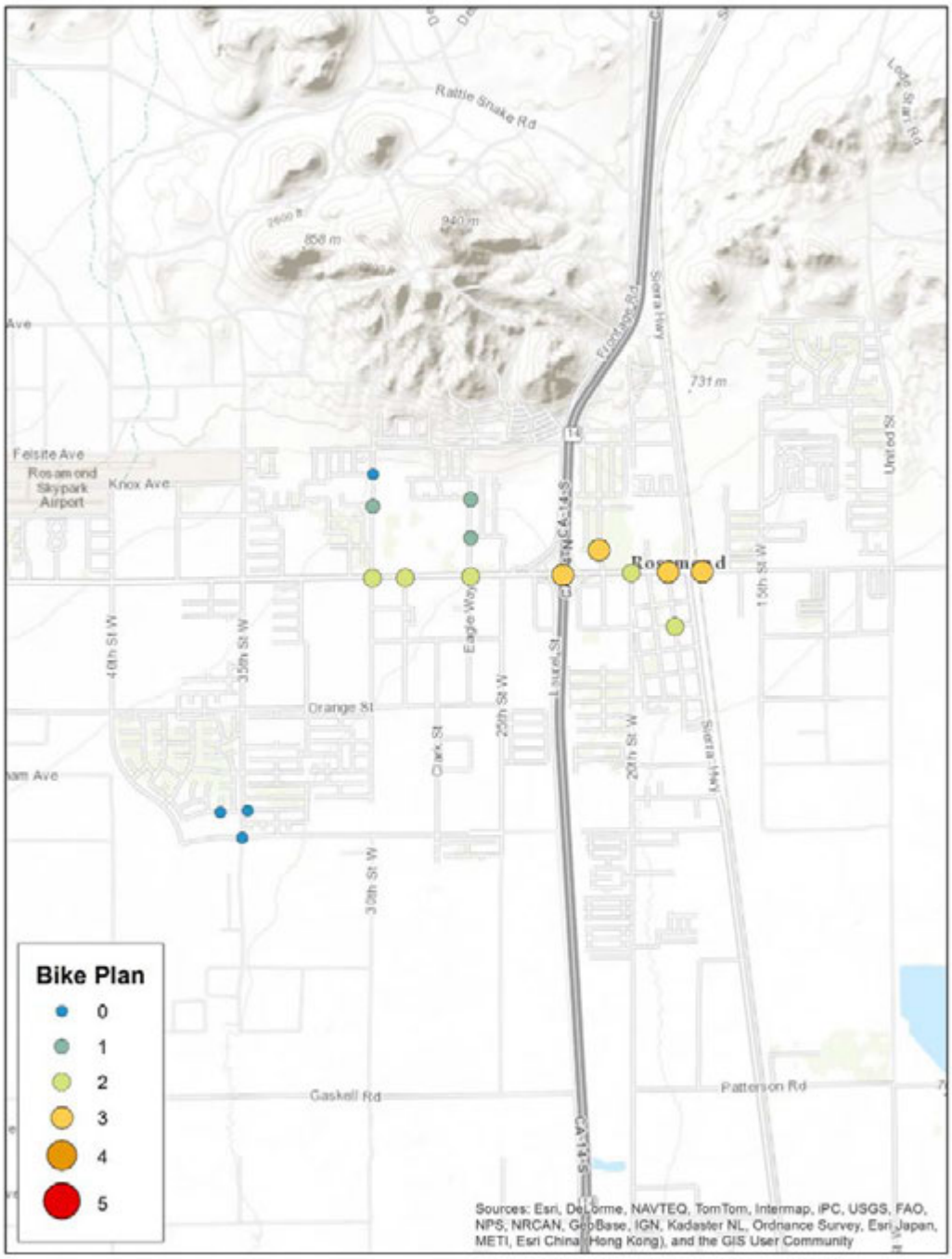
Candidate Bike/Ped Locations – Mojave



Candidate Bike/Ped Locations – Ridgecrest

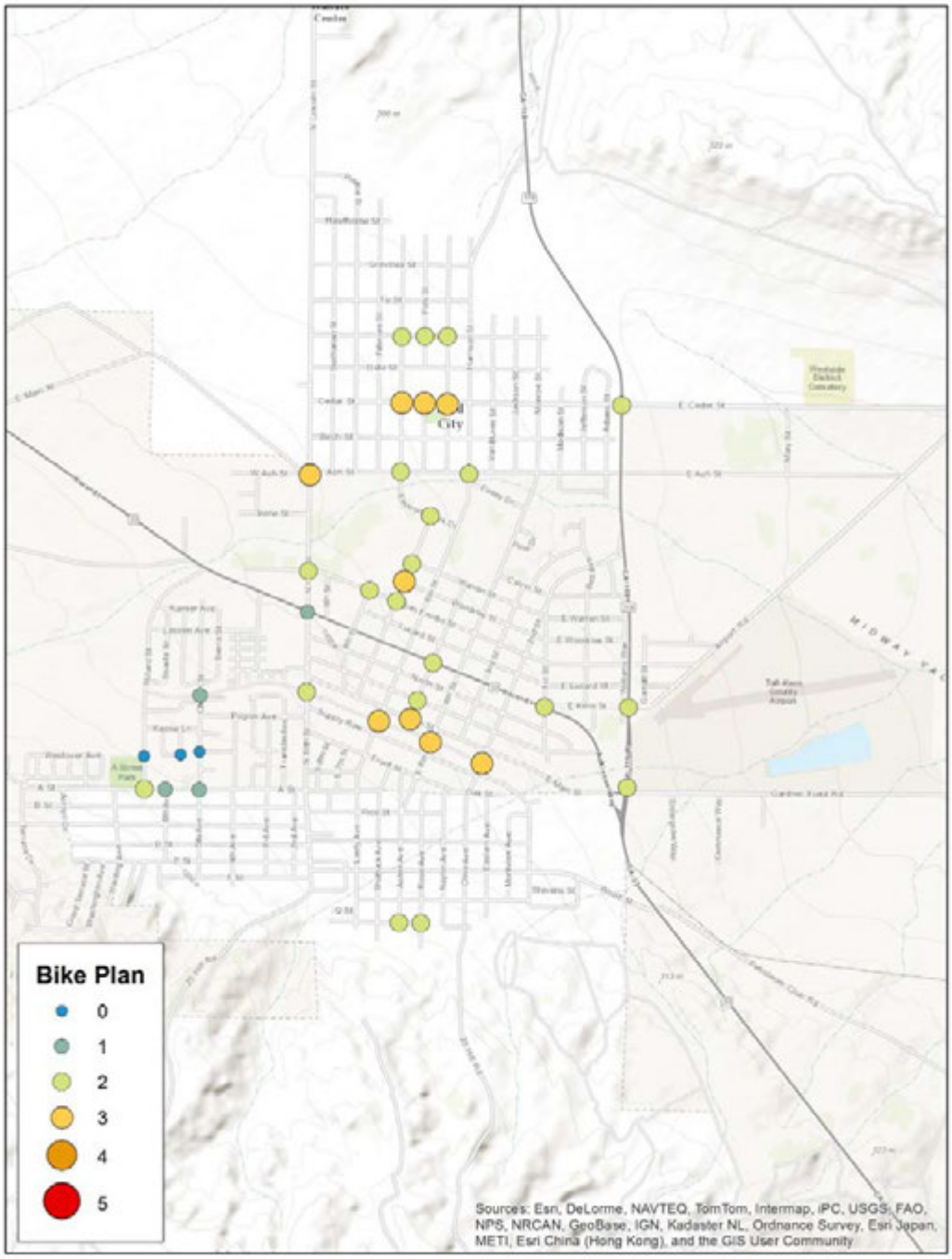


Candidate Bike/Ped Locations – Rosamond

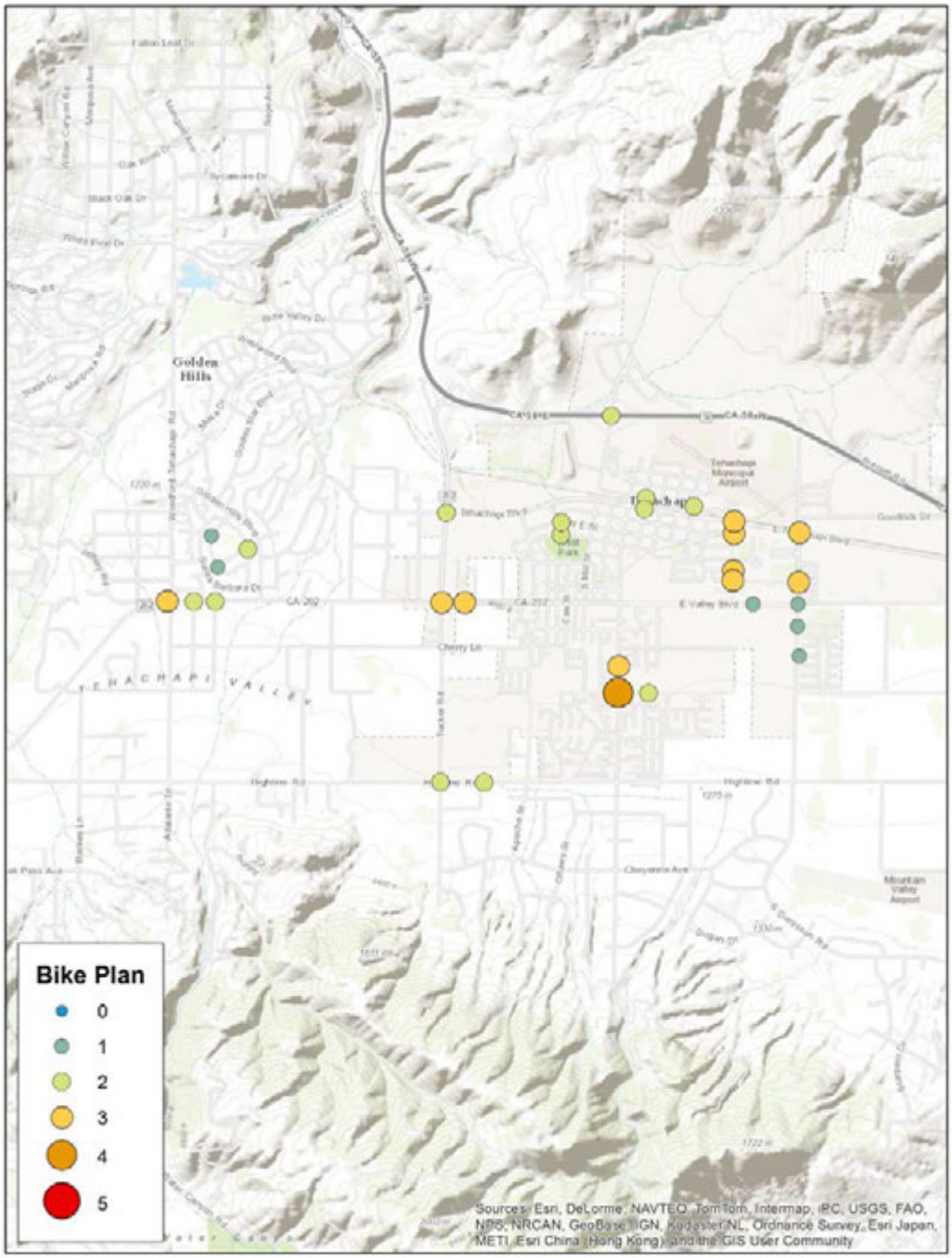


Candidate Bike/Ped Locations – Shafter

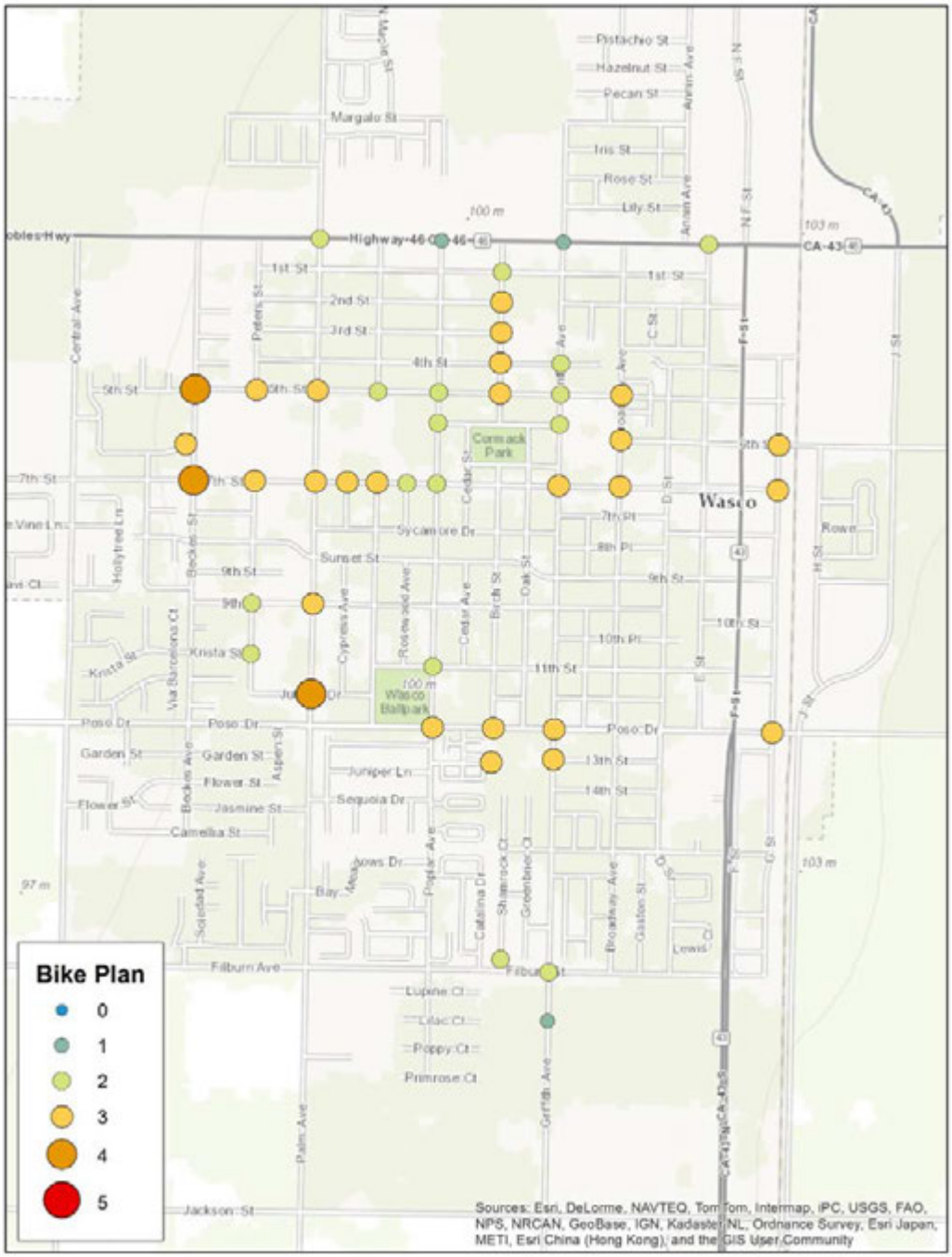
Candidate Bike/Ped Locations – Taft



Candidate Bike/Ped Locations – Tehachapi



Candidate Bike/Ped Locations – Wasco



4.0 Call Box/Motorist Aid Integration Assessment

4.1 The Existing Call Box System

The Kern Motorist Aid Authority (KMAA) is a regional public agency created in 1988 pursuant to California Streets and Highway Code to install, operate, and maintain a motorist aid call box system in Kern County. The KMAA is part of a group of statewide agencies that are also called Service Authority for Freeway Emergencies (SAFE) which are in charge of approximately 16,000 call boxes in California. These call boxes allow motorists to request roadway assistance in both emergency and non-emergency situations. Call boxes are placed in pairs along highways. When a call is made on a call box, it is directly connected to the California Highway Patrol (CHP).

The following provide a summary of the vital statistics on the Kern County call box system:

- Total number of call boxes: 574
- Coverage: 859 miles of freeways and expressways
- Placement and Installation (see **Figure 4.1**):
    - Installation began in 1991 and was completed in 2000
    - Freeways
    - State Highways
    - Other— only 12 call boxes are on non-state highway County roads
- Average Countywide call box spacing:
    - Urban areas: one mile, a total of 51 boxes (8.9%)
    - Rural areas: two miles, a total of 523 boxes (91.1%)
- Hard-wired or wireless: only one call box in the County is hard-wired the rest are all cellular
- Analog or digital: currently all analog, upcoming contract effort will convert the system to fully digital
- Cellular Carrier: AT&T
- Usage statistics/trends 12-month period FY 05/06 (see **Appendix C**):
    - Total calls—66,533
    - Maintenance calls—61,569
    - Assistance calls—4,964
    - Average calls per month—414
    - Average calls per month, per box—0.72
    - Average calls per day per box—0.03

- **INSERT FIGURE 4.1**

  - High month: July—595
  - Low month: February—256
- Annual maintenance costs: approximately $200,000 or $350/site
- Funding source: through $1 of registration fee from DMV
- Accessibility: the call boxes are currently not equipped with TTY
- Compliance with state minimum guideline of 8' shoulder throughout the system is not known
- The number of 911 calls on the overall emergency system vs. on the call box system: not known
- Freeway Service Patrol (FSP) coverage: there is no FSP program in Kern County
- Availability of #399 Service: none
- Currently there are no other uses of the call box system, including the following:
  - Traffic counts
  - Fog detector
  - CCTV
  - Remote traffic sensors
  - Smart Call Box

4.2 System Needs

- **Desire for inventory**—It is highly desirable to develop and maintain an integrated inventory data base with coordinate system and individual photo logs that can be used for system evaluation.

- **Need or desire for system reduction**—Even with the decline in usage, currently there does not appear to be a need or desire for system reduction. Any more than a 2-mile spacing, which may result from a system reduction, will not provide a "system". However, Countywide call volume has declined from 25,000 to about 5,000 per year and any further significant decline may result in Board decision to discontinue maintenance and begin funding other programs such as FSP or enhanced sheriff/emergency response

- **System accessibility**—The initiation of #399 system (cellular phones act as call box directing call to CHP center) will be discussed as part of integration with possible 511 system in upcoming upgrade efforts and TTY.

- **Integration with other uses**—These strategies have been discussed but no action has been taken. Major effort will be required and need for connections to TMC, adding features/devices to poles may alter crash characteristics—traffic counts and fog detection may be most attractive.

4.3 Experiences of Other Jurisdictions

In order to achieve a better understanding of the potential issues and benefits of implementing traffic count system utilizing Smart Call Boxes in Kern County, a review of similar programs in other jurisdictions was conducted. Three such programs were identified, all of them in Southern California. (It is not surprising that California is the leader in such programs because the state has much more comprehensive Call Box programs than other states.) The three Smart Call Box programs that were identified have been implemented in San Diego, San Bernardino, and Riverside Counties.

4.3.1 San Diego County

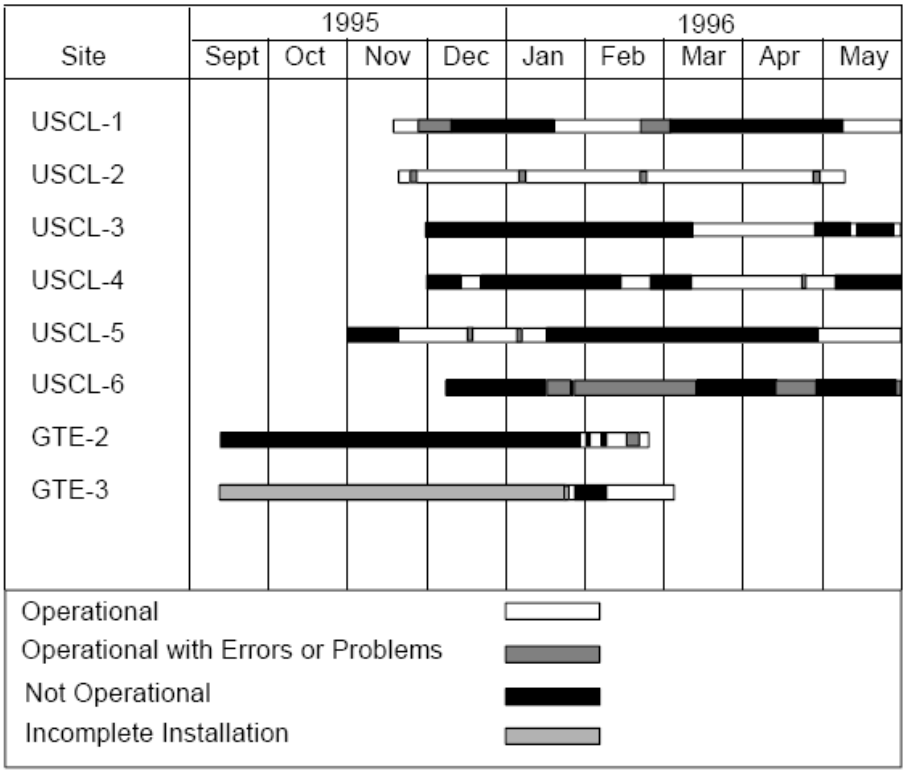
San Diego County began a Field Operational Test (FOT) of a Smart Call Box system in 1992, with implementation and evaluation of the system taking place in 1995-1996. The FOT was carried out by a consortium of Caltrans District 11, the Border Division of the California Highway Patrol (CHP), and the San Diego Service Authority for Freeway Emergencies (SAFE). The FOT was evaluated by San Diego State University (SDSU). Because microprocessor, communication, and solar technologies, as well as ITS protocols, have advanced substantially since 1996, the results of the FOT may be of limited applicability to current circumstances. However, some of the institutional and technical issues are still relevant and instructional.

The traffic census component of the FOT included eight Smart Call Box units developed by two vendor teams. Most of the units employed a standard inductive loop traffic counter external to the call box, using existing induction loops. One vendor's installations involved modification of existing call boxes, while the other vendor's call box units were specially installed.

The Smart Call Box units experienced a variety of technical problems that resulted in very poor reliability. All units except one experienced extended periods of down time. Problems included software problems, disruption of external power supplies, failure of the cellular phone, and failure of the traffic counter. **Figure 4.2** shows the periods during which each unit was operational.

In addition to the clear reliability problems, the Smart Call Box FOT also exposed issues related to system integration. All of the Smart Call Box designs involved integration of external field devices such as traffic counters, weather sensors, or video compression units that were not originally designed to work together. The SDSU evaluation noted that, "Traffic counter manufacturers, in particular, introduce improved products from time to time and naturally want to use the latest version when new systems are developed. 'Upgrades' tended to result in software incompatibilities with equipment that had been compatible with the previous version."

Figure 4.2: Operational Status of San Diego County Smart Call Box Traffic Census Sites



Source: *Smart Call Box Field Operational Test Evaluation Summary Report*, San Diego State University, 1997

In addition, each component of a Smart Call Box must be integrated with equipment and/or software at the data collection center. System integration failures were a major problem in the performance of the test systems. The SDSU evaluation observed that, "A standard communications protocol for traffic counters and similar devices that recognizes the requirements of wireless communications systems is highly desirable. Given the tendency for counter equipment to evolve, such a standard may be the only way to ensure that smart call box systems will not need to be reinvented every time a new model of counter is introduced."

The SDSU evaluation of the Smart Call Box FOT concluded that, "Where possible, tests should focus on solving problems as they are perceived by potential users of the technology being developed, and not on the exploitation of a particular type of technology. In this case, this would have implied a focus on developing wireless data collection systems rather than on exploiting existing call box technology." In particular, the evaluation noted that the traffic count devices made very limited use of the underlying call box technology. Given the relatively low cost of cellular modems, it may be more cost effective to develop stand-alone count stations with cellular modems to reduce the system integration issues.

4.3.2 San Bernardino County

In 1997, Riverside and San Bernardino Counties jointly undertook a pilot program involving the installation of Smart Call Boxes in the two counties. Their experiences and results were strikingly different. San Bernardino County's experience is recounted first. There is no written evaluation of the San Bernardino program; this discussion is based on recent conversations with staff of San Bernardino Associated Governments (SANBAG).

San Bernardino County initially installed 20 Smart Call Boxes. The County experienced maintenance problems with the Smart Call Boxes from the start, and began removing them soon after the program began. Currently, there are 15 remaining Smart Call Boxes in the County. The Smart Call Boxes that were installed use analog cellular telephone technology, and almost as soon as they were installed, carriers started converting to digital transmission technology. Thus, they became obsolete almost upon installation. Reliability was also a major problem.

SANBAG staff also complain that, even with the units that work, the data collected are transmitted directly to Caltrans, so that it is not available for local planning purposes. This highlights the importance of establishing institutional arrangements that best serve the needs of all program participants.

4.3.3 Riverside County

Riverside County installed 20 Smart Call Boxes under two pilot programs in 1997 and 1999. Currently, 17 are still in operation. All are installed on the State highway network. According to a 1999 evaluation of the 1997 pilot program conducted by VRPA technologies, the traffic count data are stored on-site at the Smart Call Box and can be retrieved remotely by an incoming call to the Smart Call Box, using proprietary traffic counting and reporting software. The data retrieved from the Smart Call Boxes are analyzed using another proprietary software program that calculates traffic volume characteristics such as peak hour flows, K and D factors, ADT, and AADT. These data are collected and analyzed by a private contractor on behalf of the Riverside County Transportation Commission (RCTC) and are used for Congestion Management Plan (CMP) reporting purposes, as well as being made available to the County and to local agencies.

Riverside County's experience with the Smart Call Boxes has been sufficiently positive that the 2006 CMP describes a proposed significant expansion of the program. Some of the additional locations will be the traditional Smart Call Boxes, while others will be so-called "black boxes" that are stand-alone data collection devices with wireless transmission capabilities, but no associated Call Box.

4.4 Recommendations

- Based on the results of the Call Box Inventory and Evaluation recently conducted by Kern COG, identify locations that are not compliant with State Guidelines (included in **Appendix D**) or certain undesirable call box type installations. Recommend removal of these call boxes and their "working pairs" or correction of problems. Potentially consider additional installations on certain identified necessary highway locations (system interchanges, steep grades, inclement weather locations, etc.).

- Defer deployment of "Smart Call Boxes" until operational issues can be resolved.

- Consider deployment of the Countywide #399 System and integrate with 511 System and TTY capability.

5.0 Technology and System Integration Options

This section evaluates system integration options related to potential components of the RTMIP. For each option, the feasibility of incorporation into the RTMIP, as well as options for doing so, if appropriate, are considered. Subsequent sections elaborate on and refine the Uniform Traffic Count Program outlined in the previous Needs Assessment report, as well as review possible funding sources for RTMIP components.

5.1 Traffic Count Technology Options

A variety of technological options exist for conducting traffic counts, and innovations continue at a fairly rapid rate as new technologies are developed and existing technologies are improved. The options range from the low-tech methodology of having a person observing a location and recording traffic volumes with a manual counting device to high-tech methodologies involving video or microwave detection of vehicles. In general, the low-tech methodologies require a lower capital investment but higher labor costs, and are more easily adaptable to changing circumstances. The high-tech methodologies require greater capital investments, but lower on-going labor costs, and can be less adaptable to changing circumstances, typically because they are installed at fixed locations and are limited by their initial design parameters.

As noted above, traffic counting technologies continue to evolve. Those that are currently commercially available include the following:

a. Pneumatic tubes
b. Magnetic imaging
c. Inductive loops
d. Video detection
e. Microwave detection

The advantages and disadvantages of each of these technologies are discussed below.

a. Pneumatic tubes. Pneumatic tubes represent an established technology that is in widespread use. They consist of a rubber tube, or set of tubes, that is placed across the roadway and that uses pressure changes to detect the number of axle movements. A counter placed by the side of the road records the axle movements and, using algorithms to detect axle spacing, can convert axle counts and axle spacing into vehicle classification counts. They are typically used for temporary (i.e., one week or less) installations.

Pneumatic tubes have several advantages. First, they are very inexpensive, with contractors providing count services for as little as $50 - $100 per day per location. Second, they can easily be installed and relocated as necessary. They are a familiar technology, and many suppliers are available.

The main disadvantage of pneumatic tubes is that they may become displaced, especially on high-volume roadways or roadways with many heavy vehicles.

Although the algorithms used to convert axle counts to vehicle counts are constantly being improved, they are far from perfect, particularly in congested conditions. However, they are generally adequate for measuring passenger car equivalent flows.

b. Magnetic imaging. Magnetic imaging is an alternative to pneumatic tubes. The technology consists of a giant magnetoresistance (GMR) magnetic sensor that is placed in the travel lane that uses changes in the magnetic field to determine vehicle length. The GMR sensor can either be installed permanently in the pavement or placed on top of the pavement as part of a temporary installation. An associated counter converts vehicle length into vehicle classification counts. They can be used for temporary (i.e., one week or less) or permanent installations.

Relocatable magnetic imaging devices are also relatively inexpensive. They can also easily be installed and relocated as necessary. However, relocatable magnetic imaging devices are in relatively limited use, and few suppliers are available. Like pneumatic tubes, they may become displaced, especially on high-volume roadways or roadways with many heavy vehicles. Because of their limited use, their accuracy has not been as thoroughly evaluated as pneumatic tubes. However, they are likely adequate for measuring passenger car equivalent flows.

Permanently installed magnetic imaging devices are more durable but more expensive, with a typical cost being $1,000 per lane, plus approximately $3,000 for a controller cabinet. They must be installed near a power source, or else dedicated power (e.g., solar) must be provided. Optionally, communications infrastructure can also be provided to transmit the data collected to a central location. Otherwise, each location must be visited by a technician on a regular basis to download the data.

c. Inductive Loops. Inductive loops are another established technology that is in widespread use. They consist of a wire loop, or set of loops, that is permanently installed in the pavement of the roadway. An alternating electric current through the loop creates a magnetic field that is disturbed by the presence of a conductive object (e.g., a vehicle). A sensor records the presence of the vehicle and, using algorithms to detect vehicle length and spacing, can convert vehicle length and spacing into vehicle classification counts. As noted above, inductive loops are typically used for permanent installations.

Inductive loops have several advantages. They are an established technology, and their design and maintenance are well understood. Commercially available equipment is available for relatively easy installation. They are far more durable than the technologies intended for temporary installations, although they may still suffer damage on roadways with many heavy vehicles.

The cost of inductive loops is similar to that of permanently installed magnetic imaging devices, with a typical cost being $1,000 per lane, plus approximately $3,000 for a controller cabinet. They also must be installed near a power source, or else dedicated power (e.g., solar) must be provided. Optionally, communications infrastructure can also be provided to transmit the data collected to a central location. Otherwise, each location must be visited by a technician on a regular basis to download the data.

d. Video detection. Video detection uses a video camera and specialized software to detect the presence of vehicles at fixed locations in the road. A video camera is permanently installed on a pole adjacent to the roadway. A single camera can count several lanes simultaneously. Algorithms convert vehicle length and spacing into vehicle classification counts. Video detection is typically used for permanent installations.

Video detection equipment is commercially available. Installation is relatively easy, although site-specific design plans must be generated for each location. Because they are not installed in or on the roadway surface, the video cameras are not damaged by heavy traffic volumes.

The primary disadvantage of video detection compared to inductive loops is cost. The detectors require substantial design and installation effort. The detectors typically incorporate cellular telephone technology for transmitting data. Thus, they require associated communications infrastructure to receive the data at a central location. A complete installation of a video detection station costs approximately $20,000 to $25,000. Installation costs can be considerably reduced if a mounting pole (e.g., a luminaire pole) is already available at the desired location.

e. Microwave detection. Microwave detection is a relatively new technology that has recently been adopted by Caltrans. A microwave detector is permanently installed on a pole adjacent to the roadway. A microwave frequency is used to detect the presence of an object in the travel lane. A single detector can count several lanes simultaneously. Algorithms convert vehicle length and spacing into vehicle classification counts. Microwave detection is typically used for permanent installations.

Like video detection, microwave detection equipment is commercially available. Installation is relatively easy, although site-specific design plans must be generated for each location. Because they are not installed in or on the roadway surface, the microwave detectors are not damaged by heavy traffic volumes.

Microwave detection is a new technology, and its maintenance needs are not well understood. The primary disadvantage of microwave detection compared to inductive loops is cost. As with video detection, the detectors require substantial design and installation effort. The detectors typically incorporate cellular telephone technology for transmitting data. Thus, they require associated

communications infrastructure to receive the data at a central location. A complete installation of a microwave detection station costs approximately $20,000 to $25,000. Installation costs can be considerably reduced if a mounting pole (e.g., a luminaire pole) is already available at the desired location.

In reviewing and evaluating the traffic count technology options available, it is important to keep in mind that the RTMIP is a *regional* effort covering an area of over 8,000 square miles. The data collected are to be used for regional planning efforts, such as identifying growth rates and developing future traffic forecasts. The Needs Assessment identified a traffic count program with nearly 600 individual count locations and more surely to be added as the region continues to grow.

Based on the large number of count locations, the cost of permanent installations such as inductive loops or microwave detection would be prohibitive. Furthermore, such permanent installations are not appropriate to the needs of the program, which are primarily short-term traffic counts. The short-term nature of the counts does not justify the large capital investment that would be required for these methodologies.

The City of Bakersfield currently uses inductive loops for the six City control stations established as part of its existing traffic count program. These locations are counted continuously, with the data recorded locally. There is no communications with a central location, such as the City's Traffic Operations Center. Instead, a technician visits each location approximately monthly to download the data from the recorders. Kern COG may want to consider a similar procedure for the Master Stations identified in the proposed RTMIP.

Two technologies are best suited for short-term installations: pneumatic tubes and magnetic imaging. As discussed earlier, pneumatic tubes are an established technology available from numerous suppliers. Magnetic imaging is in much less widespread use, and Kern COG's experience with it has been disappointing. A limited number of suppliers results in infrequent and expensive upgrades and maintenance. As the equipment ages, it has become more and more problematic to maintain it.

Taking into consideration the advantages and disadvantages of the available technologies, as well as the needs of the RTMIP traffic count program, it is recommended that Kern COG use pneumatic tube counting technology as the basis for its count program. This technology is inexpensive, flexible, and provided by numerous suppliers. In addition, Kern COG may want to consider using inductive loop technology for master station locations, with or without communications capabilities.

5.2 ITS Strategies and Solutions

Kern COG has undertaken a study to investigate the implementation of Intelligent Transportation Systems (ITS) in Kern County. Kern County is also a participant in the San Joaquin Valley Intelligent Transportation Systems Strategic Deployment Plan (SDP).

These studies investigated appropriate ITS technologies for the unique urban/rural mix found in Kern County. The SDP identified the following priority projects in Kern County:

- Smart Call Box System Deployment
- Smart Studs Demo Project
- Incident Management Procedures
- Communication Network, Phase II
- Kern County Regional Communication Links
- RWIS with CCTV System
- Bakersfield TOC Expansion
- GET Fare Equipment Deployment

It is not the purpose of the RTMIP to reexamine the ITS priorities established by the SDP. Rather, the purpose of the current effort is to evaluate means to integrate the ITS strategies with RTMIP activities. The Smart Studs Demo Project and the Roadside Weather Information System (RWIS) are components of a system to detect and alert drivers about hazardous weather conditions. The Incident Management Procedures would comprise a set of interagency agreements concerning use and sharing of resources during major incidents. The GET Fare Equipment Deployment covers the installation of electronic fare collection equipment on transit vehicles. Thus, none of these programs is directly related to the data collection and distribution goals of the RTMIP.

Of the remaining programs, Smart Call Box System Deployment and the communication network programs are discussed below in Section 5.4, "Integration of Permanent Count Locations with Call Boxes." The Bakersfield TOC Expansion is discussed below in Section 5.5, "Integration with Traffic Operations Centers and Traffic Signal Cameras."

5.3 Existing and Future Assets

Kern COG currently has an inventory of magnetic imaging portable traffic analyzers, Nu-Metrics Hi-Star models NC90a and NC97. In the past, these traffic counting devices were lent to member agencies upon request. Currently, the devices have suffered a failure rate of approximately 50 percent, and Kern COG does not have funding to exchange or replace them.

In recent years, Kern COG has contracted with a traffic data collection firm to conduct traffic counts throughout the County. As part of this program, the contracted firm is responsible for providing its own traffic counting equipment. Thus, the capital expense has been transferred to a contractor. Since this program has been in place, the demand by member agencies for the equipment owned by Kern COG has virtually disappeared.

Kern COG is a Metropolitan Planning Organization and a Regional Transportation Planning Agency whose core functions are in policy formulation, data analysis, and regional coordination. Raw traffic data collection is not a core functionality of Kern COG, and it would seem to make little sense for the agency to maintain a substantial capital

investment in traffic data collection equipment. This is especially true given that there are numerous private sector suppliers who are able and willing to provide data collection services at competitive rates.

As described earlier, traffic data collection technologies continue to evolve, both in terms of hardware and software. For the foreseeable future, the technologies employed in the RTMIP count program will involve devices that are physically placed in the roadway, where they are subject to damage from the traffic volumes that they are intended to count. Inevitably, there will be ongoing maintenance and replacement costs associated with such equipment. Given this context, it is recommended that Kern COG no longer seek to maintain its own inventory of traffic counting equipment and instead rely on private sector contractors to provide and operate such equipment. These firms use the equipment on a continuous basis and are in a better position to amortize maintenance and replacement costs, reducing overall costs to the agency.

5.4 Integration of Permanent Count Locations with Call Boxes

Integrating permanent count locations with call boxes can take advantage of the clustering of multiple capabilities at a single field location to reduce program costs. In the case of the RTMIP, the cost of a permanent count location can be substantially reduced and its capabilities can be increased by taking advantage of the infrastructure in place for the call box system. Call box locations can be equipped with traffic detection devices, most likely inductive loops, and utilize the communication capability of the call box to transmit traffic volume data to a central location. In addition, as an ITS communications infrastructure is implemented, data can easily be transmitted throughout the network. Thus, the cost of providing power to the count location is eliminated, and data collection costs are reduced because a technician no longer needs to travel to the field to retrieve the data.

Because of the additional cost associated with a permanent count installation (discussed earlier in Section 5.1), such installations should be limited to only those locations where data collection is needed on a frequent or continuous basis. As the RTMIP is conceived, these would likely be only the Control Station locations. Given a typical cost of $4,000 to add data collection capabilities to a call box versus a conservative estimate of $100 per location for a temporary count installation, the same funds could provide either a single permanent installation or 40 years of annual counts.

The existing call boxes in Kern County use an analog cellular signal. This technology is not suitable for data transmission, so data collection efforts could not be integrated with the existing call box system. However, the Kern Motorist Aid Authority is undertaking an effort to replace the entire call box system with one that uses digital technology. As the system is converted to digital, permanent count locations could be integrated with the call box system.

The possibility of integrating Control Station locations with call boxes raised an important question concerning the siting of Control Stations. The existing Control

Stations within the County are located off the State highway system. This simplifies temporary data collection installations by eliminating the need for local agencies to obtain an encroachment permit from Caltrans for data collection activities. However, the call box system is largely (but not entirely) installed on State highways. Therefore, if Control Station Locations were to be integrated with call boxes, new Control Station locations would need to be identified, and continuity with historical data at the existing Control Stations would be lost. Given the reliability issues with "Smart Call Boxes" and the loss of continuity with historical data, After discussion among Kern COG and its member agencies, it was decided to maintain the Control Stations at their current locations.

5.5 Integration with Traffic Operations Centers and Traffic Signal Cameras

The City of Bakersfield maintains a Traffic Operations Center (TOC) whose purpose is to collect, manage, and distribute traffic operations data for the City. Currently, the TOC has hard-wired connections to traffic signals at approximately 220 intersections throughout the City. Of these, approximately 80 intersections have video detection capabilities. The video detection capabilities at these locations could provide the ability for continuous traffic data collection, although this capability is not currently being utilized.

Because of the large proportion of traffic count locations that are located in the City of Bakersfield, the use of data collected directly by existing equipment in the City could reduce the scope of the ongoing traffic count program. However, several steps would need to take place for this to happen:

a) Video detection would have to be implemented at more locations
b) Vehicle classification abilities would have to be incorporated into the video detection software
c) A format and protocol for transferring data from the TOC to the RTMIP count program would have to be established

Expansion of the Bakersfield TOC is included in the ITS Strategic Deployment Plan. As the TOC is expanded, these additional capabilities could be added. In the short term, however, the Bakersfield TOC is likely to focus on other efforts more directly related to its central mission, such as establishing communication with all City signals for monitoring signal status and updating timing, as well as installing cameras to monitor traffic flow and congestion.

The County of Kern currently operates a TOC on a smaller scale, with dial-up connections to approximately 70 traffic signals. As more traffic signals are tied into the system and detection capabilities are strengthened, similar efforts could be undertaken to provide data collection capabilities.

5.6 Opportunities to Combine Data Collection Efforts

The RTMIP has established a plan for on-going traffic count data collection. This section evaluates opportunities for combining other types of data collection efforts with the traffic count program.

a. Speed Survey Data. As discussed in the Needs Assessment, most of the jurisdictions in the County collect speed data, and most use their own staff to do so. Follow-up discussions revealed that speed data are generally collected for the purposes of establishing speed limits under State law. Since the legislative body of each jurisdiction must make findings to establish speed limits, it is appropriate that the responsibility for collecting the relevant data remain at the local level. Therefore, it is not recommended that speed survey data be incorporated into the RTMIP.

However, the pneumatic tube equipment used to provide traffic counts are also capable of producing speed information at the same time. Since the speed information is derived from the same raw data, there is little additional cost to collecting and reporting speed information. The accuracy of this type of speed information is not sufficient for establishing speed limits. It may, however, be of interest in monitoring congestion on particular roads or for route coordination. Therefore, it is recommended that Kern COG discuss with its member agencies whether such data would be useful.

b. Pavement Condition Data. As discussed in the Needs Assessment, pavement condition data is becoming increasingly important for jurisdictions as they plan their capital improvement budgets. Reliable, quantitative pavement condition data are best collected by means of specialized equipment that is expensive and will not typically be cost-effective for small or even medium-sized jurisdictions to own, such as falling weight deflectometers or video or laser pavement profilers that are connected to computerized data collection systems. Therefore, the collection of pavement condition data is a logical effort to centralize through the RTMIP. It is of region-wide importance, and often not easily collected at the local level. Therefore, it is recommended that Kern COG initiate a program for the collection of these data on the model of the traffic count data program.

c. Freeway Service Patrol. There is currently no Freeway Service Patrol (FSP) in the Kern COG region. However, implementation of an FSP is included in the San Joaquin Valley ITS Strategic Deployment Plan. At such time as an FSP is implemented, it would be logical to incorporate its data collection into that of the Call Box system, since FSP calls are often made through the Call Box system.

d. Accident Reporting. Unlike traffic count data, which are collected on a regular basis at recurring locations, accident data must be collected wherever and whenever accidents occur. Therefore, they are a fundamentally different type of data than traffic counts.

Currently, accident data are collected throughout the County by local police departments, the County Sheriff, and the California Highway Patrol (CHP). The data are supposed to be submitted to the statewide reporting system for accident data, the Statewide Integrated Traffic Records System (SWITRS), which has been established and is maintained by the CHP. However, it has been the experience of local jurisdictions that only fatal and injury accidents, which constitute less than one half of all accidents, are reported in SWITRS.

In response to this situation, the City of Bakersfield maintains its own accident database, in addition to SWITRS. City staff comb Bakersfield Police Department accident reports and enter the accident data into the database, including geocoding to the nearest intersection with linear referencing. Approximately 300-400 accidents within the City of Bakersfield are recorded this way each month.

Accident data are highly sensitive because of the potential for litigation. Therefore, agencies are reluctant to share these data with any external organization. Furthermore, to establish a program similar to Bakersfield's on a County-wide basis would require the dedication of at least one full time equivalent position to the task. Therefore, it is not recommend that the RTMIP include such an effort at this time. Rather, it is recommended that Kern COG work with the local jurisdictions to improve reporting of accident data to SWITRS.

In addition, it is recommended that Kern COG work with the CHP and on-going efforts such as that at the University of California at Berkeley to improve geocoding capabilities of SWITRS data.

e. Transit Boardings. The two largest transit providers in the County, Golden Empire Transit (GET) and Kern Regional Transit, currently collect their own data on transit boardings. GET buses are equipped with infra-red devices to count passenger boardings at each stop. However, these devices are generally not used because of malfunctions and lack of accuracy. Therefore, the only data collected on a regular basis by GET are farebox counts by routes, which reveal only total ridership. These data are summarized monthly in an Excel spreadsheet.

Kern Regional Transit ridership data are collected manually by bus drivers. Total ridership is tabulated monthly and summarized in an Excel spreadsheet.

Thus, at this time, location specific data (i.e., boarding locations) are not collected for the major transit systems in Kern County. Only summary ridership data are collected. While these data are useful to the transit agencies, they do not play a major role in the planning efforts of other member agencies. Therefore, integrating these data collection efforts into the RTMIP does not appear to be a priority.

f. Call Box Usage Data. Call box usage data are currently collected by Kern COG in its capacity as the Kern Motorist Aid Authority. Call boxes are assigned unique identifiers, and their locations have already been geocoded. Therefore, call box usage data could be added to the RTMIP database should Kern COG and its member agencies choose to do so.

6.0 Uniform Traffic Count Program Implementation Plan

A major component of the RTMIP is to establish a Uniform Traffic Count program that will provide useful and accurate data to jurisdictions within the County in an economical fashion. An additional important function of this program is to comply with state and federal reporting requirements, such as those associated with the Highway Performance Monitoring System (HPMS).

6.1 Traffic Count Schedule

The Draft Needs Assessment described a count program with 14 Control Station locations and an additional 584 count locations. Based on discussions with Kern COG and its member agencies, the program was revised to include 22 Control Station locations and an additional 1,021 count locations, for a total of 1,043 count locations. The Draft Needs Assessment also recommended that:

- Count data be collected at each identified location for a 24-hour period once every year on a weekday (Tuesday, Wednesday, or Thursday) while local schools are in session.
- Each location should be counted at approximately the same time each year in order to facilitate analysis of changes over time.
- Control stations should be counted for a 7-day period <u>four times each year</u>.

The Federal Highway Administration's *Traffic Monitoring Guide* (TMG) suggests that statistical analyses indicates that increasing the length of each count is more important to improving data reliability than increasing the frequency of the counts. The TMG recommends counting each location at least once every six years, with high growth or other special needs locations counted more frequently. In addition, HPMS sample segments must be counted at least once every three years. Some cost savings could also be achieved by counting some locations on a less than annual basis.

Discussion with Kern COGs member agencies revealed that a high value was placed on having annual counts throughout the larger jurisdictions. Therefore, it was decided that the count schedule should remain as originally proposed, one 24-hour period each year for each location. However, to achieve more reliable AADT volumes, discussed below, it was decided that the following element of the count schedule should be modified as follows:

- Control stations should be counted for a 7-day period <u>each month</u>.

6.2 Traffic Count Standardization

Currently, the primary source of traffic counts in Kern County is Kern COG itself, by means of a contract with a traffic count provider. These counts are provided in a format defined by Kern COG, including latitude and longitude data to facilitate integration into a GIS database. The GIS database created as part of this RTMIP imports and plots these count data.

The City of Bakersfield and the County of Kern still conduct some traffic count activities independent of the Kern COG count program. To date, these counts continue to use software that produces reports in a proprietary format that is not readily incorporated into a larger database. It is possible to continue to investigate means of transferring these data into a format that can be imported into GIS. It is recommended that a better solution would be to establish a limited number of standard formats for traffic count reporting and to conduct all future counts using technology and software that can produce reports in those formats.

Traffic volume data for Caltrans facilities exist in two systems, the Freeway Performance Measurement System (PeMS) and the Transportation System Network (TSN). As its name implies, PeMS only collects data on freeways, not other state highways. At this time, there is no PeMS data collection in Kern County. In the future, it may be possible to make use of PeMS data. TSN data are accessible only to Caltrans personnel, but they can be converted to a spreadsheet format. With appropriate interagency procedures in place, it would be possible for Kern COG to obtain TSN data on a regular basis from Caltrans. However, it will require some effort to incorporate those data into a GIS database because of the difficulty in goecoding the count locations. In TSN, count locations are identified by route number, postmile, and type of roadway segment (e.g., mainline or ramp). It will be necessary to develop a linear referencing system to identify locations along extremely long roadway sections, and then to identify the appropriate ramp or mainline segment.

6.3 Traffic Count Reporting Procedures

On an ongoing basis, traffic count data may be collected by any of Kern COG's member agencies, although it is anticipated that the majority of data collection efforts will be conducted under contract to Kern COG itself. As described above for the RTMIP traffic count program to be successful, it will be necessary for all counts to be reported in a format that is compatible with the RTMIP database, including the provision of latitude/longitude coordinates.

All traffic counts should be submitted to Kern COG in the established electronic format. Kern COG should designate one person to receive and process submitted counts. Counts should be processed and added to the database on a monthly basis. Prior to adding individual counts to the database, Kern COG should perform a reasonableness check on the data, including latitude/longitude coordinates.

Traffic count locations are identified in the database by their latitude/longitude coordinates. **Therefore, it is critical that all future counts are identified by the latitude/longitude of the counts currently in the database, not by an actual GPS reading taken with the new count.** The latitude/longitude coordinates must be specified in decimal form, not degrees/minutes/seconds.

6.4 Performance Monitoring Program Recommended Applications and Procedures

As the traffic data is collected, the information will be used to calculate and develop various performance monitoring relationships and applications. The following describes some key applications and analyses using the collected data as well as typical traffic monitoring and performance measurement methods that may be employed.

- ADT volumes by direction—measures the magnitude of traffic using the roadway segment in 24 hours
- Peak period/hour by direction—shows the magnitude of traffic using the roadway segment in the peak period or hour
- Peaking factors (peak volume/ADT)—shows the sharpness of the peak hours/periods on the roadway segment
- Generalized arterial volumes/capacity (V/C) ratio by direction for ADT or peak hour/periods—shows generalized capacity availability or deficiency
- Vehicle classification data—shows truck volumes and truck percentages in each corridor
- Traffic growth trends and change in travel patterns—by compiling and analyzing the data for several years, traffic growth trends, modal shift and goods movement trend changes and capacity utilization/performance of the system can be established Countywide, by corridor, or by subregion

The RTMIP database includes a module that calculates Average Annual Daily Traffic (AADT) volumes from the raw count data. This module identifies the day of week and the month of each count, and the appropriate control station for each raw count. It then applies appropriate factors based on the control station to calculate an AADT from the raw count. Updated day-of-week and monthly adjustment factors must be entered into the database for each count year.

6.5 System Update Recommendations

The Uniform Traffic Count Program and its monitoring process are intended to be a system which will change over the years based on the County's changing travel patterns and Kern COG and local agency planning needs, requirements and regulations. It is expected that all component of the Uniform Traffic Count Program may be modified in the future based on these changing requirements.

It is recommended that the Uniform Traffic Count Program be evaluated once every two years, and that the count location selection criteria be used to modify the list of count locations. The process to determine potential changes to the count locations or monitoring schedule should be initiated by Kern COG staff sending a change request notice to local jurisdictions. Upon receipt of the notice, local jurisdictions will have an opportunity to recommend additions and/or deletions to the system based on documented and supporting data for the selection criteria.

Upon receipt of the requested changes, Kern COG staff will compile the requests and make recommendations for new count locations to be added, or existing ones to be deleted, to bring the system into compliance with the selection criteria.

In addition, the frequency of counts and the technology used to conduct them should be reviewed as part of the biannual evaluation. In particular, the installation of permanent counting equipment at the master station locations should be considered.

The Control Stations in the count program are located in the City of Bakersfield and unincorporated Kern County. Staff of each of these agencies should provide Kern COG updated day-of-week and monthly adjustment factors for the AADT calculation by March 1 of the following year.

7.0 Funding Sources

Procuring funding for data collection and planning activities is always challenging. Most State and Federal funding sources are intended for capital projects, primarily capacity enhancements of the surface transportation system. A few are intended for transit capital investments or operating activities. There are few funding sources that allow the flexibility to use funds for planning activities. Data collection is mandated by the Federal government as part of the Highway Performance Monitoring System (HPMS), and the HPMS program has recently emphasized the importance of ensuring data quality. However, no funding source exists for the improvement or data collection activities.

The existing Kern COG traffic count program is funded by Regional Surface Transportation Program (RSTP) funds. In addition, Kern COG's member agencies are contributing funds for the program under a Memorandum of Understanding in effect through 2010.

The following potential funding sources were investigated for purposes of this evaluation:

- AB 2766 (Air Quality Vehicle Registration Fee) Funds
- Carl Moyer Memorial Air Quality Standards Attainment Program
- Congestion Mitigation and Air Quality (CMAQ)
- Environmental Enhancement and Mitigation (EEM)
- Federal Statewide Transportation Improvement Program (FSTIP)
- Federal Transportation Improvement Program (FTIP)
- Intelligent Transportation Systems (ITS) Research and Development
- Local Transportation Fund (LTF) of the Transportation Development Act (TDA)
- Motor Vehicle Emission Reduction Program (MVERP)
- Regional Surface Transportation Program (RSTP)
- State Transportation Improvement Program (STIP)
- State Highway Operation and Protection (SHOPP)
- Transportation Enhancement Activities (TEA)

Based on a review of the eligibility criteria for each of the above programs, it appears that the following programs are *potential* funding sources for future projects under the RTMIP:

AB 2766 (Air Quality Vehicle Registration Fee) Funds–Assembly Bill 2766, adopted in 1990, authorizes the Department of Motor Vehicles to collect a registration surcharge of $4 per vehicle to fund programs that reduce air pollution from motor vehicles and for related planning monitoring, enforcement and technical studies. Forty percent of these funds are returned to Cities and Counties to fund transportation-related projects that reduce air pollution. Projects that are funded with AB2766 funds must meet the criteria and guidelines in the California Air Resources Board's (CARB) *Criteria & Guidelines,* which state:

> The primary purpose of the funds is to reduce emissions from the use of motor vehicles. However, state law also recognizes the need to develop clean air plans that identify the strategies for meeting air quality standards. Ambient air monitoring and technical studies needed to implement the California Clean Air Act are other eligible uses of the funds.
>
> ...
>
> The allocation of motor vehicle fees for district planning and technical work should be detailed in district budgets and approved by governing boards. These technical activities should not be funded entirely by motor vehicle fees; at most, the funding should be proportionate to the relative contribution of mobile source emissions.

Thus, to the extent that reliable and accessible transportation data are necessary for the development of plans to carry out Clean Air Act activities, it would appear that AB 2766 funds could be used for RTMIP activities.

Congestion Mitigation and Air Quality (CMAQ)–The CMAQ program was created under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, continued under the Transportation Equity Act for the 21st Century (TEA-21), and reauthorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards for ozone, carbon monoxide (CO), and particulate matter (PM).

According to the CMAQ program's Interim Program Guidance (October 31, 2006):

> Activities in support of eligible projects also may be appropriate for CMAQ investments. Studies that are part of the project development pipeline (e.g., preliminary engineering) under the National Environmental Policy Act (NEPA) are eligible for CMAQ support, are FTA's Alternatives Analyses. General studies that fall outside specific project development do not qualify for CMAQ funding. Examples of such efforts include major investment studies, commuter preference studies, modal market polls or surveys, transit master plans, and others. These activities are eligible for Federal planning funds.

Thus, to be eligible for CMAQ funding, an RTMIP activity would have to be tied to a specific CMAQ-eligible project, such as regional multi-modal traveler information systems, traffic signal control systems, transit management systems,

incident management programs, or transportation demand management programs.

Local Transportation Fund (LTF) of the Transportation Development Act (TDA)–Under the Transportation Development Act (TDA) of 1971, funding is allocated to transit and non-transit related purposes that comply with regional transportation plans. The TDA provides two funding sources: 1) Local Transportation Fund (LTF), which is derived from a ¼ cent of the general sales tax collected statewide, and 2) State Transit Assistance fund (STA), which is derived from the statewide sales tax on gasoline and diesel fuel. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenues to each county's LTF. According to the TDA regulations, up to 3 percent of annual program revenues can be allocated for the conduct of the transportation planning and programming process.

Thus, to the extent that reliable and accessible transportation data are an important part of Kern COG's planning and programming process, LTF revenues could be used to fund RTMIP activities.

Regional Surface Transportation Program (RSTP)– The Regional Surface Transportation Program (RSTP) was established by California State Statute utilizing Surface Transportation Program Funds apportioned under SAFETEA-LU. Of the Surface Transportation Program funds, 10% are allocated to Transportation Enhancements, 27.5% are retained by the State for its use, and the remaining 62.5% constitutes the RSTP, which is divided among Cities and Counties based on population. Surface transportation planning programs are explicitly identified as an acceptable use of RSTP funds. Thus, to the extent that reliable and accessible transportation data are an important part of Kern COG's planning activities, RSTP revenues can be used to fund RTMIP activities.

8.0 Implementation Matrix

Recommendation	Timeframe	Responsible Agency	Potential Funding Source
Implement Uniform Traffic Count Program			
• Establish count frequencies as described in Action Plan	Immediate	Kern COG & member agencies	RSTP/LTF
• Employ pneumatic tube technology	Immediate	Kern COG	
• Counts provided by private sector contractor	Immediate	Kern COG / contractor	RSTP/LTF
• Counts supplemented by local agencies	Ongoing	Member agencies	Local Agencies
• Establish uniform data reporting format(s)	Immediate	Kern COG	RSTP/LTF
• Investigate permanent installations at Master Station locations	Short-term	Kern COG	RSTP/LTF
• Develop AADT calculation module	Complete	Kern COG / contractor	
• Biannual review of program	Ongoing	Kern COG	RSTP/LTF
Data Integration			
• Determine whether Master Stations will be co-located with Call boxes; relocate Master Stations if necessary	Complete; Re-evaluate as necessary	Kern COG	
• Implement video detection at traffic signals	Long-term	Local agencies	AB2766 CMAQ
• Enable vehicle counting abilities at locations with video detection	Long-term	Local agencies	AB2766 CMAQ
• Develop protocol for transfer of video detection count data to RTMIP count program	Long-term	Kern COG and local agencies	RSTP/LTF
• Include speed data with vehicle count program	Short-term	Kern COG and local agencies	RSTP/LTF
• Initiate a program for collection of pavement condition data	Short-term	Kern COG and local agencies	RSTP/LTF; Local agencies
• Improve reporting of accident data to SWITRS	Short-term	Kern COG and local agencies	RSTP/LTF; Local agencies

Recommendation	Timeframe	Responsible Agency	Potential Funding Source
• Investigate new approaches for geocoding SWITRS data	Long-term	Kern COG	RSTP/LTF; PATH
• Do not include speed surveys for establishing speed limits			
• Do not include accident data in RTMIP count program			
• Investigate future use of PeMS data	Long-term	Kern COG and Caltrans	PATH
• Investigate linear referencing system for TSN data	Long-term	Kern COG and Caltrans	PATH

Appendix A

Survey Instrument

Appendix B

Recommended Count Locations

Data Dictionary

JURIS = Jurisdiction of count location
ROADWAY = Roadway on which count is located
DIR = Direction from cross street
CROSS_STRE = Cross street of count location
ADT_ID = City of Bakersfield unique ID
LON = Longitude of count location
LAT = Latitude of count location
HPMS = Whether location is on an HPMS segment
ENTRY = Whether location is a community/county entry point
COMM = If location is an entry point, community to which it is an entry
LOC_SIG = Whether location was selected based on local significance
REG_SIG = Whether location was selected based on regional significance
SCREEN = Whether segment containing count location is a model screenline
CONTROL = Whether location is a proposed control station
GM = Whether location was selected based on goods movement activity
CRIT = Criterion number that resulted in addition of point to list (from Table 3.1)
CLASS = Whether location is recommended for vehicle classification count
ROUTENO = Kern County route number
HPMS_ID = HMPS segment ID

Appendix C

Call Box Usage Statistics

Appendix D

Statewide Call Box Guidelines

Statewide Call Box Guidelines

A set of motorist aid guidelines were originally developed by California Highway Patrol (CHP) and Caltrans to guide statewide consistency of the call box systems, which are developed and operated on a county-by-county basis. Updated guidelines developed by CHP, Caltrans and the various SAFE agencies from around the state are currently contained in the document titled "CHP/Caltrans Call Box and Motorist Aid Guidelines", dated May 2005.

The guidelines outline the roles and responsibilities of the various agencies involved in providing motorist aid services in California. The guidelines also provide guidance on the physical aspects –spacing and design of call box systems and individual call box sites. Several sections pertinent to this analysis are extracted from the Statewide Guideline and are presented below with some key words underlined.

Site Requirement

- Within spacing requirements, call box locations will be selected to have minimal impact on normal highway operation. A call box will not be located where there is less than an eight (8) foot shoulder. Any exceptions shall be reviewed and approved by the local district at Caltrans.

Call Box Spacing

- Within the guidelines, call box spacing should ensure motorist safety by providing the closest feasible spacing to reduce both pedestrian and vehicle exposure time. Closer spacing also contributes to congestion relief by providing faster notification and clearing of disabled vehicles from the roadway.

- Variation in terrain, available revenue, urban/rural characteristics, and proximity for roadside services are factors in the decision of spacing between call boxes. In order to allow flexibility and still maintain consistency in these installations, the county SAFEs should adhere to the following suggested spacing guidelines:

ADT	SUGGESTED SPACING
Lower than 40,000	3.2 km or more (2.00 mi or more)
40,000 to 75,000	1.6 km to 3.2 km (1.00 mi to 2.00 mi)
75,000 to 100,000	0.8 km to 1.6 km (0.50 mi to 1.00 mi)
Higher than 100,000	0.8 km or less (0.50 mi or less)

- A reasonable spacing on rural highways with low ADTs may be based on geometric and economic needs. Other factors may include the cellular

coverage area and isolation. Spacing does not constitute a system of call boxes but rather a service. These call boxes should only be placed in an area where adequate safe clearance from the roadway is available.

- On Caltrans toll bridges, call boxes should be spaced between 600 to 1,200 feet, depending on whether or not adequate shoulders are provided. Special situations and deviations from this should be discussed with the district liaison.

Call Box Removal, Relocation and Repairs

- There may be factors, including, but not limited to, significant decreases in annual call volume, administrative issues, and operational issues, that warrant the need to remove call boxes on a systemwide basis. The SAFE will develop a systemwide call box removal plan that shall include a list of recommended call box sites to be removed, the resulting spacing between remaining adjacent sites, and justification for removal. If call boxes are being removed as a result of low call box usage, call box usage data for each call box shall also be provided. However, it should be noted that a call box may be removed due to systemwide decrease in call volume. The SAFE shall submit the call box removal plan to the CHP and Caltrans for review and approval. With the exception of removals for construction, a removal that is planned or in existence for more than six months is considered a permanent removal and requires an approved removal plan.

- A SAFE does not need to submit a removal plan to the CHP and Caltrans for the removal of individual call boxes. However, removals greater than 10% of the number of installed call boxes on any one corridor does require a removal plan.

- Should a call box be taken out of service for repair or temporarily removed due to roadway construction, its pair shall be bagged or temporarily removed. Any exceptions shall be reviewed and approved by the local district at Caltrans.

- Along freeways, expressways, and divided conventional highways, call boxes shall be removed from both sides of the roadway to maintain call box pairing.

Kern Council of Governments

November 25, 2015

TO: REGIONAL PLANNING ADVISORY COMMITTEE

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

SUBJECT: MEETING CANCELLATION NOTICE

The meeting of the Regional Planning Advisory Committee (RPAC) scheduled for Wednesday December 2, 2015 has been cancelled. The next meeting will be held on Wednesday, January 6, 2016. Agenda material will be mailed approximately one week prior to that date.

Thank you.