



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

October 20, 2016

Steve DeBrum

CHAIR

Katherine Miller

VICE CHAIR

Andrew T. Chesley

EXECUTIVE DIRECTOR

Member Agencies

CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF
SAN JOAQUIN

Ms. Priscilla Martinez-Velez
Division of Transportation Planning, MS-32
California Department of Transportation
P.O. Box 942874
Sacramento, CA 94274-0001

Subject: September 2016 Draft Regional Transportation Plan Guidelines

Thank-you for the opportunity to participate in the RTP Guidelines workshops on October 6, 7, and 12. Comments submitted in this letter are a result of discussions at those workshops, as well as additional review of the September 2016 Draft.

General Comments:

SJCOG supports the renaming of "best practice" to "planning practice example" in recognition that these examples do not represent a standard to be implemented by all agencies due to differences in applicability, data availability, technical capability, or financial constraints. While we feel that inclusion of these examples is beneficial, these examples are appropriately moved to Appendix M. Moving of the planning practice examples allows the body of the guidelines to reflect regulatory requirements (shalls) and recommendations (shoulds), while providing important reference material and examples in a single location in the appendix. While important and useful, these planning practice examples do not represent regulatory requirements for the RTP.

Chapter 1 Comments:

Section 1.0: In the first paragraph the following sentence should be edited as follows: As a fundamental building block of the State's transportation system, the RTP ~~must~~ *should* also support state goals for transportation, environmental quality, economic growth, and social equity. The change is requested as Executive Order B-30-15 applies to State agencies and does not reflect a requirement of regional agencies in the RTP. This is consistent with the language on the bottom of page 3 and the first paragraph of page 4, noting that the shall/should convention in the previous RTP guidelines is carried to the current draft guidelines: "shall" indicates a state or federal statutory requirement and "should" indicates an optional statutory reference. The last sentence of the first paragraph of page 4 should be removed, again as it refers to an Executive Order that applies to state agencies: ~~In select cases, a "shall" or "should" is determined by a combination of general statutory authority of Government Code Section 14522 combined with direction provided to state agencies from Governor's executive orders.~~

Working Group (Working Group) meeting and included in the summary notes from that meeting on pages 3 (discussion) & 4 (consensus edits).

Section 1.1: The third paragraph on page 5 should make it clear that the bullets following the sentence "...shall be guided by the following principles" are referencing state agency requirements pursuant to the referenced Executive Order. Additionally, for clarity, the term "natural infrastructure solutions" in the 4th bullet needs definition or reference.

Section 1.2:

The second paragraph in Section 1.2 does a good job of explaining the California Transportation Plan (CTP); however, we ask that besides the language indicating that the CTP is fiscally unconstrained, that language be added recognizing that RTPs **are** fiscally constrained. This was a point of discussion for the participants at the October 6, 2016 Working Group meeting and was captured on page 3 of the meeting summary notes.

Chapter 2 Comments:

The purpose of this chapter is to articulate federal and state regulatory requirements and recommendations as they apply to regional planning agencies. This chapter currently includes references to legislation and Executive Orders that do not apply to regional agencies or the regional transportation planning process. This chapter should be modified to include only requirements for regional agencies.

Section 2.2:

- SJCOG supports the consensus reached during discussions at the October 7 Working Group meeting to reorganize this section to reflect AB 32, SB 32, and SB 375 as directly applicable to regional agencies in their RTP planning process. Additionally, discussions of AB 1482 and SB 350 will be identified as state-level requirements that RTPs may, but are not required to, reference.
- This section contains reference to implementation of SB375 "during the next update", this reference should be modified to reflect that SB375 has already been implemented by MPOs. Suggested revision for the second item listed in the SB375 section at the bottom of page 26:
 2. Through their respective planning processes, each of the MPOs ~~during the next update of their RTPs~~ is required to prepare a sustainable communities strategy...
- SJCOG reiterates its comments on Chapter 1 on the applicability of the Executive Orders listed on pages 29 and 30 to regional agencies and whether reference to these is appropriate in the discussion of regulatory requirements for RTPs. Staff supports the consensus edits noted on page 4 of the Summary Notes for the October 7 Working Group meeting to add a qualifying sentence on page 29 of the Guidelines specifying the applicability of the Executive Orders to State Agencies and striking reference to EO B-30-

15 and Government Code 14522 as applicable to regional agencies at the top of page 30.

Section 2.3: SJCOG supports the integration of public health considerations in its long-range planning process and has developed a strong working relationship with public health practitioners and advocates in the San Joaquin region. However, the language in this section is not reflective of regulatory requirements for RTPs. This section's location between sections titled "State Requirements" and "Federal Requirements" is inappropriate. It is suggested that the section be moved to Section 2.7 or included as a stand-alone section after section 2.7. In addition, the following changes are requested:

- Suggested revision to paragraph 3 on page 31:

Improving transportation infrastructure in ways that encourages walking and cycling is an effective way to improve physical activity, decrease traffic collisions, and improve one's health status. ~~But, transportation planning also has a tremendous~~ **Transportation is one of several important factors** that **can have an** impact on community health, safety, and neighborhood cohesion. ~~For instance, health-focused transportation plans can help reduce the number of injuries and fatalities from collisions. Some research suggests that there is a multiplier effect: when streets are designed to safely accommodate walking and biking, more people do so, and as more people walk and bike the rate of collisions actually goes down as pedestrians and bicyclists become more visible to motorists. In addition, more people out walking and biking in a neighborhood has an important public safety benefit, as it means there are more "eyes on the street" to deter criminal activity. Taking this a step further, studies have shown that people who live in neighborhoods with less traffic and higher rates of walking, bicycling, and transit use know more of their neighbors, visit their neighbor's homes more often, and are less fearful of their neighbors. When streets are inhospitable to pedestrians and bicyclists, residents don't feel safe walking or biking to nearby transit and their ability to access regional educational and employment opportunities is hampered. In short, improving traffic safety results in better public health beyond simply reduced injuries and fatalities. Additional examples of how transportation planning can promote health include:~~

- ~~Transportation planning can help residents reach jobs, education, social services, and medical care by walking, biking or public transportation in a timely manner.~~
- ~~Reducing commute times and increasing public transportation reliability can reduce stress and improve mental health.~~
- ~~Affordable transportation options enables low income households to invest in savings, education, and healthier food options—all factors that contribute to greater individual and community health.~~

Appendix L provides further suggested public health planning examples.

- The bullet points on the top of page 32 are examples of/considerations for the RTP environmental analysis/document and should be moved to Chapter 5. SJCOG supports

the suggestion from the October 7 Working Group discussion (page 4 of the summary notes) for staff to work with CALCOG and public health advocates for appropriate edits to this section.

Section 2.6: SJCOG supports the proposed change from the Working Group discussion of October 7 to add Tribal Transportation Plans and Federal Lands Management Plans to the list of “other planning documents” on page 35 (page 4 of the summary notes).

Section 2.7: SJCOG supports the discussion from the October 7 Working Group meeting to revamp the language on pages 39 and 40 for Context Sensitive Solutions and Planning and Environmental Linkages in consultation with CalTrans Environmental staff (page 4 of the summary notes). These sections refer to project level detail that is typically not available at the RTP planning stage.

Section 2.10: SJCOG requests that any proposed additions and/or modifications to the RTP checklist be consistent with **regulatory** requirements for the RTP.

Chapter 3: As the full scope of proposed changes to Chapter 3 have not been provided and this comment letter is being written prior to the RTP Guidelines Working Group meeting on Chapter 3, SJCOG reserves comments on this Chapter until after the October 27, 2016 meeting.

Chapter 4:

Section 4.1: SJCOG supports the Guidelines Working Group suggestion that the list of key stakeholders in paragraph 1 mirror those groups identified in Gov. Code Section 65080(b)(2)(F) as referenced on page 4 of the meeting summary notes.

Section 4.2: The last paragraph on the bottom of page 95 and carrying over to page 96 uses the terms “unfair share of the adverse impacts,” “fair share of the benefits,” and “equally timely manner” as qualifiers of the language in the preceding bullet points. Those terms are not the same as those in the bullet points, which are derived directly from the cited FTA circular. Any language in this paragraph should be derived directly from the cited circular.

Section 4.3: This section is citing requirements of MPO’s public participation plan. However, the bullet points included at the bottom of page 97 and the top of page 98 are referencing various suggested planning practices drawn from a variety of sources. This list should be simplified to include only a few examples and the majority of the information moved to Appendix M. SJCOG is in agreement with the discussion at the October 7 Working Group meeting summary notes (page 5) that additional information is needed for bullet 4 (Fresno COG mini-grant program) to specify the funding type utilized for the effort. Additionally, there was consensus reached with the Working Group that the section on local hire requirements (last paragraph on p. 98 and first paragraph on p. 99) is inappropriate to these guidelines and should be removed.

Sections 4.6 & 4.7 : SJCOG concurs with the Working Group discussion and consensus that the list in Section 4.6 on page 104 should focus on federal requirements for consultation and Section 4.7 on pages 105 & 106 should be expanded to include state requirements for consultation from the language in SB375.

Chapter 5:

Section 5.1:

- In paragraph three, the last sentence should be modified as follows: “Likewise, all RTPs and subsequent transportation projects **address assess** all environmental issue areas...”
- In paragraph 4 the following revision is requested: “The regulatory language (CEQA guidelines changes) to implement the law are pending, though VMT has been identified by the Governor’s Office as **the a** potential metric...”

Section 5.3: The discussion of NEPA in the 6th paragraph should reference “implementing agencies” as opposed to MPOs.

Section 5.5:

- In the third paragraph on page 121, a change was made noting that the former California Department of Fish and Game is now known as the California Department of Fish and Wildlife. This change should be carried through the remainder of the section.
- SJCOG supports the discussion at the October 12 Working Group meeting on a needed substantial rewrite of the language in paragraph 2 on page 124 of the Guidelines. CTC staff committed to working with advocates, CalTrans environmental staff, and MPO/CALCOG staff to recraft the language for future review. Some important discussion points were:
 - MPOs cannot mitigate land-use impacts as they have no direct land-use authority.
 - The applicability and/or context for the term “various scenarios” in the last sentence of this paragraph should be explicitly stated. Is the reference to AB32 scoping plan scenarios?
 - Regulatory reference for the statements should be included.
 - The term “implementing agencies” should be utilized to indicate that these references are not necessarily referring to MPOs.

Chapter 6:

Section 6.1: The last paragraph on page 135 should be modified as follows:

The Policy Element should clearly convey the region’s transportation **policies and supportive strategies** and **related** land use **forecast assumptions**. These **land-use assumptions take into account the latest planning documents and associated** policies of the local jurisdictions. As part of this Element, the discussion should: (1) relay how these policies were developed, (2) identify any significant changes in the policies from the previous plans and (3) provide the reason for any changes in policies from previous plans. The Policy Element should clearly describe the SCS strategies, including land use,

transportation, and other measure intended to reduce per capita GHG emissions from passenger vehicles travel. It should also explain how the financial commitments are consistent with and support the land use pattern and personal mobility objectives of the RTP.

Section 6.12: The extensive list on page 153 relating to goods movement should be revised to clearly identify “shalls,” “shouds,” and planning practice examples. Areas that represent planning practice examples are appropriately moved to Appendix M. It should also be clearly articulated what is required of MPOs and what is required of state agencies.

Section 6.19: Most of the requirements in this section relate to requirements of state agencies, with minimal current requirements for MPOs. Timing of the federal rulemaking referred to in the third paragraph should be referenced for context and current applicability to the RTP.

Section 6.20: During the October 12 Working Group discussion, it was noted that this section on the new required federal Safety Performance Measure (PM) will be moved to Chapter 7. As also noted in Chapter 7, ambiguity in the timing and implementation should be discussed, as should the currently identified safety target setting schedule. It is currently anticipated that several of the San Joaquin Valley MPOs may be releasing draft 2018 RTP documents prior to required MPO target setting for this metric.

Section 6.23: The third paragraph in this section identifies “funding by corridor” for the RTP financial element. This is inappropriate as the RTP is a program level document and does not specify specific corridor or project level funding streams.

Section 6.26:

- The second paragraph under “Visualization and Mapping” is a planning practice example and should be moved to Appendix M.
- The last three paragraphs on page 185 refer to planning practice examples appropriate to Appendix M to clearly differentiate these from RTP requirements.

Chapter 7: SJCOG concurs with the creation of Chapter 7 to address performance measurement in the RTP and removing the applicable sections from Chapter 6, which now only addresses RTP Contents. SJCOG also acknowledges that this Chapter may require substantial editing and additional comment.

SJCOG concurs with and supports the consensus of the October 6 Guidelines Working Group (page 2 of the meeting summary notes) that Chapter 7 be reorganized into three sections: Federal Requirements, State Requirements, and Performance Measure Planning Examples. This change is requested/needed for several reasons:

- To clearly articulate federal requirements for which federal planning funds are allocated.

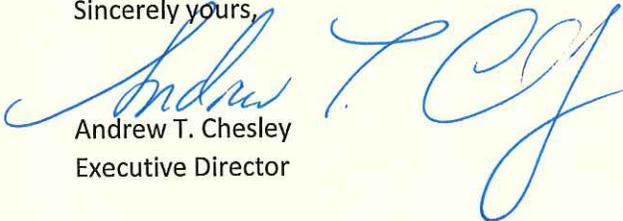
- To clearly reference state requirements for MPOs as opposed to requirements of state agencies.
- To clearly identify regulatory requirements (shalls), recommendations (should) and potential planning practice examples that may be employed at the discretion of the MPO.

It is vitally important that a distinction be made between performance indicators based on empirically derived data utilized to track progress toward regional goals, performance measures utilized by MPOs to differentiate between potential plan scenarios or to measure plan performance against an identified baseline derived from future forecasts, and performance based planning criteria that may be utilized to gauge individual transportation project performance against RTP goals.

In the rewriting of this Chapter, SJCOG particularly requests that the information in Section 7.2 reference the current schedule for the federal rulemaking process relative to 23 USC 150(c), 49 USC 5326, and 49 USC 5329 FHWA/FTA. The timing and implementation of the various federal performance metrics is extremely sensitive to San Joaquin Valley MPOs that have recently started the 2018 RTP planning process. The first of the performance metric targets to be established, Safety, may or may not be required to be completed prior to the release of draft RTP documents in early 2018. There is little federal guidance available on the process of timing or implementation of this first federal performance metric and subsequent metrics at this time. For this reason, it must be stressed in this section of the RTP Guidelines that the timing of requirements for inclusion in this round of individual MPO's planning process is uncertain and may be more applicable to future RTPs. SJCOG will provide additional input on this chapter when a modified draft is circulated.

SJCOG is appreciative of the opportunity to participate in the Working Group meetings and the robust discussions facilitated by CTC and CalTrans staff. We look forward to a continued collaborative process in finalizing the current revisions to the 2016 RTP Guidelines.

Sincerely yours,



Andrew T. Chesley
Executive Director