Meeting Agenda  
Thursday, August 6, 2020  
Time: 10:00 a.m.

THIS IS A ZOOM CONFERENCE MEETING  
Meeting ID: 847 7880 8072  
Password: 531623  
https://us02web.zoom.us/j/84778808072?pwd=NEhaUjlQZHdHVkpHRnN6b0QrNVdadz09  
Phone only: 1 (669) 900 9128

APPROVAL OF MINUTES

1. July 9, 2020 Directors’ Meeting

DISCUSSION/ACTION ITEMS:

2. MPO Activity During Coronavirus

3. RTP/Sustainable Communities Strategies/Air Quality
   
   Update and Discussion

4. California Transportation Funding

   Program and Project Funding Updates:
   ▪ Trade Corridor Enhancement Program (SJCOC & MCAG)
   ▪ Solutions for Congested Corridors Program (Fresno COG)
   ▪ State Transportation Improvement Program

5. EO N-19-19 Transportation Action Plan

Discuss
6. Valley Voice DC 2020
   Receive Update and Discuss Draft Platform
   M. Sigala

7. Traffic and Other Impact Fees from New Construction of Local Schools
   Discuss
   A. Hakimi

8. SJV REAP Committee for Housing
   Receive Update
   R. Phipps

9. I-5 Freight ZERO Pilot Study
   Receive Update
   A. Hakimi

INFORMATIONAL ITEMS
The following items are for informational purposes and require no action or vote.

10. Caltrans Directors’ Report
    D. Gomez/D. McElhinney

11. California High Speed Rail
    G. Fernandez

12. San Joaquin JPA for Passenger Rail
    D. Leavitt

13. Valley GO (MioCar) and Valley Flex (Vamos & VoGo)
    M. Sigala

14. California Partnership for the San Joaquin Valley
    F. Cardoza

OTHER ITEMS

15. Director Items

16. Public Presentations for Items Not on Agenda.
   This portion of the meeting is reserved for persons wishing to address the Committee on items within its jurisdiction but NOT on this agenda. Unscheduled comments may be limited to three minutes. The public may comment on listed agenda items as they are considered.

ADJOURN MEETING

Directors Only Closed Session if Necessary

Next Directors’ Meeting: Thursday, September 3, 2020

Americans with Disabilities Act (ADA) Accommodations The meeting room and restrooms are ADA accessible. Representatives or individuals with disabilities should contact the SJV Regional Planning Agencies at (559) 266-6222, at least three days in advance, to request auxiliary aids and/or translation services necessary to participate in the meeting. At this time, all meetings will be conducted via Zoom until further notice.
Meeting Minutes
Thursday, July 9, 2020
Time: 10:00 a.m.

Meeting Location:
ZOOM CONFERENCE CALL MEETING

Directors | MPOs
---|---
Terri King - Chair | Kings County Association of Governments
Ahron Hakimi – Vice Chair | Kern Council of Governments
Patricia Taylor | Madera County Transportation Commission
Rosa Park | Stanislaus Council of Governments
Tony Boren | Fresno Council of Governments
Stacie Guzman | Merced County Association of Governments
Ted Smalley | Tulare County Association of Governments
Andrew Chesley | San Joaquin Council of Governments

Please see Appendix A for a list of other attendees

APPROVAL OF MINUTES

1. June 4, 2020 Directors’ Meeting

T. King

There was a motion to approve the June 4, 2020 Directors’ Committee Minutes.

First Motion: Ahron Hakimi
Second Motion: Andy Chesley
Motion Carried
DISCUSSION/ACTION ITEMS:

2. **MPO Activity During Coronavirus**
   T. King

Madam Chair Terri King guided discussions about coronavirus measures and activities among MPOs. KCAG is teleworking for most of the week, however, they have a few staff members in the office at one time. Stacie Guzman with MCAG noted member agencies and partners are back in the office. Their plan was to bring back staff at 30 percent reduction but that is on hold due to high positive numbers. Patricia Taylor, Madera CTC, mentioned they are working under similar guidelines as to KCAG and MCAG. Rosa Park, StanCOG, noted they have not opened the office because of the increase in cases. They are all working remotely and closely monitoring the situation.

   T. King

Darwin Moosavi, CalSTA, briefly discussed the background of Executive Order (EO) N-19-19 which calls for action from multiple state agencies to reduce GHG emissions and mitigate the impacts of climate change. It also acknowledges of the role the transportation sector must play in tackling climate change. EO N-19-19 directs CalSTA to leverage discretionary state transportation funds to reduce GHG emissions and align transportation spending with the State’s Climate Change Scoping Plan. Darwin reviewed the vision and goals of the transportation system and highlighted the commitment to a “fix-it-first” approach. CalSTA is to leverage funding programs where the State plays a role in scoping, recommending, or selecting specific projects. State investments should deploy the following strategies: 1) reduce public health harms and maximize benefits to disproportionately impacted communities, 2) make safety improvements to reduce fatalities and serve injuries of all users towards zero, 3) assess physical climate risk, 4) champion projects that do not increase passenger vehicle travel, 5) build towards an integrated, statewide rail and transit network, 6) promote compact infill development while protecting residents and businesses from displacement, 7) progress developing a zero-emission freight transportation system, 8) incorporate safe and accessible bicycle and pedestrian infrastructure, 9) include investments in light, medium, and heavy-duty-zero-emission-vehicle infrastructure, and 10) protect natural and working lands. The implementation of this Action Plan is scheduled to begin upon finalization of the plan in early 2021. Terri King commented and asked about the MPO’s being involved in the development of the guidelines. Ted Smalley shared frustration with scoring criteria changes in certain programs and how it adversely impacts projects in the Valley. Andy Chesley highlighted similar concerns and noted the constraints the San Joaquin Valley has with reducing VMT and affordable housing requirements in comparison other counties outside the Valley. There were discussions about transportation system in the Valley, funding and how they differ from the Bay Area and LA. Others echoed similar concerns and discussions ensued.

4. **RTP/Sustainable Communities Strategies/Air Quality**
   R. Niblock

Ryan Niblock reported that because of the Air Quality Planning schedule there will not be a type four amendment, rather, only a type five. Five Valley MPO’s are not passing conformity when using EMPAC 2017. CARB is looking into where adjustments can be made in order for all counties to pass conformity. EMPAC 2022 is under development and the draft version should be released soon. Ryan noted that an overall RTP schedule was circulated and it lists deadlines for drafts. Ahron Hakimi asked Ryan to follow up with CARB into considering the Valley as a whole in order to pass conformity. There was a consensus from group for that approach. Andy Chesley had a question about drafting EMPAC 2022 and its progress.
Jennifer Gress, reported that CARB is experiencing a backlog of reviewing all. Jennifer noted that the Kern and Tulare staff report is in progress, Kings is in review, San Joaquin and Stanislaus staff report is in process of drafting, Merced is waiting for SCS submittal and Madera is waiting for additional information to complete that submittal.

5. California Transportation Funding
   T. King
   **Program and Project Funding Updates:**
   - **Trade Corridor Enhancement Program (SJCOC & MCAG)**
     Michael Sigala reported that they are writing letters of support for numerous projects and is waiting for more details of each project. The deadline for application for this program is August 3rd.
   - **Solutions for Congested Corridors Program (Fresno COG)**
     No updates were provided
   - **State Transportation Improvement Program**
     Ted Smalley reported that the STIP is going to fund all the project programs and advised there may be a negative STIP.

6. SJV Sustainable Transportation Equity Projects (STEP)
   C. Rodier
   Michael Sigala gave a brief overview the upcoming implementation grant opportunity through ARB and The Strategic Growth Council. The idea is to make multiple investments in a small geographic area to improve transportation. The program consists of up to three (3) grant for up to $20 million or a planning grant for up to $2 million. At this time, the Ecosystems team is focusing on San Joaquin County for this grant opportunity. The grant is due at the end of August. Terri King had some questions about the application.

7. Valley Voice DC 2020
   M. Sigala
   Michael Sigala reported that he is coordinating with Jennifer and will be sending out meeting invite to everyone for a Zoom meeting. Michael is also following up with Jennifer to coordinate an executive committee meeting in late July.

8. Traffic and Other Impact Fees from New Construction of Local Schools
   A. Hakimi
   No update was provided; it was decided to roll this item to the August meeting.

9. SJV REAP Committee for Housing
   R. Phipps
   Robert Phipps reported that they are still waiting for HCD to send out the revised master agreement for the initial application in order to move forward. HCD advised that they are willing to combine all funds under one agreement that covers the $10.1 million dollars by the end of July. Program management work will not begin until the funds are received.

10. I-5 Freight ZERO Pilot Study
    A. Hakimi
    Linda Urata gave a quick update and noted the next quarterly report and invoice will be submitted by July 10th and the reports for task 2 and 4 will be submitted at the end of July. The final report is still scheduled to take place next July 2021. Linda is organizing a video meeting update with the partners in September or October. Terri King advised there will be no additional funding (PL) provided unless its requested.
INFORMATIONAL ITEMS


Michael Navarro, District 6, noted that 90 percent of their staff are continuing to telework and are looking at a return to work plan. Michael mentioned this week that they have adopted The Climate Adaptation report which help prioritize projects. There is continued work on corridor plan for SR 99 and have engaged all partners. Michael noted a couple of documents in progress: 1) The CTP 2050 final draft is expected to be released late summer or early fall for public comment 2) The ITSP document is expected to be included into the next STIP 3) TCIP applications received comments back from headquarters and are still working on the drafts 4) the SHOP Reservation consisting of $100 million where $42 million was initially used in District 6.

Dan McElhinney, District 10 Director, reported that he provided a web news announcement to the group. Dan introduced Gregoria Ponce as the new acting Director for District 10.

12. California High Speed Rail  D. Gomez

Diana Gomez reported that the board is delaying the approval of the Business Plan until late this year. However, they did receive approval for the budget of right away mapping, utility items, relocations and design. Diana noted they are still teleworking and they are also monitoring the situation closely. The Track and Systems contract is still going to be awarded in December. The Wye document will go to the board in September and should be environmentally cleared.

13. San Joaquin JPA for Passenger Rail  D. Leavitt

Michael Sigala reported the board meeting in July was cancelled and the next board meeting will be on September 25, 2020.

14. Valley GO (MioCar) and Valley Flex (Vamos & VoGo)  M. Sigala

Michael Sigala reported MioCar will be underway again after transitioning to the nonprofit and cars are slowly going out to the sites. Vamos and VoGo are complete and slowly rolling out. CARB is stating that 80 percent of funds will be available.

15. California Partnership for the San Joaquin Valley  F. Cardoza

No update was provided

OTHER ITEMS

16. Director Items

17. Public Presentations for Items not on Agenda

None

Meeting Adjourned at Approximately 12:00 P.M.
# Appendix A – Additional Meeting Participants

<table>
<thead>
<tr>
<th>Individual(s)</th>
<th>Organization(s)</th>
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<tbody>
<tr>
<td>Ben Kimball</td>
<td>Tulare County Association of Governments</td>
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<tr>
<td>Michael Sigala</td>
<td>Valleywide Coordinator, Sigala Inc</td>
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<td>Ryan Niblock</td>
<td>San Joaquin Council of Governments</td>
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<td>Dan Leavitt</td>
<td>San Joaquin JPA</td>
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<td>Michael Navarro</td>
<td>Caltrans D6</td>
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<td>Matt Fell</td>
<td>Merced County Association of Governments</td>
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<td>Kristine Kai</td>
<td>Fresno Council of Governments</td>
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<td>Jeff Finley</td>
<td>Madera County Transportation Commission</td>
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<td>Diana Gomez</td>
<td>California High Speed Rail</td>
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<td>Bill Higgins</td>
<td>California Council of Governments</td>
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<td>Robert Phipps</td>
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<td>Dan McElhinney</td>
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<td>Roberto Brady</td>
<td>Tulare County Association of Governments</td>
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<td>Elisabeth Hahn</td>
<td>Stan COG</td>
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<td>Gus Khouri</td>
<td>Khouri Consulting</td>
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<td>Amelia Davies</td>
<td>Madera County Transportation Commission</td>
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<td>Trai Herr</td>
<td>Fresno Council of Governments</td>
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<td>Aric Barnett Lynch</td>
<td>Stanislaus Council of Governments</td>
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<td>Natalie Fowler</td>
<td>CalSTA</td>
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<td>Tara Key Nuin</td>
<td>OPR</td>
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<td>Darwin Moosavi</td>
<td>CalSTA</td>
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<td>Rene Gutierrez</td>
<td>SJ JPA</td>
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<td>Jennifer Gress</td>
<td>ARB</td>
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<td>Louise Bedsworth</td>
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<td>Trey Wadsworth</td>
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<td>Rob Ball</td>
<td>Kern Council of Governments</td>
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<td>Brenda Veenendal</td>
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<td>Gregoria Ponce</td>
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<td>Christine Corrales</td>
<td>SJ COG</td>
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<td>Tom Jordan</td>
<td>SJVAPCD</td>
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<td>Linda Urata</td>
<td>Kern Council of Governments</td>
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<td>Becky Napier</td>
<td>Kern Council of Governments</td>
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<tr>
<td>Egon Terplan</td>
<td>Senior Advisor to Governor Newsom</td>
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<td>Ken Baxter</td>
<td>Caltrans District 10</td>
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EO N-19-19 Transportation Action Plan: Discussion Draft

Background

On September 20th 2019, Governor Newsom issued Executive Order (EO) N-19-19 which calls for actions from multiple state agencies to reduce greenhouse gas (GHG) emissions and mitigate the impacts of climate change. This includes a direct acknowledgement of the role the transportation sector must play in tackling climate change. The order states:

“California has ambitious and essential climate goals to transition to a healthier, more sustainable and more inclusive economy, including reducing GHGs 40% below 1990 levels by 2030…California has made substantial, measurable progress on our goals, but in recent years, direct tailpipe emissions from cars, ships, diesel trains, airplanes, and other transportation sources have remained a stubborn driver of greenhouse gas emissions, totaling 40.1 percent of all greenhouse gas emissions statewide.”

To further the State’s climate goals, EO N-19-19 directs the California State Transportation Agency (CalSTA) to leverage discretionary state transportation funds to reduce GHG emissions in the transportation sector and adapt to climate change. The Executive Order directs CalSTA to align transportation spending with the State’s Climate Change Scoping Plan where feasible; direct investments to strategically support smart growth to increase infill housing production; reduce congestion through strategies that encourage a reduction in driving and invest further in walking, biking, and transit; and ensure that overall transportation costs for low income Californians do not increase as a result of these policies.

Since the release of the EO, much has changed in California and across the world. California now finds itself in a recession and a pandemic, both of which have significantly impacted transportation system needs and funding. Amongst all the uncertainty, given that transportation can be a key economic recovery and stimulus tool, this Action Plan leads with a vision on how to prioritize future state transportation dollars—whether it be existing programs or future funding opportunities—for economic and community resilience and recovery. CalSTA acknowledges that the current COVID-19 crisis is a fluid situation and will continue to evaluate assumptions and strategies as we develop this Action Plan.

Implementation of this Action Plan is scheduled to begin upon finalization of the plan in early 2021.

Vision and Goals of the Transportation System

The draft California Transportation Plan (CTP) 2050 clearly articulates the overarching goals for our state’s future transportation system. This Action Plan will chart a path on how to work towards these CTP goals in a manner that furthers our ability to meet state climate change mandates, targets, and policies, through the levers described in the EO. The CTP goals are listed in the graphic below.
Fundamental to this vision is a continued commitment to a “fix-it-first” approach to our transportation system—ensuring the continued maintenance and repair of transportation infrastructure necessary to serve communities and support the state’s goals.

Investment Strategies to Reduce Emissions & Prepare for Climate Change

EO N-19-19 directs CalSTA to leverage state funding programs where the State plays a role in scoping, recommending, or selecting specific projects to further the implementation of this transportation vision. These specific funding programs are as follows:

- Active Transportation Program (ATP)
- Interregional Transportation Improvement Program (ITIP)
- Local Partnerships Program (LPP)
- Solutions for Congested Corridors (SCCP)
- State Highway Operations & Protection Program (SHOPP)
- Trade Corridor Enhancement Program (TCEP)
- Transit & Intercity Rail Capital Program (TIRCP)

Although California’s statewide transportation funding programs have different statutory aims and invest in different types of infrastructure, collectively they can help us work towards our transportation vision. Understanding that there isn’t a one-size-fits-all approach to meeting our vision across the state’s diverse communities, a range of investment strategies are needed to reach the outcomes outlined in the draft CTP 2050. These investment strategies will work to reduce our dependence on driving, increase multi-modal options for all communities, and equitably meet our climate goals. In turn, these programs should collectively focus on prioritizing projects that align with the following investment strategies, as applicable within their existing program intent.
State investments should deploy the following strategies, as applicable:

1. **Reduce public health harms and maximize benefits to disproportionately impacted disadvantaged communities, low-income communities, and communities of color, in urbanized and rural regions and involve these communities early in decision-making.** Investments should also avoid placing new or exacerbating existing substantial burdens on communities, even if unintentional.

2. **Make safety improvements to reduce fatalities and severe injuries of all users towards zero** on our roadways and transit systems by focusing on context-appropriate speeds, prioritizing vulnerable user safety to support mode shift, and ultimately implementing a safe systems approach.

3. **Assess physical climate risk** as standard practice for transportation infrastructure projects to enable informed decision making, especially in communities that are most vulnerable to climate risks.

4. **Champion projects that do not increase passenger vehicle travel**, particularly in urbanized settings where other mobility options can be provided. Consistent with SB743, projects should aim to reduce vehicle miles traveled (VMT) and not induce significant VMT growth. When addressing congestion, prioritize alternatives over highway capacity expansion, favoring approaches such as providing multimodal options in the corridor, employing demand management strategies (i.e. pricing), and using technology to optimize operations.

5. **Build towards an integrated, statewide rail and transit network**, centered around the existing California State Rail Plan that leverages the California Integrated Travel Program to provide seamless, affordable, multimodal interregional travel options to all.

6. **Promote compact infill development while protecting residents and businesses from displacement** by supporting transportation projects that support housing for low income residents near job centers, provide walkable communities, and address affordability to reduce the housing-transportation cost burden and reduce auto trips.

7. **Progress developing a zero-emission freight transportation system** that avoids and mitigates environmental justice impacts, reduces criteria and toxic air pollutants, improves freight’s economic competitiveness and efficiency, and integrates multi-modal design and planning into infrastructure development on freight corridors.

8. **Incorporate safe and accessible bicycle and pedestrian infrastructure** on portions of the State Highway System that intersect active transportation networks, provide accessibility for transit users, or serve as small town or rural main streets, particularly in low income and disadvantaged communities across the state.

9. **Include investments in light, medium, and heavy-duty zero-emission-vehicle (ZEV) infrastructure** or supportive infrastructure as part of larger transportation projects. Support the innovation in and development of the ZEV market and help ensure ZEVs are accessible to all, particularly to those in more rural or remote communities.

10. **Protect natural and working lands** from conversion to more intensified uses by supporting local and regional conservation planning that focuses development where it already exists to help retain carbon sequestration benefits.
Necessary Actions to Support Climate Investment Strategies

To ensure investments are made in ways that align with the aforementioned strategies, changes may be necessary to transportation planning, programming, project delivery, maintenance, and operations. Such changes will help advance a slate of projects that meet climate goals, ensure that these projects are prioritized for state funding, and promote project construction and operations that minimize emissions and impacts from climate change. Many of the necessary changes are currently underway, but additional efforts may be needed. This Action Plan identifies those existing and additional actions necessary for implementation of the EO. Once this plan is adopted, implementation of the actions will be led by the various responsible state agencies, on the noted timeline, as listed in the matrix below.

These actions are:

(Insert Actions Matrix Here)
EO N-19-19 Transportation Action Plan

Proposed Timeline

• **May-June 2020:**
  o Hold various stakeholder meetings (via teleconference or videoconference) with key groups to gather input and discuss specific issues to inform the drafting of the Action Plan.

• **July- August 2020:**
  o Survey external partners and stakeholders to gather lists of specific action ideas based on the Action Plan framework that has been previously discussed.

• **October 2020:**
  o CTC Meeting Presentation on Draft Plan.

• **November 2020:**
  o Comment period for public input.

• **February 2021:** Release the Final Action Plan.
Kern COG requested this agenda item to discuss the impacts of new construction of schools on local jurisdictions, particularly related to traffic impacts and the payment of any impact fees or mitigation measures from schools to local communities.

Initial research was conducted to confirm that local school districts select new sites, conduct predevelopment work including environmental review, and receive building plan approvals from the State Department of Education, with limited or no local approval. There is no payment or mitigation required from the school district to the local community for impacts to roadways, signalization, etc.

What is unknown at the time of this memo is the extent that school districts have been legally challenged by local communities over this matter. According to a reputable local land use planner, the courts have weighed in favor of school districts in past legal challenges.

We continue to research this topic and additional information may be provided at the Directors’ meeting.

Below is the Code of Regulations for School Facilities Construction.

Title 5, California Code of Regulations
This is an excerpt of California Code of Regulations, Title 5 that relate to school facilities construction. The complete text of the California Code of Regulations, Title 5 may be downloaded from the Office of Administrative Law.

Division 1, Chapter 13, Subchapter 1
School Facilities Construction

Article 1. General Standards

§14001. Minimum Standards.

Educational facilities planned by school districts shall be:

a. Evolved from a statement of educational program requirements which reflects the school district's educational goals and objectives.
b. Master-planned to provide for maximum site enrollment.
c. Located on a site which meets California Department of Education standards as specified in Section 14010.
d. Designed for the environmental comfort and work efficiency of the occupants.
e. Designed to require a practical minimum of maintenance.
f. Designed to meet federal, state, and local statutory requirements for structure, fire, and public safety.
g. Designed and engineered with flexibility to accommodate future needs.

Note: Authority cited: sections 17251(b) and 33031, Education Code. Reference: Section 17017.5 and 17251(b), Education Code.

Article 2. School Sites

§ 14010. Standards for School Site Selection.

All districts shall select a school site that provides safety and that supports learning. The following standards shall apply:
a. The net usable acreage and enrollment for a new school site shall be consistent with the numbers of acres and enrollment established in Tables 1-6 of the 2000 Edition, "School Site Analysis and Development" published by the California Department of Education and incorporated into this section by reference, in toto, unless sufficient land is not available or circumstances exist due to any of the following:
   1. Urban or suburban development results in insufficient available land even after considering the option of eminent domain.
   2. Sufficient acreage is available but it would not be economically feasible to mitigate geological or environmental hazards or other site complications which pose a threat to the health and/or safety of students and staff.
   3. Sufficient acreage is available but not within the attendance area of the unhoused students or there is an extreme density of population within a given attendance area requiring a school to serve more students on a single site. Choosing an alternate site would result in extensive long-term bussing of students that would cause extreme financial hardship to the district to transport students to the proposed school site.
   4. Geographic barriers, traffic congestion, or other constraints would cause extreme financial hardship for the district to transport students to the proposed school site.

b. If a school site is less than the recommended acreage required in subsection (a) of this section, the district shall demonstrate how the students will be provided an adequate educational program including physical education as described in the district’s adopted course of study.

c. The property line of the site even if it is a joint use agreement as described in subsection (o) of this section shall be at least the following distance from the edge of respective power line easements:
   1. 100 feet for 50-133 kV line.
   2. 150 feet for 220-230 kV line.
   3. 350 feet for 500-550 kV line.

d. If the proposed site is within 1,500 feet of a railroad track easement, a safety study shall be done by a competent professional trained in assessing cargo manifests, frequency, speed, and schedule of railroad traffic, grade, curves, type and condition of track need for sound or safety barriers, need for pedestrian and vehicle safeguards at railroad crossings, presence of high pressure gas lines near the tracks that could rupture in the event of a derailment, preparation of an evacuation plan. In addition to the analysis, possible and reasonable mitigation measures must be identified.

e. The site shall not be adjacent to a road or freeway that any site-related traffic and sound level studies have determined will have safety problems or sound levels which adversely affect the educational program.

f. Pursuant to Education Code sections 17212 and 17212.5, the site shall not contain an active earthquake fault or fault trace.

g. Pursuant to Education Code sections 17212 and 17212.5, the site is not within an area of flood or dam flood inundation unless the cost of mitigating the flood or inundation impact is reasonable.

h. The site shall not be located near an above-ground water or fuel storage tank or within 1500 feet of the easement of an above ground or underground pipeline that can pose a safety hazard as determined by a risk analysis study, conducted by a competent professional, which may include certification from a local public utility commission.

i. The site is not subject to moderate to high liquefaction or landslides.

j. The shape of the site shall have a proportionate length to width ratio to accommodate the building layout, parking and playfields that can be safely supervised and does not exceed the allowed passing time to classes for the district.

k. The site shall be easily accessible from arterial roads and shall allow minimum peripheral visibility from the planned driveways in accordance with the Sight Distance Standards established in the "Highway Design Manual", Table 201.1, published by the Department of Transportation, July 1, 1990 edition, and incorporated into this section by reference, in toto.

l. The site shall not be on major arterial streets with a heavy traffic pattern as determined by site-related traffic studies including those that require student crossings unless mitigation of traffic hazards and a plan for the safe arrival and departure of students appropriate to the grade level has been provided by city, county or other public agency in accordance with the "School Area Pedestrian Safety" manual published by the California Department of Transportation, 1987 edition, incorporated into this section by reference, in toto.
m. Existing or proposed zoning of the surrounding properties shall be compatible with schools in that it would not pose a potential health or safety risk to students or staff in accordance with Education Code Section 17213 and Government Code Section 65402 and available studies of traffic surrounding the site.

n. The site shall be located within the proposed attendance area to encourage student walking and avoid extensive bussing unless bussing is used to promote ethnic diversity.

o. The site shall be selected to promote joint use of parks, libraries, museums and other public services, the acreage of which may be included as part of the recommended acreage as stated in subsection (a) of this section.

p. The site shall be conveniently located for public services including but not limited to fire protection, police protection, public transit and trash disposal whenever feasible.

q. The district shall consider environmental factors of light, wind, noise, aesthetics, and air pollution in its site selection process.

r. Easements on or adjacent to the site shall not restrict access or building placement.

s. The cost and complications of the following shall be considered in the site selection process and should not result in undue delays or unreasonable costs consistent with State Allocation Board standards:
   1. Distance of utilities to the site, availability and affordability of bringing utilities to the site.
   2. Site preparation including grading, drainage, demolition, hazardous cleanup, including cleanup of indigenous material such as serpentine rock, and off-site development of streets, curbs, gutters and lights.
   3. Eminent domain, relocation costs, severance damage, title clearance and legal fees.
   4. Long-term high landscaping or maintenance costs.
   5. Existence of any wildlife habitat that is on a protected or endangered species list maintained by any state or federal agency, existence of any wetlands, natural waterways, or areas that may support migratory species, or evidence of any environmentally sensitive vegetation.

t. If the proposed site is on or within 2,000 feet of a significant disposal of hazardous waste, the school district shall contact the Department of Toxic Substance Control for a determination of whether the property should be considered a Hazardous Waste Property or Border Zone Property.

u. At the request of the governing board of a school district, the State Superintendent of Public Instruction may grant exemptions to any of the standards in this section if the district can demonstrate that mitigation of specific circumstances overrides a standard without compromising a safe and supportive school environment.

Note: Authority cited: sections 17251(b) and 33031, Education Code. Reference: sections 17212, 17212.5, 17213, 17251(b), 17251(f), and 25220, Education Code; Section 65402, Government Code; Section 25220, Health and Safety Code; sections 21372, 22350, 22352, 22358.4, and 22358.5, Vehicle Code; and sections 1859.74 and 1859.75(b), Title 2, California Code of Regulations.


A state-funded school district is defined as a school district having a project funded under Chapter 12.5 (commencing with Section 17070.10) of the Education Code. A state-funded school district, before acquiring title to real property for school use, shall obtain written approval from the California Department of Education using the following procedures:

a. Request a preliminary conference with a consultant from the School Facilities Planning Division and in consultation review and evaluate sites under final consideration.

b. Contact the School Facilities Planning Division of the California Department of Education to obtain a "School Facilities Planning Division Field Site Review," form SFPD 4.0, published by the California Department of Education, as last amended in December 1999 and incorporated into this section by reference, in toto, which lists the site options in order of merit according to the site selection standards delineated in Section 14010.

c. Prepare a statement of policies as delineated on the "School Facilities Planning Division School Site Report," form SFPD 4.02, as last amended in December 1999 and incorporated into this
section by reference, in toto, covering the range and organization of grades to be served, the transportation of pupils, and the ultimate maximum pupil enrollment to be housed on the site. Prepare a statement showing how the site is appropriate in size as justified by the school district’s Facilities Master Plan, including acreage increases above the California Department of Education recommendation made to compensate for off-site mitigation. A school district may choose, in place of a master plan, a developer fee justification document or a five-year plan if it addresses enrollment projections, needed schools, and site sizes.

d. Prepare maps showing present and proposed school sites, significant roads or highways, unsanitary or hazardous installations, such as airports or industries and the indicated boundary of the pupil attendance area to be served as delineated on form SFPD 4.02.

e. Meet with appropriate local government, recreation, and park authorities to consider possible joint use of the grounds and buildings and to coordinate the design to benefit the intended users as required by Education Code Section 35275.

f. Give written notice to the local planning agency having jurisdiction, to review the proposed school site or addition to an existing school site and request a written report from the local planning agency of the investigations and recommendations for each proposed site with respect to conformity with the adopted general plan as required by Public Resources Code Section 21151.2 and Government Code Section 65402.

g. Comply with Education Code sections 17212 and 17212.5, with particular emphasis upon an engineering investigation made of the site to preclude locating the school on terrain that may be potentially hazardous:

1. The geological and soils engineering study shall address all of the following:
   A. Nature of the site including a discussion of liquefaction, subsidence or expansive soils, slope, stability, dam or flood inundation and street flooding.
   B. Whether the site is located within a special study zone as defined in Education Code Section 17212.
   C. Potential for earthquake or other geological hazard damage.
   D. Whether the site is situated on or near a pressure ridge, geological fault or fault trace that may rupture during the life of the school building and the student risk factor.
   E. Economic feasibility of the construction effort to make the school building safe for occupancy.

2. Other studies shall include the following:
   A. Population trends
   B. Transportation
   C. Water supply
   D. Waste disposal facilities
   E. Utilities
   F. Traffic hazards
   G. Surface drainage conditions
   H. Other factors affecting initial and operating costs.

h. Prepare an environmental impact report, or negative declaration in compliance with the Environmental Quality Act, Public Resources Code, Division 13, (commencing with Section 21000 with particular attention to Section 21151.8). As required by Education Code Section 17213, the written findings of the environmental impact report or negative declaration must include a statement verifying that the site to be acquired for school purposes is not currently or formerly a hazardous, acutely hazardous substance release, or solid waste disposal site or, if so, that the wastes have been removed. Also, the written findings must state that the site does not contain pipelines which carry hazardous wastes or substances other than a natural gas supply line to that school or neighborhood. If hazardous air emissions are identified, the written findings must state that the health risks do not and will not constitute an actual or potential danger of public health of students or staff. If corrective measures of chronic or accidental hazardous air emissions are required under an existing order by another jurisdiction, the governing board shall make a finding that the emissions have been mitigated prior to occupancy of the school.

i. Consult with, or demonstrate that the lead agency, if other than the district preparing the environmental impact report or negative declaration, has consulted with the appropriate
city/county agency and with any air pollution control district or air quality management district
having jurisdiction, concerning any facilities having hazardous or acutely hazardous air emissions
within one-fourth of a mile of the propose school site as required by Education Code Section 17213.

j. For purposes of Environmental Site Assessment, school districts shall comply with Education
Code sections 17210.1, 17213.1, and 17213.2.

k. Follow the recommendations of the State Superintendent of Public Instruction report based upon
the Department of Transportation, Division of Aeronautics, findings, if the proposed site is within
two miles of the center line of an airport runway or proposed runway as required by Education
Code Section 17215.

l. Follow the standards for school site selection in Section 14010 of this article.

m. Conduct a public hearing by the governing board of the school district as required in Education
Code Section 17211 to evaluate the property using the standards described in Section 14010 of
this article. The school district's facility advisory committee may provide an evaluation of the
proposed site to the governing board.

n. Submit the request for exemption from a standard in Section 14010 of this article, with a
description of the mitigation that overrides the standard, to the California Department of Education.

o. Certify there are no available alternative school district-owned sites for the project deemed usable
for school purposes by the California Department of Education or certify that the school district
intends to sell an available alternative school district-owned site and use the proceeds from the
sale for the purchase of the new school site.

Note: Authority cited: sections 17251(b) and 33031, Education Code. Reference: sections 17070.50,
17072.12, 17210.1, 17211, 17212, 17213, and 17251(b), Education Code; sections 2621 et seq., 21000 et seq., 21151.2, 21151.8, and 21152.3, Public Resources Code; Section 65402, Government Code; and sections 1859.74. 1859.74.1, and 1859.75, Title 2, California Code of Regulations.


A locally-funded school district is defined as a school district with a project not applying for funding from
any state program administered by the State Allocation Board as defined in Chapter 12.0 (commencing
with Section 17000) or Chapter 12.5 (commencing with Section 17070.10) of the Education Code. A
locally-funded school district, before acquiring title to real property for school use, shall:

a. Evaluate the property using the standards established in Section 14010 and items (e) through (l) in
Section 14011;

b. Comply with terms of the complaint investigation described in Section 14012(d); and

c. May request advice from the California Department of Education as described in Education
Code Section 17251(a).

d. Prepare documentation of and retain for purposes of a complaint investigation the exemption from
the standard in Section 14010 of this article with a description of the mitigation that overrides the
standard. Locally-funded school districts may request from the California Department of Education
a review of the adequacy of the mitigation measure.

e. Comply with Education Code Section 17268 regarding potential safety or health risks to students
and staff.

Note: Authority cited: sections 17251(b) and 33031, Education Code. Reference: sections 17072.3,
17251(a) and (b), and 17268, Education Code.

Article 4. Standards, Planning and Approval of School Facilities


a. Each state-funded school district shall submit preliminary plans following the standards in Section
14030 including site utilization, elevations and floor plan drawings that describe the spaces and
give the square footage and educational specifications to the California Department of Education for approval. Prior to preparation of final plans, the school district shall obtain approval of the preliminary plans from the California Department of Education.

b. Each state-funded school district shall submit final plans including grading, site utilization, elevation, floor, lighting, and mechanical working drawings and any alterations to the educational specifications to the California Department of Education for approval.

c. Each state-funded school district shall submit the request for exemption from a standard in Section 14030 of this article, with a description of how the educational appropriateness and safety of a school design would not be compromised by deviation from the standard, to the California Department of Education.

Note: Authority cited: sections 17251(c) and 33031, Education Code. Reference: sections 17017.5(c) and 17251(c), Education Code.


The California Department of Education shall notify the district, the district’s architect and the Department of General Services that the preliminary and final plans comply with the standards set forth in Section 14030. Approvals for either preliminary or final plans are in effect for a maximum of two years from the date of signed approval. School districts may request an extension of preliminary or final plan approvals if the time line exceeds one year.

Note: Authority cited: sections 17251(c) and 33031, Education Code. Reference: sections 17024, 17070.50, and 17251(c), Education Code.

§ 14033. Applicability of Plan Standards to Locally-Funded School Districts.

a. Locally-funded districts shall use the plan standards set forth in Section 14030.

b. Locally-funded districts may request assistance from the California Department of Education to review plans and specifications for any new school construction or rehabilitation project.

c. Locally-funded districts need not submit preliminary and final plans to the California Department of Education.

d. Locally-funded districts shall prepare documentation of and retain for purposes of a complaint investigation the exemption from the standard in Section 14030 of this article, with a description of how the educational appropriateness and safety of a school design would not be compromised by deviation from the standard. Locally-funded districts may request from the California Department of Education a review of the adequacy of the mitigation measure.

e. Locally-funded districts shall continue to comply fully with the requirements of Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365) of Chapter 2, Part 23 of the Education Code (The Field Act) and submit all plans and specifications to the Department of General Services, Office of the State Architect for review and approval prior to executing a contract for the construction or alteration of a public school building or expending any public funds for such a project.

Note: Authority cited: sections 17251(c) and (d) and 33031, Education Code. Reference: sections 17251(d), 17280, and 17365, Education Code.

§ 14034. Planning Guides.

The latest edition of The Guide for Planning Educational Facilities, published by the Council of Educational Facility Planners, 29 West Woodruff Avenue, Columbus, Ohio, 43210, may be used as a guide in developing school building plans.

Note: Authority cited: sections 17251(c) and 33031, Education Code. Reference: Section 17251(c), Education Code.