



## San Joaquin Valley Regional Planning Agencies' Directors' Committee

**Meeting Agenda**  
**Thursday, July 9, 2020**  
**Time: 10:00 a.m.**

**THIS IS A ZOOM CONFERENCE MEETING**

Meeting ID: 822 9271 0834

Password: 078473

<https://us02web.zoom.us/j/82292710834?pwd=dXBFRGhkRE1nd1paN2txVS9oWm1vUT09>

Phone only: 1 (669) 900 9128

### **TRANSFER OF CHAIR AND VICE-CHAIR RESPONSIBILITIES TO TERRI KING AND AHRON HAKIMI**

#### **APPROVAL OF MINUTES**

Enclosure

1. June 4, 2020 Directors' Meeting

T. King



#### **DISCUSSION/ACTION ITEMS:**

2. MPO Activity During Coronavirus

T. King

3. CalSTA Implementation of EO N-19-19, Transportation Action Plan



***Discussion with State of California department representatives from CalSTA, Caltrans, Strategic Growth Council, Air Resources Board, California Transportation Commission, Housing and Community Development, and the Office of Planning and Research to discuss climate goals and the impact to the transportation sector from the Executive Order.***

4. RTP/Sustainable Communities Strategies/Air Quality  
***Update and Discussion***

R. Niblock

5. California Transportation Funding

T. King

#### ***Program and Project Funding Updates:***

- ***Trade Corridor Enhancement Program (SJCOG & MCAG)***
- ***Solutions for Congested Corridors Program (Fresno COG)***
- ***State Transportation Improvement Program***

Madera County  
Transportation  
Commission  
Patricia Taylor - Chair

Kings County  
Association of  
Governments  
Terri King - Vice Chair

Tulare County  
Association of  
Governments  
Ted Smalley

Kern  
Council of  
Governments  
Ahron Hakimi

(559) 266-6222  
(559) 314-6015 (Fax)



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Stanislaus  
Council of  
Governments  
Rosa Park

Merced County  
Association of  
Governments  
Stacie Guzman

San Joaquin  
Council of  
Governments  
Andrew Chesley

Fresno  
Council of  
Governments  
Tony Boren

2001 Howard Rd, Suite 201  
Madera, CA 93637



- |  |           |                                     |
|--|-----------|-------------------------------------|
| 6. SJV Sustainable Transportation Equity Project (STEP)<br><i>Short Presentation by Dr. Rodier (UC Davis ITS) to Discuss Funding Opportunity</i> | C. Rodier | <input checked="" type="checkbox"/> |
| 7. Valley Voice DC 2020<br><i>Receive Update</i>   | M. Sigala |                                     |
| 8. Traffic and Other Impact Fees from New Construction of Local Schools<br><i>Discuss</i>  | A. Hakimi | <input checked="" type="checkbox"/> |
| 9. SJV REAP Committee for Housing<br><i>Receive Update</i>   | R. Phipps |                                     |
| 10. I-5 Freight ZERO Pilot Study<br><i>Receive Update</i>  | A. Hakimi |                                     |

#### **INFORMATIONAL ITEMS**

*The following items are for informational purposes and require no action or vote. Written summaries of Informational Items are included in the agenda packet.*

- |   |                        |
|---|------------------------|
| 11. Caltrans Directors' Report                        | D. Gomez/D. McElhinney |
| 12. California High Speed Rail                        | D. Gomez               |
| 13. San Joaquin JPA for Passenger Rail                | D. Leavitt             |
| 14. Valley GO (MioCar) and Valley Flex (Vamos & VoGo) | M. Sigala              |
| 15. California Partnership for the San Joaquin Valley | F. Cardoza             |

#### **OTHER ITEMS**

16. Director Items
17. 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***

**Next Directors' Meeting: Thursday, August 6, 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.*



## ITEM 1

### Meeting Minutes Thursday, June 4, 2020 Time: 10:00 a.m.

Meeting Location:  
ZOOM CONFERENCE CALL MEETING

Directors	MPOs
Patricia Taylor	Madera County Transportation Commission
Terri King	Kings County Association of Governments
Elisabeth Hahn for 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
Terri King	Kings County Association of Governments
Ahron Hakimi	Kern Council of Governments
Andrew Chesley	San Joaquin Council of Governments

*Please see Appendix A for a list of other attendees*

## APPROVAL OF MINUTES

### 1. May 7, 2020 Directors' Meeting

P. Taylor

There was a motion to approve the May 7, 2020 Directors' Committee Minutes.

First Motion: Andy Chesley  
Second Motion: Ahron Hakimi  
Motion Carried

Madera County  
Transportation  
Commission  
Patricia Taylor - Chair

Kings County  
Association of  
Governments  
Terri King - Vice Chair

Tulare County  
Association of  
Governments  
Ted Smalley

Kern  
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Fresno  
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Madera, CA 93637



## DISCUSSION/ACTION ITEMS:

### 2. MPO Activity During Coronavirus

P. Taylor

Chair Taylor guided discussions about coronavirus measures and activities among MPOs. Madera is still working remotely but are staggering hours, while keeping physical distancing and continuing with online meetings through June. Ahron Hakimi reported that Kern COG is slowly bringing back employees starting Monday but only allowing half of total staff a day. They have encouraged telecommuting twice a week. Stacie Guzman reported that MCAG offices will remain closed to the public through July. In addition, they have implemented physical distancing in the office, and they are working on staggered schedules. Andy Chesley noted SJ COG opened to the public on Monday, but they have since closed it down again. They will reopen in a week and a half and expect a modified work schedule. Ted Smalley noted that TCAG will be opening office doors June 15. They are slowly bringing back employees and encouraging telecommuting twice a week. Tony Boren reported Fresno COG staff reported back as of Wednesday. Elisabeth Hahn noted they are able to have all staff in the office and still keep social distancing.

### 3. Guest Speaker: Egon Terplan, Senior Advisor to Governor Newsom

Egon Terplan, Senior Advisor to Governor Newsom, applauded the group for their efforts of encouraging telecommuting in their offices and discussed the importance of continuing these efforts in the future. Egon discussed Regions Rise Together and the roles of MPOs In The Economic Recovery of California. He noted a launch of an economic recovery strategy for Bakersfield and Kern County with a range of industries and strategies. It is important for COGs to be key participants in economic recovery discussions. Egon noted the governor established a task force for economic recovery and asked for COGs to share their regional data, in order to see where there are declines and growth in their respected areas. Discussion ensued.

### 4. RTP/Sustainable Communities Strategies/Air Quality *Update and Discussion*

R. Niblock

Ryan Niblock reported that the 2018 SCS has been approved for Fresno County and the rest of the counties are in process of being approved. He noted that because the 2014 SCS and the 2018 SCS are similar, CARB should be moving quicker to approval. Last week CARB held a webinar on the third round of SCS submittal packages. CARB will have separate meetings with the Valley to help identify what data requests are reasonable. Ryan mentioned that he and CARB have a meeting scheduled for next Tuesday to discuss EMPAC 17 conformity determination challenges and identify potential solutions. The 2021 FTIP decided to move forward with option 1 that was discussed in the meeting last month. Option 1 would push back the FTIP schedule by five months and would be due March 1<sup>st</sup>, 2021 and final approval of the 2021 FTIP would be by April 16, 2021. Andy Chesley asked how the groundwork efforts are coming along with the 2022 SCS. Ryan noted that CARB will be send their liaison to observe some of the public meetings. Tom Jordan added that EPA proposed approval for extension for 2016 2.5 Plan earlier in this spring. He noted that they need to publish the approval by the end of the month, or it will move the counties into a five percent plan. They have been working with EPA staff to answer any questions.

### 5. California Transportation Funding

P. Taylor

#### *Program and Project Funding Updates:*

- ***Trade Corridor Enhancement Program (SJCOG & MCAG)***

Patricia Taylor reported that Caltrans is submitting for the SR 99Tulare and Madera projects. Ahron Hakimi reported that they are also working on an application for the SR 46 project and they submitted it to Caltrans within the last week. They are looking for a letter of support from the COG directors and the elected officials. Patricia suggested for Michael prepare a letter for all the individual application once that information becomes available.

Ryan noted that the Port of Stockton is trying to put an application together and he is working with staff to see what eligible.

- ***Solutions for Congested Corridors Program (Fresno COG)***

Andy Chesley reported that SJ COG was not ready to submit an application at this time. No other updates were provided

- ***State Transportation Improvement Program***

Ted Smalley advocated keeping as many projects in the Valley on schedule as possible and suggested preparing ahead of time so projects can be delivered on schedule. Patricia Taylor concurred on moving projects forward. Andy Chesley commented on Passenger Rail activity and other efforts.

- ***ATP Cycle 5 Call-for-Projects (due June 15)***

No updates were provided

**6. SJV REAP Committee for Housing**

R. Phipps/M. Sigala

***Receive Update***

Robert Phipps reported that correspondence was sent out regarding HCD master funding agreement for the first 25 percent application. The master agreement was delayed at the accounting and legal department at HCD because of language stated that the state can withdraw funds because of the revised budget. Since then, HCD has communicated that the governor's budget does not show any indication of eliminating those funds. HCD has not provided a master agreement but it is expected next week. Robert reported that the second application for \$5.5 million was filed last month. HCD commented and is now requesting a resolution to accompany the application. This will be on the working group's agenda for the June 26<sup>th</sup> meeting. The two applications total about \$11 million of the \$18.5 million coming to the Valley. A third application would be needed for the remaining funds. Robert also noted that there is an RFP out for a project manager. Andy Chesley briefly discussed the regional work done in the San Joaquin County pertaining to priorities and funding. Michael Sigala noted that he and Robert are working on a draft agenda for the REAP meeting on June 26.

Paul McDougal briefly discussed the LEAP program and noted that the deadline to submit an application is July 1. There are about 50 applications submitted and the goal is to have all 539 jurisdictions in the state to apply. Liaisons have been set up for each jurisdiction to assist in submitting an application. There were discussions about emails being sent to the local jurisdictions and getting the message out. Bill Higgins reported that there is a language in the Trailer Bill that would extend the LEAP deadline to the end of the year, however, the bill is still pending.

**7. Regional Policy Council**

M. Sigala

***Discuss Agenda Items for June 26, 2020 Meeting***

Michael Sigala briefly reviewed the proposed agenda and asked the Directors for their input. Stacie Guzman commented on Valley Voice and suggested identifying a federal platform and narrowing the focus on only a few items and pinpointing other opportunities. The directors seemed to concur and further discussion ensued. No other input was provided.

**8. Administrative**

M. Sigala

***Review and Approve Meeting Calendar for FY 2020-21***

Michael Sigala reviewed the FY 2020-21 meeting calendar for the Planning Agencies' Directors' Committee and opened up the meeting for any input.

**9. I-5 Freight ZERO Pilot Study**

A. Hakimi

***Receive Update***

Linda Urata gave a quick update and noted that they expect a report in July that emphasis on the freight patterns they have been studying for the past few months.

## INFORMATIONAL ITEMS

### 10. Caltrans Directors' Report

S. Ehlert/D. McElhinney

Sharri Ehlert, District 6 Director, noted that they are continuing to telework and don't have an official opening yet. Sharri mentioned they have processed and exempted three projects for SB 743 analysis, which include, 1) South Madera six lane widening 2) South Fresno Interchange 3) 99 rehab project. The fourth project, Tulare 99 widening, is still in process for exemption. Sharri noted she only has two weeks left and there is no word of her replacement. Michael Navarro noted that the SB 743 analysis they are using is out for comment and they expect feedback by June 17.

Dan McElhinney, District 10 Director, highlighted 580-205 Altamont Pass. This month they will provide a letter to the working group with key topics.

Ken Baxter reminded the directors the California Transportation Plan 2050 schedule is to be presented to CTC on June 23 and they hope to go public on June 24 for a 45-day review. They expect to have a final document available by December of this year. In addition, Ken reported that he is planning to retire on June 30.

### 11. California High Speed Rail

D. Gomez

Diana Gomez reported construction has continued through the Covid pandemic and are averaging about 600 worker per week. Diane noted they will be opening some roads in Madera County. Diana mentioned the business plan that was due in April was pushed back because of Covid. As a result, they are adding additional language as to how they are going to move forward with design and environmental work due to Covid. Diana noted they circulated several environmental reports and more is to be expected in the near future.

### 12. San Joaquin JPA for Passenger Rail

D. Leavitt

Dan Leavitt reported the San Joaquin ridership has been growing since the last report with now up to 600-900 passengers. However, they are still 20-25 percent of ridership since before the Covid crisis and they are restricting only 50 percent passenger rate per car. He noted that they cut the budget in half and are looking into cost cutting measures for the next year or two. Dan discussed keeping \$5 million in the Valley and Stockton Diamond Grade Separation Project. Dan provided a recap of the activities going on right now; 1) Sacramento extension, comments are expected soon, 2) Ceres and Modesto construction expected this year, 3) Project level expansion from Ceres to Merced NOP is out, 4) Madera Station relocation environmental draft will be out in the next couple of months.

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

M. Sigala

Michael Sigala reported all three programs are suspended because of the Coronavirus but are looking into start back up soon. CalVans is no longer in the program and they were able to create non-profit and secure vehicle assignment of the leases. Michael noted CARB mentioned that due to the budget cuts the addition funds set aside for the program may be at risk. They will know more in the next weeks. In order to keep these programs afloat they may need more help from the COGs. Bill Higgins provided further comments.

### 14. California Partnership for the San Joaquin Valley

F. Cardoza

Frida Cardoza reported the California Partnership will be having a virtual meeting on June 19. The meeting will cover two topics; 1) Covid 19, update on health and impact on the economy, and 2) San Joaquin Valley needs and funding for infrastructure. The Annual Housing Summit was canceled and instead will be hosting a series of webinar throughout the year.

## OTHER ITEMS

## 15. Director Items

Ted Smalley commented on how good the information sharing has been in regards to SB 743 analysis.

Patricia Taylor noted seeing draft proposal for reauthorization in the next transportation bill and asked if any directors had any comments. Ben Kimball noted that were three new programs that may be available for the Valley.

Andy Chesley highlighted all the work done to the develop the integrated ticketing application.

## 16. Public Presentations for Items not on Agenda

None

**Meeting Adjourned at Approximately 12:00 P.M.**

### Appendix A – Additional Meeting Participants

<b>In Attendance:</b>	
<b>Individual(s)</b>	<b>Organization(s)</b>
Ben Kimball	Tulare County Association of Governments
Michael Sigala	Valleywide Coordinator, Sigala Inc
Ryan Niblock	San Joaquin Council of Governments
Dan Leavitt	San Joaquin JPA
Michael Navarro	Caltrans D6
Matt Fell	Merced County Association of Governments
Kristine Kai	Fresno Council of Governments
Travis Yokoama	San Joaquin Council of Governments
Dylan Stone	Madera County Transportation Commission
Frida Cardoza	Fresno State OCED
Jeff Findley	Madera County Transportation Commission
Diana Gomez	California High Speed Rail
Tom Dumas	Caltrans D10
Bill Higgins	California Council of Governments
Robert Phipps	Fresno Council of Governments
Kameron Kubose	Fresno State OCED
Sharri Ehlert	Caltrans District 6
Dan McElhinney	Caltrans District 10
Steve Dial	San Joaquin Council of Governments
Derek Winning	Tulare County Association of Governments
Robert Brady	Tulare County Association of Governments
Scott Carson	FHWA
Rene Gutierrez	San Joaquin JPA
Jasmin Armanin	FHWA
Diane Nguyen	San Joaquin Council of Governments
Aric Barnett Lynch	Stanislaus Council of Governments
Christin Corrales	San Joaquin Council of Governments
Tom Jordan	SJVAPCD
Linda Urata	Kern Council of Governments
Becky Napier	Kern Council of Governments
Egon Terplan	Senior Advisor to Governor Newsom
Ken Baxter	Caltrans District 10

*Draft 06/08/20*

# EO N-19-19 Transportation Action Plan: Discussion Draft

## Background

On September 20<sup>th</sup> 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.

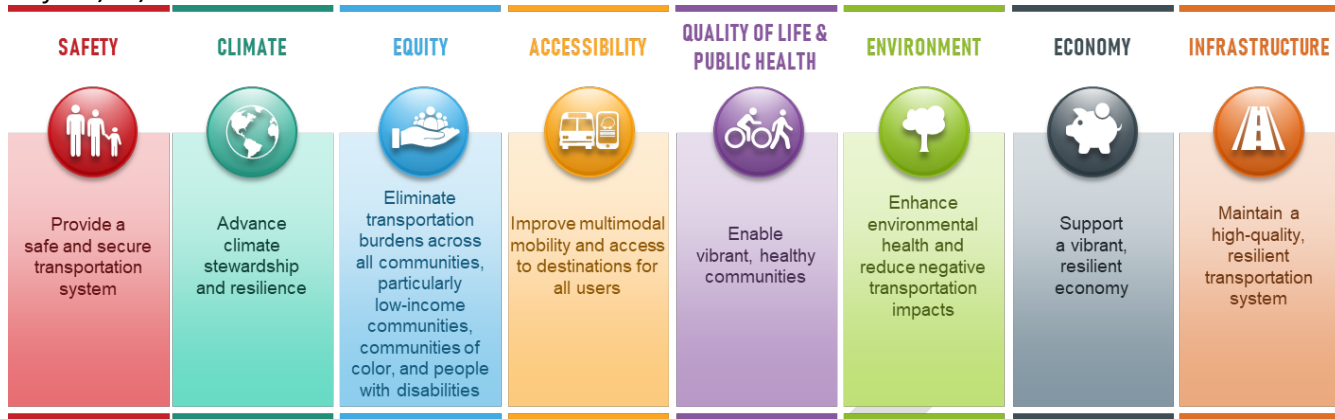
Since the release of the EO, much has changed in California and across the world. California now finds itself in a recession and a pandemic, both of which have significantly impacted transportation system needs and funding. Amongst all the uncertainty, given that transportation can be a key economic 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 multimodal 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:**
  - 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:**
  - 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:**
  - Publicly release the Draft Action Plan for public input.
  - CTC Meeting Presentation on Draft Plan.
- **November 2020:**
  - Comment period for public input.
- **February 2021:** Release the Final Action Plan.

# MOVING CALIFORNIA

cleaner transportation for all communities




ITEM 6



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## Sustainable Transportation Equity Project (STEP)

STEP is a new transportation equity pilot that aims to address community residents' transportation needs, increase access to key destinations, and reduce greenhouse gas emissions by funding planning, clean transportation, and supporting projects.

STEP's overarching purpose is to increase transportation equity in disadvantaged and low-income communities throughout California via two types of grants: Planning and Capacity Building Grants and Implementation Grants. Within these two grant types, CARB currently has up to \$22 million available. For more information, take a look at the STEP Handout in [English](#) or [Spanish](#).

## Apply Now!

Use the STEP Proposal [Flowchart](#) to help you figure out which grant type might be right for your community.

- [Solicitation Announcement](#)
- Apply for the STEP Implementation Grant: [Implementation Grant documents](#)
- Apply for the STEP Planning and Capacity Building Grant: [Planning and Capacity Building Grant documents](#)

CARB must receive all STEP proposals by **5:00 pm (Pacific Time) on August 31, 2020**.

## Interested in Receiving Technical

## Related Pages

[Light-duty Current Projects in Action](#)  
[Community Mobility Projects](#)  
[Find Funding For Businesses & Nonprofits](#)  
[Testimonials](#)

## Related Websites

[CARB's Low Carbon Transportation Investments & Air Quality Improvement Program \(AQIP\)](#)

### Official Program Websites

[Clean Mobility Options Voucher Pilot](#)

# MOVING CALIFORNIA

*cleaner transportation for all communities*



## Sustainable Transportation Equity Project (STEP)

STEP is a new pilot that takes a community-based approach to overcoming barriers to clean transportation. STEP aims to reduce greenhouse gas emissions, increase access to key destinations, and address community residents' transportation needs by funding planning, clean transportation, and supporting projects.

Grant Types	Planning & Capacity Building Grants	Implementation Grants
<b>Goals</b>	Identify community residents' transportation needs and prepare to implement clean transportation projects	Increase community residents' access to key destinations without a personal vehicle
<b>Funding</b>	Up to \$2 million for multiple grantees	Up to \$20 million for approximately one to three grantees
<b>Eligible Project Types</b>	<ul style="list-style-type: none"> <li>• Community transportation needs assessments</li> <li>• Community engagement activities</li> <li>• Land use and mobility plans</li> <li>• Other</li> </ul>	<ul style="list-style-type: none"> <li>• Set of clean transportation and supporting projects</li> <li>• May include infrastructure, capital, operations, planning, policy-making, and outreach projects</li> </ul>
<b>Eligible Applicants</b>	Community-based organizations, federally-recognized tribes, and local governments as lead applicants (representing a broader coalition of community, public agency, and private partners as sub-applicants)	Community-based organizations, federally-recognized tribes, and local governments as lead applicants (representing a broader coalition of community, public agency, and private partners as sub-applicants)
<b>Priority Populations</b>	Disadvantaged or low-income communities	Disadvantaged communities
<b>Example Proposal</b>	<ul style="list-style-type: none"> <li>• Applicant identifies that a specific community was not well represented when conducting community engagement for a recent Transportation Plan.</li> <li>• Applicant applies for STEP funds to conduct a community transportation needs assessment and prioritize projects in identified under-represented community.</li> </ul>	<ul style="list-style-type: none"> <li>• Applicant identifies (through a community engagement process) seven projects for STEP funding.</li> <li>• These projects could include (but are not limited to) a new bus-rapid transit service, a new vanpool service, bike and pedestrian infrastructure, transit passes, a land use and mobility plan, a parking pricing program, and an outreach and education campaign to encourage active transportation.</li> </ul>

For more information, contact STEP staff at [step@arb.ca.gov](mailto:step@arb.ca.gov) or (916) 440-8284.

***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*.

#### **§ 14011. Procedures for Site Acquisition State-Funded School Districts.**

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 Resource 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 proposed 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*.

#### **§ 14012. Procedures for Site Acquisition - Locally-Funded School Districts.**

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**

#### **§ 14031. Plan Approval Procedures for State-Funded School Districts.**

- 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*.

#### **§ 14032. Plan Approval for State-Funded School Districts.**

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*.