

**AGENDA  
KERN COUNCIL OF GOVERNMENTS  
TRANSPORTATION PLANNING POLICY COMMITTEE**

**KERN COG CONFERENCE ROOM  
1401 19TH STREET, THIRD FLOOR  
BAKERSFIELD, CALIFORNIA  
WEB SITE: [www.kerncog.org](http://www.kerncog.org)**

**THURSDAY  
JANUARY 21, 2010  
7:00 P.M.**

**6:35 KERN COG WORKSHOP: HIGH-SPEED RAIL HEAVY MAINTENANCE FACILITY PROPOSAL**

**DISCLAIMER:** This agenda includes the proposed actions and activities, with respect to each agenda item, as of the date of posting. As such, it does not preclude the Committee from taking other actions on items on the agenda, which are different or in addition to those recommended.

**I. PLEDGE OF ALLEGIANCE:**

**II. ROLL CALL:** Tarver, Scrivner, Lessenevitch, Ramirez, Mock, Rosson, Morgan, Prout, Linder, Smith, Wegman, McQuiston, Rubio, Warren, Ehlert, Silver

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

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

**IV. CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT:** All items on the consent agenda are considered to be routine and non-controversial by Kern COG staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken. **ROLL CALL VOTE.**

**A. Approval of Minutes – November 19, 2009**

**B. Response to Public Comments**

**C. FY 2009-10 TDA Streets and Roads Claims – Cities of Tehachapi, Arvin, California City and the County of Kern (Snoddy)**

Comment: According to California Public Utilities Code Section 99400 et. seq., and Kern COG TDA Rules and Regulations, eligible organizations may submit a claim for the purpose of supporting streets and roads systems. The City of Tehachapi has submitted a streets and roads claim for fiscal year 2009-10 for \$84,445 and the City of Arvin has submitted a streets and roads claim for fiscal year 2009-10 for \$142,472. The City of California City has submitted a streets and roads claim for fiscal year 2009-10 for \$380,161. The County of Kern has submitted a streets and roads claim for fiscal year 2009-10 for \$1,397,571.

Action: Approve FY 2009/10 TDA Streets and Roads Claims for the Cities of Tehachapi, Arvin, California City and the County of Kern and authorize Chair to sign Resolution No. 10-02. ROLL CALL VOTE.

**D. FY 2009-10 TDA Public Transit Claim – Cities of Ridgecrest, Delano and Arvin (Snoddy)**

Comment: According to California Public Utilities Code Section 99260 et. seq., and Kern COG TDA Rules and Regulations, eligible organizations may submit a claim for the purpose of supporting public transit systems. The City of Ridgecrest has submitted claims for FY 2009-10, which totals \$264,135. The City of Delano has submitted claims for FY 2009-10, which totals \$1,404,643. The City of Arvin has submitted claims for FY 2009-10, which totals \$326,683.

Action: Approve TDA Public Transit Claims for the Cities of Ridgecrest, Delano and Arvin for FY 2009/10 and authorize Chair to sign Resolution No. 10-03. ROLL CALL VOTE.

**E. Local Project Commentary (RSTP, CMAQ, TE, Transit) (Pacheco)**

Comment: Routine report on the monthly project status meeting held to discuss project implementation issues and to develop solutions.

Action: Information.

**F. Metropolitan Bakersfield Transit System Long-Range Plan (Snoddy)**

Comment: The purpose of the Metropolitan Bakersfield Transit System Long-Range plan is to assess long-range transit needs for modes of transportation in the metropolitan area including agencies that provide transportation service to elderly and disabled residents, agencies that provide transportation services to other cities in the county, and coordinate with airport and rail transportation services. The Metropolitan Bakersfield Transit System Long-Range Plan has been identified under Work Element 606.7 in the FY 2009-2010 Overall Work Program (OWP). Based on evaluations, Nelson\Nygaard Consulting Associates was chosen to complete the project at a proposed cost of \$296,991.

Action: Approve selection of the firm Nelson\Nygaard Consulting Associates for the Metropolitan Bakersfield Transit System Long-Range Plan, and authorize Chair to sign the contract. VOICE VOTE.

**G. FY 2007-09 Triennial Performance Audit (Snoddy)**

Comment: Kern COG is statutorily required by Section 99246 of the California Public Utilities Code to designate entities other than itself to make a performance audit of its activities and the activities of each operator to whom it allocates funds. Of the five proposals received, Moore and Associates is recommended to complete the performance audits for a cost of \$45,208.

Action: Approve selection of Moore & Associates to conduct the Triennial Performance Audits and authorize the Chair to sign the contract. VOICE VOTE.

**H. Authorization to Award Contract - Regional Transportation Monitoring Improvement Plan Database and Website Improvement (Flickinger)**

Comment: A proposed contract with the Regents of the University of California has been negotiated for an amount not to exceed \$10,101 for the preparation of the Regional Transportation Monitoring Improvement Plan Database and Website Improvement. The adopted Kern COG Federal Transportation Improvement Program includes Federal Regional Surface Transportation Program (RSTP) funding (with local match) in FY 2009/10 budget to fund the Regional Transportation Monitoring Improvement Plan.

Action: Approve contract award and authorize Chair to sign. VOICE VOTE.

**I. SB375 Climate Change Target Setting Timeline for Cars and Light Duty Trucks (Ball)**

Comment: In September 2008 the Governor signed Senate Bill (SB) 375 to control Climate Change emissions from cars and light duty trucks primarily by creating a more efficient mix and distribution of land use to reduce vehicle miles traveled. A timeline has been developed by the Kern Climate Change Taskforce to meet the March 1<sup>st</sup> deadline.

Action: Information.

**J. Sound Study Contract (Stramaglia)**

Comment: Kern Council of Governments (Kern COG) is preparing to conduct Noise Studies at various locations throughout Kern County, as approved in the 2009-2010 Overall Work Program (OWP) as work element 605.1. Five proposals were received and reviewed; Kern COG staff recommends awarding the \$50,000 contract to LSA Associates Inc.

Action: Approve contract with LSA Associates, Inc. in an amount not to exceed \$50,000 and authorize Chair to sign. VOICE VOTE

**K. Federal Transportation Improvement Program Amendment Procedure Update (Pacheco)**

Comment: The Federal Transportation Improvement Program (FTIP) is a dynamic short-range list of transportation projects that is subject to change. The FTIP amendment process was last revised January 15, 2009. Additional revisions are needed to update language consistent with other San Joaquin Valley counties and Kern COG's Public Information Policies and Procedures.

Action: Adopt revised FTIP Amendment Policy and authorize Chair to sign Resolution No. 10-04. ROLL CALL VOTE

**L. Initial Study and Negative Declaration for City of Arvin Circulation Element Update (Phipps)**

Comment: Kern COG agreed to fund an Initial Study/Mitigated Negative Declaration to accompany an update of Arvin's General Plan Circulation Element. The contract for this work is between Kern COG and The Planning Group of Visalia. The contract amount is \$10,000.

Action: Approve and authorize the Chair to sign contract between Kern COG and The Planning Group in an amount not to exceed \$10,000. VOICE VOTE.

**M. Congestion Management Program (CMP) Update (Ball)**

Comment: Kern COG serves as the Congestion Management Agency for Kern County. Recent changes to Federal law and state guidelines now require consideration of other modes, such as transit, in the congestion analysis. Also required are operational management techniques such as freeway service patrols. A recommendation for amendments to the existing CMP to the Kern COG Board is scheduled for consideration in January 2010.

Action: Information.

**N. SR 223, 166, 119, 46 and 65 Truck Origins and Destinations Study (Napier)**

Comment: Kern COG solicited proposals to prepare the SR 223, 166, 119, 46 & 65 Truck Origins and Destinations Study. The recommended contract for this work is between Kern COG and KOA Corporation of Monterey Park, California in an amount not to exceed \$99,763.

Action: Approve and authorize Chair to sign contract between Kern COG and KOA Corporation in an amount not to exceed \$99,763. VOICE VOTE.

**\*\* END CONSENT CALENDAR - ROLL CALL VOTE\*\***

**V. 2010 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (Stramaglia)**

Comment: The 2010 Regional Transportation Improvement Program (RTIP) cycle has been initiated and a 2010 RTIP is due to the California Transportation Commission by February 12, 2010.

Action: Approve the 2010 Regional Transportation Improvement Program as shown in Table A and authorize staff to negotiate with the Commission to advance projects as offered by the Commission. VOICE VOTE.

**VI. MEETING REPORTS:**

**VII. CALTRANS' REPORT: (Report on Projects in Progress)**

**VIII. EXECUTIVE DIRECTOR'S REPORT: (Report on Projects and Programs in Progress)**

**IX. MEMBER STATEMENTS:** On their own initiative, Council members may make a brief announcement or a brief report on their own activities. In addition, Council members may ask a question of staff or the public for clarification on any matter, provide a reference to staff or other resources for factual information, or request staff to report back to the Council at a later meeting concerning any matter. Furthermore, the Council, or any member thereof, may take action to direct staff to place a matter of business on a future agenda.

**X. ADJOURNMENT**

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT  
EXECUTIVE DIRECTOR

BY: Bob Snoddy  
Regional Planner III

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM C.  
FY 2009-10 TDA STREETS AND ROADS CLAIM - CITIES OF TEHACHAPI, ARVIN,  
CALIFORNIA CITY AND THE COUNTY OF KERN

DESCRIPTION:

According to California Public Utilities Code Section 99400 et. seq., and Kern COG TDA Rules and Regulations, eligible organizations may submit a claim for the purpose of supporting streets and roads systems. The City of Tehachapi has submitted a streets and roads claim for fiscal year 2009-10 for \$84,445 and the City of Arvin has submitted a streets and roads claim for fiscal year 2009-10 for \$142,472. The City of California City has submitted a streets and roads claim for fiscal year 2009-10 for \$380,161. The County of Kern has submitted a streets and roads claim for fiscal year 2009-10 for \$1,397,571.

DISCUSSION:

Kern COG staff has received and reviewed the following TDA Streets and Roads Claims for FY 03-04:

<u>Claimant</u>	<u>LTF</u>	<u>STAF</u>	<u>TOTAL</u>
City of Tehachapi	\$ 84,445	-0-	\$ 84,445
City of Arvin	\$ 142,472	-0-	\$ 142,472
City of California City	\$ 380,161	-0-	\$ 380,161
County of Kern	\$ 1,397,571	-0-	\$ 1,397,571

These claims have been evaluated in accordance with the following criteria: 1) the maximum funding level does not exceed claimants' deferred revenues, plus current year apportionments, less required public transit financing; 2) claimants have conducted a public hearing within their jurisdictions to receive testimony regarding unmet transit needs and have made an appropriate finding by resolution of their governing bodies; 3) project proposed for funding are in conformity with the Regional Transportation Plan; and 4) claimants have not requested or received funds in excess of their current year expenditures. Staff recommends approval.

ACTION:

Approve FY 2009/10 TDA Streets and Roads Claims for the Cities of Tehachapi, Arvin, California City and the County of Kern and authorize Chair to sign Resolution No. 10-02. ROLL CALL VOTE.

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT,  
EXECUTIVE DIRECTOR

BY: Bob Snoddy  
Regional Planner III

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM D.  
FY 2009-10 TDA PUBLIC TRANSIT CLAIMS – CITY OF RIDGECREST, CITY  
OF DELANO AND THE CITY OF ARVIN

DESCRIPTION:

According to California Public Utilities Code Section 99260 et. seq., and Kern COG TDA Rules and Regulations, eligible organizations may submit a claim for the purpose of supporting public transit systems. The City of Ridgecrest has submitted claims for FY 2009-10, which totals \$264,135. The City of Delano has submitted claims for FY 2009-10, which totals \$1,404,643. The City of Arvin has submitted claims for FY 2009-10, which totals \$326,683.

DISCUSSION:

Kern COG staff has received and reviewed the following revised TDA Transit Claims from City of Ridgecrest, Delano and Arvin:

<u>Fiscal Year</u>	<u>LTF</u>	<u>STAF</u>	<u>TOTAL</u>
2009-10	\$264,135	-0-	\$264,135
2009-10	\$1,404,643	-0-	\$1,404,643
2009-10	\$326,683	-0-	\$326,683

These claims have been evaluated in accordance with the following criteria: 1) Conformance with the Regional Transportation Plan; 2) Participation in the California Driver Pull Notice Program; 3) Adherence to the applicable farebox return ratio; and 4) Compliance with PUC Section 99314.6 Operations Qualifying Criteria. Staff recommends approval.

ACTION:

Approve TDA Public Transit Claims for the Cities of Ridgecrest, Delano and Arvin for FY 2009/10 and authorize Chair to sign Resolution No. 10-03. ROLL CALL VOTE.

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: Ronald E. Brummett,  
Executive Director

By: Raquel Pacheco,  
Regional Planner III

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM E.  
LOCAL PROJECT COMMENTARY (RSTP, CMAQ, TE, Transit)

DESCRIPTION:

Routine report on the monthly project status meeting held to discuss project implementation issues and to develop solutions.

DISCUSSION:

At the January 3, 2007 Transportation Technical Advisory Committee (TTAC), the TTAC agreed to meet for monthly project status meetings. This meeting brings to the forefront project delivery commitments in the current and future fiscal years of the Federal Transportation Improvement Program. The forum is ideal to discuss new requirements or announcements such as training opportunities or programming approvals. Caltrans staff is invited to assist project managers and provide updates on specific requests.

Meeting notes for November 17<sup>th</sup> and December 15<sup>th</sup> are attached.

HIGHLIGHTS

1. Attendees provided ARRA project status reports. All fiscal year 09/10 ARRA (Regional Surface Transportation Program and Transportation Enhancement) construction request for authorization packages were submitted to Caltrans. Kern COG submitted the 1511 Certifications for all ARRA projects. The projects have all posted to the Federal Economic Recovery website.
2. Kern COG submitted the 2008/2009 CMAQ Annual Report to Caltrans December 16, 2009.
3. As of the Score Card dated December 21<sup>st</sup>, 1% of project had requested funding authorization from Caltrans for fiscal year 09/10.

Enclosure: November 17, 2009 and December 15, 2009 Local Project Commentary Meeting notes  
December 21, 2009 Score Card for fiscal year 09/10  
Meeting Dates for 2010  
December 21, 2009 Fiscal Year 2009/2010 project list

ACTION: Information.

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT  
Executive Director

By: Robert M. Snoddy  
Regional Planner III

SUBJECT: TPPC AGENDA NUMBER IV CONSENT CALENDAR ITEM F.  
METROPOLITAN BAKERSFIELD TRANSIT SYSTEM LONG-RANGE PLAN

DESCRIPTION:

The purpose of the Metropolitan Bakersfield Transit System Long-Range plan is to assess long-range transit needs for modes of transportation in the metropolitan area including agencies that provide transportation service to elderly and disabled residents, agencies that provide transportation services to other cities in the county, and coordinate with airport and rail transportation services. The Metropolitan Bakersfield Transit System Long-Range Plan has been identified under Work Element 606.7 in the FY 2009-2010 Overall Work Program (OWP). Based on evaluations, Nelson\Nygaard Consulting Associates was chosen to complete the project at a proposed cost of \$296,991.

DISCUSSION:

Requests for proposals (RFPs) were distributed to over eighty consultants. Proposals were received from four consulting teams: Nelson\Nygaard Consulting Associates, The Hoyt Company, Transportation Management & Design, Inc., and Wibur Smith Associates. Proposals were evaluated by representatives from the Golden Empire Transit District and Kern COG staff.

ACTION:

Approve selection of the firm Nelson\Nygaard Consulting Associates for the Metropolitan Bakersfield Transit System Long-Range Plan, and authorize Chair to sign the contract. VOICE VOTE.

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT,  
Executive Director

By: Robert M. Snoddy  
Regional Planner III

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM G.  
FY 2007-2009 TRIENNIAL PERFORMANCE AUDIT

DESCRIPTION:

Kern COG is statutorily required by Section 99246 of the California Public Utilities Code to designate entities other than itself to make a performance audit of its activities and the activities of each operator to whom it allocates funds. Of the five proposals received, Moore and Associates is recommended to complete the performance audits for a cost of \$45,208.

DISCUSSION:

Kern COG is statutorily required by Section 99246 of the California Public Utilities Code to designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The Triennial Performance Audit work is identified in the FY 2009-2010 Overall Work Program under Work Element 1001.3.

A Request for Proposals (RFP) was distributed to over forty consultants. Proposals were received from five consulting firms. Based on reviews of the proposals, the firm Moore & Associates is being recommended to conduct the performance audits. Moore & Associates fully meets the criteria of conducting the audit in accordance with the processes established by the California Department of Transportation, as outlined in the *Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities*, as well as the *Standard for Audit* published by the US Comptroller General.

ACTION:

Approve selection of Moore & Associates to conduct the Triennial Performance Audits and authorize the Chair to sign the contract. VOICE VOTE.

January 7, 2010

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT,  
EXECUTIVE DIRECTOR

By: Rob Ball, Senior Planner  
Ed Flickinger, Regional Planner III

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM H.  
Authorization to Award Contract - Regional Transportation Monitoring Improvement Plan  
Database and Website Improvement

DESCRIPTION:

A proposed contract with the Regents of the University of California has been negotiated for an amount not to exceed \$10,101 for the preparation of the Regional Transportation Monitoring Improvement Plan Database and Website Improvement. The adopted Kern COG Federal Transportation Improvement Program includes Federal Regional Surface Transportation Program (RSTP) funding (with local match) in FY 2009/10 budget to fund the Regional Transportation Monitoring Improvement Plan.

DISCUSSION:

Beginning in 2006, the regional traffic count program was authorized by the Kern COG Board to be funded as an off-the-top allocation of Regional Surface Transportation Program (RSTP). Kern COG has administered a regional count contract that has successfully acquired over 3000 counts on local roads in first three and a half years of the program. These counts are available through an interactive online mapping system on Kern COG's main web page (<http://206.227.45.76/website/kerncog/viewer.htm>). Kern COG needs to make improvements to the database and website of its Regional Transportation Monitoring Improvement Program as support for the current software is becoming obsolete for both.

The project is listed in the 2009-2010 Overall Work Program under Work Element 603.2. (Project KER060412 Federal Transportation Improvement Program - FTIP)

Traffic monitoring is mandated by the federal transportation spending bill. Contract oversight will continue to be provided by the Kern Regional Transportation Modeling Subcommittee. The subcommittee is made up of local member agency traffic experts. The subcommittee approved the initial request for proposals for this contract in April 2009. The scope of the contract is to improve data in the regional transportation model while reducing duplicative traffic counting efforts.

ACTION:

Approve contract award and authorize Chair to sign. VOICE VOTE.

January 21, 2009

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT  
EXECUTIVE DIRECTOR

By: Rob Ball, Senior Planner

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM I.  
SB375 Climate Change Target Setting Timeline for Cars and Light Duty Trucks

DESCRIPTION:

In September 2008 the Governor signed Senate Bill (SB) 375 to control Climate Change emissions from cars and light duty trucks primarily by creating a more efficient mix and distribution of land use to reduce vehicle miles traveled. In October 2008, the Kern COG board established the Kern Climate Change Task Force to implement SB 375. On March 1, 2010, Kern COG has an opportunity to propose a target for climate change emission reductions from Cars and Light Duty Trucks. A timeline has been developed by the Kern Climate Change Taskforce to meet the March 1 deadline.

DISCUSSION:

The following timeline was presented at a joint meeting of the Kern Climate Change Taskforce and the Kern Regional Transportation Modeling Committee on December 16, 2009.

**2010 Preliminary Timeline:**

Jan. 6 – Comments due to Kern COG on the 2<sup>nd</sup> round of land use model results  
Model results available online at [www.kerncog.org](http://www.kerncog.org) under the climate change menu.

Jan. 6 – TTAC reviews timeline

Jan. 19, – Newspaper display add announcing public meetings/workshop

Jan. 20, 10AM – Joint Meeting - Modeling Committee/Task Force  
- Review 3<sup>rd</sup> round of land use model results for baseline/current trends  
- Review 1<sup>st</sup> round of the alternative to the baseline/current trends scenario

Jan. 21, 7PM – COG Board reviews timeline

Feb. 6, 10AM – TTAC first look

Feb. 17, 10AM – Joint Meeting - Modeling Committee/Task Force (tentative)

Feb. 18, 6:30PM – COG Board first look – **Public Workshop**

Mar. 1 – Draft target sent to the state Air Resource Board (ARB) subject to final action by COG

Mar. 3, 10AM – TTAC recommendation

**Mar. 18, 7PM – COG Board considers approval of proposed target**

Mar. 19 – Final proposed target sent to ARB

Jun. 1 – ARB releases draft statewide target

\*Jul. 15 – COG Board considers approval of 2010/11 RTP

**Sep. 30 – ARB releases final targets for all 18 COGs in the State**

\* This target setting process is being performed parallel to the preparation of the 2011 RTP. The targets will not be available in time for consideration in this RTP scheduled to begin public review April 1, 2010. The targets will be incorporated into the next major RTP scheduled for 2014.

ACTION: Information.

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT,  
EXECUTIVE DIRECTOR

By: Joseph Stramaglia,  
Senior Planner

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM J.  
SOUND STUDY CONSULTANT CONTRACT APPROVAL

DESCRIPTION:

Kern Council of Governments (Kern COG) is preparing to conduct Noise Studies at various locations throughout Kern County, as approved in the 2009-2010 Overall Work Program (OWP) as work element 605.1. \$50,000 is budgeted for the project consultant contract.

DISCUSSION:

Kern COG has budgeted \$50,000 in the 2009-2010 OWP to conduct various sound studies throughout the County of Kern. The enclosed draft contract includes a map on page 15 showing the requested site locations. The study findings will be used to develop retrofit sound wall mitigation recommendations for the specific study sites. Many of the requests have been collected over the last ten years.

The project advisory committee is made up of staff from the City of Bakersfield, County of Kern and Caltrans in addition to Kern COG staff. The consultant firm of LSA Associates Inc. was consistently ranked the highest by participating staff. Kern COG staff recommends the approval of this contract. The draft contract is currently under review by County Counsel. If revisions are made to the contract, a final contract will be distributed at the meeting.

ACTION:

Approve contract and authorize Chair to sign. VOICE VOTE

Enclosure: "Draft Contract between the Kern Council of Governments and LSA Associates Inc."

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT,  
EXECUTIVE DIRECTOR

By: Raquel Pacheco  
Regional Planner III

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM K.  
FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) -  
AMENDMENT PROCEDURE UPDATE

DESCRIPTION:

The Federal Transportation Improvement Program (FTIP) is a dynamic short-range list of transportation projects that is subject to change. The FTIP amendment process was last revised January 15, 2009.

DISCUSSION:

Caltrans, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and Metropolitan Planning Organizations continue to work together to clarify how to manage the FTIP. In a coordination effort with San Joaquin Valley counties, Kern COG staff is requesting an update to its amendment procedures. The required public review periods have been updated to be consistent with those found in the other Valley counties.

Approval of this request is conditional on the action to revise Kern COG's "Public Information Policies and Procedures" as part of a separate process and action. For amendments considered non-controversial and minor in nature (those that do not include changes to the regional transportation plan or conformity documentation), the 30-day public review period has been reduced to a 14-day review period. These amendments, also referred to as Types 2 and 3, may be approved by the Executive Director.

Concurrently, Kern COG staff is now incorporating revisions to Kern COG's "Federal Transportation Improvement Program Amendment Policy" to allow for reduced processing time. At the discretion of the Executive Director, amendments considered non-controversial and minor in nature (those that do not include changes to the regional transportation plan or conformity documentation) could be approved either by the Executive Director only or by the Kern COG Board.

Kern COG staff supports the changes, as they will allow more FTIP revisions to be processed quickly. The "Draft Federal Transportation Improvement Program Amendment Policy" enclosed displays the additional language as part of this update. Once approved, this document will be sent to Caltrans, FHWA, and FTA for their use.

Enclosure: "Draft Federal Transportation Improvement Program Amendment Policy"

ACTION:

Adopt revised FTIP Amendment Policy and authorize Chair to sign Resolution No. 10-04. ROLL CALL VOTE

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: Ronald E. Brummett  
Executive Director

BY: Robert Phipps  
Administrative Analyst

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM L.  
INITIAL STUDY AND NEGATIVE DECLARATION FOR CITY OF ARVIN  
CIRCULATION ELEMENT UPDATE

DESCRIPTION:

Kern COG agreed to fund an Initial Study/Mitigated Negative Declaration to accompany an update of Arvin's General Plan Circulation Element. The contract for this work is between Kern COG and The Planning Group of Visalia. The contract amount is \$10,000.

DISCUSSION:

The circulation study was conducted between June and November 2008 to determine future infrastructure needs, identify local and regional projects to be included in the transportation impact fee program, and serve as an update to the existing City of Arvin General Plan Circulation Element.

In June 2009, City of Arvin officials requested that the original \$57,400 contract be amended to include \$10,000 for an initial study/mitigated negative declaration to accompany the Circulation Element update. This amount was included in Kern COG's 2009-10 Financial Plan, and work was authorized by city of Arvin officials; however, the contract amendment was never brought before Kern COG's Board.

The original contract has expired and can no longer be amended. This retroactive contract is for \$10,000 and work has already been completed.

ACTION:

Approve and authorize the Chair to sign contract between Kern COG and The Planning Group in an amount not to exceed \$10,000. VOICE VOTE.

January 21, 2010

TO: Transportation Planning Policy Committee, serving as the  
Congestion Management Agency

FROM: RONALD E. BRUMMETT  
EXECUTIVE DIRECTOR

By: Rob Ball  
Senior Planner

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM M.  
CONGESTION MANAGEMENT PROGRAM (CMP) UPDATE

DESCRIPTION:

Kern COG serves as the Congestion Management Agency for Kern County. Recent changes to Federal law and state guidelines now require consideration of other modes, such as transit, in the congestion analysis. A recommendation for amendments to the existing CMP to the Kern COG Board is scheduled for consideration in January 2009.

DISCUSSION:

[\(Substantive changes to the November COG Board staff report are underlined\)](#)

**Background:**

The Transportation Technical Advisory Committee (TAC) also serves as the Congestion Management Agency TAC. The Kern Congestion Management Agency was established in 1991 and consists of the same members as the Kern COG Board, and includes the Golden Empire Transit District, the two Air Districts, and Caltrans as ex-officio members. In 1994, state law was amended to make many of the provisions voluntary. In 1998 the CMP was included as a chapter of the Regional Transportation Plan (RTP). In 2005, with the passage of the federal transportation spending bill, new requirements were added to the RTP that could affect federal transportation funding. This amendment is designed to address those changes.

[On December 30, 2009](#) the California Resources Agency [approved](#) a rulemaking update to the California Environmental Quality Act (CEQA). Changes [were](#) required by Proposition 97 to be final by January 2010. The draft rulemaking document includes changes to the checklist description regarding consideration of potential significant impacts to traffic congestion, and references the Congestion Management Agency and Program (see Attachment B). This update reflects those [proposed](#) changes.

Although not a regulatory document, the Transportation Research Board (TRB) of the National Research Council is updating its Highway Capacity Manual. The document guides state-of-the-practice for transportation analysis. The draft update will be available in January 2010 and adopted by October 2010. Like the proposed CEQA changes, preliminary documentation provides an integrated methodology analyzing congestion for vehicles, bikes, pedestrians and transit called, "The Complete Streets Method." This is a significant departure from the current accepted method of only analyzing vehicle congestion.

## CMP Update Timeline:

September 29, 2009	— Kern Climate Change Taskforce Meeting
September 30, 2009	— Kern Transportation Technical Advisory Committee (TTAC) — Information Item
October 5, 2009	— Presentation to Kern Homebuilders Association Director
October 15, 2009	— Kern COG Board, Transportation Planning Policy Com. — Information Item
October 19, 2009	— Presentation to City of Bakersfield Public Works Staff
October 28, 2009	— Kern Regional Transportation Modeling Committee (KRTMC) — Recommended Approval with changes to TTAC
November 4, 2009	— TTAC — Referred back to KRTMC
November 19, 2009	— Kern COG Board, Pre-meeting Workshop — Information
December 16, 2009	— KRTMC — Recommendation to TTAC
January 6, 2010	— TTAC — Recommendation to Kern COG Board ( <a href="#">recommendation died for lack of a second</a> ). <a href="#">TTAC was uncomfortable with acting on this item at this time, and since some of the new guidelines are still pending. Staff to include CMP Update as part of RTP public review process beginning in April and will bring back the CMP to the TTAC as part of the adoption process for the RTP in May and June of 2010.</a>
January 21, 2009	— Kern COG Board, Congestion Management Agency (CMA) — Considers Recommendations
April 1, 2009	— 45-Day Public Review (as part of RTP) Scheduled
May/June 2010	— TTAC, Kern COG Board, CMA — Considers CMP adoption and any additional changes with 2011 RTP
July 2010	— CMP update takes effect

## Key Changes:

- 1) Addition of language emphasizing the inclusion of transportation demand management strategies, such as freeway service patrols, to clear traffic events more rapidly in congested areas.
- 2) Clarification of the deficiency plan requirements to include consideration of other modes such as transit, bike and pedestrian travel when level of service cannot be maintained at the regional standard. These changes are being driven by proposed changes to the Institute of Traffic Engineers, 2010 Highway Capacity Manual (HCP)
- 3) New allowances for deficiency plans to be included into the traffic study of an environmental document.
- 4) Changes requested by the Kern Regional Transportation Model Committee
  - a. Correct reference to ITE, it should be TRB.
  - b. Replace threshold standard of 5 trips during peak hour with the Caltrans Guideline standard of 1 trip during peak hour on an LOS F facility for Traffic Impact Studies.
  - c. Verify that less emphasis on mitigating vehicle traffic may reduce traffic mitigation costs.
  - d. Update the list of LOS F streets on the Congestion Management Program network.
  - e. [Add text to exempt CMP segments that are LOS F for which major capacity increasing improvements have been completed since the last transportation model update.](#)

## Responses to Comments:

**1) Comments from City of Shafter (letter dated 10/22/09).** Kern COG staff contacted City of Shafter staff and received further clarification of comments. Changes in response are reflected below.

### **a) A CMP is not a required element under the Regional Transportation Plan.**

**Response:** This is true under current state law. However, in 2005 the federal transportation bill passed requiring a congestion management process. U.S. Code, Title 23, Sec. 134(m)(2) states:

*“(j) TREATMENT OF CERTAIN STATE LAWS AS CONGESTION MANAGEMENT PROCESSES. — For purposes of this section and section 134, and sections 5303 and 5304 of title 49, State laws, rules, or regulations pertaining to congestion management systems or programs may constitute the congestion management process under this section and section 134, and sections 5303 and 5304 of title 49, if the Secretary finds that the State laws, rules, or regulations are consistent with, and fulfill the intent of, the purposes of this section, section 134, and sections 5303 and 5304 of title 49, as appropriate.”*

Kern COG has maintained the CMP as an element of the RTP since the 1998. In 2007, the Federal Highways Administration found that the CMP element of the Kern COG 2007 RTP complied with federal requirements under Title 23, Sec. 134 and Title 49 sec. 5303. Since the CMP is now a required element of the RTP, it cannot be removed without jeopardizing federal transportation funds.

**b) There is a Potential Liability to Local Governments.** The City of Shafter is concerned that if the CMP is included as part of the RTP local governments may be exposed to liability under California Government Code Section 65089.6 which would allow an action against a city if the CMP is incorporated into its General Plan Circulation Element and the local government fails to carry out the CMP. Draft RTP Guidelines anticipate that local governments will amend their General Plans to implement the Sustainable Communities Strategy (SCS) of the RTP. If the SCS portion of the RTP includes CMP elements, and local governments adopt those requirements in their circulation plans, they could be exposed to liability under Section 65089.6.

**Response:** Kern COG spent time with each of its member agencies between March and June 2009 to get the latest planning assumptions based on local general plans and other reasonable assumptions for the distribution of future development. This information was gathered to help inform the development of a target for the first SCS scheduled for adoption in 2014. Ultimately, the land use scenario portion of the SCS will be based on local general plans, reducing the potential for conflicts and ensuring consistency between local plans and the RTP SCS. The following text is proposed be added to the CMP portion of the RTP to address the liability concern.

*“California Government Code Section 65089.6 states that local governments are liable to action against them if they incorporate all or a portion of the CMP into their circulation element and then fail to implement that portion of the CMP. The assumptions in the RTP/CMP Sustainable Communities Strategy are based on local general plans and reasonable assumptions from those plans. Therefore the RTP CMP is consistent with local general plans, eliminating the potential for liability under Section 65089.6.”*

**2) Additional Comments from City of Shafter Conference Call (12/10/09).** Kern COG staff contacted City of Shafter staff and received further clarification of comments. Changes in response are reflected below.

**a) Need workshop on HCM update.** Kern COG should provide a workshop on the draft 2010 Highway Capacity Manual (HCM) update and multi-modal Level of Service (LOS) methodology next Spring as well as consider a coordinated commenting on the HCM Draft. One potential comment may be the need to weight mode grades based on local characteristics such as urban form and facility type.

**Response:** Kern COG brought this up at the December 16 Kern Regional Transportation Modeling Committee and the group agreed that this was a good idea. A workshop will be scheduled as part of one of the upcoming modeling committee meetings.

**b) Consider possibility of adding new routes to CMP network.**

**Response:** [This update is focused on policy. The current CMP network includes all state highways and 3 locally maintained inter-city routes. New routes should be carefully evaluated before adding to the network, including consideration of factors such as the current level of congestion and regional connectivity. A new transportation model update showing heavy congestion in the base year could be used to demonstrate the need for adding the segment. New, regional facilities or the redesignation/relinquishment of a state route may also trigger the need for adding routes to the CMP. These updates should coincide with a major update to the RTP.](#)

### 3) Comments from the Kern Climate Change Task Force Meeting (9/29/09) and Follow-up Meetings with the Kern Home Builders Association and the City of Bakersfield Public Works Department.

#### a) Does this update affect traffic congestion and LOS standards in our local community?

**Response:** No. Local LOS standards are set in each community's General Plan Circulation Element. In communities where existing facilities are already operating at LOS F, this policy change would allow developments that may add traffic to those congested corridors if capacity existed for other modes such as bike, walk, and transit that are not affected by that same capacity.

#### b) Does this new emphasis on other modes let developers off the hook for impacts to already congested areas?

**Response:** No. The emphasis on other modes requires the developer to provide capacity for all modes, including single occupancy vehicle traffic. It does allow one mode to have a degraded level of service if the other modes provided sufficient traveling capacity and comfort.

#### c) Does this update negatively affect our quality of life and relatively congestion free roadways?

**Response:** No. These changes provide for a choice in transportation modes, while maximizing the expenditure of our transportation dollars. It may eventually impact travel for single occupancy vehicles during peak periods; however, it provides for alternative modes such as bike, carpool and bus lanes in congested corridors so people can travel through those areas during peak periods. If the current method of LOS were to remain in place, roads in the interior areas would have to be made so wide that they would be too costly to build and maintain, bringing both growth on the periphery and infill development to a halt because of the cost of mitigating their impacts to vehicle traffic.

#### d) How do you prepare a mitigation monitoring program for mitigating congestion of other modes (bike, walk, transit, HOV, etc.) to be provided by a government agency?

**Response:** Historically, traffic congestion has been measured by analyzing level of service (LOS) for vehicles on an A through F scale. This change would shift the emphasis in environmental documents dealing with the Congestion Management Network corridors from looking at the impacts on vehicle traffic to the impacts to all modes. Under CEQA, the mitigation monitoring program ensures that mitigations are implemented. Often offsite mitigation for vehicle traffic congestion is provided by the developer through project phasing or is accounted for in a traffic impact fee program. Government agencies are required to implement mitigation that is a part of an impact fee. It is anticipated that these practices would continue for vehicle traffic impacts under the updated CMP. For transit, bike, and pedestrian facilities, the developer would likely need to negotiate service agreements with the transit service provider, or impact fee programs would need to be updated to include these other modes. In some cases, projects could

point to other government programs, such as the Kern Motorist Aid Authority, if they implement a service such as a Freeway Service Patrol to clear traffic incidents during peak periods.

**4) Comment from phone call with representative from Western Properties (10/29/09).**

**a) Is the use of the *Caltrans Guide for Preparation of Traffic Impact Studies* the best way to handle the deficiency study requirement in the CMP when considering impact of cost to development?**

Response: Yes, creating an option for the deficiency plan requirement to be handled as part of the existing traffic impact fee studies avoids the need for creation of a separate CMP deficiency monitoring and notification process and bureaucracy. This option does expand the need to perform traffic impact analysis on major inter-city county roads, as opposed to just State Routes under the existing Caltrans guide requirements. For most major developments this guide is already used. The cost of addressing the CMP and TDMs/TSMs in an existing traffic study should not change either, since these are becoming required by state and federal law. The change in the number of developments that are required to do a traffic impact study should be minimal. In some cases, small parcel maps may affect a level of service F segment of a county road. Many parcel maps are categorically exempt and would not likely trigger the need for a full traffic impact study. The Caltrans guide states that in the case of some projects, all that is required would be a traffic count for the project. This requirement may be extended to some county roads, if the project is not categorically exempt.

**5) Comments From KRTMC (12/16/09).** TTAC referred the CMP update back to the Kern Regional Transportation Modeling Committee (KRTMC) to better answer a request from the Kern Home Builders Association to verify that less emphasis on mitigating vehicle traffic may reduce traffic mitigation costs. It is difficult to come up with a “rule-of-thumb” analysis because each location will be different, so the TTAC requested bullets outlining a methodology to answer the following question:

**a) What is the proper method for performing a cost comparison between adding new lanes for vehicle traffic vs. adding transit, bike, and walk infrastructure?**

**Response:** The KRTMC came up with the following cost comparison considerations in providing new lanes for vehicle travel only vs. transit, bike and walk infrastructure:

- Capital Costs - One-time up front costs for environmental, design, right of way, construction, bridges, equipment, etc., annualized over the life of the project.
- Maintenance Costs - Ongoing annualized life cycle maintenance costs, for pavement, parkways, equipment, safety, etc.
- Connectivity Costs - Provide analysis for all facilities in a corridor or system required to provide connectivity for each mode (Use Corridor System Management Plan, bike plan, long range transit plan, circulation plan, walkable subdivision design, etc.). For example, a major route such as Rosedale Hwy may lack a bike path, however there is a parallel bike trail within the corridor along the Kern River that may provide adequate infrastructure for that mode of travel in the system if sufficient connectivity is provided.
- Urban Form Considerations - Adjust cost analysis for place type (urban, suburban, small town, rural) and facility type (freeway, rural highway, arterial, local street). Consider weighting improvements to vehicle, transit, bike and walk infrastructure based on use (ie. no need to sidewalk infrastructure on rural highways, nor 53’ truck turning radii in suburban neighborhoods).

This information is being provided in response to comments and does not need to be included in the text of the CMP.

**b) The CMP requires a deficiency plan or traffic study for segments of the CMP network that are worse than LOS E in the base year of the regional transportation model.**

**What happens if a highway widening such as 7<sup>th</sup> Standard Rd. is completed, improving the LOS condition? Is the CMP plan or study still required?**

**Response:** No. The regional transportation plan model is updated to observed counts about every 5-years. Capacity increasing improvements can last 2-20+ years before induced demand and growth in an area consume the new capacity. The CMP will assume that a completed improvement will operate better than LOS F until the next transportation model update, using observed counts, indicates that the segment has been degraded to LOS F again. This policy will be added to the CMP text.

**5) Comments From TTAC (1/6/10).** The CMP Update staff report recommended approval of the CMP subject to final adoption in the RTP. The County made a motion on the staff recommendation while voicing concerns. The motion died for lack of a second. Staff will include CMP Update as part of RTP public review process beginning in April and will bring back the CMP to the TTAC as part of the adoption process for the RTP in May and June of 2010. The following questions were raised in the TTAC discussion.

**a) Why are we acting on this now and not waiting for TRB to complete its update of the HCM?**

**Response:**

- CEQA/ Law Changes – On December 30, 2009 the California Resources Agency approved an amendment to the California Environmental Quality Act (CEQA) checklist eliminating solely looking at vehicle congestion as a test to determine a significant effect. The checklist now includes consideration of transit, bike, and walk modes when considering impacts to transportation.
- Circulation Planning Law Changes – In September 2008, AB 1358 (Leno) passed requiring circulation elements to consider transit, bike and walk modes in addition to vehicle capacity beginning in January 2011.
- Draft RTP Guidelines Update – In December 2009, the California Transportation Commission released the latest version of draft guidelines scheduled to be final in Summer of 2010. They include a recommendation for RTPs to incorporate Complete Streets techniques. Although these guidelines may not be in affect at the time of approval of the 2011 RTP (schedule for July 2010), including as many of the recommendations of the new guidelines as appropriate is a sensible measure to avoid potential issues after the guidelines are approved. A future amendment may be required should the final guidelines differ significantly from the draft.
- Kern Climate Change Task Force Proactive Approach - in October of 2008, the COG Board established the Climate Change Taskforce. They developed a plan with a consultant that was approved by the Kern COG board in March 2009. The plan sets up a proactive approach on climate change issues by getting out in front of the regulations, actively participating and commenting on proposed guidance, and developing solutions that work for our region, rather than waiting for mandates to be handed down by the state, or for the courts to mandate an approach. This approach was driven in part by the Attorney General comments on the 2007 Kern COG Regional Transportation Plan.

**b) Can the COG fund the initial study of deficient routes to lessen the burden on the development community?**

**Response:** Yes. Kern COG is considering amending its Overall Work Program to fund a Corridor System Management Plan using Complete Streets for the deficient segments.

Attachments:

Attachment A – Marked-up version of CMP

Attachment B – Background Material on Proposed CEQA Guideline changes related to the Congestion Management Agency, and other background documents.

ACTION:

Information.

**Attachment A**

**2011 REGIONAL TRANSPORTATION PLAN  
CONGESTION MANAGEMENT PROGRAM ELEMENT**

**DRAFT UPDATE – Revision 3.1**

## Attachment A

### DRAFT UPDATE – Revision 3.1

#### **CONGESTION MANAGEMENT PROGRAM ELEMENT**

(Section of chapter 4 of the 2010-11 Regional Transportation Plan, highlighted changes are based on comments received as of Oct. 15, 2009)

As with ~~TEA-21 and ISTEA~~the previous federal surface transportation acts, under SAFETEA-LU (Section)(s) 1107, 6001), all urbanized areas larger than 200,000 population are required to have a Congestion Management Process (CMP), System, or Program. Kern Council of Governments (Kern COG) has chosen to continue referring to its congestion management activities as a Program. The federal Congestion Management ~~System-Process~~ requirements are similar to the optional California requirements; in fact, the ~~CMS-CMP~~ was largely modeled after the California program. Both processes are structured around the identification and monitoring of a system, the establishment of performance standards, and the identification and correction of congestion problems. The CMP was developed through a open public process in 1991 under State guidelines. Since 1998, the CMP has been included as a subsection of the Regional Transportation Plan. In 2005 the CMP became federally mandated.

The Final Rule for the Federal Management and Monitoring Systems defines an effective Congestion Management Process (~~Program~~)—as a systematic process for managing congestion that provides information on: (1) transportation system performance, and (2) alternative strategies for alleviating congestion and enhancing the mobility of persons and goods to levels that meet state and local needs.

Pursuant to California Government Code Section 65089(a), Kern COG was designated as the Congestion Management Agency by the majority of the cities representing the majority of the population and the Kern County Board of Supervisors. Kern COG consists of representatives from the eleven incorporated cities and two representatives from the County of Kern. The Golden Empire Transit District, Joint Planning Policy Board, and Caltrans are *ex-officio* representatives on the Agency Board. The Congestion Management Agency is responsible for developing, adopting, and ~~biennially~~ updating a Congestion Management Program. The Congestion Management Program is updated as part of the Regional Transportation Plan, every 4 years. The Program is developed in consultation with, and cooperation of, regional transportation providers, local, state and federal governments, including California Department of Transportation, and both the Kern County and San Joaquin Valley air pollution control districts.

In 2009, the California Resources Agency developed revised language for the California Environmental Quality Act (CEQA) Environmental Checklist Form. The new guidelines expand the definition of traffic congestion to include consideration of impacts to transit, bike and pedestrian modes as well as the consideration of travel demand measure strategies.

Because the Congestion Management Program can be amended and updated as frequently as annually, it can be modified to reflect local conditions in traffic congestion and transportation funding. This document fulfills the statutory requirements for the Congestion Management Program as required under State law and for the Congestion Management Process under federal law.

Government agencies under jurisdiction of this Program comprise

#### **Purpose**

The purpose of the Congestion Management Program is to help ensure that a balanced transportation system is developed that relates population growth, traffic growth and land use decisions to transportation system level of service (LOS) performance standards and air quality improvement. The Program is an effort

to more directly link land use, air quality, transportation, and the use of new advanced transportation technologies as an integral and complementary part of this region's plans and programs.

Local jurisdictions are required to:

- Use consistent level of service methodologies, performance standards, and travel forecasting techniques;
- Adopt and implement a land use analysis program, which includes acting as ~~lead-a~~ [responsible agency for traffic impact ~~Reports~~ studies as part of environmental documentation](#);
- Participate in annual monitoring activities, maintain acceptable performance levels on the system, or if necessary, designate individual segments or intersections deficient through adoption and submission of a deficiency plan to Kern COG. [Deficiency plans may be submitted through the environmental review process](#);
- Adopt ~~a~~ Transportation Demand Management [ordinance-mitigation and monitoring program](#) prior to their [Congestion Management](#) Program conformity findings.

Failure of a local jurisdiction to fulfill these responsibilities could engender loss of ~~a portion of the state~~ [federal](#) gas tax funding. [According to the 2008 Federal Highway Administration Guidebook on the Congestion Management Process, "no Federal funds may be spent for capacity-expanding projects unless they come from a CMP" for Transportation Management Agencies greater than 200,000 population and in federal non-attainment areas.](#)

## Contents

The Congestion Management Program includes the following six elements:

- **Land Use Impact Analysis:** ~~An E~~ [Establishes a process where Kern COG in consultation with its member agencies](#) to evaluate the impacts of proposed local land use decisions on Kern County's transportation system, including an estimate of the costs associated with mitigating requirements. [This process employs the existing California Environmental Quality Act \(CEQA\) agency review process.](#)
- **Multi-modal Performance Standards:** ~~Determines~~ how much traffic, during peak hours, is acceptable on state freeways, highways and major streets within Kern County. These standards do not replace adopted city or county traffic goals, which generally establish more stringent standards. In addition, ~~identifies~~ frequency and routing of bus service, and coordinate ~~of~~ transit service provided by separate operators throughout Kern County. [Multi-modal performance standards are also referred to as the "complete streets" strategy and are applied in the Circulation Plan maintained by each jurisdiction.](#)
- **Regional Traffic Model:** ~~Predicts~~ level-of-service exceedances, ~~prioritizes~~ the Capital Improvement Program, and ~~analyzes~~ the impacts of land use on the Congestion Management [Program network system](#). [Kern COG maintains the regional traffic model for evaluation of congestion performance measures in the RTP and as a key input to local and regional traffic studies.](#)
- **Transportation Demand Management:** ~~Describes~~ programs to promote alternatives to driving alone [or single occupancy vehicle \(SOV\) travel](#). These include such activities as carpools, vanpools, transit, bicycles, ~~and~~ park-and-ride lots [freeway service patrols, and intelligent transportation system technologies](#). These programs will improve air quality in the ~~County~~ [region](#)

and help meet the goals of the Air Quality Attainment Plans, as well as climate change goals. Often environmental documents refer to the Transportation Demand Management (TDMs) strategies as Transportation System Management strategies (TSMs). Kern COG, Caltrans and local governments should incorporate TDMs/TSMs into their Transportation Plans, Circulation Plans, transportation studies, and corridor studies as appropriate.

- **Capital Improvement Program (CIP):** Establishes transportation improvements that can be expected to improve traffic conditions over ~~the next~~ the next minimum of seven years. This program has been developed to make the best use of the funds currently available. The CIP is developed and maintained by Kern COG with public and member agency input.
- **Deficiency Plan:** Project leads p~~Prepares~~ a plan of remedial actions when a roadway level of service standard is not maintained on the designated Congestion Management roadway system. The plan may be addressed in a stand alone traffic impact study or as part of the environmental document.

In addition to these components and as a part of the process of developing and monitoring the Program, the ~~implementing agency~~ local government agencies and Caltrans are ~~is~~ required to develop and maintain a traffic data base for use in a countywide model and to monitor the implementation of the Program elements. This data base requirement may be fulfilled through participation in the Kern COG regional traffic count program.

Along with State-level requirements, federal transportation funding legislation requires each state to develop and implement a ~~traffic-transportation~~ Congestion Management Process that will be incorporated into the regional planning process, comply with the intent of the federal requirement, and be considered a part of Kern County's Congestion Management Program. The Program identifies areas where congestion occurs or may occur, identifies the causes of the congestion, evaluates strategies for managing/mitigating congestion and enhancing mobility, and develops a plan for implementation of the most cost effective strategies. Strategies regarding congestion management include:

- Transportation demand management measures;
- Traffic systems management operations improvements (ie. signal coordination, freeway service patrol, real-time traffic conditions online, etc.);
- Measures to encourage high occupancy vehicle (HOV) use;
- Enhanced mobility measures that provide a congestion relief valve such as transit service in corridors that are not affected by the peak period congestion (i.e., arterial-based peak-period transit/HOV lanes or light rail);
- Establishment of multi-modal level of Service (LOS) in local circulation plans, similar to the complete streets concepts;
- Congestion pricing;
- Land use management and activity/transit-oriented center strategies;
- Incident management strategies;
- Application of intelligent transportation systems (ITS) technology; ~~and~~
- Addition of general purpose (mixed flow) traffic lanes; ~~and-~~
- Other mitigation that allows for mobility through congested corridors for modes other than single occupancy vehicles, including non-motorized bike and pedestrian trips.

~~Kern region's Congestion Management Program will be revised as necessary to reflect all federal congestion management requirements.~~

Advances in telecommunications technology and networks provide an additional opportunity to further mitigate congestion by reducing the need for travel both within the region and between regions. To an

extent, these telecommunications advances are occurring within the private sector without public sector initiatives. However, Kern COG is evaluating a potential public sector role [\(see chapter 4 ITS Action Element\)](#).

### Monitoring and Implementation Process

To ensure the Congestion Management Program is being implemented, the cities and County provide the Congestion Management Agency considerable information annually, primarily in the form of technical data, as well as policy and planning summaries, including the following:

- **Traffic Level of Service** - Each city, the County and Caltrans must provide peak hour traffic counts and level of service calculations on their designated streets and intersections. [These agencies participate with Kern Regional Transportation Modeling Committee, which oversees a regional traffic count program and travel demand forecasting program administered by Kern COG.](#)
- **Local Traffic Models** - Kern COG is required to approve any traffic models used by the cities and the County to evaluate impacts of proposed land use development on the transportation system. After the model has been initially approved by the Congestion Management Agency, only changes to the model will need to be submitted.
- **Land Use Database** - Kern COG is required to establish and maintain a uniform land use database for the development and monitoring of the Program. All current and future land use projections must be included in the database. Any changes to the land use database must be submitted to Kern COG.
- **Local Capital Improvement Program** - ~~Statute requires t~~The Program ~~to~~ includes a [minimum seven-year Capital Improvement Program](#) to maintain or improve the level of service on the Congestion Management ~~system~~ [System network](#) and transit performance standards, and to mitigate regional transportation impacts identified through the Congestion Management Program's land use analysis element.
- [Performance Monitoring – Kern COG is required to update the Level of Service for the Congestion Management System network as well as system wide congested travel statistics using the Kern COG regional travel demand model.](#)

### Designated Regional Transportation System

The purpose of defining the Congestion Management Program network is to establish a system of roadways that will be monitored in relation to established level-of-service standards. At a minimum, all State highways and principal arterials must be designated as part of the Congestion Management System of Highways and Roadways. Kern County has 18 designated State highways. The roads selected as principal arterials by the Congestion Management Agency serve inter-regional traffic traveling between State highways and also complete gaps in the Congestion Management network.

California Government Code Section 65089(b)(A) requires that the Congestion Management Agency establish a system of highways and roadways that includes all of the State highways and principal arterials. Once a roadway is included in the network, it cannot be removed. All new State highways and principal arterials must be included in the system. If in the future, however, an existing segment of State highway is replaced by a new alignment, the new alignment would be added to the Congestion Management network while the old alignment would be dropped from the network.

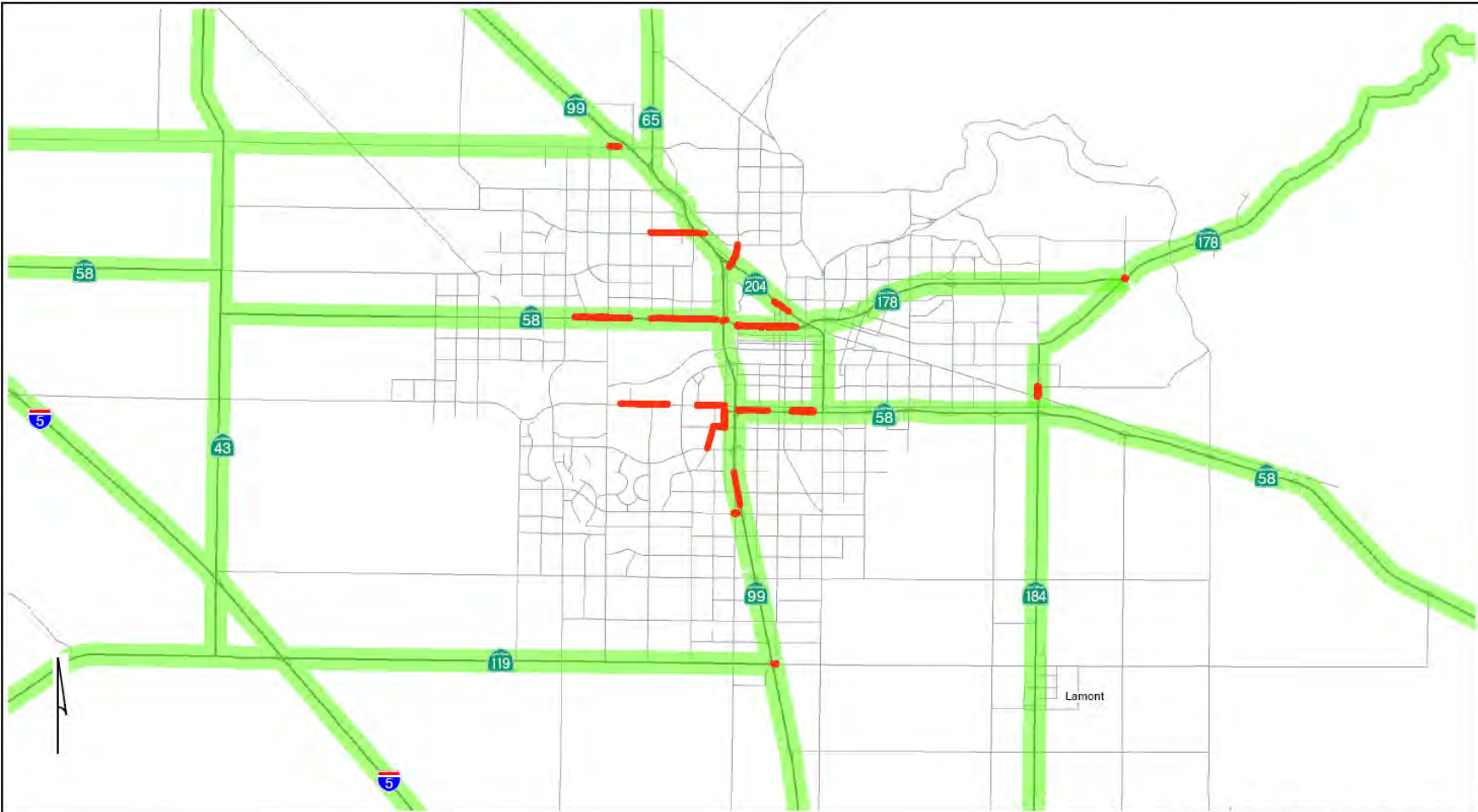
Figure 6-1 provides a graphic display of the Congestion Management System of highways and roadways. A listing of State highways and principal arterials on the designated Congestion Management System is provided below:

**Highways**

Interstate 5	Route 155
Route 14	Route 166
Route 33	Route 178
Route 43	<a href="#">Route 184</a>
Route 46	Route 202
Route 58	Route 204
Route 65	Route 223
Route 99	U.S. 395
Route 119	

**Principal Arterials**

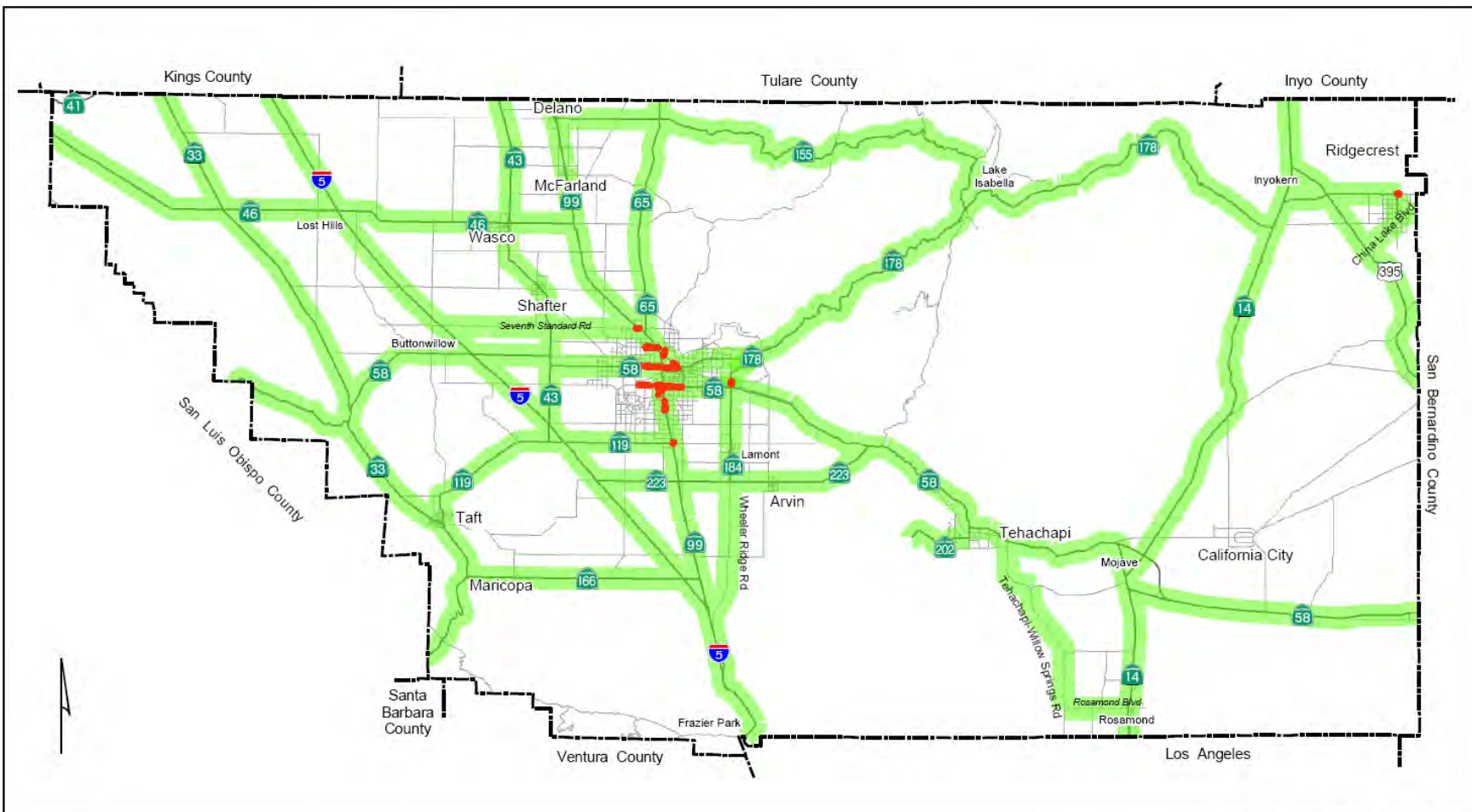
- China Lake Boulevard - Route 178 to Route 395
- Rosamond Boulevard - Tehachapi-Willow Springs Road to Route 14
- Seventh Standard Road - Route 99 to Route 5
- Tehachapi-Willow Springs Road - Route 58 to Rosamond Boulevard
- Wheeler Ridge Road - Route 5 to Route 223



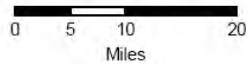
— 2006 Level of Service F  
 Congestion Management Program Corridors



## Metro Bakersfield Congestion Management Program Corridors



- 2006 Level of Service F
- Congestion Management Program Corridor



## Kern County Congestion Management Program Corridors

## Level of Service Standards

The purpose of this section is to establish Level of Service standards for the Congestion Management road network in Kern County. California Government Code Section 65089(b)(1)(B) requires that Level of Service standards be established at no worse than LOS E, or LOS F if that is the current level of service.

Level of Service, according to the *Transportation and Traffic Engineering Handbook*, is a "qualitative measure that represents the collective factors of speed, travel time, traffic interruptions, freedom to maneuver, safety, driving comfort and convenience, and operating costs provided by a highway facility under a particular volume condition." Level of Service is ranked from A to F, with A being best and F being worst and wherein:

Level of Service "A"	Free flow: no approach phase is fully used by traffic and no vehicle waits longer than one red indication. Insignificant delays.
Level of Service "B"	Stable operation: an occasional approach phase is fully used. Many drivers begin to feel somewhat restricted within platoons of vehicles. Minimal delays.
Level of Service "C"	Stable operation: major approach phase may become fully used and most drivers feel somewhat restricted. Acceptable delays.
Level of Service "D"	Approaching unstable: drivers may have to wait through more than one red signal cycle. Queues develop but dissipate without excessive delays.
Level of Service "E"	Unstable operation: volumes at or near capacity. Vehicles may wait through several signal cycles and long queues form upstream from intersection. Significant delays.
Level of Service "F"	Forced flow: represents jammed conditions. Intersection operates below capacity with several delays that may block upstream intersections.

[Jurisdictions are encouraged to incorporate multi-modal level of service standards as appropriate for each community facility type, place type and corridor type as recommended in the latest highway capacity manual update.](#)

### Adopted Level of Service Standard

One of the most important elements of the congestion management process is to establish traffic Level of Service standards to decide how much traffic, during peak hours, is acceptable. LOS is a way of measuring the amount of traffic congestion.

Level of Service "E" has been established as the minimum systemwide LOS traffic standard in the Kern County Congestion Management Plan. Those roads currently experiencing worse traffic congestion have been accepted at their existing traffic level of LOS F. By so doing, cities and the County will not be penalized through loss of gas tax funds for not meeting the new Congestion Management Program LOS E standard. Existing LOS F locations are listed below:

- Rosamond Blvd – 10th St West to ~~Lancaster Blvd~~ SR14
  - SR 99 NB – White Ln to Wilson Rd
  - SR 58 – SR 99 to Cottonwood Rd
  - SR 58/Rosedale Hwy – SR 99 to Main Plaza Dr
  - 24th St (SR 178) – Oak St to N St
  - SR 204/Golden State Hwy – F St to Chester
  - ~~Seventh Standard Rd~~ – SR99 to Coffee Rd
- (List updated based on most recent travel demand model validation base year)

~~These LOS F designations are considered temporary. As improvements are built, and congestion reduced, the designations will be upgraded to the systemwide standard of LOS E. Projects along one of the existing LOS F segments, with 1 or more than 5 peak hour trips or 50 daily trips (or as required by the most recent Caltrans Guide for the Preparation of Traffic Impact Studies), shall include a deficiency plan for the affected corridor segments as part of the traffic study for the project's environmental document or as a separate stand alone deficiency plan for the affected corridor.~~

In addition to the LOS standards of the Congestion Management Program, some cities and the County of Kern have adopted policies to help maintain their own LOS standards. In most cases, these local policies are aimed at maintaining LOS C. These standards are not intended to replace local policies by allowing greater congestion; they serve a very different purpose. The locally adopted LOS standards are tied to the city's and County's authority to approve or deny development, require mitigation measures, and construct roadway improvements. The Level-of-Service standard is a planning tool to be used in the development review process. Failure to meet the local standard does not have direct negative federal financial impacts.

### Mitigating Deficiencies

The Deficiency Plan is similar to a Corridor System Management Plan. The deficiency plan portion of the traffic study should analyze the multimodal LOS for the affected portion of the Congestion Management Program network and parallel corridors as appropriate.

- Complete Streets Analysis or Multimodal LOS - The modes analyzed in the multimodal LOS analysis should be dependent on the place type. For example, in most cases rural inter-city travel need not look at pedestrian capacity. The plan should provide mitigation and a monitoring program to offset impacts to all modes through incident and demand management strategies.
- Corridor Analysis - Corridor impacts to a mode may be mitigated by providing capacity on a parallel facility. For example, an impacted facility may lack pedestrian and bike facilities; however, a parallel bike/pedestrian path within the corridor could offset this deficiency. In addition, impacts to transit buses stuck in the same traffic congestion as single occupancy vehicles, could be mitigated by the provision of a transit/HOV lane in the congested travel direction during peak periods. Additional mitigation for congestion could be through the provision of a freeway service patrol to rapidly clear traffic accidents during peak periods.
- Multimodal Circulation Plans – At their next regularly scheduled update, local circulation plans should consider multimodal LOS standards. In addition to the road network, circulation plans should include bike, pedestrian and transit networks. The bike/pedestrian/transit networks should provide for transit oriented development centers that could serve as transfer points and nodes for future express and/or regional service. The centers also should provide a connected network linking to the future High Speed Rail and passenger rail stations. These centers should be reflected in the Land Use Element of the General Plan with higher densities and a mix of land uses that make for a vibrant pedestrian oriented destination. The centers should use multi-modal LOS standards with in their boundaries to ensure capacity for bike, walk and transit.

- Funding Mitigation - Funding for mitigation may be phased as part of the mitigation monitoring program. Developer funded mitigation would be timed with the completion of phases that created the impacts. Other funding sources could include local and regional traffic impact fees, a transportation sales tax measure, and the Kern Motorist Aid Authority DMV fee for freeway service patrols and traveler assistance 511 services. Consideration of multimodal LOS may result in a cost savings for building and maintaining wider roads that handle greater traffic volumes. That savings could be redirected into building the transit, bike and pedestrian facilities. Local governments should consider performing a cost/benefit analysis to compare adding an extra free flow lane each direction to a congested corridor versus adding capacity for transit, bike, walk and/or HOV. The analysis may result in reduced transportation mitigation that may increase affordable housing.
- Congestion Pricing – On major freeway and highway facilities, HOV lanes, bus lanes and toll lanes can be used to fund new capacity for single occupancy vehicle traffic. At the national level, odometer based tolling is being considered to fund and maintain infrastructure that support goods movement activity. Variable parking cost can also be used as a strategy to reduce congestion during peak periods.

### Congestion Management Agency Role

~~Kern COG, as~~ Under the state CEQA guidelines environmental checklist, the Congestion Management Agency, does not have development review and implementation responsibilities; these are up to the various cities and County. The Agency's authority is limited to establishing and monitoring a countywide Level-of-Service standard, and withholding state-Federal gas tax funds if the standard is not met or mitigated. Local agencies often establish more stringent level of service requirements as part of the Circulation Plans. Because of these differences, t ~~The Congestion Management Program standard is not viewed as being in conflict with locally-adopted LOS standards~~ that are more stringent.

It is the Congestion Management Agency's responsibility to ensure that all cities and the County are following the Congestion Management Program. Of particular importance is the establishment of traffic counts and regional traffic modeling. Kern Council of Governments completes one coordinated and comprehensive review of current traffic data each year with each RTP update; each city and the County is evaluated in the same manner. Through the Kern Regional Traffic Count Program, the cities, County and Caltrans undertake traffic counts on their roads annually. Use of recent peak hour traffic counts as a basis for traffic forecasting eliminates much of the "guesswork" and ensures that the review is based on actual traffic conditions, ~~not estimates or forecasts.~~

Provisions include:

- All roadway segments on the Congestion Management network shall maintain a level of service of "E" or better.
- Any roadway segments on the Congestion Management network that are operating at a level of service worse than "E" on the adoption of the first Congestion Management Program shall ~~not further degrade~~ be required to prepare a deficiency plan as part of the traffic study for a proposed development. The plan shall provide mitigation through transportation system management and travel demand management strategies and/or capacity for other modes such as transit and HOV that is not affected by the slower speeds of congested Single Occupancy Vehicle (SOV) travel. The plan shall provide mitigation along the congested portion of the corridor, if mitigation of the affected CMP network links is not feasible.
- The CMP will assume that a recently completed capacity increasing improvement will operate better than LOS F until the next transportation model update indicates that the segment has been degraded to LOS F again, as indicated by observed traffic counts.

**Attachment B**

**BACKGROUND MATERIALS**

## Attachment B – BACKGROUND MATERIALS

### 1) Federal Congestion Management Process Interim Guidebook:

<http://ops.fhwa.dot.gov/publications/cmpguidebook/>

### 2) Prop 97 - 2009 CEQA Rulemaking Changes Concerning Transportation and Congestion Management Agencies (Finaled Dec. 30, 2009)

Status and updates on the state rulemaking can be found at: <http://ceres.ca.gov/ceqa/guidelines/>

#### “Appendix G Environmental Checklist Form

...

XVI. TRANSPORTATION/TRAFFIC – Would the project:

a) ~~Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?~~ Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) ~~Exceed, either individually or cumulatively, a~~ Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

...

f) ~~Result in inadequate parking capacity?~~

gf) ~~Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities~~ supporting alternative transportation (e.g., bus turnouts, bicycle racks)?”

#### California Resources Agency ~~Initial-Final~~ Statement of Reasons – July-December 2009

[http://ceres.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://ceres.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf)

#### “Level of Service” and Transportation Impact Analysis

The Natural Resources Agency acknowledges the concern expressed by some comments that the use of level of service metrics in CEQA analysis has led to an autocratic focus. The Office of Planning and Research and the Natural Resources Agency have participated in extensive outreach with stakeholder groups to revise question (a) in the transportation section of Appendix G to accomplish the following goals:

- Assess traffic impacts on intersections, streets, highways and freeways as well as impacts to pedestrian, non-vehicular and mass-transit circulation
- Recognize a lead agency’s discretion to choose methodology, including LOS, to assess traffic impacts
- Harmonize existing requirements in congestion management programs, general plans, ordinances, and elsewhere

In response to public comments submitted on proposed amendments, the Natural Resources Agency further refined question (a) to shift the focus from the capacity of the circulation system to consistency with applicable plans, policies that establish objective measures of effectiveness.

Some comments advocated leaving the existing text in question (a) of the transportation section of Appendix G intact. As explained in the Initial Statement of Reasons,

[Q]uestion (a) changes the focus from an increase in traffic at a given location to the effect of a project on the overall circulation system in the project area. This change is appropriate because an increase in traffic, by itself, is not necessarily an indicator of a potentially significant environmental impact. (Ronald Milliam, AICP, *Transportation Impact Analysis Gets a Failing Grade When it Comes to Climate Change and Smart Growth*; see also Land Use Subcommittee of the Climate Action Team LUSCAT Submission to CARB Scoping Plan on Local Government, Land Use, and Transportation Report (May, 2008) at pp. 31, 36.) Similarly, even if some projects may result in a deterioration of vehicular level of service – that is, delay experienced by drivers – the overall effectiveness of the circulation system as a whole may be improved. (*Ibid.*) Such projects could include restriping to provide bicycle lanes or creating dedicated bus lanes. Even in such cases, however, any potential adverse air quality or other impacts would still have to be addressed as provided in other sections of the checklist. Finally, the change to question (a) also recognizes that the lead agency has discretion to choose its own metric of analysis of impacts to intersections, streets, highways and freeways. (Pub. Resources Code, § 21081.2(e); *Eureka Citizens for Responsible Gov't v. City of Eureka, supra*, 147 Cal.App.4th at 371-373 (lead agency has discretion to choose its methodology).) Thus, —level of service may or may not be the applicable measure of effectiveness of the circulation system.

(Initial Statement of Reasons, at pp. 64-65.) Further, evidence presented to the Natural Resources Agency indicates that —mitigation of traffic congestion may lead to even greater environmental impacts than might result from congestion itself. (See, e.g., Cervero, Robert. (July, 2001). *Road Expansion, Urban Growth, and Induced Travel: A Path Analysis*. Journal of the American Planning Association, Vol. 69 No. 2. American Planning Association (confirming “induced demand” phenomenon associated with capacity improvements).)

While the terms “volume to capacity ratio” and “congestion at intersections” no longer appear in question (a), nothing precludes a lead agency from including such measures of effectiveness in its own general plan or policies addressing its circulation system. Though the Office of Planning and Research originally recommended specifying “vehicle miles traveled” as a question in Appendix G, it later revised its recommendation to allow lead agencies to choose their own measures of effectiveness. (Letter from OPR Director, Cynthia Bryant, to Secretary for the Natural Resources Agency, Mike Chrisman, April 13, 2009.) Thus, as revised, question (a) accommodates lead agency selection of methodology, including, as appropriate, vehicle miles traveled, levels of service, or other measures of effectiveness.

Other comments objected to any mention of the phrase “level of service” in question (b) of the transportation section of the Appendix G checklist. That question, as revised, would ask whether a project would conflict with the provisions of a congestion management program. The Government Code, beginning at section 65088, requires Congestion Management Agencies, in urbanized areas, to adopt Congestion Management Programs covering that agency’s cities and county, and in consultation with local governments, transportation planning agencies, and air quality management districts. A CMP must, pursuant to statute, contain level of service standards for certain designated roadways. A CMP must also include a land use analysis program to assess the impact of land use decisions on the regional transportation system. A CMA may require that land use analysis to occur through the CEQA process. Thus, level of service standards cannot be

deleted from the Appendix G checklist altogether. The proposed amendments did, however, amend question (b) to put level of service standards in the broader context of the entire CMP, which should also contain travel demand measures and other standards affecting the circulation system as a whole. Beyond this amendment, however, the Natural Resources Agency cannot remove level of service standards entirely from the Appendix G checklist.

Notably, the primary purpose of the proposed amendments is to update the CEQA Guidelines on the analysis and mitigation of greenhouse gas emissions. While certain changes to Appendix G were proposed pursuant to the Natural Resources Agency's general authority to update the CEQA Guidelines, those changes were modest and were intended to address certain misapplications of CEQA in a way that hinders the type of development necessary to reduction of greenhouse gas emissions. Transportation planning and impact analysis continues to evolve, as new multimodal methods of analysis and guidelines on the integration of all modes of transportation and users into the circulation system are being developed. Additional updates to Appendix G may be appropriate in the future to address those developments.

### **3) 2010 TRB Highway Capacity Manual Update – Complete Streets/Multi-Modal LOS**

- **Powerpoint presented to Kern Climate Change Task Force at September 2009 Meeting.** See link under handouts.  
<http://www.kerncog.org/climate.php>
- **Final Report: NCHRP Report #616**  
[http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_616.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_616.pdf)
- **User's Guide: NCHRP Web document 128**  
[http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_w128.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_w128.pdf)
- **Status of TRB HCM Update**  
<http://144.171.11.40/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=1612>

### **4) AB 1358 (approved Sept. 2008), Leno. – Planning: circulation element: transportation.**

"Effective January 1, 2011, city and county, upon a substantive revision to the circulation element of a general plan, must modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan. ... Shifting the transportation mode share from single passenger cars to public transit, bicycling, and walking must be a significant part of short and long-term planning goals if the state is to achieve the reduction in the number of vehicle miles traveled and in the greenhouse gas emissions required by current law."

### **5) Complete Streets Presentation (see attachment)**

The presentation is from the November 19, 2009 Kern COG Board meeting.

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: Ronald E. Brummett  
Executive Director

BY: Becky Napier  
Regional Planner III

SUBJECT: TPPC AGENDA NUMBER IV. CONSENT CALENDAR ITEM N.  
SR 223, 166, 119, 46 & 65 TRUCK ORIGINS & DESTINATIONS STUDY

DESCRIPTION:

Kern COG solicited proposals to prepare the SR 223, 166, 119, 46 & 65 Truck Origins and Destinations Study. The recommended contract for this work is between Kern COG and KOA Corporation of Monterey Park, California in an amount not to exceed \$99,763.

DISCUSSION:

The objective of the truck study is to gain statistical information on the origin and destination of heavy duty trucks traveling through Kern County, to better understand the types of cargo being transported by trucks and to better determine truck volumes.

This study will complement the truck origins and destinations study completed on SR-58 and SR-99 and I-5.

The Kern COG Board approved funding for this project as part of the adoption of the 2009-2010 OWP. A total of \$100,000 is provided under Work Element 610.3. The Request for Proposal issued on November 9, 2009, three proposals were received. The selection committee concurred that the proposal of KOA Corporation best responded to the RFP.

The contract is for an amount not to exceed \$99,763. Kern COG staff is recommending that the Kern COG Board approve and authorize the Chair to sign the contract.

ACTION:

Approve and authorize Chair to sign contract between Kern COG and KOA Corporation in an amount not to exceed \$99,763. VOICE VOTE.

January 21, 2010

TO: Transportation Planning Policy Committee

FROM: RONALD E. BRUMMETT,  
EXECUTIVE DIRECTOR

By: Joseph Stramaglia,  
Senior Planner

SUBJECT: TPPC AGENDA NUMBER V.  
2010 Regional Transportation Improvement Program

DESCRIPTION: The 2010 Regional Transportation Improvement Program cycle has been initiated and a 2010 Regional Transportation Improvement Program is due to the California Transportation Commission by February 12, 2010.

DISCUSSION: The California Transportation Commission (CTC) has initiated the 2010 Regional / State Transportation Improvement Program cycle. The 2010 STIP Guidelines and Fund Estimate were adopted at the October 14-15, 2009 Commission meeting. These two items define how priorities should be managed with Kern COG's final submittal to the Commission in February 2010. All regions were provided a target total of \$0 to introduce new project programming for years 2010-11 to 2014-15. **Therefore, the 2010 RTIP will be a programming delay exercise.**

November's report to the Kern COG Board of Directors indicated those Kern COG projects that are at risk of delay to an outer year of 2013-14 or 2014-15. The options that were developed provided a strategic beginning point for final concurrence by the Kern COG Board of Directors for the January 2010 meeting. While Commission staff has indicated that regions are competing for about 40% funding capacity against currently programmed projects in the 2010-11, 2011-12 and 2013-14 year, the adopted 2010 STIP Guidelines are requiring that regions make a recommendation that includes the delay of at least 30% of the current programming. However, Commission staff may need to delay up to 60% of the current statewide program. A Kern COG staff recommendation, The summary below indicates the amounts of formula regional improvement program funding or "RIP" under discussion.

Westside Parkway - Phase 4.....	\$24,000,000
Westside Parkway - Phase 6.....	\$26,000,000
West Ridgecrest Blvd. Reconstruction .....	\$6,200,000
Challenger Drive Extension .....	\$1,500,000
State Route 119 – Cherry Avenue Widening .....	\$4,500,000
State Route 14 Freeman Gulch Widening project (KCOG RIP Share only) .....	\$5,520,000
Olancha-Cartago Widening (KCOG RIP Share only).....	\$1,600,000
Planning, Programming and Monitoring (to be redistributed over 5 years).....	\$5,800,000
Total .....	\$75,120,000

**Staff Recommendation** Programming years set forth in Table A anticipates project delay. This staff recommendation has been shared with San Joaquin Valley COG's to negotiate with the California Transportation Commission to minimize the complete movement of current programming to the outer year 2014-15. Essentially, the staff recommendation combines the necessary understanding that most projects will be delayed and therefore recommends which projects would be delayed to 2013-14 and which would be delayed to 2014-15. The projects in Table A are listed in priority order except as noted for the Olancha-Cartago (partnership) project and PPM. The Technical Committee reviewed this item at the January 6, 2010 meeting. They approved the staff recommendation with the additional request that Kern COG staff ensure that project readiness is clearly stated to Commission staff.

**TABLE A - PROGRAM OF PROJECTS BY PHASE AND PROGRAMMING YEAR (\$ X 1,000)**

NOTE: Project information reflects, "RIP" for County Share re-programming; IIP, other Partnering IIP or Federal Earmarks are not reflected in this summary table.

The projects below are listed in priority order except as noted for the Olancha-Cartago project and PPM.

Description	Phase	10-11	11-12	12-13	13-14	14-15
Westside Parkway - Phase 4	RW					
	Con_Sup					
	Con	\$24,000				
Totals		\$24,000				
Westside Parkway - Phase 6	RW					
	Con_Sup					
	Con				\$26,000	
Totals					\$26,000	
W. Ridgecrest Blvd. Reconstruction (Phase 1) - EA 09-10889 Project was previously shelved after environmental clearance phase.	PA&ED					
	PS&E					
	RW_Sup					
	RW					
	Con_Sup					
	Con				\$6,200	
Totals					\$6,200	
Challenger Drive Extension						
	Con				\$1,500	
Totals					\$1,500	
SR 119 Cherry Ave. Widening EA 06-424700	PA&ED					\$1,095
	PS&E					\$3,405
	RW_Sup					
	RW					
	Con_Sup					
	Con					
Totals						\$4,500
SR 14 Freeman Gulch Widening EA 06-45710	PA&ED					\$1,000
	PS&E					\$4,520
	RW_Sup					
	RW					
	Con_Sup					
	Con					
Totals						\$5,520
<b>Olancha-Cartago - The Olancha-Cartago project in the County of Inyo is a partnership project and is not part of this analysis. Priorities will be relayed by Inyo County and should not impact priorities for Kern.</b>						
Description	Phase	10-11	11-12	12-13	13-14	14-15
	PA&ED					
	PS&E					
	RW_Sup				\$303	
	RW				\$1,352	
	Con_Sup					
	Con					
Totals					\$1,655	
<b>Planning Programming and Monitoring - as required by Commission staff.</b>						
Description	Phase	10-11	11-12	12-13	13-14	14-15
	PA&ED	\$1,580	\$1,580	\$699	\$699	\$700
	PS&E					
	RW_Sup					
	RW					
	Con_Sup					
	Con					
Totals		\$1,580	\$1,580	\$699	\$699	\$700

**RTIP Policy Review** - In 1998, Kern COG circulated a call for projects to the cities and county and ranked 66 projects. The Kern COG RTIP Policy was developed to focus on the delivery of project inside and outside of the metropolitan Bakersfield area. The following bullets are taken from the Kern Council of Governments Policy document that were used to direct staff to formulate a recommendation for the development of the Draft 2010 Regional Transportation Improvement Program submittal.

- ❖ Once Kern COG has committed to a project in the Regional Transportation Plan and Regional Transportation Improvement Program, it is Kern COG's policy to continue advancing the project that has completed one phase to the next phase when funding is available;
- ❖ Once Kern COG has committed to a project in the Regional Transportation Plan and Regional Transportation Improvement Plan, it is Kern COG's policy to keep a project or phase of a project whole, when possible;
- ❖ Kern COG leverages outside project dollars through partnerships with Caltrans (IIP), other regions, local contributions, regional commitments from other counties, demonstration funds, or state bond funds;
- ❖ Kern COG supports the equitable distribution of funding through the management of the Metro/Rural 60/40 programming split of State Transportation Improvement Program funding;
- ❖ Kern COG uses a ranked list of candidate Regional Transportation Improvement Program projects approved by the Kern COG Board of Director's in addition to other Board Actions to manage the overall project priorities.

**"60/40" Policy** - The "60/40" Policy was adopted in 1998 by the Kern COG Board of Directors to ensure an equitable distribution of State Transportation Improvement Program funds. The policy designates that 60% of State Transportation Improvement Program funds be available for projects inside the 2010 metropolitan Bakersfield boundary (as modified by the policy). The remaining 40% of the State Transportation Improvement Program funding was for projects outside the metropolitan boundary. The policy also notes that the funds can be flexible (moved inside and outside the designated boundary from year to year) as long as the "60/40" balance is maintained over the long-term.

### **Remaining Timeline**

- ❖ January 6, 2010 - Request recommendation of approval for final program of projects
- ❖ January 21, 2010 – Request regional approval of final program of projects
- ❖ February 12, 2010 – Regions submit RTIP to Caltrans headquarters and CTC
- ❖ February 12, 2010 – Caltrans districts submits ITIP to headquarters and CTC
- ❖ March 21, 2008 - CTC STIP hearing
- ❖ March 23, 2008 - CTC STIP hearing
- ❖ April 29, 2010 - CTC publishes staff recommendations
- ❖ May 19, 2010 - CTC adopts STIP

### Action:

Approve the 2010 Regional Transportation Program as shown in Table A, and authorize staff to negotiate with the Commission to advance projects as offered by the Commission. VOICE VOTE.